

TOWN OF THORNTON BOARD OF SELECTMEN MEETING MINUTES
February 20, 2013

ARB
Rec'd
7 Feb 13

APPROVED

10:00 a.m. Chairman Burbank opened the Thornton Board of Selectmen meeting with the flag salute and began the meeting.

Board Members present: Chairman Burbank, Brad Benton (arrived late), Steve Morton and Marianne Peabody.

Staff present: Tammie Beaulieu, Town Administrator

Absent: Roy Sabourn, Vice-chairman, Jessi Fleury, Board Secretary.

Payroll Manifest

****Motion****

10:50 a.m. Selectwoman Peabody motioned to accept the payroll manifest in the amount of \$25,880.87 for check date 2-22-13. Selectman Morton seconded. Motion passed 3-0.

Vendor Manifest

****Motion****

10:51 a.m. Selectman Morton motioned to approve the vendor manifest for check date 2-22-13 in the amount of \$305,001.77. Selectwoman Peabody seconded. Motion passed 3-0.

****Motion****

10:51 a.m. Selectman Morton motioned to approve the second vendor manifest for check date 12-28-12 in the amount of \$14,304.00 to change the name of the payee to PTR Bailer and Compactor and void the original check made to the incorrect vendor. Selectwoman Peabody seconded. Motion passed 3-0.

Action Folder

Minutes Approval

****Motion****

10:55 a.m. Selectman Morton motioned to approve the public minutes of 2-6-2013 as amended. Selectwoman Peabody seconded. Motion passed 3-0.

Letter from NHDOT

The board reviewed a letter regarding approval needed for emergency first responders to take the incident management training. After discussion, the board encourages department heads to attend this training.

****Motion****

11:00 a.m. Selectwoman Peabody motioned to encourage emergency personnel and department heads to attend the national traffic incident management responder training course held by NH Department of Transportation. Seconded by Selectman Morton. Motion passed 3-0.

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Millbrook Breach Update

Steve Morton informed the board that the highway department has removed three trees in the Millbrook due to the breach. The board reviewed documentation of the work performed as submitted by the road agent that can be used for a soft grant match. Per recommendation of the board, Steve Morton and Jim Demeritt met with Tyler Phillips of Horizon Engineering at the area and his recommendation is that work can be done but that Horizons would not be able to submit their recommendation until the spring. Mr. Phillips stated that the emergency sand bags can be used if needed to protect the road. The board agreed that the highway department should be prepared with sand bags in case they are needed in the spring. The board agreed to ask Tyler Phillips to elaborate more on what type of bags will work and once more information is received the town administrator will inform the highway department.

Zoning Compliance Application

The board reviewed zoning compliance applications as submitted by Nancy Decoteau, Planning Assistant.

****Motion****

11:50 p.m. Selectman Morton motioned to approve the ZCA # 2013-01 for Rebecca Noonan Revocable Trust of Map 16 lot 7-84 to remove an old 32x32 shed and replace it with a 10x16 shed. Seconded by Selectman Morton. Motion passed 3-0.

11:55 p.m. Selectman Brad Benton joined the meeting.

Covered Bridge Agreement – State Bridge Aid

The board reviewed an agreement letter submitted by HEB Engineers for a new bridge design for the Covered Bridge on Covered Bridge Road to include \$10,825 for the pre-design phase and \$28,393.00 for the engineer study with a projected total fee of \$39,218. Ms. Beaulieu believes that the board has already signed the agreement for this work but that this is a letter to Nancy Mayville, NHDOT referencing the portion of the project that is finished for the design stage for Covered Bridge Road Bridge # 163/107 over Mill Brook.

****Motion****

12:05 p.m. Selectwoman Peabody motioned to approve the letter of agreement for the Covered Bridge Road Bridge # 163/107 over Mill Brook. Seconded by Selectman Morton. Motion passed 4-0.

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Appointments

The board reviewed appointments for the Zoning Board of Adjustments, Fire Commission, and Conservation Commission.

****Motion****

12:10 p.m. Selectman Morton motioned to appoint the following residents to fill expiring terms:

- Joan Marshall, ZBA member, with an expiration date of 3/8/2016.
- William Rose, ZBA Member, with an expiration date of 3/8/2016
- Giff Kriebel, as ZBA alternate with an expiration of 3/8/2016.
- Jim Demeritt, fire commission with an expiration of 3/8/2016.
- Steve Shaughnessy, conservation commission with an expiration of 3/8/2016.

Seconded by Selectwoman Peabody. Motion passed 4-0.

****Motion****

12:12 p.m. Selectman Morton motioned to appoint Alfred Burbank, as ZBA alternate with an expiration of 3/8/2016. Seconded by Selectwoman Peabody. Motion passed 3-0-1. Chairman Burbank abstained.

