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TOWN OF THORNTON BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes April 24, 2019

ROLL CALL: Vice-Chairman Roy Sabourn, Selectwoman Marianne Peabody, Selectman Jack Gaites, and Selectman Joseph Monti.

ABSENT: Chairman Brad Benton

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

STAFF PRESENT: Town Administrator (TA) Debra Shepard, Jessi Fleury, Board Secretary

Action Folders:

MOTION: "To approve the vendor manifest for April 26, 2019 in the amount of \$373,220.80."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: J. Monti

MOTION: "To approve the payroll manifest for April 26, 2019 in the amount of \$25,404.51."

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: R. Sabourn

MOTION: "To accept meeting minutes of April 10, 2019 as amended."

Motion: J. Gaites

Seconded: M. Peabody

Discussion: J. Monti suggested draft minutes be sent to board members in a bcc format. The Board agreed.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To accept non-public meeting minutes of April 10, 2019 as written."

Motion: J. Gaites

Seconded: J. Monti

Discussion: None.

Motion Passes: 3 – Yes, 1 – No, M. Peabody

ZCA

The Board reviewed the ZCA file.

MOTION: "To approve ZCA #2018-75 for PID# 18/4-3-1, owner Clara and Benjamin Scrimshaw for a ground mounted solar array."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: R. Sabourn stated that this application was denied due to not meeting setbacks. The plan was amended by the applicant, but was not clear enough to meet setbacks. R. Sabourn discussed the ZCA with Mr. Scrimshaw, measured the proposed construction, and determined that it is within the setbacks. R. Sabourn recommended approving the ZCA

Motion Passes: 4 – Yes, 0 – No

Abstained: J. Gaites

MOTION: "To approve ZCA #2019-07 for PID# 15/4-18, for a 2 car garage with storage above."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve ZCA #2019-08 for PID#16/4-30, 21 Wallace Drive, for a 14x24 one car garage."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve ZCA #2019-09 for PID# 10/10-10 for a demolition."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: J. Monti asked how long the ZCA is valid for the demolition. R. Sabourn stated that the ZCA is valid for a two-year period.

Motion Passes: 4 – Yes, 0 – No

TA PRESENTS:

Hubbard Brook Scholarship

TA Shepard distributed application packets for the Hubbard Brook Scholarship. TA Shepard informed the Board that score sheets are due in the office by Friday May 3, 2019. The Board will award the scholarship during their May 8, 2019 meeting. M. Peabody will present the scholarship.

Good Morning Program – Police Department

TA Shepard informed the Board that the Police Department is starting a new program called the Good Morning Program for elderly or residents who live alone to check in with the Police Department on a regular basis. M. Peabody recommended that the Police Department contact the elderly rather than having the seniors contact the Police Department. M. Peabody stated that the senior center also provides a check in service. Discussion was held on the increase in the number of dispatch calls and this may increase call volume with Plymouth Dispatch. TA Shepard will receive more details on the program for the Board to review.

Part-time Position

TA Shepard informed the Board that the part time Planning Assistant position (4 – 8 hours per week) has been posted and will remain open until May 10, 2019.

The Transfer Station position of Saturday and Sunday, 8 hour each, remains open and applications will be accepted until the position is filled.

ACTION FOLDER

MOTION: “To approve an Intent to Cut for PID# 10/12-2.”

Motion: M. Peabody
Seconded: J. Gaites
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

MOTION: “To approve an Intent to Excavate for PID #16/6-8 for owner, Jim Sanborn.”

Motion: M. Peabody
Seconded: J. Monti
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

MOTION: “To approve an Intent to Excavate for PID # 15/4-24, Dwayne Johnston.”

Motion: J. Monti
Seconded: J. Gaites
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

MOTION: “To approve an Intent to Excavate for PID #6/6-7, Dwayne Johnston.”

Motion: M. Peabody
Seconded: J. Gaites
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

MOTION: “To approve a Timber Tax Warrant for PID # 3/3-12, owner Ralph Bradley, in the amount of \$241.16.”

