

TOWN OF THORNTON BOARD OF SELECTMEN MEETING MINUTES

Meeting Date: March 21, 2012

APPROVED

The Board of Selectmen met and held a public meeting on
Wednesday, March 21, 2012 4:00 PM at the Thornton Town Hall.

At 4:00 p.m. Vice 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

Please see attached sign in sheet

Discussion ensued on the vote of officers.

****Motion****

**4:02 p.m. Roy Sabourn nominated Selectman Burbank as the chairman for the Board of
Selectman and Brad Benton seconded the nomination. Roll call. Motion passed 4-0-1. Butch
Burbank abstained.**

Selectman Burbank accepted the nomination.

****Motion****

**4:05 p.m. Selectwoman Peabody motioned to nominate Roy Sabourn as the Vice-Chairman to
the Board of Selectmen. Selectman Morton seconded. Roll call. Motion passed 4-0. Roy
Sabourn abstained.**

Selectman Sabourn accepted the nomination.

****Motion****

**4:06 p.m. Selectman Benton nominated Steve Morton as the selectmen's Planning Board
representative. Selectman Sabourn seconded. Roll call. Motion passed 4-0-1. Steve Morton
abstained.**

Selectman Morton accepted the nomination.

****Motion****

**4:08 p.m. Selectman Benton nominated Marianne Peabody as the selectmen's representative
to the beautification committee. Selectmen Morton seconded. Roll call. Motion passed 4-0-1.
Marianne Peabody abstained.**

Selectwoman Peabody accepted the nomination.

Introduction to New Members

The town administrator welcomed the new board members, Steve Morton and Marianne Peabody. She informed the board that one selectperson has absolutely no authority and that all decisions concerning the town must be made by majority vote during a scheduled board of selectmen meeting. There must be no activity as a municipal official outside of a board meeting

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as the town liability insurance would not cover this type of situation and there is potential that they could be in a personal loss situation.

Town Administrator Report

Knowing the Territory – A Hard Road to Travel

Ms. Beaulieu informed the board that publications have been received from the Local Government Center and she dispersed copies to the board members.

New Selectman Packets

Ms. Beaulieu provided new selectman Steve Morton with keys for the town hall as well as information and forms that will need to be completed for his personnel record.

Ms. Beaulieu stated that Marianne Peabody already has these items in her personnel file. Selectwoman Peabody stated that she does not see a need to make another packet.

Meeting Schedule

Chairman Burbank asked if the meeting schedule currently in place is agreeable to the board. Selectwoman Peabody stated that a few residents have said that they could attend more if the meetings were at night rather than during the day. Chairman Burbank stated that he can make it work, but he would have to limit public input so that the meetings do not end too late. The board discussed the schedule. The board agreed that they will keep the current schedule. Ms. Beaulieu will post the schedule for the remainder of the year.

Planning Board – Zoning Amendments

Ms. Beaulieu informed the board that Selectwoman Peabody has found some documents on the town computer system regarding the zoning amendments in question. She also explained that the secretary has compiled information from the town reports from 1970 through 2011. Ms. Beaulieu recommended that the board designate a sub committee to review and prepare the information collected to be presented to the town attorney for review. The board agreed the sub-committee would include Selectman Steve Morton, Selectwoman Marianne Peabody, Town Administrator Tammie Beaulieu, and Planning Board Administrative Assistant Clint Rand. Chairman Burbank states that this should be made a priority and asked that Mr. Rand put his field work on hold while he spends time reviewing the ordinance information. Selectwoman Peabody stated that she would like to come in the office while the board secretary is out, on Monday and Friday, to go through the town computer files to gather information. The board agreed. Ms. Chappell stated that per her 91-a request if there is new information found she needs to be copied.

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Public Forum

Jim Demeritt

Mr. Demeritt would like to know what they are doing as far as the building committee. Chairman Burbank thinks that the discussion should include immediate needs, architectural plans, and an RFQ. The board agreed that they would go out to bid for these costs and add this discussion item to an agenda. Selectman Sabourn would like the town to consider hiring one architectural company that can sub-contract for structural and mechanical engineering services as needed. Mr. Morton sought confirmation that the board was given permission to spend these funds and has received the towns blessing to move forward with this project.

Selectmen Work Session

The board reviewed the meeting file contents.

Signature Folder

The board signed and approved the following:

- Service contract for Emery & Garrett Groundwater, Inc. for Phase I, Phase II and Phase III relative to the monitoring of the former land fill area.
- July 2012 Life, Health, & Dental Renewal, Local Government Center Health Trust contract.

Selectmen Comments

Chairman Burbank received an unsigned concern letter delivered to his home residence, as did all other board members. The board agreed that since the concern was not signed or identified, they would not discuss or take action.

