

TOWN OF THORNTON BOARD OF SELECTMEN MEETING MINUTES

Meeting Date: June 13, 2012

APPROVED

The Board of Selectmen met and held a public meeting on Wednesday, June 13, 2012 5:00 PM at the Thornton Town Hall.

At 6:10 p.m. Chairman Burbank opened the business meeting with a flag salute.

Board Members present: A.W. (Butch) Burbank , Roy Sabourn, and Marianne Peabody

Absent: Brad R. Benton and Steve Morton

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

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

6:10 Public Hearing 31:95- b / P.D. radio equipment grant

Chairman Burbank opened the public hearing and read the notice as advertised in the Record. Burbank explained that the hearing is in reference to acceptance of state grant funding in the amount of \$7,100, to replace two hand held portable radios. Ms. Beaulieu stated that the grant amount is more than is needed for the equipment. Chairman Burbank called for public input. No public input was received.

****Motion****

6:12 p.m. Selectmen Sabourn motioned to accept the grant funds for the radio equipment from the NH Department of Transportation. Seconded by Selectwoman Peabody. Roll call, Chairman Burbank – yes, Vice Chairman Sabourn – yes, Selectwoman Peabody – yes. Motion passed 3-0.

No additional public comment was received. Chairman Burbank closed the public hearing at 6:18 p.m.

Manifest

****Motion****

6:19 p.m. Vice Chairman Sabourn motioned to approve the payroll manifest for check dated June 15, 2012 in the amount of \$18,913.33. Seconded by Selectwoman Peabody. Motion passed 2-0-1. Chairman Burbank abstained.

****Motion****

6:20 p.m. Vice Chairman Sabourn motioned to approve the vendor manifest for June 15, 2012 in the amount of \$479,836.56. Seconded by Selectwoman Peabody. Motion passed 2-0-1. Chairman Burbank abstained.

The 6:15 Agenda Appointment -Road Agent-John Kubik Jr. –Highway project list

The board rescheduled the appointment with John Kubik to the next meeting.

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Public Forum

Andi Bell – Building Permit Application

Mr. Bell informed the board that he has submitted a building permit for a homeowner on Pemi River Road for improvements to a deck and to add four additional feet. Ms. Beaulieu stated that Nancy Decoteau has informed her that the deck is subject to the provisions of the shoreline protection act and that she is researching what process the applicant needs to follow to be in compliance before the board approves the application. Mr. Bell explained that he took the opportunity to meet with the board since they were meeting this evening to see if they could provide him with any additional information relative to the permitting process. The board discussed the permit and the work proposed as well as the location and agreed that they should wait until Ms. Decoteau does the research regarding the Shoreline Protection permitting before they consider approving the building permit.

Tim Tyler – Beautification Committee

Mr. Tyler informed the board that he is speaking on behalf of the beautification committee. He explained that the committee is working finding a good place to erect the new municipal sign. Since the state owns more land than they originally thought, the most reasonable placement of the new sign is where the current municipal sign is located. Mr. Tyler suggested that the current sign could be moved closer to the building or below the new sign. Ms. Beaulieu stated that Gloria Kimball asked if the sign was donated or if there was an emotional attachment to the sign. It was discovered that the sign was made by Mrs. Michael Benton. The board agreed that the new sign could be erected in place of the old sign and then they could decide if the old sign needs to be relocated or if it can be donated to the historical society since it may have historical significance. It was also suggested that if needed, a separate sign could be placed for the Police Department.

Town Administrator Report

Flag Presentation at Town Hall

Ms. Beaulieu informed the board that there has been concern expressed that the flag at the town hall is not illuminated. There is also concern that if they did light the flag they have to consider the night sky regulation. The board agreed that they should light the flag and that it would not affect the intent of the night sky regulations. The board agreed that the old light should be repaired if possible. Ms. Beaulieu recommended that the planning board review the night sky regulations and perhaps make an exception for the illumination of American flags at the time that they review the site plan ordinance for possible amendments.

Request for Town Credit Card

Ms. Beaulieu informed the board that previously they agreed to apply for a credit card on behalf of the Town, with authorized users as the Selectboard chair and the Police Chief. The credit card company requires that the credit card include personal credit

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information attached to the business card. The board agreed to look into other credit card companies for one that will use the business credit rather than personal credit.

RFQ/RFP Covered Bridge

Ms. Beaulieu informed the board that the RFQ for covered bridge repairs process has been difficult. Nancy Mayville, State Bridge Aide, has stated that the RFQ and RFP should not be combined. Ms. Beaulieu received an envelope from an engineer which she forwarded to Chief Moller. Chief Moller asked if the board would approve the request for qualifications received from Bob Durfee, Dubois King Engineering. The general response from engineers is that they will not be submitting proposals for the work because of the way the requests were combined. Chief Moller would like to re-advertise using the request for qualifications format from Dubois King Engineering. The board agreed to amend the dates and to use the RFQ sample received from Dubois King Engineering.

