



Approved on:	1/2/19
BOS Initial:	WAS
Rec'd by Town Clerk on:	1/2/19
Town Clerk Initials:	apn

**TOWN OF THORNTON
BOARD OF SELECTMEN**

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

**Board of Selectmen Meeting Minutes
December 5, 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, Jessi Fleury, Board Secretary

5:30 P.M. Chairman Sabourn opened the Thornton Board of Selectmen meeting with the Pledge of Allegiance:

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

Non-public session pursuant to RSA 91-A: 3, II (a-personnel)

5:38 p.m. MOTION: "To enter into non-public session under RSA 91-A: 3, II (a-personnel)."

Motion: J. Gaites
Seconded: B. Benton
Discussion: None.
Roll Call: Roy Sabourn – Yes, John Paul-Hilliard – Yes, Marianne Peabody – Yes,
Jack Gaites – Yes, Brad Benton – Yes.

Motion Passes: 5 – Yes, 0 – No

6:24 p.m. MOTION: "To exit nonpublic session."

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

MOTION: "To approve a COLA increase in the amount of 2.8% for fiscal year 2019."

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

MOTION: "To approve the proposed Police Department step increases for Officer Yao, Officer Meier and Officer Harkenon from Labor Grade 8 Step 4 to Labor Grade 8 Step 5 as requested, effective for January 1, 2019."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve a step increase for Zack Simon from Labor Grade 2 Step 5 to Labor Grade 2 Step 6 as requested effective January 1, 2019."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

6:45 CIP Committee 2019 Budget and Update on Public Hearing

Present: William DeLeo

Mr. DeLeo met with the board to provide updated CIP information. The Board reviewed the updated CIP plan. Mr. DeLeo requested that the Board vote to accept the current CIP plan as the CIP members intend to accept the plan as well at their next meeting.

Mr. DeLeo stated that the CIP Committee is aware that the cost of the Police Department cruisers may increase, however he is confident that funds will be available with the recycling of equipment from old cruisers to the new cruisers and future grant opportunities.

Discussion continued on using the Thornton School for voting during large elections instead of the Town Hall due to space deficiencies. Mr. DeLeo suggested that the Board discuss this with the Thornton School Board sooner rather than later to allow for any school schedule changes if needed. The Board agreed and asked TA Shepard to set up a meeting with the school board in the near future.

The Board discussed the proposed percentage increase to Thornton's share of the Fire Department budget relative to capital item purchases. Mr. DeLeo informed the Board that he would need to revise the CIP to incorporate these changes prior to final approval. The Board will place the 2019 CIP on the BOS agenda for the December 12, 2018 meeting and invite Mr. DeLeo back.

7:00 Fire Department 2019 Budget

Present: Chief Defosses

Chief met with the Board to discuss the proposed 2019 Fire Department budget.

The Board discussed adding an 8-week overnight coverage shift during the winter months. Chief Defosses explained that this would cost Thornton an additional \$35,000 a year. Chief Defosses further explained that this additional coverage will provide better service, be more efficient and will be favorable to employees. The Board agreed that they are in favor of adding an additional 8 weeks of overnight coverage to the 2019 Budget.

7:45 Transfer Station 2019 Budget

Present: Kevin McGuire and Steve Chiocca

The Board reviewed the proposed Transfer Station budget for 2019.

K. McGuire explained that the building maintenance line item has been increased due to some repairs that he and Mr. Chiocca would like to make to the building that would improve the employee's working conditions. The Board agreed with their suggestion and the cost for said improvements.

Discussion was held on the increase cost of recycling and the expected reduction in revenues from recycling.

6:00 TA Presents/Action Folder

MOTION: "To approve the payroll manifest dated 12/7/2018 in the amount of \$40,045.22."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Abstained: R. Sabourn

MOTION: "To approve the vendor manifest dated 12/7/2018 in the amount of \$997,550.06."

Motion: J. Paul-Hilliard

Seconded: B. Benton

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: M. Peabody and J. Gaites

Minutes

MOTION: "To approve Board of Selectmen meeting minutes for November 19, 2018 as amended."

Motion: B. Benton

Seconded: M. Peabody

Discussion: None

Motion Passes: 5 – Yes, 0 – No

ZCA Review

MOTION: "To not approve ZCA #2018-77 for PID #17/7-4-6, owner Sean Brynes, for an expansion of a building until Brian Reagan can clarify if a variance is needed prior to approval. A signed plan should also be received indicating proper setbacks."

Motion: J. Paul-Hilliard

Seconded: J. Gaites

Discussion: R. Sabourn reviewed the application and noted that a boundary line adjustment had been completed with the Planning Board. The proposed expansion will be used to expand a current non-conforming business use. The Board discussed the need to have the business use approved through a variance with the Zoning Board of Adjustment.

Motion Passes: 5 – Yes, 0 – No

Cease and Desist

R. Sabourn stated that the Atwood property is under construction and there has not been a ZCA filed to date. He recommended sending a cease and desist letter until a ZCA has been approved by the Board of Selectmen.

B. Benton asked the Board if he could have permission to speak with the homeowner to ask him to complete a ZCA and stop all construction rather than sending a cease and desist letter.

MOTION: "To allow Brad Benton to speak with Mr. Atwood to instruct him to stop any further construction and to complete a ZCA immediately."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: The majority of the Board agreed to not send a certified cease and desist order at this time. Mr. Benton will speak to the homeowner immediately and inform him of the Board's decision. If the homeowner fails to stop all further construction and complete and submit a ZCA within the next seven days, the Board will have no alternative but file an immediate cease and desist. R. Sabourn stated that he feels a cease and desist should be mailed and adhered to until the ZCA is approved by the board. The Board agreed to revisit this issue at the January 12th meeting..

