



## TOWN OF THORNTON BOARD OF SELECTMEN

Town of Thornton • 16 Merrill Access Road • Thornton NH, 03285 • 603.726.8168

Approved on: 8/21/13  
BOS Initial: MS  
Rec'd by Town Clerk on: 22 Aug 13  
Town Clerk Initials: JK

### Board of Selectmen Meeting Minutes August 7, 2013

12:00 P.M. Vice-Chairman R. Sabourn opened the Thornton Board of Selectmen meeting with the Pledge of Allegiance.

**ROLL CALL:** Vice-Chairman Roy Sabourn, Steve Morton, J. Paul- Hilliard, and Marianne Peabody.

**ABSENT:** Chairman Brad Benton arrived at 12:50 p.m. and left at 2:30 p.m.

**STAFF PRESENT:** Tammie A. Beaulieu, Town Administrator and Jessi Fleury, Board Secretary.

#### AGENDA ITEMS:

##### 12:30 NH EXECUTIVE COUNCILOR RAYMOND S. BURTON

R. Burton met with the selectmen and discussed the process needed for the closure of the police department target range. The Selectboard expressed their frustration with the process.

R. Burton will request assistance for the town at a commissioner level.

R. Burton updated the Selectmen as to the current details of the Grafton County budget, the Grafton County Nursing Home, and Grafton County Complex updates.

##### 12:45 TOWN HALL/POLICE DEPARTMENT ADDITION (motion to approve and contract)

**Present:** Kelley Bolger, Chief Moller, Jim Demeritt, Stuart Anderson, Alba Architects.

J. Demeritt stated that the building committee met today at 11:00 a.m. and motioned to accept the contract for Phase 1. The committee recommends applying for state and federal funds through a grant application for approximately \$15,000 for the bullet proof glass/walls, cameras, and bollards for the Police Department.

J. Demeritt submitted the Building Committee recommendation to the Selectboard to accept a bid contract not to exceed \$290,000 for Phase 1, subject to any unforeseen circumstances out of their control. The grant funds anticipated are in addition to the recommended \$290,000.

R. Sabourn stated that Chief Moller has received confirmation from the state that the grant should be approved as long as the town follows the process.

Chief Moller stated that the estimated amount for the grant is \$15,000 to \$20,000 (\$12,000 for the cameras, \$2,100 for the bollards, \$3,500 for the window, and ballistic panels range from \$7,000 to \$9,000).

S. Anderson stated that engineering changes will be made according to code, and he is waiting for confirmation from the mechanical contractor that the new plan meets mechanical codes. Architectural and life safety codes are being met.

S. Anderson explained that the cost to upgrade the heating and cooling system is included in the \$290,000 contract amount, which will be adequate for Phase 2 as well.

S. Morton stated that the figures for the Phase 1 contract are within the limits voted at town meeting, and he feels comfortable with the amount. S. Morton confirmed that the deficiencies in the Police Department as outlined by NHLGC have been addressed in the proposed contract along with the items that will be completed with the anticipated grant funds.

S. Morton thanked K. Bolger for all of the work he has done as the clerk of works and thanked him for saving the town \$100,000 in costs for the addition.

J. Demeritt explained that the improvements will correct other deficiencies from the original police department addition such as mechanical, insulation, and poor materials used during the original addition which will save the town money in the long run as well.

R. Sabourn stated that he does not support approving the additional funds needed for Phase 2 of the building renovations for this budget year, since the cost is higher than the amount the townspeople approved.

R. Sabourn would like K. Bolger and S. Anderson to work on the contract amount with CCI for Phase 2 to present to the town's people during town meeting next year. B. Benton agreed.

S. Morton stated that he is ready to approve the \$290,000 and discuss phase 2 at the next town meeting.

R. Sabourn mentioned concern with the septic system and that the new cell may not have water access until the septic system is upgraded. K. Bolger is confident that the cell will have water access once they have more information about the water line.

J. Paul-Hilliard asked if there is a percentage increase to complete Phase 2 separate from Phase 1 if approved at town meeting. K. Bolger stated that this time at town meeting, the town will have a valid contract for Phase 2 that will include actual costs for expansion for the people to vote.