Motion: J. Gaites
Seconded: J. Monti
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

MOTION: “To approve an Excavation Gravel Tax warrant for PID # 17/7-20 Sunset Rock LLC, PID# 6/2-23 Caulder, PID# 6/6-7 Duane Johnston, PID# 15/4-24 Duane Johnston, PID #10/3-41 Shirley & Jerel Benton, PID #10/14-3 Shirley & Jerel Benton, PID # 15/4-31 Francis Crane, and PID #6/6-8 James & Patricia Sanborn in the total amount of \$927.90.”

Motion: J. Gaites
Seconded: J. Monti
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve a request for funds to the Trustee of Trust Funds in the amount of \$5,752.55 from the Capital Reserve – Police Cruiser and Equipment fund."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve a request for reimbursement from the Trustee of Trust Funds in the amount of \$7,285.00 from the Capital Reserve – Assessing."

Motion: J. Monti

Seconded: R. Sabourn

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve Veteran Credit Applicants in the amount of \$500 for PID #10/3-15, PID #11/1-143, PID #13/1-3, PID #13/6-5, PID #16/6-38."

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve a tax credit for service connected total disability in the amount of \$4,000 for PID #13/7-10."

Motion: J. Monti

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve an elderly exemption for PID# 11/1-37 in the amount of \$30,000 off of the assessed value."

Motion: J. Gaites

Seconded: J. Monti

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve a disabled exemption in the amount of \$40,000 for PID #16/7-81."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve tax exempt status for Hubbard Brook Research Foundation per RSA 72:23c, for PID #6/5-8."

Motion: J. Gaites

Seconded: M. Peabody

Discussion: The board discussed requesting additional scholarship funds in the future.
TA Shepard will do some research.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve exempt status for Thornton United Methodist Church per RSA 72:23c, for PID #10/5-2."

Motion: J. Monti
Seconded: J. Gaites
Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve a current use application for a total of 26.1 acres PID #15/1-50-05, PID #15/1-50-08, PID #15/1-50-09, PID #15/1-50-10, PID #15/1-50-15, PID #15/1-50-16, PID #15/1-50-17, and PID #15/1-50-18"

Motion: J. Gaites
Seconded: M. Peabody
Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Forrester Follow-up

TA Shepard reminded the Board that they have a 30-day period to follow-up with the US Forest Service regarding their concerns with the USDA Forest Timber Cut Project as discussed at the previous Board meeting. TA Shepard recommended writing a letter that outlines the Board's concerns as discussed during that meeting.

Selectman Monti stated that he went to a public meeting last Monday held by the Forest Service. A second public meeting will be held next Monday. J. Monti stated that many residents from Millbrook and Johnson Brook area attended the meeting last Monday. Several people brought up that the Environmental Assessment (EA) that was performed by the US Forest Service and that it did not include any road safety concerns. It was also stated during the meeting that comments from the public were encouraged, but that if comments were not made than a protest after the fact could not occur.

Discussion was held on the contents of the EA. Mr. Monti believes that when the Board met with the Forestry Service, the Board unanimously expressed serious safety concerns with the project. The Board agreed that they will send a letter outlining their concerns. R. Sabourn suggested that the Board objects to the "No significant impact" statement that was made in the EA. He stated that the Board totally disagrees with this statement based upon the town roads, the narrowness, and safety concerns with winter driving. R. Sabourn stated that it was made clear at the last meeting that the Board would like the Forest Service to assist them in establishing turnouts to improve the safety concerns on Mill Brook Road. R. Sabourn expects help from the Forest Service as the town cannot rebuild the road themselves to assist with the timber harvest. The Johnson Brook Bridge was also a concern with weight limits. J. Monti provided a list of concerns from the Millbrook residents as discussed at the public hearing with the USDA Forest Service. TA Shepard will draft a letter for the board's review before the 30-day deadline.

Non-public pursuant to RSA 91-A: 3, II (a-personnel, b-hiring, c-reputation and e-litigation)

1:32 p.m. MOTION: "To enter into non-public session under RSA 91-A: 3, II (a, b, c and e)."

Motion: J. Monti
Seconded: J. Gaites
Discussion: None.
Roll Call: Roy Sabourn – Yes, Marianne Peabody – Yes, Jack Gaites – Yes, Joe Monti – Yes.

Motion Passes: 4 – Yes, 0 – No

2:00 p.m. MOTION: "To exit nonpublic session."

