



Approved on: 5-15-17
BOS Initial: JPH
Rec'd by Town Clerk on: 5/11/17
Town Clerk Initials: BJR

TOWN OF THORNTON BOARD OF SELECTMEN

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Board of Selectmen Meeting Minutes April 26, 2017

5:00 P.M. Chairman Paul-Hilliard opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance.

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

STAFF PRESENT: Tammie Beaulieu, Town Administrator and Jessi Fleury, Board Secretary

AGENDA ITEMS:

MOTION: "To approve the vendor manifest dated 4-28-2016 in the amount of \$281,610.69."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Motion Passes: 4 – Yes, 0 – No Abstained: J. Gaites

MOTION: "To approve the payroll manifest dated 4-28-2016 in the amount of \$20,863.89."

Motion: B. Benton

Seconded: R. Sabourn

Discussion: None.

Motion Passes: 4 – Yes, 0 – No Abstained: J. Gaites

Non-Public Session

5:44 p.m. **MOTION:** "To enter into non-public session pursuant to RSA 91-A: 3, II (a-personnel, b-hiring)."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Roll Call: Selectman Sabourn - yes, Selectwoman Peabody – yes,
Selectman Benton – yes, Selectman Gaites – yes, Selectman Paul-Hilliard – yes.

Motion Passes: 5 – Yes, 0 – No

to TC 5/11/17

5:58 p.m. MOTION: "To come out of non-public session."

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

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve the minutes of April 12, 2017 as amended."

Motion: J. Gaites
Seconded: R. Sabourn
Discussion: None.

Motion Passes: 5 – Yes, 0 – No

6:00 p.m. Highway Paving Bid Award / F550 Award

Chairman Hilliard read the bid invitation and confirmed advertisement of the Highway Paving Bid in the Record Enterprise. The Board reviewed the outline of paving bids opened on April 25, 2017 as follows:

- GMI Paving \$59.80 per ton on all four road projects
- RD Paving - Project 1 and 2 \$65.50 per ton, Project 3 \$69.54 (overlay ½") \$75.39 (overlay 3/8")
- Bryant Paving – Project 1 and 2 \$68.70 per ton, Project 3 \$70.80 (overlay ½") \$73.30 (overlay 3/8")
- Blaktop Inc. - Project 1 and 2 \$76.93 per ton, Project 3 \$82.21 (overlay ½") \$83.61 (overlay 3/8")

MOTION: "To approve the bid from GMI Asphalt for all three projects per recommendation of the Road Agent."

Motion: R. Sabourn
Seconded: J. Gaites
Discussion: None.

Motion Passes: 5 – Yes, 0 – No

The Board reviewed the bid summary for the purchase of the 2017 Ford F550.

MOTION: "To approve the purchase of the 2017 Ford F550 from Meredith Ford in the amount of \$45,019 2017 per recommendation of the Road Agent."

Motion: R. Sabourn
Seconded: J. Gaites
Discussion: Discussion included the bid amount from Grappone Ford in the amount of \$45,119.00 and Irwin in the amount of \$45,239.

Motion Passes: 5 – Yes, 0 – No

The Board discussed the annual lawn maintenance contract for the Town Hall, Ball Field, and the Veterans Memorial.

MOTION: "To accept the Road Agents recommendation to award the summer mowing bid to JJ Silva in the amount of \$68 each mow for Town Hall and Ball Field and \$15 for the Veterans Memorial."

Motion: M. Peabody
Seconded: J. Gaites
Discussion: Discussion included the bid amount from Todd Randlett Trucking LLC in the amount of \$35.00 per mow and Route 3 Memorial free of charge.

Motion Passes: 5 – Yes, 0 – No

6:27 p.m. Joint Board Meeting & Attorney Chris Boldt

Present: Attorney Christ Boldt, Dennis Day, Julie Piehn, Brian Regan, Steven Babin, Fred Gunter, Russ Gilman, Bart Dutto, Gloria Kimball, Steve Carr, Leslie Hoyt, Donna O'Donnell, Joan Marshall, William Rose, Sky Bartlett, Joshua Collins.

Attorney Boldt introduced himself and informed the boards that he was requested to attend the meeting to have a general conversation regarding zoning enforcement.

TA Beaulieu asked for clarification on the zoning enforcement procedures including a summary of zoning enforcement and records that are required to have in place to allow the Selectboard to enforce zoning.