J. Paul-Hilliard asked what will happen if the grant is not approved. Chief Moller stated that she may be able to cover the amount in her budget for the bullet proof walls and windows if needed.

M. Peabody asked if there are any safety precautions for town official areas of the building for Phase 2 of the renovation buildings.

Chief Moller and K. Bolger agreed that the town may qualify for additional grants that would assist with safety precautions for Phase 2 as well.

T. Beaulieu stated that she has not received a contract yet. T. Beaulieu stated that non-compliance issues for Phase 2 will remain in place until the Phase 2 is approved at town meeting.

The board agreed to contract with CCI to complete Phase 1 this year and to bring details and actual cost estimates for Phase 2 to the townspeople at the 2014 town meeting. The \$290,000 for Phase 1 is raised from general taxation and most of the funds needed are included in the capital reserve fund for Phase 2.

**MOTION 7:00 P.M. "To have town counsel review a contract award with CCI for the police department renovation project not to exceed \$290,000 for Phase 1, subject to any unforeseen circumstances out of their control."**

Motion: R. Sabourn  
Seconded: S. Morton  
Discussion: None.  
Motion Passes: 4 – Yes, 0– No

R. Sabourn stated that Alba Architects should submit a letter stating that the integrity of the project is being upheld. Once this letter is received and the town attorney has approved the contract then the Selectboard will sign the contract.

Mr. Anderson stated that the town can save \$3,500 and time if they lift the bonding requirement. S. Anderson and K. Bolger agreed that CCI is a reputable, well-established company with a high reserve and due to the relatively small cost of this project, lifting the bond requirement would be a good idea. T. Beaulieu recommended waiting for the contract and to speak with town counsel before they decide not to bond. The board agreed.

The board requested that thank you letters be sent to the Building Committee members for all of their hard work over the past few years.

#### **2:00 JIM DEMERITT – FIRE COMMISSIONERS UPDATE**

Present: Fire Commissioners J. Demeritt and K. Bolger

J. Demeritt stated that the Fire Commissioners have come to an agreement to advertise for the vacant Fire Chief position.

K. Bolger stated that the academy is going to do five all-day assessments for the Fire Chief candidates in the areas of firefighting, medical, management/human resources and budget. Then candidates will be graded in each area.

#### **2:10 HAWKERS & PEDDLERS ORDINANCE – CHIEF MOLLER**

*Present: Chief Moller*

Chief Moller stated that a few years ago there was a discussion regarding an ordinance relative to Hawkers & Peddlers. The ordinance for Hawkers and Peddlers would include those that go door to door selling goods and services such as meat vendors, ice cream trucks, and other such items.

The ordinance would require those wishing to sell goods or services to obtain a license from the town. With this ordinance the town can require a background check.

Chief Moller also stated that the licensing can be done through the town hall or the police department and that a fine should be defined with the ordinance. The Board confirmed that the licensing will be completed in the police department due to the efficiency of background research and the chief's approval.

J. Demeritt recommended attaching a fee for the license to offset additional costs associated with the permit. It was confirmed that before implementing the town will hold a public hearing to update the town fee schedule.

The board recommended that T. Beaulieu verify if the ordinance can be adopted through a public hearing rather than town meeting.

Chief Moller offered to provide a draft ordinance to the board for their review. The board agreed.

#### **Thornton Old Home Day**

J. Demeritt stated that he mentioned the Old Home Day event ideas at the Fire Commissioner meeting. The board discussed that if there is a plan of events in place, the town may be able to donate the unused \$500 from the patriotic purposes account.

B. Benton left the meeting at 2:30.

#### **2:15 NON-PUBLIC SESSION PURSUANT TO RSA 91-A: 3, II**

##### **NON-PUBLIC SESSION**

**MOTION: 2:30 P.M. "To enter non-public session under RSA 91-A: 3, II (b & c)."**

Motion: S. Morton  
Seconded: J. Paul-Hilliard  
Roll Call Vote: M. Peabody – Yes S. Morton - yes  
R. Sabourn – Yes J. Paul-Hilliard – yes  
Discussion: None.  
Motion Passes: 4 – Yes 0- No