Capital Reserve Withdrawal Request

The board of selectmen reviewed a letter to request the Trustees of Trust Funds to release funds from the Bridge Repairs and Maintenance account.

****Motion****

12:15 p.m. Selectman Morton motioned to request funds in the amount of \$5,078.86 to cover H.E. Bergeron Engineers, Inc. for professional services regarding Covered Bridge Road Bridge over Mill Brook from the Bridge Repairs & Maintenance Capital Reserve Account. Seconded by Selectwoman Peabody. Motion passed 4-0.

Land and Buildings RSA 75:3

The board reviewed a form letter regarding buildings that are located on land of another. The letters will go to the owners of the land annually to let them know that they are responsible for the tax of buildings on their land.

****Motion****

12:25 p.m. Selectwoman Peabody motioned to approve the RSA 75:3 Land and Building form letter to be sent to all land owners that have buildings owned by others on their land. Seconded by Selectman Benton. Motion passed 4-0.

Public Input

Jim Demeritt re-mentioned his visit to the Mill Brook with Tyler Phillips as discussed earlier in the meeting.

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Town Administrator Report

MS-6

Ms. Beaulieu informed the board that the MS6 is complete and ready for signatures so that it can be posted. The board approved and signed the MS6.

FEMA Application Revision

Chief Moller joined the meeting. Ms. Beaulieu stated that she and Chief Moller met with Chris Poirier to discuss revisions of the FEMA Application. Ms. Beaulieu stated that the amount of the funds for bridge repairs to the Covered Bridge Road Bridge went from \$219,353 down to \$4,000. Ms. Beaulieu and Chief Moller expressed their dissatisfaction with the demeanor of the FEMA officials when interacting with town officials and engineers as well as the fact that the funding has been reduced. Mr. Poirier asked Ms. Beaulieu if the board was going to appeal FEMA's decision. Ms. Beaulieu indicated that the board may decide to appeal which would allow FEMA to send a different representative to review the bridge and the town's application as a pre-appeal process. Documentation that proves repairs were made prior almost one year prior to Tropical Storm Irene need to be forwarded to FEMA with the request for appeal. Chief contacted Piper this morning, and their secretary will gather the information relative to repairs that were made. Chairman Burbank stated that an official letter should be sent to MIKE Poirier letting him know that the board has agreed to pursue the appeal option, and that they would like to begin the pre-appeal process. The board also agreed to send a copy of the letter to Nancy Mayville from NHDOT and Chuck Henderson from Senator Shaheen's office as he has asked to be kept up to date. The board agreed that they will not have HEB represent the town for the appeal process since it appears the town staff can do this on their own.

F550 Purchase

Ms. Beaulieu informed the board that she received a letter from the Road Agent asking if the board would consider keeping the oldest F550 rather than putting the old vehicle out to bid for sale. He explained that by keeping the oldest F550 it could be used as a spare, but not replaced when it was no longer functional. This would allow the town to use the truck for chipping and tree removal and as a spare for winter maintenance and would not be replaced as part of the fleet. The board discussed the request submitted by the Road Agent. After discussion, the board agreed to keep the oldest F550 according to the terms recommended by the Road Agent.

Damaged Mailboxes

The board discussed the process for replacing residential mailboxes damaged from plowing as well as the policies used for other towns. The board agreed that the highway department would replace mailboxes by providing a steel mailbox mounted to a 4x4 pole, a five gallon bucket with concrete and directions. The resident would have to place the mailbox in the spring. Ms. Beaulieu will inform the highway department.

Book Donations at the Transfer Station

Ms. Beaulieu informed the board that Kevin McGuire has set up a donation box for books at the transfer station. This box is for books, DVDs, records, and video games

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that have not been sold at the mall and will be placed in the donation box for residents to take for free before they are sent away for recycling. The board agreed that this is a good idea.

11:40 p.m. Chairman Burbank recessed the meeting.

11:52 a.m. Chairman Burbank called the meeting back to order

****Motion****

11:54 a.m. Selectwoman Peabody motioned to enter non-public session pursuant to RSA 91-A: 3, II, a, personnel and c-reputation. Seconded by Selectman Morton. Roll call, Butch Burbank - yes, Steve Morton – yes. Motion passed 4-0.

****Motion****

12:23 p.m. Selectman Morton motioned to exit non-public session. Selectman Benton seconded. Motion passed 4-0.

****Motion****

12:24 p.m. Selectman Morton motioned to approve the non-public welfare manifest in the amount of \$625.00 for check dated 2/23/13. Selectman Benton seconded. Motion passed 3-0-1. Selectwoman Peabody abstained.