Attorney Boldt explained that the *Selectboard* is primarily the enforcing authority for zoning to include campground and sign regulation enforcement. The Selectboard may decide not to take an action in zoning enforcement as well. The *Planning Board* has the jurisdiction over the excavation regulations, zoning amendments, and the balancing of rights when considering pre-existing, non-conforming uses, which tend to spark most enforcement questions. The *Zoning Board* acts as the court of first resort and interprets the ordinances, but is not the enforcer of ordinances.

Attorney Boldt explained that certain records are required to allow the Selectboard to enforce zoning and those decisions made by the Planning Board include property files, assessment cards, previous year's assessment cards, subdivision or site plan applications showing existing and proposed, Notice of Decisions made by the Planning and Zoning Boards as well as any other Zoning Board records.

The Boards further discussed options to help non-conforming businesses or lots become part of town record. Discussion continued on new violations of use and how to structure the enforcement of violations, as well as the possibility of rezoning parts of town based on growth over the years. The Selectboard and Planning Board agreed to open communications for zoning enforcement either in a memo format or during a meeting between Board members to create a more amicable relationship between all three boards working towards the same goal.

6:15 p.m. Josh Collins – CABT

J. Collins met with the Board to discuss a projected increase in the size and weight limits for tractor-trailer trucks and their load limits. He discussed concerns with safety on these heavier trucks as well as increased use of roads and infrastructure. J. Collins provided the Board with a packet of information for them to review as well as suggestions for the Board to support the CABT through letters to their State Representatives regarding the heavier trucks.

8:15 p.m. Alba Architect – Stuart Anderson – TC Renovation Project/TS Addition Project

S. Anderson presented an updated plan for the town hall renovations. The Board reviewed the proposal. The Board agreed to have Primex review the proposal and submit recommendations if the Town needs to bond the project. The Board agreed to move forward on the project at their June 21st meeting and review the final plans with advertising for bids to follow.

The Board reviewed the updated Transfer Station plans. S. Anderson agreed to speak with K. McGuire regarding requests he made for the renovation project. S. Anderson also agreed to submit a signature page for the proposal or a contract of required by the Town.

8:57 p.m. Hubbard Brook Scholarship Application Award

The Board discussed their review of the Hubbard Brook Scholarship applications.

MOTION: "To award the 2017 Hubbard Brook Scholarship to recipient Angel Jandoc."

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

Motion Passes: 4 – Yes, 0 – No

Abstained: B. Benton

ACTION FOLDER

ZCA Review

The Board reviewed the following ZCA applications.

MOTION: "To approve ZCA #2017-10 for PID# 16/5-13 for Gene & Cathy Meier for a renovation to convert a porch to a livingroom."

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

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve ZCA #2017-11 for PID# 16/7-54 for Dean Chandler for a generator pad."

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

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve ZCA #2017-12 for PID# 17/14-15-G2 for Waterville Birches LLC for a 52x30x30 house with garage."

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

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve ZCA #2017- 13 for PID# 11/1-20 for Robert & Lynn Boyd Rev Trust for a 12x12 deck and replacement steps."

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

Motion Passes: 5 – Yes, 0 – No

TA PRESENTS

Cooperative Agreement for Services – Tripoli

The Board reviewed a US Forest Service grant agreement in the amount of \$1,000 for Tripoli patrols. The Police Department budgeted receiving a \$2,000 grant for patrol services due to previous year amount received.

MOTION: “To approve the grant for \$1,000 and to sign the grant and transmittal letter.”

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Road Agent/Equipment Operator 1

J. Paul Hilliard assisted with creating the Assistant Road Agent/Equipment Operator 1 job description which was released for the board to review.

Handmade Utility Trailer

The Board discussed the utility trailer owned by the Transfer Station as discussed at their previous meeting. TA Beaulieu recommended selling the trailer to Zach Simone.

MOTION: “To sell the homemade utility trailer for the amount of \$1.00 to Zach Simone.”

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Revised Property Tax Agreement

The Board reviewed property tax agreement revisions submitted from Attorney Steven Whitley. The Board agreed to the suggested changes.

MRI - Alan Gould

TA Beaulieu spoke with Alan Gould regarding the anticipated timeline for the replacement of the TA Position. He informed TA Beaulieu that the cost would be approximately the same as the cost for hiring the Police Chief (\$5,800). The Board agreed to move forward with the MRI proposal.

Northern Pass MOU

TA Beaulieu and B. Benton will meet with Catalina Celentano, Eversource representative to discuss the Northern Pass MOU revisions as submitted to TA via email from BOS. The final draft MOU will be brought forward for a motion in a future meeting.

ACTION FOLDER

The Board reviewed the action folder:

MOTION: “To approve the withdrawal of funds from the capital reserve highway vehicle equipment and major maintenance for the purchase of a 2000 Mack dump truck in the amount of \$34,000.”