**MOTION: 3:10 P.M.: "To exit non-public session."**

Motion: R. Sabourn  
Seconded: M. Peabody  
Discussion: None.  
Motion Passes: 4 – Yes 0- No

**MOTION: 3:11 P.M.: "To accept the welfare manifest with a check date of 8/10/2013 in the amount of \$843.00."**

Motion: S. Morton  
Seconded: R. Sabourn  
Discussion: None.  
Motion Passes: 3– Yes 0- No Abstained: M Peabody

**MOTION: 3:12 P.M.: "To allow Chief Moller to make a conditional offer of probationary employment for candidate #1 for a part time patrol offer."**

Motion: S. Morton  
Seconded: M. Peabody  
Discussion: None.  
Motion Passes: 4– Yes 0- No

**MOTION: 3:12 P.M.: "To have the Town Administrator work with counsel to write a tax agreement for hardship case as discussed."**

Motion: S. Morton

Seconded: M. Peabody  
Discussion: None.  
Motion Passes: 4– Yes 0– No

#### TOWN ADMINISTRATOR REPORTS

T. Beaulieu stated that D. Mahurin forwarded an annual tax deeding report scheduled for September 25, 2013. T. Beaulieu stated that the Board of Selectmen will need to review the list and agree on which properties they are anticipating accepting for tax deeding once they are closer to the deeding date, as the list is expected to change as property owners pay past due balances.

T. Beaulieu will update the board as the list changes.

#### HUBBARD BROOK SCHOLARSHIP

T. Beaulieu stated that she received an email from Jeff Sleeper informing the town that they will be changing the payment schedule from Hubbard Brook for the payment in lieu of taxes agreement which funds the Hubbard Brook scholarship.

The board discussed previous agreements and payment schedules.

T. Beaulieu will contact Plymouth State University to find out when the students are able to apply for the scholarship so that funds are available before students apply.

The board agreed that the assessor should visit the property to confirm that the property qualifies for tax exempt status. R. Sabourn suggested that the property owner be notified that the assessor will be visiting the property.

#### HEALTHTRUST HOLIDAY CONTRIBUTION

T. Beaulieu explained that the LGC settlement requires they give funds back to the town. The town requested a refund check in 2010. However, the 2011 refund was applied to the August 2013 statement. T. Beaulieu calculated the 15% health premiums and 50% dental premiums due to each employee for the years 2010 and 2011.

T. Beaulieu stated that the overage paid by the employees will be returned to the employees, but that two of the employees owed a refund are deceased.

**MOTION: 3:29 P.M.: "To forward David Hilliard's portion of the holiday refund to Francine Hilliard to distribute as appropriate and to have Hugh Bessemer Sr.'s funds issued to Beverly Bessemer."**

Motion: S. Morton  
Seconded: M. Peabody  
Discussion: None.  
Motion Passes: 3– Yes 0– No ABSTAINED: J. Paul-Hilliard

#### PLANNING BOARD UPDATE

Nancy Decoteau updated TA Beaulieu that the Planning Board will vote on approving the updated Excavation Regulations at their next planning board meeting. TA Beaulieu informed the selectmen that a copy of the current regulations and the proposed regulations are available if they would like a copy or wish to stop in town hall and view the documents.

#### SELECTMEN MEETING SCHEDULE

The board reviewed their meeting schedule and agreed to change their morning meetings to noon instead of 10:00 a.m. The board approved the following upcoming holiday selectmen meeting schedule as follows:

Monday, Nov 25, 2013	Noon
Wednesday, Dec 11, 2013	5:00 PM
Monday, Dec 23, 2013	Noon (manifest processing only)

T. Beaulieu will update the meeting schedule on the web as well.

#### WHITEHOUSE GRAVEL PIT

T. Beaulieu stated that D. Day asked if the Selectboard had received a letter from the Planning Board in reference to town acceptance of Day Drive.

T. Beaulieu researched and found no indication in the Planning Board minutes that references a planning board request for the town to accept Day Drive as a town road.

The board reviewed previous minutes. D. Day is concerned that the Planning Board recommended that the Board of Selectmen release the bond which he feels should never have been released.

R. Sabourn stated that the bond could have been released if the road met the conditions of the plan; however, that does not mean that the plan illustrated a safe road plan or that the plan was made to town standards.

