

043

TOWN OF THORNTON BOARD OF SELECTMEN MEETING MINUTES

Meeting Date: September 19, 2012

Approved

The Board of Selectmen met and held a public meeting on Wednesday, September 19, 2012 5:00 PM at the Thornton Town Hall.

5:00 p.m. Vice-chairman Sabourn opened the meeting with the flag salute and began the work session.

Board Members present: Roy Sabourn, Steve Morton and Marianne Peabody

Board Members Absent: Butch Burbank, Brad Benton

Staff present: Tammie Beaulieu, Town Administrator; Jessi Fleury, Board Secretary

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

6:00 p.m. PD award "2013 Police Interceptor" & "Cruiser Trade In" bids
Vice chairman Sabourn read the bid notice as advertisement in the Union Leader for the 2013 Police Interceptor. Ms. Beaulieu explained that she and Chief performed the bid opening as instructed and as advertised. A comparison was provided to the board outlining the companies and the costs as follows:

- Irwin Zone - \$24,673.88 with \$2,500 trade-in amount*
- Meredith Ford - \$24,642.92 including a document and title fee of \$68.00 with \$2,407 trade in.*
- Stoneham - \$25,176.00 with \$2,500 trade in*

Chief Moller recommends Irwin as they were able to accommodate transporting the new vehicle to Ossipee Mountain Electronics for the Police Department as in the past. The board discussed the bids and the department head recommendations.

****Motion****

6:07p.m. Selectman Morton motioned to accept the bid from Irwin Motors in the amount of \$24,673.88 with a \$2,500 trade in value. Selectwoman Peabody seconded the motion for discussion. The board discussed keeping the vehicle as a town vehicle for use in bank trips, seminars, etc. rather than trading it in. Roll call Vice Chairman Sabourn – yes, Selectman Morton – yes, Selectwoman Peabody – yes. Motion passed 3-0.

Vendor Manifest

****Motion****

6:15 p.m. Selectman Morton motioned to approve the vendor manifest dated 9-21-12 in the amount of \$240,397.69. Seconded by Selectwoman Peabody. Motion passed 3-0.

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Payroll Manifest

****Motion****

6:16 p.m. Selectwoman Peabody motioned to accept the payroll manifest dated 9-21-12 in the amount of \$24,578.13. Seconded by Selectman Morton. Motion passed 3-0.

Public Forum

Jose Ferreira Jr. met with the selectmen to discuss an application for zoning compliance form submitted for the board's review. Selectwoman Peabody asked for clarification about the approval of the septic system. He was informed from the state that the septic system is operable at this point; if it fails then he would have to have a new system installed. The board reviewed the information and recommendation from Nancy Decoteau including the need for clarification of the existing septic system. The board discussed that if the existing septic fails he will need to have it replaced, and an updated design will have to be submitted since the one on file was approved in 2008. Mr. Ferreira agreed to change the number of bedrooms indicated on his application for the septic system from 8 bedrooms to 2 bedrooms; Mr. Sabourn made those corrections on behalf of Mr. Ferreira. Mr. Ferreira stated that he would remove the trailer camper once the mobile home is installed. Selectman Sabourn asked for a letter in writing to the town from Mr. Ferreira confirming that he would remove that trailer. The board agreed to have Ms. Decoteau create an agreement indicating the removal of the trailer for Mr. Ferreira to sign tomorrow.

****Motion****

6:25 p.m. Selectman Morton motioned to approve the zoning compliance application for Jose Ferreira Jr., 32 Burbank hill road, 2012-24, PID with the condition that when the mobile home is hooked up that the travel trailer be disconnected and is not to be used with the septic system. It was agreed that the trailer will be removed after the mobile home is installed. Selectwoman Peabody seconded the motion. Motion passed 3-0.

David Gravel

Mr. Gravel met with the selectmen to review suggestions for the Code Enforcement Officer job description. The board discussed his recommendations in relation to wording, enforcement requirements and processes, gender neutral wording and provided feedback as to the reasoning behind some of the job description content. The board thanked Mr. Gravel for providing feedback and that it was very helpful.

Beverly Chappell asked if the board's position on selective enforcement is the right of the board and how they will avoid unequal application of the law if they have selective enforcement. Ms. Beaulieu clarified that the board has the right to consider enforcement cases on a case by case level based on the facts of each case. Jim Demeritt asked if the documents could be made gender neutral, rather than selectman to selectperson. The board discussed that the RSA's reference Board of Selectmen as a general term for all board members whether they are male or female.