****Motion****

12:25 p.m. Selectman Morton motioned to start the eviction process for the property located at 6-9-26. Seconded by Selectman Benton. Motion passed 4-0.

Other Business

Town Administrator Beaulieu asked the board if they would each like a binder with policies for reference. The board agreed that this would be helpful.

Selectman Morton left the meeting at 12:30 p.m.

12:34 p.m. Chairman Burbank recessed the meeting.

12:45 p.m. Chairman Burbank called the meeting back to order.

****Motion****

12:45 p.m. Selectwoman Peabody motioned to enter non-public session pursuant to RSA 91-A: 3, II, a, personnel and c-reputation. Seconded by Selectman Benton. Roll call, Butch Burbank - yes, Brad Benton –yes, Marianne Peabody –yes. Motion passed 3-0.

****Motion****

1:16 p.m. Selectman Benton motioned to exit non-public session. Selectwoman Peabody seconded. Motion passed 3-0.

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****Motion****

1:17 p.m. Selectman Benton motioned to solicit the Sheriff's department to assist with allegations mentioned during the non-public session. Seconded by Selectwoman Peabody. Motion passed 3-0.

****Motion****

1:18 p.m. Selectman Benton motioned to adjourn. Selectwoman Peabody seconded. Motion passed 3-0.

Respectfully submitted,

Jessi Fleury
Board Secretary
Draft posted 2/26/2013

Board of Selectmen

Meeting Date: February 20, 2013

Sign In Sheet

PLEASE PRINT YOUR NAME AND ADDRESS.

1. *Jan Smith* Thank you! *76 Fadden Rd*

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

15. _____

16. _____

17. _____

18. _____

19. _____

**TOWN OF THORNTON
Selectmen's Agenda
February 20, 2013
10:00 AM**

10:00 AM Flag salute

Work session – (no public input)

Manifest
Signature Folder
Action Folder reviewed by Board for discussion later
Mail Folder

Motion and sign the payroll and vendor manifest

Public Forum (5 minute session per person)

Town Administrator presents (no public input)

Agenda Items: (no public input unless approved by the Chairman)

12:45 non-public issues as needed pursuant to RSA 91-A: 3, II
(A-personnel, c-reputation)

Action Folder (no public input)

Board of Selectmen Item Discussions (no public input)

Public Forum (5 minute session per person)

Other business or non-public issues as needed pursuant to RSA 91-A: 3, II

Residents may contact the Town Administrator to get placed on a future agenda.

*The board may review decisions made during the meeting in public input, at the closing of the meeting, provided information that could result in an adjustment to a decision that was made during the meeting.

all
Rec'd
7/24/13
JL

Session Minutes
Thornton Board of Selectmen

Date: 2-6-13

Members Present: [Alfred (Butch) Burbank] ___ Chairman
[Roy Sabourn] ___ Vice Chairman
[Brad Benton] ___ Selectman
[Steve Morton] ___ Selectman
[Marianne Peabody] ___ Selectwoman

Motion to enter Nonpublic Session made by Selectman Morton seconded by Selectman Benton.

Specific Statutory Reason cited as foundation for the nonpublic session:

___ RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

___ RSA 91-A: 3, II (b) *the hiring of any person as a public employee.*

X RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

___ RSA 91-A:3, II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.*

___ RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

___ RSA 91-A: 3, II (i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

Roll Call vote to enter nonpublic session:

[Selectman Alfred (Butch) Burbank] Yes
[Selectman Roy Sabourn] Yes
[Selectman Benton] Yes
[Selectwoman Marianne Peabody] Yes
[Selectman Steve Morton] Yes

Remove public meeting tape.

Entered nonpublic session at 6:39 PM

Other persons present during nonpublic session: Town Administrator - Tammie Beaulieu

Description of matters discussed and final decisions made:

c = Non-public welfare manifest

Note: Under RSA 91-A: 3, III. Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of this board, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

Motion made to seal these minutes? If so, motion made by _____, seconded by _____, because it is determined that divulgence of this information likely would...

Affect adversely the reputation of any person other than a member of this board

Render a proposed action ineffective

Pertains to preparation or carrying out of actions regarding terrorism

Roll Call Vote to seal minutes: [name] Y N

Motion: Not applicable minutes not sealed.

Motion to leave nonpublic session and return to public session by Selectman Steve Morton, seconded by Selectman Brad Benton.

Motion: PASSED

Public meeting tape replaced (if applicable).

Public session reconvened at 6:44 P.M.

These minutes recorded by: Town Administrator Tammie Beaulieu
Draft minutes posted 2/8/13 at Thornton Town Hall.