Town Administrator Report

Resident Concern

Ms. Beaulieu informed the board that she had a visit from a resident this afternoon, Sandy Krisp, regarding concern over a tax rate increase as suggested by the reports in the town report. Ms. Krisp wanted to attend the board meeting but after the actual tax rates were explained to her, she felt more comfortable. Ms. Beaulieu had explained that the tax rate for has only increased 17 cents over the past three years and she also explained how the tax rate is established. Ms. Krisp was satisfied with the information provided and felt she did not need to attend the meeting after all.

Employee Vacation Request

Tom Dube, Road Agent asked if he could take vacation next week as his last week of employment. The board agreed that is fine, and the road foreman will fill in and contact Ms. Beaulieu if he encounters any problems.

Ms. Beaulieu received a call from the school earlier regarding a conversation they had during town meeting about moving the election to the school on November 6, 2012. The school would

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have to close for the day if this were to occur. Ms. Beaulieu recommended closing town hall for the day instead to have less of an impact on the school. The board agreed and discussed traffic flow concerns for inside the building. After discussion, the board agreed that they would close the town office business window to lessen the traffic, and the staff can work in the office. The board asked Ms. Beaulieu to contact the moderator and see if he perceives any problems with this arrangement. The board also suggested that the concerns regarding separate entrance and exit paths during election be brought up during the building renovation project.

Selectwoman Peabody recused herself from the meeting for the remainder of the night.

****Motion****

4:56 p.m. Selectman Benton motioned to enter into non-public session pursuant to RSA 91-C: 3, II (a-personnel). Seconded by Selectman Morton. Roll call, Motion passed 4-0-1. Roll Call, Selectman Sabourn – Yes, Selectman Benton – Yes, Chairman Burbank – Yes, Selectmen Morton, Yes, Selectwoman Peabody-abstained.

The Board entered non-public to interview candidates for the open Road Agent position.

****Motion****

7:47 p.m. Selectman Benton motioned to exit non-public session. Seconded by Selectman Morton. Motion passed 4-0.

****Motion****

7:48 p.m. Selectman Morton motioned to make a conditional offer of employment to candidate #6 based on a labor grade 14 step 1 subject to successful background and reference check. Selectman Benton seconded. Roll call. Motion passed 4-0.

Selectwoman Peabody was not present.

****Motion****

7:50 p.m. Selectman Benton motioned to accept the payroll manifest for 3-23-12 in the amount of \$19,220.57. Seconded by Selectman Morton. Roll call, motion passed 4-0.

****Motion****

7:50 p.m. Selectman Sabourn motioned to accept the vendor manifest for check dated 3-23-2012, in the amount of \$162,540.70 Seconded by Selectman Benton. Roll call, motion passed 4-0.

****Motion****

7:51 p.m. Selectman Sabourn motioned to accept the second vendor manifest for check dated 3-23-2012, in the amount of \$117.37. Seconded by Selectman Benton. Roll call, motion passed 4-0.

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Carl Kilmer – President of Millbrook Valley Landowner Association

Mr. Kilmer and his attorney Tom Cowie met with the board to discuss a federal logging project that is scheduled to take place in the Mill Brook Valley forest area. He stated that the residents in this area are strongly opposed to this project since it is in their neighborhood and they feel it would negatively impact their area. They have objected to the forestry project over the past years and the project has consequently been stalled. The Forest Service is planning to log the land again and he feels there is a safety concern by accessing Millbrook Road to extract timber from the forest area adjacent to their property. He offered the town a \$5,000 donation to offset any income received from this project, if the project does not go through. Mr. Kilmer feels that there are safety concerns with using Millbrook Road as an access and also disagrees with the Forest Service using Tripoli Road as an alternate access. He also would like to preserve the scenic aspect of the area. Chairman Burbank asked why the association would discourage the loggers from using Tripoli Road as an alternate access since there would be no impact on people in the valley. Mr. Kilmer is against all logging in the valley by the forest service, however, he stated that if a private property owner wanted to log their property he would not object. Chairman Burbank feels that he is concerned with road issues, but does not disagree with land owners, including the forest service, logging their properties. Selectman Sabourn and Selectman Morton disagreed with Mr. Kilmer's thoughts and feel the forest service has a right to log the property for management purposes as long as the town road concerns are addressed. Vice Chairman Sabourn stated that he feels that there is an alternate route and he does not agree with Mr. Kilmer's not in my back yard thoughts. He does agree with using an access other than Millbrook Road. The board thanked Mr. Kilmer and Attorney Cowie for attending.

Action Folder

The board reviewed proposed changes.

****Motion****

8:19 p.m. Selectman Sabourn motioned to accept the minutes of 3-7-2012 as amended. Selectman Benton seconded. Roll call. Motion passed 3-0-1. Selectman Morton abstained.

The board reviewed a tax deed with no covenants to return the property to owners after completion of a tax agreement. The deed will need to be updated with new board member names.

