



TOWN OF THORNTON BOARD OF SELECTMEN

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Board of Selectmen Meeting Minutes October 25, 2017

12:04 P.M. Vice-Chairwoman Marianne Peabody opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance.

ROLL CALL: Vice-Chairwoman Marianne Peabody, Selectman Brad Benton, Selectman Roy Sabourn, and Selectman John Gaites.

STAFF PRESENT: Tammie Beaulieu, Town Administrator Trainer (TAT), Debra Shepard, Town Administrator (TA).

ABSENT: Chairman John Paul-Hilliard

MOTION: "To approve the payroll manifest dated 10-27-2017 in the amount of \$21,355.76."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

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

MOTION: "To approve the vendor manifest dated 10-27-2017 in the amount of \$114,095.50."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 3 – Yes, 0 – No Abstained: R. Sabourn

MOTION: "To approve the welfare manifest dated 10-28-2017 in the amount of \$865.00."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

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

MOTION: "To approve the minutes of October 11, 2017, 2017 as amended."

Motion: B. Benton

Seconded: R. Sabourn

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Approved on: 11-8-17
BOS Initial: JPH
Rec'd by Town Clerk on: 11/13/17
Town Clerk Initials: BR

11/13/17
JPH
BR

ZCA Review

The Board reviewed the following ZCA applications.

The project director for LCJ Holdings met with the Board to explain their application for a ZCA. The existing slab will be lowered and the tent slab size increased. The 10' addition to the clubhouse basement will be for storage purposes only. He explained that DES is requiring an updated septic approval and he is in the process of providing DES with more information pertaining to their septic system. The project director asked the Board to consider approving the ZCA with the condition that their septic plan is approved by NHDES.

The increased slab size will accommodate 225 people compared to the slab that is in place now that can accommodate 150. Additional plans for future expansion were discussed as well as plans to meet with the Planning Board.

MOTION: "To approve ZCA #2017-50 for LCJ Holdings, PID # 16/1-8, for a 10' addition to the club house and tent slab with the condition that the ZCA is not finalized until the town receives an approved septic design from NHDES."

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

MOTION: "To deny ZCA #2017-47 for PID #16/1-08LS02 for William and Lisa Demmateau for a concrete generator pad."

Motion: R. Sabourn
Seconded: J. Gaites
Discussion: R. Sabourn explained that the setbacks are not met for the concrete generator pad.
Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve ZCA #2017-49 for PID #11/1-54 David Labrecque for a 28x28 garage on Rainbow Lane."

Motion: R. Sabourn
Seconded: B. Benton
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

TOWN ADMINISTRATOR PRESENTS:

Vice Chairwoman Peabody welcomed new TA Debra Shepard to Thornton as the new town administrator.

ACTION FOLDER

The board reviewed the request from NHDOT to install drainage and catch basins on Laundromat Road during their previous meeting. The Board had requested that the State provide a written agreement to indefinitely assume the responsibility to maintain drainage and catch basins that they plan to install on Laundromat Road and to cover all costs associated with this project. The Board received the agreement as requested.

MOTION: "To approve and sign the Maintenance and Flowage Release with NHDOT District 3 with a condition that the State of NH records this agreement at the Registry of Deeds to allow the State to indefinitely assume the responsibility to maintain the

drainage and catch basins that they plan to install on Laundromat to begin at the intersection of US Route 3 and Laundromat Road and continue along Laundromat Road for approximately 700 feet."

Motion: B. Benton
Seconded: R. Sabourn
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

Star Ridge Condominium Guardrails

T. Beaulieu informed the Board that an email was received from Paul Bourasso regarding damage to a guardrail at Star Ridge Condominium. The Board discussed this damage during a July meeting. TAT Beaulieu reviewed the minutes from the July meeting. P. Bourasso explained in the email that since there has been no official action taken to fix the guardrail on behalf of the Town, he would like to move forward with option #2 presented by the Board previously to provide the association with \$800 to put towards an updated guardrail.

MOTION: "To issue a check to the Star Ridge homeowners association in the amount of \$800 for contribution toward the repair, replacement, and installation of a section of guardrail."

Motion: R. Sabourn
Seconded: B. Benton
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

Eviction Update

TAT Beaulieu informed the Board that the town is in the process of eviction with former owners of PID#11/4-3 and a typo was involved with the communication from the Mitchell Law Office. TAT Beaulieu stated that the paperwork was corrected and will need to be resigned by the Board of Selectmen. The Board signed the corrected eviction paperwork and it will be served again.