Tree Removal – Mill Brook Road

Ms. Beaulieu informed the board that she received an email from Steve Morton stating that he does not see any problem with the selectmen giving permission to John Kubik Jr., Road Agent, to remove hazardous trees on Mill Brook Road. Vice-Chairman Sabourn commented that he attended a public hearing in Andover relative to scenic roads and that they went through a process to approve the removal of trees on the scenic road. He feels that they should ask the planning board to have a public hearing at one of their next meetings to talk about the removal of these trees and in the end, the planning board would recognize the trees should come down for safety reasons and to keep the power on. He suggested marking the trees with bands, have a site visit for the selectmen to view and to have the planning board advertise the public hearing. The planning board would vote to remove the trees and submit a letter indicating their approval.

Ms. Beaulieu stated that previously the road agent would band the trees and send a letter to the planning board asking for a hearing to remove trees on the scenic road. The board agreed that Mr. Kubik should send a letter to the planning board requesting a public hearing.

6:45 Fund Balance Policy

The town administrator stated that the selectmen have decided in the past that they not implement GASB 45 due to the cost of an acturialist, but we have implemented GASB 54 which requires that the town have a fund balance policy. She received a few samples from other towns and pulled together a policy that she feels is applicable to the Town of Thornton. The board reviewed the policy and agreed with the suggested changes, indicating that they would strive to maintain an appropriate level of unassigned fund balance following the guidelines. The board will sign the policy tonight with the changes made as discussed.

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Signature Folder

Vice Chairman Sabourn questioned an item in the signature folder and asked Ms. Beaulieu to explain the document from tax collector/town clerk. TA Beaulieu explained that the supplement and abatements were to correct funds that were applied to the wrong account between the wrong people, the wrong years, and the timing was off which affected the lien. This document fixes those errors. The board agreed to sign.

RFP for Architectural Services

Vice Chairman Sabourn asked why the total budget figure was not included in the proposed RFP for the architectural services for the town hall. The engineer felt that the amount should be left out to attract more bidders. The board discussed the engineering reviews and submittal of stamped plans. Mr. Demeritt explained that the board would approve the final plans. Building Committee member Steve Madaglia who prepared the RFP emailed previously and suggested that the town attorney should review the contract with disclosures before they go out to bid to make sure the contract is worded correctly. Sabourn suggested a grammatical change. The board agreed with the change and to send it to town counsel to review the contract and specifically the disclaimer.

Action Folder

Concerned Citizen Issues

Town Clerk Office Hours

The board reviewed two concerned citizen forms received from residents that are not happy with the closing of the town clerk's office on Fridays and not being open enough to serve the needs of the townspeople. The board discussed the issue and agreed that many residents have the same concerns. Ms. Peabody stated that she spoke to Mr. Klotz, Town Clerk, about the complaints that she has received as well. She explained that Mr. Klotz informed her that he does not have enough funds in the budget to allow for more hours. The board discussed the hours and feels that the hours could be spread out between the three staff members, with Mr. Klotz and Ms. Bowers working separately, to allow for more public service. The board discussed the positions and the hours. The board agreed that they would respond to Mr. Klotz and to the residents regarding the need for them to address this with the town clerk. The board also agreed that they should discuss the option of not providing licenses for hunting, fishing, and registrations for atv's and boat since it is not required and very time consuming. It was agreed that this could be discussed during 2013 budget process.

Allison Avery – Cleaning Contract

The board discussed the requested changes in schedule for the cleaning of town offices to Sunday and Thursday after 4 in the afternoon. The board discussed changing the service to only one day. After discussion, they agreed to leave the schedule at Sunday and Thursday for now.

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Donation of Services

Nancy Decoteau sent a letter to the selectboard declining payment for time that she and her daughter Medora spent helping the tax officer mail tax bills. The board agreed to send them a thank you letter.

Revisions to LGC-PLT Coverage

The board reviewed a notice to the town regarding revisions being made to the LGC-PLT coverage and coverage limits. Mr. Burbank suggested that Ms. Beaulieu contact Tom Dunn at PLT for clarifications of the proposed changes and find out if the changes significantly impact the town's liability coverage.

Minutes of April 18, 2012 Amendment

The board reviewed a request from the board secretary to amend the minutes of April 18, 2012 public hearing where the times of the motions were not accurate.

