

TOWN OF THORNTON BOARD OF SELECTMEN MEETING MINUTES

Meeting Date: May 2, 2012

APPROVED

The Board of Selectmen met and held a public meeting on Wednesday, May 2, 2012 10:00 AM at the Thornton Town Hall.

At 10:00 a.m. Chairman Burbank opened the business meeting with the salute to the flag.

Board Members present: A.W. (Butch) Burbank, Roy Sabourn, Brad R. Benton, Steve Morton and Marianne Peabody

Staff present: Tammie Beaulieu, Administrator; Jessi Fleury, Secretary.
Flag salute

Work session – (no public input)

Signature File

The board reviewed the meeting file contents.

****Motion****

10:25 a.m. Selectwoman Peabody motioned to accept the payroll manifest for 5-4-12 in the amount of \$18,246.37. Seconded by Selectman Morton. Roll call, Motion passed 5-0.

****Motion****

10:26 a.m. Selectman Morton motioned to accept the vendor manifest for check dated 4-20-2012, in the amount of \$126,180.20 Seconded by Selectman Sabourn. Roll call, motion passed 4-0-1. Selectwoman Peabody abstained.

Public Forum

Jim Demeritt asked if he would be able to join the meeting scheduled with the Police Chief regarding the renovations. Chairman Burbank agreed.

Gloria Kimball met with the board and provided a map of the existing plan regarding the proposed municipal parking lot beside the old town house. Ms. Beaulieu stated that she is planning to reference this subject in her presentation later in the meeting.

Beverley Chappell stated that she had some concerns regarding the April 18, 2012 selectmen minutes, and she emailed them to Jessi. Ms. Chappell also mentioned her previous complaint regarding the Zoning Board officials not being appointed properly. She stated that she has spoken with David Skin and was informed that the certificate of appointment has to be on file with the town clerk. Ms. Beaulieu stated that the oath has to be on file with the town clerk, but there is no requirement for any kind of form except that when the town clerk or selectboard swears an individual in to position, they have to fill out an oath confirming that they were sworn in.

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Ms. Beaulieu explained that any changes to the draft minutes of April 18 have to be approved by the selectmen and that Jessi has prepared a correction for the board to review when they review the minutes.

Action Folder

Chairman Burbank referenced a letter submitted by Kevin McGuire from the Transfer Station regarding waiving the disposal fee at the transfer station for a resident that is cleaning up items along the river that were illegally dumped years ago. Ms. Beaulieu reported for the Transfer Station Manager that 81 tires, 2 refrigerators, and 1 truck cap were disposed at the transfer station. He wanted the board to know it was approximately \$300 that he would not have in revenues to offset the fees. The board agreed that they would not charge and advise Kevin McGuire, Transfer Station Manager, that he can use his discretion to waive the fee occasionally for similar situations to prevent illegal dumping.

Minutes 4/18/2012

The board reviewed the minutes.

10:39 a.m. Selectman Morton motioned to approve the minutes of April 18, 2012 with amendments attached. Seconded by Selectwoman Peabody. Roll call, Motion passed 3-0-2. Vice Chairman Roy Sabourn and Selectman Benton abstained.

****Motion****

10:41 a.m. Selectmen Morton motioned to pay an invoice dated April 17, 2012 from Jackson Lewis Attorneys at Law in the amount of \$2,635 from the contingency fund. Seconded by Vice Chairman Sabourn. Roll call, motion passed 3-0-2. Selectman Benton and Selectwoman Peabody abstained.

Investment Policy/Delegation of Deposit Authority

The board reviewed the updated investment policy. Ms. Beaulieu explained that the policy needs to be renewed annually. She has met with the treasurer and tax collector/town clerk to discuss the policy and the board has to make final approval.

****Motion****

10:45 a.m. Selectman Sabourn motioned to approve the Town of Thornton Investment Policy as presented and approve the Delegation of Deposit Authority for Lou Klotz and Carole Lee to make deposits on behalf of the town. Seconded by Selectman Morton. Roll call, motion passed 5-0.

Non-public Minutes of 4-18-12

****Motion****

10:47 a.m. Selectmen Benton motioned to accept the non-public minutes of 4-18-12 as submitted. Seconded by Selectman Morton. Roll call, motion passed 5-0.

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Avitar Abatement

The board reviewed an abatement for Fairpoint.

****Motion****

10:50 a.m. Vice Chairman Sabourn motioned to approve the abatement for Fairpoint per recommendation of Gary Roberge, Avitar, in the amount of \$13,180 for the tax year 2011. Seconded by Selectwoman Peabody. Roll call, motion passed 5-0.