FEMA Update

TAT Beaulieu stated that there has been no new information available from FEMA regarding the spring flood to post on the town website. Sandy Moulton has emailed regarding a conflict on the Benton property as to whose responsibility it is to submit for funding for flood repairs. The conflict is whether or not the fire department or the road agent and emergency management should apply for funding due to the dry hydrants. TAT Beaulieu explained that there has been no record being kept when the dry hydrants and cisterns are installed. TAT Beaulieu informed the board that the AA is working with the municipal clerk to create files and has asked the fire department for assistance with records, however there are no records that have been found. Selectwoman Peabody recalled a map presented by Chief Tobine that included water cisterns. Selectman Sabourn stated that map has not been able to be located by the fire department.

TAT Beaulieu explained that in order to apply for FEMA funds from the July 1 storm, the property must be owned by the Town or a recorded easement to the Town has to be on file. The Board agreed that the cistern process needs to be amended to allow for recording and records to show easements owned by the Town. Files for cisterns have recently created, and the staff is working towards finding records to complete the files. Chief Defosses will be attend the Board meeting on November 8, 2017 to discuss this further with the Board.

AGENDA ITEMS: (no public input unless approved by the Chairman)

Winter/Employee Plowing

MOTION: "To waive the requirement set for a submission deadline of October 20, 2017 and extend the deadline to today. To require subcontractors to provide proof of insurance within a time frame after the approval of a bid."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

The following winter plowing bids were received:

Brad R. Benton – Certificate of Liability Insurance has been received – Equipment: 2001 Ford 350 plow IS9

Brad C. Benton - Certificate of Liability Insurance has been received – Equipment: 2010 GMC 3500 with plow

Lincoln Trucking and Excavating – Bid paperwork was submitted to the Road Agent directly and was forwarded to the Town Administrator. The equipment includes a 2017 GMC 3500, with 10 foot plow. The sander is a 2017 Western with 2.4 yards capacity. Certificate of Liability Insurance has been received. The Board approved rate would be \$69.00.

MOTION: "To accept Brad R. Benton, Brad C. Benton, and Lincoln Trucking and Excavating for the winter plowing contract season."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

TAT Beaulieu informed the Board that the advertisement for a winter plowing seasonal employee has been posted with no deadline as directed by the Board. She spoke to Daniel Day per the boards request for plowing. D. Day is interested, but would like to look at the equipment used in the highway department to be sure he is comfortable with the operation of the equipment. TAT Beaulieu informed the Road Agent that scheduling a meeting with D. Day is a priority.

Winter Sand Bid

TAT Beaulieu stated that one bid was received. The assistant Road Agent opened the following bids with the Town Administrator as advertised.

Benton Enterprises - \$7.50 /yard

TAT Beaulieu stated that the assistant Road Agent suggested including a delivered and undelivered price in the bid advertisement request for next year.

MOTION: "To conditionally accept the winter sand bid from Benton Enterprise at \$7.50 per yard provided that the quantity requested is available and that the product is acceptable to the Road Agent as far as grit texture and quality."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: Selectman Benton

October 4, 2017 Minutes

TAT Beaulieu stated that she had submitted corrections to the October 4 Selectboard minutes after she returned from vacation. These minutes had already been approved by the Board. R. Sabourn suggested amending the minutes again to include the suggestions made by the TAT.

MOTION: "To accept the second amended minutes of the October 4, 2017 meeting minutes."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Historical Society

G. Kimball would like to inform the Board of Selectmen that she will be attending the November 20 meeting to discuss the Historical Society turning over the escrow account and funds to the Town for maintenance of the old town hall as there are no historical society members interested at this time.

Cemetery Donation – RSA 31:19

The \$35,000 donation was received from Phyllis Hollbrook for the repair and replacement of the Cemetery fence as discussed during the previous board meeting.

TAT Beaulieu stated that the Board made a motion previously that indicated creating a capital reserve for the cemetery funds making the Board agents. She explained that escrow accounts do not need to have agents and having the Board as agents will add additional steps for processing invoices. The cemetery trustees are included to oversee the project in addition to the Selectboard as a result of last meetings discussion. The Board discussed the level of involvement needed in this process and agreed that the Cemetery trustees will oversee the process and invoices; the Bookkeeper will process the invoices for the Trustee of Trust Funds to pay. The Board agreed it is not necessary to be agents to the escrow account.