Motion Passes: 4 – Yes, 1 – No (Roy Sabourn)

8:30 Welfare 2019 Budget/Health Budget

Present: M. Peabody

The Board reviewed the proposed Welfare and Health budget. The Board accepted both budgets as presented with minimal changes.

TA PRESENTS:

Town Report Printer Choices

The Board reviewed quotes for the printing of the annual town report.

MOTION: "To agree to contract with Select PC, Gary Fuller, in the amount \$2,151.00."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Request for Funds from the Trustee of Trust Funds

MOTION: "To request funds from the Trustee of Trust Funds in the amount of \$8,945.00 from the Capital Reserve Property Tax Maps Fund for payment to CIA Technologies for the tax map project."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To request funds from the Trustee of Trust Funds in the amount of \$45,814.68 from the Road Paving Construction and Repairs fund for all invoices to date for the Millbrook culvert project."

Motion: J. Gaites

Seconded: J. Paul-Hilliard

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Intent to Cut

MOTION: "To approve an Intent to Cut for PID # 10/3-53, owner Zachary Moylan.

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Average Stumpage Value

MOTION: "To approve the average stumpage value list for October 1, 2018 through March 31, 2019 at the medium range as set by NH-DRA."

Motion: J. Paul-Hilliard

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Patriot Flags

The Board discussed the information as presented by Selectman Paul-Hilliard relative to the purchase and installation of flagpoles and flags at the Pine Grove and Mad River Cemeteries. TA Shepard asked the Board if they would like her to include this in the 2019 Board of Selectmen Budget or the Cemetery Budget. The Board agreed to have Roy Sabourn discuss the flag purchases with Phyllis Holbrook, Cemetery Trustee. After further discussion, the Board agreed to include this expense in the Selectmen's 2019 budget.

HEB Change Order #2

MOTION: "To approve change order #2 from HEB in the amount of \$502.95 for the Covered Bridge Road."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve the contract amendment #8 from HEB in the amount of \$8,632.00 for the Construction administrative fees for the berm project at Covered Bridge Road."

Motion: J. Paul-Hilliard

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Certificate of Appointment

MOTION: "To approve the appointments to the Events Committee for Douglas Moorehead, and Wendy Johnston."

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Code Enforcement

TA Shepard has been informed that a Winery business in Thornton is being advertised on Facebook as being open to the public. The Board discussed that the business has not received final site plan approval from the Planning Board and should not be open for business until all Town of Thornton approvals are in place. The Board asked TA Shepard to work with Planner Brian Regan to draft the language of a cease and desist order for the Board's signature.

9:00 Weeping Birches Lane Discussion

Present: Corey Smith and Commissioner Lloyd Willey of WEVD (247)

R. Sabourn informed the Board that last week Corey contacted him regarding the letter that was sent to Mr. Avallone and copied to WEVD regarding the status of Weeping Birches Lane by the Board. Unfortunately, due to some confusion, Road Agent Kubik thought the Board of Selectmen had recorded the deed for Weeping Birches Lane and therefore, had accepted the road. In November, he added this road to his winter maintenance schedule. However, this was not the case. The BOS received a proposed deed, and not a draft as had been requested and because of several concerns, did not record the deed. Therefore, the town has not accepted the road. The town cannot legally expend funds to maintain a private road and that is why the BOS sent the letter to Mr. Avallone. The BOS did agree as a courtesy to Mr. Avallone and the residents who live on Weeping Birches Lane, to continue to maintain the road for approximately two weeks until December 17, 2018. The intend of this two-week time period was to give Mr. Avallone ample time to put a plan in place to resume responsibility for the maintenance for this private road.

After further review of the proposed deed, R. Sabourn raised several concerns with the content of the deed as well as the referenced plans that are noted on the deed. Discussion was held on the many deficiencies as presented by Chair Roy Sabourn relative to the proposed deed, referenced plans and condominium documents.

Additional concerns were discussed regarding the storm water detention pond and culverts as indicated on the plans referenced in the deed. It appears that the plans have several inaccuracies. The Board discussed additional items of concern that were not noted previously. The Board agreed to draft and forward a list of concerns to Tom Avalone and his attorney so that the deficiencies can be addressed and rectified so the BOS can continue towards their ultimate goal of accepting this road as a town road.

9:30 2019 Draft Warrant Article Review

TA Shepard provided a copy of the draft warrant to the BOS for review and discussion. The BOS will review the final draft warrant at a future BOS meeting.

Requests for funds from the Trustee of Trust Funds

MOTION: "To request \$345,222.70 from the Capital Reserve Bridge Repair and Maintenance Fund for Daniels Construction."

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

Motion Passes: 5 – Yes, 0 – No

MOTION: "To request \$3,573.22 from the Capital Reserve Bridge Repair and Maintenance Fund for HEB."

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

Motion Passes: 5 – Yes, 0 – No

SELECTMEN COMMENTS

R. Sabourn discussed a concern he has with wheeled traffic having access to the cemeteries during the winter season when damage could happen to headstones, etc. The Board agreed to suggest to the cemetery trustees that foot travel should be permitted but wheeled vehicles should be discouraged or prohibited from entering the cemetery during the winter.

10:10 p.m. MOTION: "To adjourn."

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

Motion Passes: 5 – Yes, 0 – No

Respectfully submitted,

Jessi Fleury
Board Secretary