****Motion****

7:16 p.m. Selectwoman Peabody motioned to amend the time on page six of the April 18, 2012 on the first motion to close the special event public hearing from 7:01 p.m. to 7:32 p.m. and to just under that motion, the first sentence should read *Chairman Burbank opened the public hearing at 7:32 p.m.* - rather than 7:02 p.m. Seconded by Chairman Burbank 2-0-1. Vice-Chairman Sabourn abstained.

Benton Building Permit 2011-28

Vice Chairman Sabourn explained that in review of the minutes of the previous ZBA meeting, the selectmen should make sure the conditions have been met for compliance of the National Flood Insurance Program. Selectmen Sabourn read an email that was forwarded from Selectmen Morton suggesting that the Benton's submit a new building permit rather than approve the original permit. Selectmen Sabourn does not agree with this suggestion. Ms. Beaulieu spoke with Attorney Mitchell and he indicated that the applicants should not submit a new permit. The selectmen sent a letter to the property owners on November 16, 2011 with conditions for approval of the stage building permit including, filing of a site plan review application before the planning board, a signed engineered plan must be submitted showing compliance with the flood plain ordinance, construction cannot begin until the planning board reports back that their requirements have been met satisfactorily. The board reviewed the conditions set previously and agreed that all conditions have been met and back-up information is attached to include the stamped engineer plans, Notice of Decision approved by the Planning Board, and after meeting with Jennifer Gilbert from NH State OEP office it is understood that although minimum, the Thornton floodplain compliance is being met by the Town. Ms. Beaulieu suggested that the board confirm in writing to the ZBA that the conditions have been met for the building permit. The board agreed. Selectwoman Peabody asked when the motion is effective. The board agreed that it is effective at the time of their vote.

****Motion****

7:30 p.m. Vice-Chairman Sabourn motioned to send a letter to the Benton's confirming that the conditions have been met for the building permit number

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2011-28, for PID 10-3-7, stage, and send a copy to the ZBA. Seconded by Selectwoman Peabody. Motion passed 3-0.

The board discussed the zoning board meeting last night. Jim Demeritt stated that the only permit that the zoning board asked for that has not been mentioned is the 5 acre NFIP development permit. Ms. Beaulieu stated that she understands per the OEP meeting with Jennifer Gilbert, that the town using their regular building permit with the question referencing the floodplain area meets the requirement minimally. It is the applicant's responsibility to make sure they meet the zoning requirements and the stamped engineered plan and letter assures the stage is meeting the requirements. Chairman Burbank recognizes that the requirements are being met minimally, but they are being met and the board will be making changes to the permitting process in the future. The board discussed some sample permitting for future use. Selectmen Sabourn submitted a sample flood plan development application from another town. The board will review and submit their thoughts after they review. The recent information from Jennifer Gilbert has been forwarded to Nancy Decoteau to bring to the planning board to consider during their update of regulations.

Jim Demeritt explained that the zoning board of adjustments suggested having all three boards meet to discuss the conflict in the zoning ordinance and the special event regulations, and the way it is written allows for some inconsistencies between the boards. He recommended bringing the ordinance back to the townspeople to vote so that the language can be straightened out. Mr. Demeritt stated that the stage is not allowed to be used other than approved special events or the use of the stage will be denied. He stated that the zoning board made it very clear to the Benton's that the use of the stage is only for approved special events. Chairman Burbank asked who will take the lead in making the regulation/ordinance changes. Mr. Demeritt stated that all the boards need to come together to be united in fixing the documents according to what they each see as a need for improvement. Chairman Burbank suggested that the three attorneys come to a consensus of what needs to be changed to protect the town so that all areas are covered since they understand the legal aspect much more than all the board members. After further discussion, the board agreed that the zoning board with their attorney should send notice to the board of selectmen and the planning board outlining the deficiencies and then have the boards discuss following review by all three legal counsels.

Letter from Conklin and Reynolds, P.A. to Helen Petrycki

The board reviewed the letter from Attorney Conklin to Ms. Petrycki regarding the sale of tax deeded property. In addition to a Quitclaim Deed, Mr. Conklin would like Ms. Petrycki to sign an affidavit acknowledging the fact that the mortgage was paid since there is a recorded mortgage that is on record as undischarged. The board agreed to inform Mr. Conklin that they have no changes to the documents. Selectman Sabourn requested that Ms. Fleury contact Mr. Conklin to inform him of the board's approval

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tomorrow since the town administrator will not be in the office. The board discussed attendance at the closing.

****Motion****

7:58 p.m. Selectman Sabourn motioned to authorize Tammie Beaulieu, Town Administrator, as their agent to attend the closing and that a board member will attend if there is a conflict in scheduling and Ms. Beaulieu is not able to attend. Seconded by Selectwoman Peabody. Motion passed, 3-0.