MOTION: "To amend the motion made during the October 11, 2017 meeting as follows, to accept the funds donated from Phyllis Holbrook in accordance with RSA 31:19 with the jurisdiction being held with the Trustee of Trust Funds and the Selectmen do not need to be agents to this escrow account."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Public Hearing – Fee Schedule RSA 41:9

Vice-Chairman Peabody opened the public hearing at 2:15.

The Board discussed after-the-fact charges for ZCAs. TAT Beaulieu recommended that if the Board chooses to create a fee for after-the-fact ZCA applications, that they should be enforced as a consistent practice for all late ZCA applications and not case by case. She explained that typically in towns, if a property owner does not apply for a ZCA prior to construction, then the violation would be handled through the zoning enforcement office. The new process of attaching a much higher fee for after-the-fact ZCA applications would put staff in a difficult position since the town does not currently have a zoning enforcement officer. After discussion, the board agreed to raise the ZCA application fees depending on what is being built or renovated and to not charge for after the fact applications.

The Board discussed adding solar panels to the fee schedule and a higher fee for new home constructions, garages, additions, etc., and a smaller fee for smaller renovations and demolitions. The Board discussed whether to charge a fee to replace existing roofing with the

same type of material or to charge a fee if the material of the roofing is changing. The board further discussed the purpose of the ZCA.

Vice-Chairwoman Peabody recessed the public hearing at 2:40 p.m.

2:45 Alfred Dugay - Site Plan Discussions

Alfred Dugay met with the board to discuss reopening the old West Thornton General Store as a small gift shop/winery/café. He met with the Planning Board for a Site Plan and has learned that the area used for parking used in the past belongs to the State of NH. A. Dugay stated that the parking has been used for many years. R. Sabourn explained that the island area was not always used for parking and that some residents have expressed frustration with the current use of this area. To his knowledge, there has not been a resolution and agreed that someone needs to make a determination as to who owns this piece of land. A. Dugay is interested in continuing to use the paved area in front of the building for parking. The state is concerned that there is no driveway permit. The parking requirement became a concern of the Planning Board during the site plan review process. A. Dugay stated that the State is not responding to their request to continue using the parking area in a timely manner. Selectwoman Peabody explained that the Board of Selectmen does not have any jurisdiction to assist them in the Site Plan review process. B. Reagan explained that the Planning Board couldn't approve or authorize the use of someone else's property. The real issue is finding ownership of the old route 3 portion of the road that they would like to use. Selectman Sabourn believes that the State owns a portion.

B. Reagan explained that the Planning Board approved the site plan with the condition that they receive State of NH driveway approval.

Selectman Sabourn suggested that Mr. Dugay work with the State of NH Right of Way Department. Selectman Sabourn also suggested that they complete an application to purchase surplus land from the State of NH to prove to the Planning Board that they can meet the necessary parking requirement.

Police Department

Chief Miller introduced Timothy White to the Seletboard as the new Part-time Police Officer for the Thornton Police Department. Timothy White was sworn in as a part-time police officer by the Town Clerk. The Board welcomed him to the department and the Town and signed the appointment form. The Chief invited the Board to the department for a small welcoming event.

The Board took a 15-minute break.

Grant Opportunity

Chief Miller explained that in order to receive the 50/50 equipment grants, the town has to have a STEP grant. This offers the officers extra shifts for various enforcements. He requested permission to apply for the STEP grant that would allow the department to apply for the other grants such as the 50/50 grants that are beneficial to the Town. TAT Beaulieu stated that the department has an account for details that would qualify for the grant process. Chief Miller stated that if the shifts cannot be filled due to staffing problems, he would only have to send an email to inform them and this would not affect the grant.

Police Officer Training Contracts

TAT Beaulieu stated that Attorney Broth's office revised the police training contract to include the towns legal cost for part time officers. These contracts provide an employee-at-will situation, which is beneficial to the town. The Board is working on a new three-year training agreement with Timothy White. The Chief and Selectboard signed the contract. Chief Miller will discuss the training contract with new officer Timothy White.

TAT Beaulieu informed the Board that changes were also made for an individual that would be with the Police Department as a full timer and leave prior to the end of their contract, leaving a balance owed to the Town for training expenses. Sandy Moulton has a template to use for full time officers, part time uncertified, and a transition from a full time officer to a part time officer. After discussion, the Board agreed with the changes.