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve the appointment of Dan Day as the alternate rep for the Pemi Baker representative of the Thornton/Campton Transfer Station."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To deny an abatement to Northern New England Operations, PID #FAIR-0001."

Motion: J. Gaites

Seconded: B. Benton

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Intent to Excavate

MOTION: "To approve an Intent to Excavate for PID #16/6-8 for owner Jim and Pat Sanborn, all property taxes are current."

Motion: J. Gaites

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve an Intent to Excavate for PID #15/4-24 for owner Duane Johnston, all property taxes are current."

Motion: B. Benton

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve an Intent to Excavate for PID #6/6-7 for owner Duane Johnston, all property taxes are current."

Motion: J. Gaites

Seconded: R. Sabourn

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Barron Mountain Current Use

The Board discussed the road acreage for the lots that are requested as part of a current use application. R. Sabourn discussed that the map numbers are not legible on the current use map that was provided by Barron Mountain. After a lengthy discussion, the Board agreed to accept the application.

MOTION: "To approve the following applications for Barron Mountain current use, PID# 2/1-2-2, PID # 2/2-2-41, PID # 2/2-01 through PID #2/2-2-40, PID #3/1-1, and PID # 3/1-3."

Motion: J. Gaites

Seconded: B. Benton

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Abstained: R. Sabourn

Current Use Application Review

MOTION: "To approve a current use application for PID #15/2-17 owner, Carr."

Motion: J. Gaites
Seconded: B. Benton
Discussion: None.

Motion Passes: 5 – Yes, 0 – No

The Board agreed to hold the approval of a current use application for PID #7/3-5, owner, John Benton. The map was incomplete. Dave Woodward, Avitar supervisor, agreed to assist the property owner if needed. The Board requested Mr. Woodward's assistance with the application.

MOTION: "To approve a current use application for PID #8/6-8, and PID #8/6-9, owner David and Leigha Truchon."

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

Motion Passes: 3 – Yes, 0 – No Abstained: R. Sabourn, J. Paul-Hilliard

MOTION: "To approve 2016 abatements as follows:

- Gerald and Carol Dion - PID #2/4-1, in the amount of \$4.00
- Ralph and Ruth Bradley – PID #3/5-4, in the amount of \$529.00
- Randall and Mary Damon- PID #7/2-3, in the amount of \$211.00
- Joan Marshall and Eve Ellen Cole – PID #8/1-2 in the amount of \$1,319.00
- Ronald Daley – PID #10/2-42, in the amount of \$855.00
- Timothy and Laura Corbit – PID #11/4-13, in the amount of \$690.00
- Christine Valdez and Thomas Banter - PID #15/1-41, in the amount of \$334.00
- Jeffrey Klaubert and Christine Goldberg – PID #16/1-2, in the amount of \$436.00
- John McBride – PID #16/1-19, in the amount of \$29.00."

Motion: R. Sabourn
Seconded: M. Peabody
Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To deny 2016 abatement requests as follows:

- Eric Swenson – PID #3/8-8
- Erin Simione - PID #17/14-63
- Maher Mahmoud – PID #6/13-1-06 and lot 1-08
- Ahmed Mohammed – PID #6/13-1-02 through 1-05, and 1-07."

Motion: R. Sabourn
Seconded: M. Peabody
Discussion: None.

Motion Passes: 4 – Yes, 0 – No Abstained: R. Sabourn

TA Beaulieu informed the Board that on April 19, 2017, Mike French submitted a reimbursement request to the Board of Selectmen for a co-pay for work related exemptions. TA Beaulieu explained that medical treatment was needed for a work related incident and the officer had to pay out of pocket for this service. M. French suggested the Board create a policy

to allow reimbursement for these services. The Board agreed to honor the reimbursement request, but did not agree to create a policy but rather to consider cases individually.

Bridge Lighting

TA Beaulieu informed the Board that a resident on Upper Mad River Road contacted the Town Hall to discuss that four lamppost lights on the bridge between Upper Mad River Road and Route 49 are not functioning. Road Agent Kubik explained to the resident that this is not a town maintenance issue and the town is not required to light the bridge and forwarded information for the Gateway Association. TA Beaulieu will review town files for contact information for the association so the selectmen can forward a letter discussing removal of the lights.

True Lane

TA Beaulieu discussed the status of the letter of credit that was questioned for finishing True Lane. The bank claimed the letter of credit had been released. After follow up, the bank claims that the bank ledger shows full disbursement had been made in 2007. The Board suggested contacting town counsel for additional information.

10:30 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