Agenda Items: (no public input)

11:00 Clint Rand – Administrative Update

Mr. Rand informed the board that he received a building permit from Justin Atwood. He submitted the paperwork after the fact; however it is not complete for submission. He has a meeting with him tomorrow morning. Mr. Rand stated that he had an informational request from Brad Benton Sr. to see if a building permit was needed to repair the roof of the Mausoleum on town property. The board discussed the project and agreed that it is considered a repair and no permit is required.

Chairman Burbank asked Mr. Rand for clarification on the 52 hours submitted on his timesheet. Mr. Rand explained that it was somewhat unusual and it was for two weeks. He explained that he has no problem keeping his hours at 20 a week but it will leave a lot of projects dangling. He feels that since his position was vacant for so long, there is more time needed to create policies and procedures. He thinks that if they can spend more time upfront getting the office in order than it would pay off later. Chairman Burbank stated that there is only a certain amount of money in the budget and that he wants to make sure there is customer service too. He feels that Mr. Rand may need to prioritize more. Selectman Morton asked what the projects are that are consuming so much time.

Mr. Rand explained that the FEMA regulations are very time consuming as well as site plan reviews. Ms. Beaulieu stated that when the board first hired that position they were under the impression that 60% of the hours would be for the zoning enforcement which included processing building permits and 40% for planning board, however it appears much more time is being used for the planning board than the zoning and building. Ms. Beaulieu explained that she would like to work with Mr. Rand to establish a timeframe for when building permits can be reviewed in timely manner so that the staff can inform applicants when they submit a building permit. Mr. Rand also stated that the town may want to consider hiring someone to do the FEMA floodplain regulations and is extremely time consuming. Vice Chairman Sabourn stated that the diversity of the position may require more than 20 hours per week, but they have only budgeted that amount. Chairman Burbank stated that the position was created to be out in the field in the building department and not more in the planning department.

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Selectwoman Peabody mentioned the job description committee. Selectman Morton thinks that Mr. Rand has taken on a lot more (in certain areas like the flood ordinance) and he would like to see a journal of projects that are being worked on showing where the hours are used. He indicated that Mr. Rand may be doing more inspections than is necessary. Selectman Sabourn agrees, and he does think that Mr. Rand is doing a good job for the town, but also thinks the position is changing into a building inspector position rather than the intended code enforcement position. The board discussed increasing the building permit application fee and requiring another fee for floodplain applications due to the time needed for inspections. Vice Chairman Sabourn wants Mr. Rand to review the permits like he has so that the town is processing the right way, and the fees charged need to cover the time needed to do the inspections. Ms. Beaulieu suggested adding this to the fee schedule during a public hearing. Mr. Rand disagrees with Mr. Morton and stated that there is a lot more involved with the floodplain applications and the town has been on a path that is not correct. Chairman Burbank would like the job description reviewed as agreed at town meeting. Selectman Morton suggested meeting with Jennifer Gilbert, Flood Management Coordinator from the state and a representative from FEMA to get a better idea of what is required and factual information as to the process and what needs to be done so that everyone is hearing the same information. The board agreed to have Ms. Beaulieu schedule a meeting with FEMA representatives and Mrs. Gilbert to address conflicting information from Selectman Morton and Mr. Rand.

Selectman Morton asked if Mr. Rand can supply a log of work done on a daily basis. Ms. Beaulieu and Chairman Burbank stated that other department heads submit a bi-weekly report and if the board would like we could have Mr. Rand submit similar reports. Vice Chairman Sabourn is not concerned with what property Mr. Rand is inspecting, but agreed that the log would be good so that the board knows what activities are most time consuming so that they can adjust the fee schedule appropriately. Chairman Burbank agreed with Selectman Sabourn. Selectman Benton would like to see a log to see where his time is being spent. Selectman Morton would like to see a breakdown specifying the applications that he is working on. Selectwoman Peabody supports the comments of the board. The Board requested that Ms. Beaulieu prepare a log for Mr. Rand to complete on daily activity to analyze the time needed for the position. After an inquiry from Selectman Morton, the board discussed town officials visiting personal property without notice and asked Mrs. Beaulieu to verify if new legislation has been passed regarding the authority of town officials visiting private property.

The board continued discussion of Mr. Rand's hours and coverage for customer service. Mr. Rand stated that he has projects of his own that he would like to do and that he does not want to work more than 20 hours a week. He informed the board that he is taking vacation the 29th of this month and will be back the 26th of next month. Selectwoman Peabody asked what will happen with the department. Mr. Morton previously stated that the selectmen can handle the building permits and Mr. Rand indicated that the selectmen could handle the building permits while he is out. Chairman

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Burbank disagreed with having the selectmen handle the building permits and would like the job description process made a priority. The board also agreed that the meeting with FEMA should be scheduled before Mr. Rand leaves if possible, if not, Mr. Rand stated that he could come in for the meeting while he is out of the office for the month.