Selectman Sabourn stated that the speed of cars on Thornton Gore Road is unreasonable. There is no speed limit sign on the road and asked if other roads need speed limit signs as well. Selectman Sabourn urged that warnings be issued at the least.

Chief Miller stated that Corporal Gilman has estimated a need for about a dozen permanent no parking signs at Welch Dickey and Oris Road. The Board agreed this expenditure from the highway department signage budget line.

CIP Update

TAT Beaulieu informed the Board that she is in the process of providing forms to CIP for projects that are moving from the scheduled year 2017 to 2018 for the capital improvement plan including the Millbrook project with project engineer Tom Ballestero. TAT Beaulieu informed the Board that AA Mahurin has been trying to contact Ballestero. An email was sent by AA Mahurin in September and October asking him to forward a new contract. Ballestero recently replied that a contract will be sent by the end of the week. TAT Beaulieu expects this project to be completed in 2018.

Bill DeLeo met with the Board to present an updated CIP plan. B. DeLeo stated that during a previous conversation, the Board suggested increasing funding to \$225,000 for the bridge replacement project. Additional funding was created in the CIP, the town hall and transfer station renovation project was moved up to 2018 as requested and increased the cost of the transfer station renovation from \$37,000 to \$40,300.00. B. DeLeo explained that he was able to do this by reducing the 2018 highway reserve funding by \$50,000, as well as the Millbrook project by \$11,000 and reducing the Police Department reserve funding by \$10,000 for a total reduction of \$71,000. This \$71,000 was applied to the bridge replacement project. He further explained that by reducing these allocated funds for 2018, shortfalls were created in future years within the CIP. He removed money from the building reserve fund in 2020 and 2025 to apply towards the shortfalls in the CIP.

The Millbrook culvert repair was also moved up to 2018. The Board discussed the location of the Millbrook culvert at the junction of Millbrook and Haseltine Roads that runs underneath Millbrook Road.

B. DeLeo discussed the reserve calculation spreadsheet and the fact that the funds are minimal. He is not recommending increasing the annual allocation of \$275,000 at this time. Selectman Sabourn stated that if the town loses a bridge due to a flood disaster, FEMA should be able to assist the town. The Board discussed the status of other bridges in town.

Selectwoman Peabody asked if the covered bridge would be safe enough if there is a hard winter. TAT Beaulieu recalled during a previous meeting that the Board requested that the Road Agent remove the cover to the bridge, but the Road Agent does not recall receiving that direction. The Board agreed that this cover must be removed right away and to inform the Road Agent that he needs to contact some vendors to assist in the process. TAT Beaulieu will inform the Road Agent.

The Board agreed that funding the bridge capital reserve would be a priority over funding the paving reserve. The Board discussed the 2022 reserve. B. DeLeo discussed reserve funding for Millbrook Road. The Board discussed that this account was created years ago and funds have

been raised to repair the road due to its poor condition. The Board also agreed that road repairs should be part of the operating budget rather than a capital reserve account. B. DeLeo stated that \$25,000 is expected to be allocated for the road fund in 2018 and \$7,000 in 2021, which will total about \$60,000 in that account in 2021. Selectman Sabourn suggested that the Board not allocate the additional \$51,000 in 2022 and use the \$60,000 that will be in the account towards road repairs along with funds from the highway department operating budget. B. DeLeo stated that he can use the \$51,000 to increase funds in the bridge capital reserve. The Board agreed that they need to verify that the Road Agent plans to expend funds for repairs to Millbrook Road in 2022. After discussion, Selectman Sabourn suggested that the \$51,000 be allocated in the Millbrook Road capital reserve in 2022, and not continue to fund this reserve. The Board agreed and thanked the CIP committee for all their work.

Public Hearing – Proposed Fee Schedule Changes RSA 41:9 - Continued

Selectwoman Peabody re-opened the public hearing at 4:54 p.m.

No public was present.

The Board discussed updated fees for the highway department use of equipment. Selectman Sabourn suggested adopting the equipment and labor rates put forth by the Highway Department.

The Board reviewed the updated Transfer Station fee increases and agreed to accept the fee increases as suggested by the Transfer Station manager.