Department of Agriculture

The board reviewed the agreement between the White Mountain national forest and the Thornton police department for patrol coverage.

****Motion****

8:23 p.m. Selectman Morton motioned to accept the contract between the forest service and the Police Department. Seconded by Selectman Benton. Made unanimous 4-0. Ms. Beaulieu stated that this is from unanticipated funds from a grant.

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Town Administrator Report (continued)

Police Chief Nominations

Chief has been nominated for the unsung hero award from the Shield Our Children from Harm. She will be awarded on April 3, 2012. This is only one of the many awards she has received. Chief Moller has also been asked to join the C.A.D.Y board. Her contract states she cannot enter into other contracts and asked the board for their permission. This would require a time commitment of an hour and a half for six visits a year, resulting in a few hours every month or two. The board agreed that was fine.

Sale of Town Owned Property

Ms. Beaulieu stated that after researching, the town should continue creating quitclaim deeds for the sale of town owned property rather than a release deed. The bid process for the sale of town owned property has started. There are packets of information available at town hall for those interested and the lots have been advertised.

Public Comment

Russ Gilman

Mr. Gilman asked the board to explain the issue with having two residences, owned by separate people on one lot. Mr. Gilman referenced possible contradictions in the zoning ordinances. Vice Chairman Sabourn explained that the town had a situation where one individual owned the land and a house, and the second person owned the second house on the same piece of land. The second person was not paying taxes on their house and since they did not own the land, the town could not do anything to enforce their obligation to pay taxes. The intent of the zoning ordinance was to have one dwelling unit per acre and per lot, unless it is a condominium where there is a deeded interest in the shared land. Allowing two residences on one lot puts the town in a bad situation. This type of situation should not have occurred and apparently needs to be more clearly stated in the town's zoning ordinance.

Master Plan Update

Mr. Gilman mentioned a fifteen page report, regarding a survey of what the townspeople would like the town to see in the master plan. Vice-Chairman Sabourn stated that this was part of the master plan update. Mr. Gilman feels that the dates should be included. Sabourn stated that the dates should be included with the master plan update. The board agreed that they are working on adding dates to many documents.

Planning Board Concerns

Mr. Gilman asked how the Planning Board is supposed to know all of the laws. The board agreed the Planning Board should look to Clint Rand for suggestions and that he should be keeping himself informed of the laws to assist the Planning Board with decision making. Ms. Beaulieu stated that they may be able to have a workshop at the town hall for Planning Board and select board members to attend. Selectman Morton stated that this is why the committee is being formed to clarify Mr. Rand's job description as the Planning Board assistant. Tyler Phillips has

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some ideas that he would like incorporated into the description. Mr. Morton stated that the general supervision of the Planning Board assistant should not only come from the Town Administrator but that person would be supervised by the Planning Board as well. Vice-chairman Sabourn agrees, and stated that he should be making recommendations to the Planning Board as applications being complete, incomplete, or if there are any concerns that the board needs to consider.

Selectman Morton asked for clarification as to his responsibility as the selectmen's representative to the Planning Board. Chairman Burbank explained that he should keep the selectmen informed of Planning Board actions to enhance communication and bring the opinion of the select board to the Planning Board meeting. He should also caution the Planning Board when making decisions that could cause a conflict.

Mad River Road Issues

Mr. Gilman would like the selectmen to review Mad River Road. He is very unhappy with the ditching on the roads up to sugar run. The shoulders have all been removed when the deepened the ditches. He feels that they did more damage than good and the ditches should have been dug back and the shoulders should not have been removed. Some of the board was not aware of this situation. Chairman Burbank informed Mr. Gilman that this situation should not have happened and will be a priority of the new road agent.

Barron Mountain Club Plan

Mr. Gilman asked if the board has ever seen the plan from the Barron Mountain Club with regard to the road off of Thornton Gore Road going into the development. He is concerned that the piece of road is going to be rebuilt and raised and the town has spent thousands of dollars paving this road. The plan is expected to begin in 2014. Mr. Gilman asked if this information was brought to the selectmen from the Planning Board. Vice-Chairman Sabourn replied that the board and the road agent did not have knowledge of that. The board agreed that whoever was the selectmen rep at that time should have updated the board. Ms. Beaulieu stated that the notice of decisions will help and this is a new process the Planning Board secretary is doing. Chairman Burbank suggested putting this issue on the next agenda so that it can be addressed.

Selectmen Comments

Selectman Sabourn informed the road agent that there is a deep sink hole on Johnston Brook road. It is marked with a stake so that people will drive around it. The road agent will fix the sink hole today or tomorrow.

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****Motion****

9:40 p.m. Selectman Sabourn motioned to adjourn the meeting. Seconded by Selectman Benton. Motion passed 4-0.

Respectfully submitted,

Jessi Fleury
Board Secretary