The board discussed the Whitehouse excavation pit permit. T. Beaulieu stated that N. Decoteau confirmed that the excavation bond had not been put back in place. It does not appear that the Planning Board has taken any steps in the reclamation process for the pit to date.

M. Peabody recalled that some reclamation was done by Mr. Whitehouse in the past on a slope of concern years ago.

T. Beaulieu clarified C. Lenahan's previous statement in an email that T. Beaulieu signed on behalf of the Board of Selectmen for a particular form that was hand-delivered. T. Beaulieu explained that office staff signs for receipt of documents on a daily basis at the town hall. After researching, T. Beaulieu found that what she signed for was the release of the bond for the road. T. Beaulieu requested that N. Decoteau follow up with this information in writing to clarify inaccurate communications with the Rowley Agency and C. Lenahan.

The board agreed that the association is responsible for the road. They do have the right to submit a petitioned article for the town to accept the road during town meeting.

T. Beaulieu informed the board if the association decides to move forward with a petitioned article, D. Day would like to meet cordially with the Selectboard to discuss their request.

#### MILLBROOK ROAD PAVING UPDATE

T. Beaulieu stated that the Highway Department has fallen a bit behind on some recent complaints on regular maintenance of other town roads due to the large road rebuild and paving for the Millbrook Road Project. The Highway Department is now completing rebuild within the department and not contracting the services. This has proven to be a great cost savings for the town.

#### JUDGES ROAD

The selectmen reviewed a concern from a resident regarding the condition of Judges Road due to rain storms over the last 3 or 4 weeks. The board discussed options for road repairs while the highway department crew is rebuilding town roads.

J. Kubik has marked the area needing repair for dig safe to view prior to making repairs. S. Morton stated that the area has gotten worse due to a depression in the road under the pavement and he recommends closing that portion of the road until it is fixed.

The board agreed to close the damaged portion of Judges Road until it can be fixed, to install advance caution signs prior to the closure and to inform the Police & Fire Department.

#### CHICKENBORO ROAD

The board reviewed complaints from two residents on Chickenboro Road regarding the road condition. R. Sabourn suggested that the response letter drafted by J. Kubik be forwarded to the residents with a cover letter from the Board of Selectmen.

#### VENDOR MANIFEST

**MOTION: "To accept the vendor manifest dated 8-09-2013 in the amount of \$223,046.06."**

Motion: J. Paul-Hilliard

Seconded: S. Morton

Discussion: None.

Motion Passes: 3– Yes, 0 – No                      Abstained: M. Peabody

#### VENDOR MANIFEST

**MOTION: "To accept the second vendor manifest dated 8-09-2013 in the amount of \$10,632.38."**

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4– Yes, 0 – No

#### PAYROLL MANIFEST

**MOTION 6:05: "To accept the payroll manifest dated 8-09-2013 in the amount of \$21,642.91."**

Motion: J. Paul-Hilliard

Seconded: S. Morton

Discussion: None.

Motion Passes: 4– Yes, 0 – No

#### *Minutes Approval*

**MOTION 6:09 P.M.: "To approve the public minutes of 7-24-2013 as amended."**

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None.

Motion Passes: 3– Yes, 0 – No                      Abstained: S. Morton

**MOTION 4:34 P.M.: "To abate interest in the amount of \$44.50 for the Year 2013P01 for PID #15-6-1 due to a Town Clerk error."**

Motion: S. Morton

Seconded: M. Peabody  
Discussion: None.  
Motion Passes: 4– Yes, 0 – No

#### ZCA

**MOTION 4:34 P.M.: "To accept ZCA #2013-19 for Robert Hatcher PID# 16 Lot 1-10-3 for a new shed."**

Motion: S. Morton  
Seconded: M. Peabody  
Discussion: None.  
Motion Passes: 4– Yes, 0 – No

#### ACTION FOLDER

- The Board concurs with the Fire Commissioners intent to advertise for the vacant Fire Chief position.

#### TRANSFER STATION HOUR REQUEST

C. Moorehead submitted a request for the Board to consider opening the transfer station for one evening a week.

After discussion, the board agreed that C. Moorehead should provide the board with a petition of at least 25 registered voters who support the additional hours for the transfer station employees. If this is a shared request by others in town, the Board would be happy to consider the request.

