



Approved on: 12/12/18
BOS Initial: *RAS*
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Town Clerk Initials: *egm*

**TOWN OF THORNTON
BOARD OF SELECTMEN**

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

**Board of Selectmen Meeting Minutes
November 19, 2018**

ROLL CALL: Chairman Roy Sabourn, Vice Chairman John Paul-Hilliard, Selectwoman Marianne Peabody, Selectman Brad Benton and Selectman Jack Gaites.

STAFF PRESENT: Town Administrator (TA) Debra Shepard

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

The Board met prior to the opening of the meeting at the Covered Bridge Road Bridge at the Millbrook Woods Subdivision for the opening ribbon cutting ceremony for the new bridge.

MOTION: "To approve the payroll manifest dated 11/23/2018 in the amount of \$25,141.96."

Motion: M. Peabody
Seconded: J. Gaites
Discussion: None.
Motion Passes: 3 – Yes, 0 – No Abstained: R. Sabourn and B. Benton

MOTION: "To approve the vendor manifest dated 11/23/2018 in the amount of \$327,724.73.

Motion: J. Gaites
Seconded: B. Benton
Discussion: None.
Motion Passes: 3 – Yes, 0 – No Abstained: R. Sabourn and M. Peabody

MOTION: "To approve the welfare manifest dated 11/24/2018 in the amount of \$881.13.

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

Minutes

MOTION: "To approve Board of Selectmen meeting minutes for November 7, 2018 as submitted."

Motion: J. Gaites

Seconded: M. Peabody

Discussion: None

Motion Passes: 4 – Yes, 0 – No

Abstained: J. Paul-Hilliard

ZCA Review

ZCA #2018-75 - owner Clara and Benjamin Scrimshaw - solar panels.

R. Sabourn discussed the reason for not approving this application during the previous meeting as the setbacks from the road do not comply with the town's zoning regulations which is evident by the sketch submitted with the ZCA. The Board had suggested that the applicant make the necessary changes to the location of the panels to meet the town's zoning regulations and resubmit the application with a corrected sketch for further action. The application was resubmitted but it appears that the location of the structure on the revised sketch still does not comply with zoning regulations for setbacks. The Board agreed to allow the applicant to resubmit the application one more time without a fee with a sketch showing that setback requirements are being met. The Board agreed to inform the applicant of their decision in writing.

TA PRESENTS:

TA Shepard presented a draft budget-hearing schedule and a draft holiday schedule for 2019 for the Board to review.

Land Use Change Tax

MOTION: "To accept the Land Use Change Tax for PID 10-8-9 for Jarrett and Johnathan Ham in the amount of \$1,500."

Motion: J. Paul-Hilliard

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve an intent to cut for PID # 3-3-12 for Ralph and Ruth Bradley."

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve an intent to cut for PID #11-1-33 for Johnston Brothers LLC."

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To request withdrawal of funds from the Capital Reserve Bridge Repair and Maintenance fund in the amount of \$3,422.51 for an HEB invoice and \$366.80 for the State of NH Wetland Permit for the Covered Bridge Road bridge berm project. For a total request of \$3,789.31"

Motion: J. Gaites
Seconded: J. Paul-Hilliard
Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Plodzik & Sanderson Annual Contract

The Board reviewed the annual audit contract for FY 2018.

MOTION: "To approve the contract with Plodzik and Sanderson for FY 2018 audit services. There was an increase of \$100 from the previous year."

Motion: J. Paul-Hilliard
Seconded: M. Peabody
Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Events Committee Agenda

TA Shepard presented an agenda for the Events Committee for informational purposes.

Waterville Estates Water District Deed

R. Sabourn informed the Board that a generic deed was received from the Water District. R. Sabourn requested permission to review the deed before the Board accepts. The Board agreed.

FEMA Request

TA Shepard received an email from Brian Regan, Planning Director regarding information he received regarding a Pemigewasset Watershed and Floodplain Study by a company named Compass contracted by FEMA. No one on the board was aware of this study. The Board asked TA Shepard to have Brian Regan look into this further to confirm the town's participation is warranted and if it is, to ask him to complete the information for submission.

Concerned Citizen

TA Shepard informed the Board that Carol Stewart submitted a complaint regarding the E-reg account online for State of NH registrations. An error was made by her when she entered her bank account information online to pay for the registration. She received some bank fees as a result of the transaction being kicked back by the state for insufficient funds. Ms. Stewart would like to be reimbursed for these fees. TA Shepard reminded the board that the Town of Thornton does have a policy where check-writing privileges are suspended for one year if funds are returned as insufficient. Ms. Stewart would also like that waived. TA Shepard suggested the board agree to waive this requirement based on the circumstances of case. The Board agreed that since the wrong account information was entered rather than insufficient funds, they will excuse her from the check writing suspension policy but denied her request to be reimbursed for any fees associated with her e-reg transaction.