Motion: J. Monti
Seconded: J. Gaites
Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To hire candidate 2 for the highway department position as advertised at Labor Grade 5 Step 7 with the expectation that the candidate will be responsible to obtain a CDLB license within 6 months of hiring and once the license is received, the employee will move up to Step 8 in Labor Grade 5."

Motion: J. Monti
Seconded: J. Gaites
Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve the contract for the Chief of Police dated April 24, 2019 as presented."

Motion: M. Peabody
Seconded: J. Gaites
Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To accept the contract for the AA/Tax Collector/MA as presented."

Motion: M. Peabody
Seconded: J. Gaites
Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To deny a request for an abatement of taxes based upon the applicants the lack of completing and filing the appropriate paperwork to receive the exemption."

Motion: J. Monti
Seconded: J. Gaites
Discussion: None.

Motion Passes: 4 – Yes, 0 – No

PUBLIC COMMENT

Present: Carl Kilmer, Millbrook Road

Mr. Kilmer stated that he was under the impression that the Forestry Service would be meeting with the Board today at 2:00 p.m. TA Shepard stated that the Forestry Service met with the Board during their last meeting.

Vice-Chairman Sabourn stated that the Board disagrees that there is "no adverse effect on the logging project" and will send a letter outlining the Board's concerns regarding traffic safety and the low weight posting limit on a bridge in Thornton Gore.

Mr. Kilmer discussed his concerns and he plans to include in them in his own letter to the Forestry Service. The Board thanked him for his input.

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

2:00 Paving Bid Award

Vice Chairman Sabourn opened the paving bid award at 2:13 p.m.

The invitation to bid was placed in the Record Enterprise on 4/19/2019, website, Town Hall, Transfer Station, and PEG channel.

TA Shepard and RA Kubik opened the bids on April 23, 2019 as advertised.

Four bids were received and quoted per ton as follows:

- R&D Paving - \$71.91
- GMI Paving - \$72.00
- Bryant Paving - \$72.40
- Pike - \$76.50

RA Kubik submitted his recommendations to the board via email. He outlined the bids received and some concerns with scheduling problems with R&D Paving last season that resulted in the Banjo Drive paving project not being completed and the funds having to be encumbered from 2018.

RA Kubik reported to the board that he felt he has had a good working relationship with both GMI and R&D Paving in the past.

The Board discussed the bids.

Gerry from R&D Paving was present and explained that last year the entire paving industry experienced problems related to weather. The rainy weather was a problem for paving in August through October. He explained that this affected many other paving companies as well.

Gerry offered to work with RA Kubik and with his schedule for fixing culverts so that paving can begin sooner in the season. Gerry stated that R&D paving would like to complete all the paving projects by September 1, 2019.

The Board discussed the positive review that RA Kubik gave to R&D Paving, and is only concerned with having projects completed. J. Monti recognized that R&D Paving was present this evening and shows commitment and enthusiasm for the bid award. R. Sabourn stated that his only concern is that the projects won't be finished again. Gerry apologized for the problems last year and promised that the projects will be completed this year. Gerry explained that R&D Paving would like to complete all the paving projects at one time but would be flexible if they are in the area and have availability.

MOTION: "To award the paving bid to R&D Paving in the amount of \$71.91 per ton and to also include the commitment to paving Banjo Drive which was carried over from last year and have encumbered funds in this year's budget.."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

SELECTMEN PRESENTS

Millbrook Follow-up

J. Monti stated that Mr. Kilmer referenced information that was given to him to forward to the Board. Mr. Monti informed Mr. Kilmer at that time that whatever information Mr. Kilmer has will need to be forwarded to the town hall himself. The Board agreed that this was a good decision.

Weeping Birches Follow-up

R. Sabourn stated that no response has been received from John March as of today. The Board agreed that they have provided an opportunity for Mr. March to provide further information to assist the town. If no contact is made from Mr. March, the homeowners will need to take further action.

Blake Mountain

R. Sabourn stated that there is some clean-up activity occurring at Blake Mountain. TA Shepard agreed that the owner is working on cleaning up the property.

Cemetery Tree Discussion

R. Sabourn stated that he spoke with Selectman Benton and agreed that he should contact the property owner that abuts the cemetery regarding the tree removal. The Board agreed to have Mr. Benton discuss this with the property owners.