The Board discussed the increased Police Department detail rates. TAT Beaulieu explained that Chief Miller researched fees with surrounding towns and Woodstock pays \$50 for an officer and \$74 with a cruiser, Lincoln pays \$52 for an officer and \$82 with a cruiser, Plymouth pays \$50 for an officer and \$90 with a cruiser, and Campton pays \$42 for an officer and \$50 with a cruiser. The Thornton Police Chief would like to be able to pay their officers the same as the surrounding towns. TAT Beaulieu also calculated the town's cost for wages including FICA and retirement. TAT Beaulieu explained that the retirement changed for those that became vested after 2014 and is not required to be included in detail pay, which reduces the amount that the town has to pay for employees vested after 2014. Officers that work details that were vested before 2014 have retirement benefits included in detail pay that costs the town additional money. TA Beaulieu stated that the Board has the option to choose to adopt two separate detail rates depending on if the police officer was vested in NHRS prior to 2014. The Board agreed not to charge two different detail rates.

Selectman Sabourn stated that the new rate as suggested makes sense. Selectman Benton did not agree with the higher rate. The Board agreed that it makes sense to pay the Thornton officers the same rate as surrounding towns.

MOTION: "To approve the proposed 2017 Fee Schedule as amended."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: Selectman Sabourn stated that if the Plymouth rates are not factual than the Board could schedule a Public Hearing to re-discuss the detail rates.

Motion Passes: 4 – Yes, 0 – No

2017 Tax Rate Setting

TA Beaulieu stated that the Town of Thornton cannot create a tax rate or move forward with the web portal because Waterville Estates Village District submitted an unbalanced MS535 this year. The Board agreed to re-schedule this item for discussion to another meeting to be held on Monday, October 30, 2017 at 3:00p.m.

Martyr Property Update

TAT Beaulieu informed the Board that there was some controversy as to if this property would sell but it has ultimately sold. The Town received a check for \$23,268 and the case has been closed.

Site Inspections for the Transfer Station

TAT Beaulieu informed the Board that the third round of contractor inspections was completed for the Transfer Station/Town Hall renovation projects. TAT Beaulieu stated that eight companies attended the site inspection for bid requests for the town hall and six companies for the transfer station. This will result in a better choice of vendors for the town.

2016 Audit

TAT Beaulieu stated that the 2016 audit has been completed and received. The Selectboard received copies of the audit and copies were placed in the town files.

Vault Update

TAT Beaulieu informed the Board that staff has re-organized and purged information contained in the vault this summer. A shredding company was contacted to dispose of the out dated records.

Trustee of Trust Funds

TAT Beaulieu explained that during the previous meeting, the board approved a request from the Trustee of Trust Fund to pay \$2,892.48 from the Transfer Station Major Equipment fund and should be expended from the Municipal Building - Transfer Station.

MOTION: "To negate the motion made October 11, 2017 to approve a request to the Trustee of Trust Fund to pay \$2,892.48 to Alba Architects from the Transfer Station Major Equipment fund and to replace with a new motion."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve a request from the Trustee of Trust Fund to pay \$2,892.48 to Alba Architects from the Municipal Buildings capital reserve fund for the Transfer Station resonation project."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Halloween Candy Donation

MOTION: "To approve receipt of the donation of candy to the Town for Trick or Treating on Mad River Road in Thornton."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Chickenboro Road

TAT Beaulieu informed the board that she received an email from Todd Baldwin as a follow up of the survey completed by Sabourn and Tower Surveying on Chickenboro Road. T. Baldwin would like to review the new plan his surveyor completed with the Selectboard before it is

recorded in Woodsville. R. Sabourn explained that T. Baldwin had a separate survey completed and T. Baldwin would like to put his own survey on record at the registry. The Board agreed to review a copy of the plan.

New Town Administrator Introduction

The Board discussed how the introduction to the new Town Administrator should move forward. The Board agreed to schedule the introduction during an evening Board meeting and to invite residents to meet Debra during the December 6, 2017 meeting.

SELECTMEN COMMENTS

Brad Benton suggested that the Road Agent view Burbank Hill Road as the slope in side of the corner of the curve is washing out. TAT Beaulieu will inform the Road Agent

R. Sabourn and AA Mahurin are working on code compliance forms.

5:56 P.M. MOTION: "To adjourn."

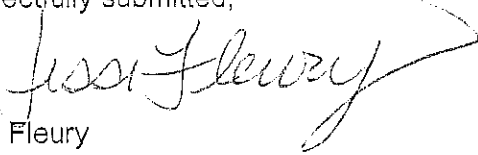
Motion: J. Gaites

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Respectfully submitted,



Jessi Fleury
Board Secretary