Chairman Burbank mentioned a building permit from the Benton's for some fill and asked if the permit could be addressed as soon as possible and before he leaves. Ms. Beaulieu asked if he could take some time on Thursday morning during his office hours to review the permit. Mr. Rand informed the board that the permit is complex and asked if Selectman Morton wants to do the inspection. Chairman Burbank and Vice Chairman Sabourn agreed that they do not think the Selectmen should handle building permits and they have a compliance officer and called for a meeting of the minds to work this out. Ms. Beaulieu asked if the building permit inspections can be done when he is scheduled for office hours rather than him actually being in the town hall. Mr. Rand is not sure he will be in town. The board agreed that Mr. Rand can have flexibility to complete his duties. Ms. Beaulieu confirmed that town staff will email Mr. Rand when they receive applications or building permits for his office so he will know the date they are received since he will not have specific town hall business hours. The Selectmen agreed.

11:15 Smoke Free Campus- TC/TX suggestion (postponed until later in the meeting)

11:30 Police Department Building Addition project

Jim Demerritt explained that the town will need to go out to bid for architectural and structural work for the addition project. He would like the Selectmen to establish the format and describe the bid process. Vice Chairman Sabourn explained that the town should receive a Request for Qualifications. Chief Moller explained the state and federal RFQ process. Chairman Burbank feels that price and qualifications could be reviewed at the same time. The board discussed the federal and state requirements and how it applies to municipalities. Vice Chairman Sabourn suggested asking for a combined RFQ and RFP. The board suggested having the building committee create the RFQ and RFP and Ms. Beaulieu offered to research information as well. The board agreed.

Old Town Hall Parking Lot Project

Vice Chairman Sabourn explained that the construction of the parking lot project should have an engineered plan, beyond his scope of services, that references slope stabilizations, guard rails, and other safety concerns. He suggested asking if the road agent is able to provide the RFQ criteria to set specifications to go out to bid. The board agreed and asked Ms. Beaulieu to discuss with the Road Agent, John Kubik Jr..

12:00 Town Counsel- Non-Meeting

****Motion****

11:51 a.m. Selectman Morton motioned to temporarily adjourn the meeting to

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meet with town counsel. Selectwoman Peabody seconded. Roll call, Chairman Burbank-yes, Vice Chairman Sabourn-yes, Selectman Benton-yes. Selectman Morton-yes, Selectwoman Peabody-yes. Motion passed 5-0.

The board reconvened the public meeting at 1:15 p.m.

Action Folder-continued

Tax Agreement Buy Back

Ms. Beaulieu informed the board that the tax agreement for PID 11-1-1736 has been fulfilled and the property is being deeded from the town to the previous owner. The board agreed that they will not require payment of 2012 taxes in advance.

****Motion****

1:17 p.m. Selectman Morton motioned to execute a deed with no covenants to Robert and Lorie Kelly for property known as 36 Brookside Road PID 11-1-1736. Selectwoman Peabody seconded. Roll call, motion passed 5-0.

12:45 Lou Klotz – TC/TX business hours

Chairman Burbank explained to Mr. Klotz that there have been a few complaints regarding the hours open to the public for registering vehicles. Selectwoman Peabody agreed that she has received the same type of feedback from residents. Chairman Burbank explained that people come into the office and see employees but they cannot register their vehicles and do not understand that some staff cannot process town clerk duties. Burbank asked if the hours of the 3 employees for the town clerk's office can stagger their work hours to have more hours open to the public to provide more customer service hours and perhaps match the selectmen's town hall hours. Mr. Klotz stated that if he does that he will solve the problem of the staff getting yelled at but will not solve the residents' complaints. The board and the Town Clerk discussed the concerns and possible solutions. Town Administrator Beaulieu offered the board to adjust the hours of the selectmen's staff in any way needed to accommodate the public which includes later hours during the week if needed. The board discussed with Mr. Klotz that they know they have no jurisdiction and that they cannot change the Town Clerk hours but suggest that the Town Clerk work with the Town Administrator and try to mirror the business hours of town hall staff. It was agreed that it would be more efficient to establish hours that match so that the residents can do business at both windows at the same time. It was agreed by the Board that customer service is the main concern of residents.

Smoke Free Campus- TC/TX suggestion

Ms. Beaulieu reported back to the board from the earlier request from TC/TX Lou Klotz for a smoke free campus. Ms. Beaulieu confirmed that the personnel policy states that employees have the right to have breaks and designated smoking areas and that currently there are no employees that smoke other than 3 elected officials. After discussion, the board agreed that the distinguishing area be moved and the beautification committee would assist with a smoking area as well.

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Intent to cut

****Motion****

2:09 p.m. Vice Chairman Sabourn motioned to approve an Intent to Cut for Jarrett Ham on Peaked Hill Road. Selectwoman Peabody seconded. Roll call, motion passed 5-0.