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Mr. Morton referenced that there are some concerns with the zoning ordinance and the Planning Board is prepared to address these issues with their legal counsel to make them correct. It is their goal to have an enforceable zoning ordinance before it is enforced. Mr. Demeritt suggested that all three boards should get together and discuss concerns. The board agreed to discuss concerns with all boards.

6:30 *TS Manager- Kevin McGuire- Dumping policies and current pricing*
The board met with Mr. McGuire to discuss the current process for transfer station access for contracted haulers in Thornton. The board discussed the possibility of haulers that work for other towns in addition to Thornton, using the transfer station for out of town trash removal. Mr. McGuire feels confident that the trash from Plymouth is being brought to Plymouth and informed the board that while he was out today he witnessed Little Bear bringing a load to the Town of Plymouth.

Mr. Morton asked if the gates were left open on Tuesday's for contractors or if town staff were present at the station. Mr. McGuire explained that the commercial businesses come on Tuesday so that residents are not waiting in line during the regular hours. He explained the staff is at the station until noon on Tuesdays to let the haulers in. The board agreed that there was no problem with the current practice. Mr. Morton added that Mr. McGuire needs to be careful not to give preferential treatment to commercial businesses who want to use the station on Tuesdays. Mr. McGuire stated that if any business calls, he would allow them access to the station while they are there on Tuesday and that no special treatment was given. The board agreed that once in a while allowing someone to dump on a Tuesday when the transfer station is closed on Monday is not a problem, but if commercial haulers increase then the board may need to re-discuss in the future.

Mr. McGuire discussed the sales of tonnage and an expected decrease due to the market. Even with the estimated decrease, he feels there will still be room for profit. The board agreed to keep this in mind.

7:05 *Non-public session pursuant to RSA 91-A: 3, II (c)*

****Motion****

7:07 p.m. Selectman Morton motioned to enter non-public session under RSA 91-A,II (c-reputation). Seconded Selectman Sabourn. Roll call – Selectwoman Peabody – yes, Selectman Morton-yes, Selectman Sabourn-yes. Motion passed 3-0.

****Motion****

7:23 p.m. Selectman Morton motioned to exit non-public session. Seconded Selectman Sabourn. Motion passed 3-0.

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7:15 *Alexis Eynon – No Northern Pass update*

Ms. Eynon met with the board to discuss the ordinance they intend to put on the ballot by petition. They are planning a pot luck to introduce other like-minded people to each other in an effort to stop the Northern Pass. Ms. Beaulieu asked her to forward her website information so that a link can be provided on the town website. Ms. Eynon provided invitations to the pot luck to the board members. The board thanked her for attending.

7:30 *Thornton Town Hall/PD Addition –architectural engineering project award*

Ms. Beaulieu supplied the board with the set of minutes from the building committee along with the cumulative scoring sheet completed by some of the committee members. The committee recommended that Alba Architects be awarded the contract for architectural services for the town hall renovation project. Mr. Sabourn clarified that neither Chief Moller, Tammie Beaulieu, nor himself voted on the recommendation of the companies. The board discussed the process and the presentations given by the companies.

****Motion****

7:41 p.m. Selectman Morton motioned to award the 2012 Thornton Town Hall/PD Addition project to Alba Architects according to the information as presented to the building committee in the approximate amount of \$47,500. Selectwoman Peabody seconded. Motion Passed 2-0-1, Vice-Chairman Sabourn abstained.

7:45 *Personnel Evaluation Program discussion- current project*

The board discussed the personnel evaluation program. Selectwoman Peabody is against the formal evaluation process. Selectman Morton received feedback from some employees and department heads and feels that they do not agree with the process as presented. Selectman Sabourn has concerns as well but informed the board that the Town Administrator and Police Chief have been working on a revised process. He is not opposed to having evaluations to allow the employee to understand their position and provide a paper trail but would like a more simplified process. The concern is the automatic merit increase for a good evaluation. The board discussed the process. The board agreed that Ms. Beaulieu would email copies of the modified evaluations to the board members so that they can discuss as a full board at a later meeting. The board agreed to extend the deadlines for implementation for the personal evaluation project. Selectman Sabourn also suggested that the department heads email the employees to let them know that they are making changes and that it is a work in progress based on feedback received.

Town Administrator Presents

Ms. Beaulieu informed the board that she attended a Department of Labor seminar in Waterville and that Thornton's policies are in line with labor laws. The board discussed employees bringing children to the workplace and Ms. Beaulieu stated that this is not typically allowed. The board agreed that children in the workplace are not acceptable.