Unlicensed Dog Warrant

****Motion****

8:00 p.m. Selectman Sabourn motioned to sign the unlicensed dog warrant to be issued to the Police Chief to collect fees due for 76 unregistered dogs. Seconded by Peabody. Motion passed, 3-0.

Current Use Application Correction

The board reviewed the current use application for Daniel Kindlon with corrections as requested during a previous board meeting.

****Motion****

8:04 p.m. Selectman Sabourn motioned to approve the current use application for Daniel Kindlon PID 8-9-1, 8-9-6, and 8-9-7 submitted by the deadline, with additional information submitted per request of the selectboard. Seconded by Selectwoman Peabody. Motion passed 3-0.

****Motion****

8:05 p.m. Selectman Burbank motioned to sign the timber tax levy warrant for Leigh Johnston for PID 15-4-30 in the amount of \$693.11 for April 1, 2011 through March 31, 2012. Seconded by Selectwoman Peabody. Motion passed, 3-0.

****Motion****

8:06 p.m. Selectman Burbank motioned to sign the Intent to Excavate for Casey Caulder, PID 6-2-23 on Labrecque Road. Seconded by Selectwoman Peabody. Motion passed, 3-0.

****Motion****

8:08 p.m. Chairman Burbank motioned to appoint Chief Tobine and Tammie Beaulieu as the primary and secondary E911 Data Operations authorized users. Seconded by Selectwoman Peabody, motion passed 3-0.

Abatements

****Motion****

8:15 p.m. Chairman Burbank motioned to accept 24 abatement applications as recommended by Avitar Associates of NE on behalf of the Town of Thornton, as attached to the minutes. Seconded by Selectwoman Peabody. Motion passed, 3-0.

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Building Permit application 2012-16 for Chad King/Marybeth Somers PID 6-9-23

Ms. Beaulieu stated that a meeting was held with Jessi Fleury, Marianne Peabody, Steve Morton, Nancy Decoteau and herself to discuss pending items within the building/planning office. One of the pending items was a building permit for Chad King and Marybeth Somers. Ms. Decoteau visited the Somers property and verified the permit application and provided information to the board so that they can approve the building permit. It was further discussed the new format of the report of findings submitted by Ms. Decoteau and that this will be the new process to give the selectmen the foundation needed to make a confident decision in approving or denying building permits. The board was impressed with the new processing.

****Motion****

8:15 p.m. Selectman Sabourn motioned to approve the building permit #2012-16, for Chad King and Marybeth Somers to build a deck at PID 6-9-23. Seconded by Selectwoman Peabody. Motion passed 3-0.

Vacation Request

Ms. Beaulieu respectfully requested the board's permission to take one of her five weeks of vacation for the week of July 4th. The board approved the request.

Selectmen Comments

No comments.

Public Forum

Jim stated that he did not make the fire commission meeting. Selectmen Burbank reminded him that he needs to request to be placed on the agenda as discussed in a previous meeting.

****Motion****

8:25 p.m. Vice Chairman Sabourn motioned to enter nonpublic session pursuant to RSA 91-A: 3, II (b-hiring and c-reputation). Seconded by Chairman Burbank. Roll call – Chairman Burbank – yes, Vice Chairman Sabourn – yes, Selectwoman Peabody – yes. , 3-0.

****Motion****

9:10 p.m. Vice Chairman Sabourn motioned to come out of non-public session. Seconded by Selectwoman Peabody. Roll call, motion passed 3-0.

****Motion****

9:15 p.m. Vice Chairman Sabourn motioned to approve the welfare manifest in the amount of \$1,125 for check dated 6-15-12. Seconded by Selectwoman Peabody. Roll call, motion passed 3-0.

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****Motion****

9:15 p.m. Vice Chairman Sabourn motioned to continue part time temporary employment with Nancy Decoteau as the building department/planning board/zoning board assistant until December 31, 2012 at the rate of \$21.93 at 20 hours per week. Seconded by Selectwoman Peabody. Roll call, motion passed 3-0.

****Motion****

9:16 p.m. Vice Chairman Sabourn motioned to continue part time temporary employment with Jessi Fleury as the board secretary until December 31, 2012 at the rate of \$21.93 at 30 hours per week. Seconded by Selectwoman Peabody. Roll call, motion passed 3-0.

****Motion****

9:17 p.m. Selectmen Sabourn motioned to adjourn. Seconded by Selectwoman Peabody seconded. Roll call, motion passed, all in favor 3-0.

Respectfully submitted,

Jessi Fleury
Board Secretary
Draft Posted 6/20/2012