TA Shepard explained that there was some confusion regarding the absentee ballot process. The town clerk misunderstood that absentee ballots can be given in hand to residents and received at the town clerk window rather than having to use the postal service to receive absentee ballots. This was clarified by the Secretary of State office. Donna received a letter in the mail from a resident regarding his dissatisfaction of the absentee ballot process that the town was following. The Board agreed to send him a response letter apologizing and confirming that the process has been fixed.

Pablo Silva is upset with the maintenance of Chickenboro Road. The Board agreed to send him a response letter informing him that his concern will be forwarded to the Road Agent.

TA Shepard followed up with Mr. and Mrs. Ross regarding a drainage project recently completed by the Thornton Highway Department. She advised them to stop any further unauthorized ditching and advised them that going forward the Highway Department will be repairing this and that they are not to make any alterations to this town draining system. Mr. Ross was upset with this project and asked to be placed on the BOS agenda in the near future. TA Shepard will work with Mr. and Mrs. Ross to schedule a time for them to be present to discuss this further with the BOS. .

Mr. Hubbard submitted a concern regarding work the Highway Department has done on Banjo Drive. He claims that the Highway Department created a much larger ditch on the lot next to him, removing trees and causing the flow of ground water to now flow into his basement. The Board agreed to discuss this concern with the Road Agent and will follow up with Mr. Hubbard.

MOTION: "To approve the amended Deputy Tax Collector/Municipal Clerk job description."

Motion: B. Benton
Seconded: M. Peabody
Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Flag Discussion Update

J. Paul-Hilliard informed the Board that a 30-foot flagpole is a common height used in cemeteries. He discussed the specifics of the flagpole and costs associated with the pole and installation. The quote is for two 30 foot poles with a 125 mile per hour wind gust rating, installation and 2 6x10 flags with night-lights for \$4,800. The installation would be easier to complete in 2019. The Board discussed including this in the Board of Selectmen 2019 budget.

FEMA Meeting

R. Sabourn stated that he met with M. Peabody, J. Gaites, TA Shepard and Paul Hatch, FEMA, to discuss the Millbrook covered bridge berm. FEMA is looking for additional information concerning the berm and the grant.

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

1:30 Chickenboro Road – Todd Baldwin

Chairman Sabourn requested that Vice-Chair Paul-Hilliard assume chair responsibility during this agenda item.

Present: Todd Baldwin, RA Kubik

T. Baldwin met with the Board to discuss Chickenboro Road. Mr. Baldwin stated that the ditch line that was installed on his side of the road encroaches on his property. Mr. Baldwin asked if the Board can accept his drawing of the property lines. The Board agreed that this question would need to be referred to legal counsel. Mr. Baldwin explained the content of the lawsuit in 1974. R. Sabourn stated that Mr. Baldwin owns to the middle of the road, but the town has a right of way to maintain the road. The court had asked that the Town do a layout of the road, which the town has not done. This has been discussed with counsel, which prompted the letter that the Board sent to Mr. Baldwin recently. Mr. Baldwin stated that he agreed with the plan recently completed by Sabourn and Tower, which shows that the location of Chickenboro Road has not changed significantly over the years. Mr. Baldwin is asking that the Town meet with

their counsel again to resolve this issue. J. Paul-Hilliard asked what a substantial resolve would be for Mr. Baldwin. Mr. Baldwin would like the Board to agree to his plan as to where his property is around the road. He stated that the existing road is outside the boundary that was recorded by the surveyor and asked that it be accepted by the town to establish his property line so that there are no future encroachments. Discussion followed on what size the road should be if the town were to complete a layout. The BOS determined the road would be 50 ft. Roy went on to explain that if the town were to do this fairly, they would take an equal amount from both sides of the road. Mr. Baldwin made it very clear that he will not agree to any land coming off his side of the road. If the Town needs additional room to maintain the road, Mr. Baldwin would like the Town to take it all from the opposite side of the road. The Board informed Mr. Baldwin that they have discussed this at great lengths with legal counsel and at this time, are not prepared to move forward on this issue.

2:00 Highway Department – Brush Removal/Mowing Guidelines

Chairman Sabourn requested that Vice-Chair Paul-Hilliard assume chair responsibility during this agenda item.

The Board discussed the concern from Mr. Hubbard regarding work the Highway Department on Banjo Drive. TA Shepard asked if the work the Highway department did would cause water to run into Mr. Hubbard's basement. RA Kubik explained that the old culvert was replaced and the ditch was cleaned out but not changed from the way it originally was. The Board agreed to send a letter to Mr. Hubbard informing him that the Highway Department did not change the ditching but did clean it out and install a new pipe.