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The board also discussed lunch breaks. After discussion, the board agreed that employees who choose to not take a lunch break would need to sign a waiver. Furthermore, if individuals are taking a lunch break, it is not paid and they would need to indicate the time they left for lunch and the time they came back on their timesheet. The board agreed to inform the employees and update the timesheet format to include lunch time as well.

Selectman Sabourn mentioned safety concerns at the highway garage such as chains on the floor. He would like to remind the highway employees of these issues as they have encountered them in the past. Mr. Morton asked if the employees are wearing safety clothing such as boots, jeans and safety goggles. Ms. Beaulieu stated that Chairman Burbank had expressed concerns regarding flagging issues as well. The board agreed that they should meet with John Kubik to discuss the concerns.

Security Suggestions

Chief Moller provided some ideas for safety. The board agreed to bring up these concerns with the architectural firm in relation to the town hall renovations.

Legal Correspondence

Ms. Beaulieu informed the board that if the selectmen share legal correspondence from their attorney with another board then it becomes public information. Due to this clarification, she has not shared legal correspondence with any other boards. The selectmen agreed.

Action Folder (no public input)

Steve Iemma Building Permit

The board reviewed the permit from last meeting. The board reviewed the documents submitted and there is an application for the energy code but no approvals have been received. The board reviewed the application and the documents that were submitted.

****Motion****

8:27 p.m. Selectman Morton motioned to accept the Building Permit 2012-21 for 14 Adams Farm Road. Selectwoman Peabody seconded the motion. Motion passed 3-0.

The board signed the building permit.

Signature Folder

The board signed the following items:

- Meeting Recording Policy
- Letter to Plodzik & Sanderson re: Audit of Financial Statements

Minutes

****Motion****

8:31 p.m. Selectwoman Peabody motioned to approve the public minutes of 9-5-2012 as amended. Seconded by Selectman Morton. Motion passed 3-0.

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****Motion****

8:31 p.m. Selectwoman Peabody motioned to approve the non-public minutes of 9-5-12 as submitted. Seconded by Selectman Morton. Motion passed 3-0.

Forest Fire Warden Appointments

The board reviewed appointment requests for Chief David Tobine for Forest Fire Warden; John Benton and Ian Halm, Dean Johnston, Brian Tobine, for Deputy Wardens; and Daniel Defossess, Josh Fitz, Julianna O'Neill and Kristy Tobine for Issuing Agents.

****Motion****

8:33 p.m. Selectman Morton motioned to approve the appointment requests for Chief David Tobine for Forest Fire Warden; John Benton and Ian Halm, Dean Johnston, Brian Tobine, for Deputy Wardens; and Daniel Defossess, Josh Fitz, Julianna O'Neill and Kristy Tobine for Issuing Agents. Seconded by Selectwoman Peabody. Motion passed 3-0.

Selectmen Deeds

The board reviewed a deed with no covenants from Thornton to John Scott and Patricia Ferguson for PID # 11-1-97 on Covered Bridge Road.

The board discussed a corrected tax collector deed relative to property on Snowood Drive known as PID 17-16-6 taxed to Douglas and Sara Kline. The deed is needed to correct procedural issues of the tax collector's office so they can record a corrected tax collector deed.

The board agreed to sign the deeds.

****Motion****

8:43 p.m. Selectman Sabourn motioned to approve the deed with no covenants to John Scott and Patricia Ferguson for PID 11-1-97 on covered bridge road for the resale of tax collectors property. Seconded by Selectman Morton 2-0-1. Selectwoman Peabody abstained.

****Motion****

8:44 p.m. Selectman Sabourn motioned to approve the corrected tax collector deed relative to property on Snowood Drive known as PID 17-16-6 taxed to Douglas and Sara Kline to clarify procedural items by the tax collector's office so they can record a corrected tax collector deed. Selectman Morton seconded. Motion passed 2-0-1. Selectwoman Peabody abstained.

****Motion****

8:45 p.m. Selectman Sabourn motioned to approve the supplemental tax collector warrant for 2009 L and 2011 L for corrective entries in the amount of \$497.82 relative to owners Douglas and Sara Kline. Selectman Morton seconded. Motion passed 2-0-1. Selectwoman Peabody abstained.

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Tax Deeding Process Policy

Ms. Beaulieu discussed the proposed policy process and agreed to hold off on approving the policy until all board meetings are present.

Request for Road Work – Lower Tuchumseh View

Mr. John Sirianni contacted the Town Administrator regarding a washout in the road on Lower Tuchumseh View Road. Mr. Sirianni questioned if the town would be willing to repair the road since they own many pieces of property in that area. It was agreed that this road is not a town road. The board discussed the fact that when the town deeds property through tax deeding the town does not become part of homeowner associations. The board agreed to send a letter to Mr. Sirianni letting him know that they cannot expend funds on a private road.