Timber tax Warrant

****Motion****

2:10 p.m. Vice Chairman Sabourn motioned to accept the timber tax warrant for Mountain River East Condo Association PID 11-1-2 in the amount of \$548.60. Selectman Morton seconded. Roll call, motion passed 5-0.

Notice of Intent to Cut

2:11 p.m. Selectman Benton motioned to approve an Intent to Cut for Normad Vadenals on Sunrise Hill Road PID 11 lots 1 and 2. Vice Chairman Sabourn seconded. Roll call, motion passed 5-0.

Elderly Exemptions

****Motion****

2:12 p.m. Selectman Morton motioned to accept the property tax exemptions as listed and attached to the minutes with the deadline of April 12, 2012. Seconded by Vice Chairman Sabourn. Roll call, motion passed 5-0.

Selectmen comments

Selectwoman Peabody

Ms. Peabody informed the board that the Beautification Committee met Monday night and will meet again on June 4, and a lot was accomplished during their meeting. They are ordering a message sign for in front of the town hall, and is going before the planning board for the sign permit which will include some small landscaping. They have also agreed on a spot for the gazebo in front of the town hall, and they are working on cleaning up the culvert area. Discussion began on the culvert and gazebo location being in state land. Vice Chairman Sabourn offered to contact the state to discuss permission to beautify any area that is on state property.

The committee would like to suggest during budget time if the people would appropriate some dollars for Welcome to Thornton signs. The committee thinks that 6 would be efficient. The selectmen agreed that they may have funds in this year's budget to purchase signs before the frost.

Selectman Morton

Mr. Morton informed the board that he spoke with Paul Sanderson regarding an incident at the planning board meeting where Chairman Dutto indicated that the Selectboard had

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a quorum because three selectmen were present at the planning board meeting. Mr. Morton stated that he was informed that there is no problem with all members of the same board as long as they do not act as board. He was told that his personal vote is counted as a planning board representative and not acting as a selectman.

Selectman Benton – No comments.

Chairman Burbank - No comments.

Vice Chairman Sabourn

Mr. Sabourn asked for clarification of the next step for the library trustees and their contract. The board agreed that they would send a letter to the school board and refer them to the library trustees to resolve because the town does not have jurisdiction and would suggest they include budgetary items in their budget if needed.

Planning Board

Ms. Beaulieu updated the board of the decisions during the last Planning Board meeting. Jessi has completed the notice of decisions. Ms. Beaulieu stated that during the last selectmen meeting, they had asked that she schedule a meeting with Clint Rand, Jessi, Bart, Nancy, and Giff to discuss the job process. She has been informed by Mr. Rand that he is going to meet with the chairman of the planning board to discuss information relative to the planning board and that he did not feel Ms. Beaulieu needed to be involved at this time. The board discussed the situation and the confusion regarding the processing. Selectman Sabourn would like to meet with Tammie, Jess and Clint to figure out a process and to delegate duties. Selectwoman Peabody offered to put together a timeline of when items need to be submitted to help streamline the process. Sabourn stated that some towns are very organized, such as Plymouth and their process can be used also. Ms. Beaulieu asked if he could provide a copy so that they can view their process.

Term of Health Officer

Ms. Beaulieu received an inquiry from the state as to why the selectmen are not appointing a selectboard member as a health officer until it is filled. Chairman Burbank offered to fill in as interim until one is appointed.

Sale of Town Property

Ms. Beaulieu informed the board that the paperwork for the sale of the Town/Petrycki property has been sent to the law office of Michael Conklin to be processed.

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Public Comment

Jim Demerritt

Mr. Demerritt suggested that if the town employees are going to be working later hours then the police department should be notified that the hours will be changing. Perhaps they could be more watchful when employees are working late.

Public Input

Selectman Benton recused himself from the selectboard.

Brad Benton – Building permit

Mr. Benton asked if there is any way to expedite a building permit for signage and gravel for the roads per recommendation of emergency officials. The planning board is doing a site walk on May 8th and he would like to have the work done prior to the planning board's visit. Mr. Benton stated that a few truckloads of gravel are needed to fix the current road and emergency evacuation signs and site signs will be erected to meet the planning board requirements. A separate building permit to move the shed was submitted as well. The board discussed if a building permit is needed based on the project. Chairman Burbank reviewed his application for building permit submitted yesterday. After discussion, the board agreed that a permit is only needed to move the existing shed structure and not to maintain existing roads or structures.

****Motion****

3:15 p.m. Selectmen Sabourn motioned to adjourn. Seconded by Selectman Morton. Roll call, motion passed, all in favor 5-0.

Respectfully submitted,

Jessi Fleury
Board Secretary
Draft Posted 5/9/2012