Letter – DOT

R. Sabourn stated that a letter was received from DOT referencing lease rights to a piece of property known as the canoe launch area. TA Shepard will discuss this with the assessor to determine if the property is exempt or if it is applicable for taxes due to a current lease situation.

Selectman Training

J. Monti informed the Board that he attended a training at NHMA for newly elected officials. He thanked the board and TA Shepard for encouraging him to attend.

3:00 Eversource – Access Easement Proposal

Catalina and Brian Emerson met with the board to discuss Off Access Easement Proposals for Eversource/PSNH. The discussion was relative to creating an agreement in relation to access for Eversource/PSNH access to lines located behind the Transfer Station. Brian Emerson informed the board of the difficult in accessing some areas. He explained that some areas have been identified as areas that are difficult to access and has already received off right of way access for many areas. The Board reviewed the proposed access plans.

Mr. Emerson stated that the access to the lines behind the Transfer Station are steep and difficult to access. R. Sabourn stated that it is not favorable for Eversource to access lines for maintenance during the open hours of the Transfer Station. R. Sabourn stated he fully understands that Eversource needs to access their lines, however, he felt it was important that their access be limited during the normal operating hours of the Transfer Station. The Board discussed the locked gates during closed hours. Mr. Emerson suggested a double lock system so that town employees are not called in to keep the gate open for Eversource.

Mr. Emerson explained that the maintenance schedule is made available to the Board well in advance unless it is an emergency situation and that there are no major maintenance project scheduled for this area through the end of this year.

The second access that is being requested will provide an easier access to the power structures. M. Peabody asked how often the access would be used. Mr. Emerson stated that maintenance would occur as needed to allow for safe travel but no major projects are expected. Catalina reiterated that any scheduled work would be conveyed to the Town before any work takes place.

M. Peabody asked if only Eversource uses the lines. Mr. Emerson confirmed that only Eversource uses the lines and access roads. Catalina added that the town emergency services could use these access roads in emergency situations as well. R. Sabourn would like Chairman Benton to be part of this discussion and decision as well.

J. Monti asked if there were other options other than a permanent easement. Mr. Emerson explained that a 10-year renewable access license has been used in the past. Eversource is trying to obtain written permission from Towns to allow them easier access to maintain their lines through off access easements.

R. Sabourn feels that if the Board allows a more permanent easement, residents could relate it to the Northern Pass project. M. Peabody asked if this request is related to the Northern Pass. Mr. Emerson confirmed that it is not part of the project and the lines need to be serviced either way. The application received from Northern Pass was all within their own right of way and unrelated to Eversource's request.

M. Peabody voiced concern with the monitoring wells and the landfill in the area. Mr. Emerson provided a copy of the joint use agreement in place currently with the town, which does give Eversource the ability to maintain its towers, poles, and cables without obstructed access. R. Sabourn reviewed the document and agrees that the town needs to allow reasonable access to the power facilities. It was agreed that the current agreement is not the same as an off access easement.

The Board agreed to discuss this easement request with town counsel. Mr. Emerson agreed that Eversource intends to work with the town to make sure they are comfortable with their decision. They would work with the town with whatever terms and conditions they see necessary.

Mr. Emerson explained that Eversource has been using verbal agreements for their access and on some occasions the property has been conveyed to a new owner and verbal agreements are not always honored. This would allow Eversource to secure a more permanent right of access so that they do not have to ask permission each time.

The Board discussed the increases chance of off-road vehicle traffic using the access road if it improved. Mr. Emerson suggested that a gate could be installed to deter this type of activity.

The Board discussed having a public hearing before formally accepting the easement. They also agreed that this would give the residents an ability to ask questions and address any concerns they may have. Mr. Emerson agreed that this would be beneficial.

The Board agreed to discuss this further with a full board and to have more discussion regarding concerns mentioned this evening. Mr. Emerson and Vice-Chairman Roy agreed to visit the area to have a better idea of the Transfer Station layout and traffic patterns.

3:44 p.m. MOTION: "To adjourn."

Motion: R. Sabourn

Seconded: J. Monti

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Respectfully submitted,

Jessi Fleury
Board Secretary