Cable Company RW

The board reviewed a letter from Gary Roberge indicating that the assessment has not been finalized for the public right-of-way valuations for the cable company in Thornton. Ms. Beaulieu informed the board that this will affect the MS1 reporting and she will contact DRA for assistance if needed.

Order of Notice – Northern New England Telephone Operations LLC v Town of Thornton

The board reviewed the order of notice. Ms. Beaulieu indicated that the other towns involved may seek common legal representation in order to save on legal costs. The board agreed that this was a good idea and they would be interested in sharing the legal fees.

Concerned Citizen Issue

Richard Murray submitted a concerned citizen form requesting that the board deny the Thornton Bluff site plan application. The board reviewed the concern and agreed to respond to Mr. Murray with a letter informing him that the selectmen do not have jurisdiction over the approval of site plans and that the planning board has received a copy of his concern.

Building without a Permit

The board discussed substantial additions and feature buildings that have been built on PID 13-11-5 without permits. The board agreed to send the property owner a letter informing them that they need to complete the zoning compliance application, pay the fees for the extra features and the new addition, and provide an energy code audit form. The town will check setbacks, schedule an interior inspection and review the septic design plans.

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Meeting Recording Policy

****Motion****

9:05 p.m. Selectwoman Peabody motioned to approve the meeting recording policy. Seconded by Selectman Morton. Motion passed 3-0.

Board of Selectmen Item Discussions (no public input)

Waterville Estates District Meeting

Selectman Morton mentioned the article that is going to be on the warrant should have *Thornton* tax parcel number indicated in the article.

Planning Board Update – *Selectman Morton* discussed a letter that the planning board received from the Zoning Board. The planning board will most likely acquire planning board counsel assistance with writing zoning changes in the future. The board discussed the situation.

Selectwoman Peabody informed the board that the Beautification Committee met Monday night; their next project entails Christmas decorations for the outside of town hall, such as Christmas tree Lighting.

Selectwoman Peabody informed the board that Lou Klotz invited her into his office and was upset after reading the 8-22-12 BOS meeting minutes. The board reviewed the minutes of 8-22-12. Mr. Klotz expressed to *Selectwoman Peabody* that he is under the impression that the Selectboard feel's that his department is inadequate. He is very upset with the fact that the selectmen approved the minutes as written. The board recalled the previous conversation at the meeting of 8-22-12. Mr. Morton recommended that if Mr. Klotz has concerns he should feel free to meet with the Selectmen.

Selectman Sabourn updated the board on his research of the signage issue concerning Richard Provost on Chickenboro Road. He is still looking for some additional information however he has found three survey plats that indicate a 3 rod right of way. One of them indicates a 50 foot right of way. He will continue to work on finding more information.

****Motion****

9:45 p.m. Selectwoman Peabody motioned to adjourn. Seconded by Selectman Morton. Roll call – Selectwoman Peabody – yes, Selectman Morton-yes, Selectman Sabourn-yes. Motion passed 3-0.

Respectfully submitted,

Jessi Fleury
Board Secretary
Draft Posted 9/26/2012

Selectmen Meeting

September 19, 2012

5:00 p.m.

Sign In Sheet

**PLEASE PRINT YOUR NAME AND A
ADDRESS.**

Thank you!

1. JAMES JENNETT 76 FADDER RD
2. B Chappell 12 BEATRICE LANE
3. D. Gravel 40 Howe Pasture Ln.
4. J. FERREIRA 32 BURBANK HILL RD
5. Brenda Boyce 478 Woodstock NH 03223
6. Alexis Eynon 52 Upper Mad River Rd
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____

TOWN OF THORNTON
Selectmen's Agenda
September 19, 2012
5:00 PM

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

Town Administrator presents (no public input)

Public Forum (5 minute session per person)

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

6:00PM PD award "2013 Police Interceptor" & "Cruiser Trade In" bids

6:30 TS Manager- Kevin McGuire- Dumping policies and current pricing

7:00 Non-public session pursuant to RSA 91-A: 3, II (c)

7:15 Alexis Eynon – No Northern Pass update

7:30 Thornton Town Hall/PD addition –architectural engineering project award

7:45 Personnel Evaluation Program discussion- current project

Action Folder (no public input)

Board of Selectmen Item Discussions (no public input)

Public Forum (5 minute session per person)

Non-public session pursuant to RSA 91-A: 3, II

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.