J. Paul-Hilliard discussed safety measures and good practices for the brush removal in town. Guidance was provided on brush removal and mowing to the Road Agent. The Board acknowledged that the Road Agent is aware of these measures and assured the Board that appropriate training is provided for highway department employees using brush-clearing equipment.

TA Shepard asked for an update on SB38 funds. RA Kubik stated that the SB38 projects have been completed. The paving for Banjo Drive has not been completed this year. The Board discussed encumbering funds for the Banjo Drive paving project. TA Shepard will work with RA Kubik to see if encumbering is an option.

2:30 Police Department – Proposed Ordinances

Present: Chief Miller

Chief Miller met with the Board to discuss proposed ordinances for 2019 Town Meeting. TA Shepard stated that legal counsel has advised that new ordinances need to be brought before Town Meeting, and if fines and penalties are applicable then a public hearing will need to be held as well.

The Board reviewed a proposed alarm system ordinance that would include the requirement to register the alarm system. Chief Miller explained that the department is often called for faulty alarm systems. Discussion was also held on fees associated with alarms. The Board recommended some changes to the proposed ordinance. The final ordinance will be voted on at town meeting and the fees will be included in a fee schedule public hearing after town meeting.

The Board also discussed a proposed ordinance for excessive noise. Currently the Town does not have an ordinance and cannot enforce quiet hours without an ordinance. Chief Miller stated that this is needed and assured the Board that the Officers would have discretion enforcing this ordinance if passed at Town Meeting.

3:00 CIP – Bill DeLeo

Bill DeLeo met with the Board to discuss changes made to the CIP plan based on department requests. He explained that there were some deficits in the plan and some funds had to be moved to accommodate these changes. The changes he made will allow for next year purchases to be made as planned.

The Board discussed the future cost of police cruisers with Chief Miller and Mr. DeLeo. After discussion, the Board agreed that they should continue purchasing the Ford Explorers since the expected savings in purchasing Dodge Chargers is not significant.

3:30 Conservation Commission – Myrtle Lewis

Myrtle Lewis met with the Board to provide background on herself as a Conservation Commission member. She informed the Board that the Commission has four members and is looking forward to doing their part in supporting the Thornton Community. The Commission will be utilizing their budget allowance as well. Myrtle discussed using the budget for trainings that will benefit the Town. The Board recommended that she consider other items that may need to be included in the budget for 2019.

3:45 Year End Department Expense Requests 2018

TA Shepard informed the Board that department heads have submitted their year-end expense requests as follows:

Police Department – Chief Miller is requesting permission to spend \$9,428 for six year-end purchases. He anticipates having \$4,500 left in his budget.

MOTION: “To accept Chief Miller’s recommended purchases in the amount of \$9,428 out of the 2018 surplus provided there is enough funds in his budget to do so and all six items need to be ordered in 2018.”

Motion: B. Benton
Seconded: M. Peabody
Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Emergency Management – Chief Miller is requesting permission to purchase two new storage cabinets. The other cabinets that were purchased previously were not the correct size and are being used for another purpose.

MOTION: “To accept Chief Miller’s recommendation to purchase two storage cabinets in the amount of \$798.00 from the 2018 Emergency Management budget if funds are available at the end of the year.”

Motion: B. Benton
Seconded: M. Peabody
Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Transfer Station - Kevin McGuire requested permission to purchase three items for the total amount of \$2,349.00.

MOTION: "To accept Kevin McGuire's recommendation to purchase three items in the total amount of \$2,349.00 from the 2018 Transfer Station budget if funds are available at the end of the year."

Motion: B. Benton
Seconded: M. Peabody
Discussion: None.
Motion Passes: 5 – Yes, 0 – No

Town Clerk – Donna requested a raiser for her computer for about \$150.00.

MOTION: "To accept the Town Clerk recommendation to purchase a stand-up desk converter in the total amount of \$150.00 from the 2018 Town Clerk budget if funds are available at the end of the year."

Motion: M. Peabody
Seconded: B. Benton
Discussion: None.
Motion Passes: 5 – Yes, 0 – No

Selectmen's Office - TA Shepard informed the Board that the office needs two additional fireproof filing cabinets.

MOTION: "To accept the Town Administrator recommendation to purchase two fireproof filing cabinets and a new vacuum cleaner in the total amount of \$2,800.00 from the 2018 budget if funds are available at the end of the year."

Motion: J. Paul-Hilliard
Seconded: J. Gaites
Discussion: None.
Motion Passes: 5 – Yes, 0 – No

Fire Department – Chief Defosses would like to purchase some hardware for \$2,000. After discussion, the Board agreed that this budget is too tight at this time.

4:37 p.m. MOTION: "To adjourn."

Motion: B. Benton
Seconded: J. Gaites
Discussion: None.
Motion Passes: 5 – Yes, 0 – No

Respectfully submitted,

Jessi Fleury
Board Secretary