#### JANE HUBBARD CONSULTING

A letter from J. Hubbard was received offering emergency management exercise training. The board agreed that they are not interested at this time.

#### RESIGNATION ACCEPTANCE – PART TIME POLICE OFFICERS

**MOTION "To accept the resignation from Creig Doyle as a part-time Thornton police officer effective July 31, 2013."**

Motion: J. Paul-Hilliard  
Seconded: S. Morton  
Discussion: None.  
Motion Passes: 4– Yes, 0 – No

**MOTION "To accept the resignation from Carole Lee as a part time Thornton police officer effective August 8, 2013."**

Motion: J. Paul-Hilliard  
Seconded: M. Peabody  
Discussion: None.  
Motion Passes: 4– Yes, 0 – No

**MOTION: "To accept and sign the amended contract letter from HEB for the archaeological assessment required by NHDHR to reflect the updated cost \$2,291.00."**

Motion: S. Morton  
Seconded: M. Peabody  
Discussion: None.  
Motion Passes: 4– Yes, 0 – No



**SIGNATURE FILE:**

The board signed the following items:

- Application for reimbursement to towns and cities – NH DRA form PA16
- NH – DRA MS-5

**SELECTMEN COMMENTS**

S. Morton agrees with the Board's previous recommendations not to pursue closure of the police target area at this time and to seek political assistance from Councilor Ray Burton for the town's required actions through NHDES.

S. Morton would like NH-DES to do a site visit and answer some questions. If an engineer is necessary the board agreed that they would ask NHDES for recommendation to seek services from a consultant with experience in this area.

**MOTION: 4:50 PM "To send an email to R. Burton requesting his assistance with NHDES to meet and discuss the process for closure of the shooting range at the Thornton Police Department and to send a copy to Senator Woodburn."**

Motion: S. Morton  
Seconded: J. Pau-Hilliard  
Discussion: None.  
Motion Passes: 4 – Yes, 0 – No

**PUBLIC FORUM:**

J. Demeritt asked if the tires will need to be moved when the contractors begin the Phase 1 building renovation. The board agreed to leave the tires where they are until NHDES has a chance to visit.

**MOTION 4:55 P.M.: "To adjourn."**

Motion: R. Sabourn  
Seconded: M. Peabody  
Discussion: None.  
Motion Passes: 4 – Yes, 0 – No

Respectfully submitted,

Jessi Fleury  
Board Secretary  
Draft posted 8/14/2013

**TOWN OF THORNTON**  
**Selectmen's Agenda**  
**August 7, 2013**  
**12:00 PM (Noon)**

12:00 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)

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

12:30 PM NH Executive Councilor Raymond S. Burton  
12:45 Town Hall/Police Department addition (motion to approve and contract)  
1:00 Jim Demeritt – Fire Commissioners update  
2:00 Hawkers & Peddlers ordinance – Chief Moller  
2:15 non-public session pursuant to RSA 91-A: 3, II (b-hiring) PD

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.

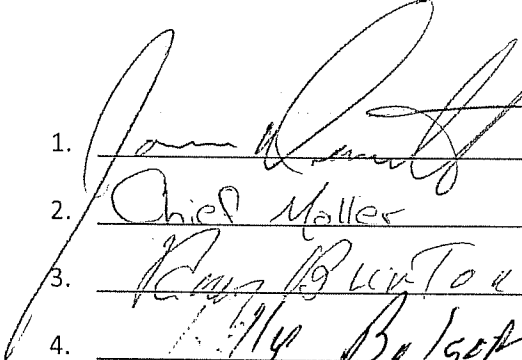
\*The board may review decisions made during the meeting in public input, at the closing of the meeting, provided information that could result in an adjustment to a decision that was made during **the meeting.**

# Board of Selectmen

Meeting Date: August 7, 2013

Sign In Sheet

**PLEASE PRINT YOUR NAME AND ADDRESS.**

- 1.  Thank you! J. FADDEN
- 2. Chief Moller PD
- 3. Amy Burton RN
- 4. Kelly Bulger
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
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