



Approved on: 7/2/18  
BOS Initial: JK  
Rec'd by Town Clerk on: 7/5/18  
Town Clerk Initials: BC

**TOWN OF THORNTON  
BOARD OF SELECTMEN**

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

**Board of Selectmen Meeting Minutes  
June 20, 2018**

**ROLL CALL:** Chairman Roy Sabourn, Selectwoman Marianne Peabody, Selectman Jack Gaites and Selectman Brad Benton.

**STAFF PRESENT:** Town Administrator (TA) Debra Shepard

**ABSENT:** Vice Chairman John Paul-Hilliard

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

**MOTION: "To approve the payroll manifest dated 6/22/2018 in the amount of \$25,597.06"**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: B. Benton**

**MOTION: "To approve the vendor manifest dated 6/22/2018 in the amount of \$293,187.29."**

Motion: J. Gaites

Seconded: B. Benton

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

*Minutes*

**MOTION: "To approve Board of Selectmen meeting minutes for June 6, 2018 as amended."**

Motion: B. Benton

Seconded: J. Gaites

Discussion: None

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: M. Peabody**

*ZCA Review*

**MOTION: "To approve ZCA #2018-42 for PID#15/1-43 owner, Matthew and Crystal McDermott a 20x16 shed."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None

**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve ZCA #2018-43 for PID# 3/2-18, owner Heather Baldwin for solar panels on an existing building."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve ZCA #2018-44 for PID# 11/2-3, owner Jerel and Shirley Benton for a 30x64 sq. ft. house."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve ZCA #2018-45 for PID #15/4-11-08, owner Kenneth and Kari Miller for a 38x8 porch and 12x18 deck."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve ZCA #2018-46 for PID #10/3-37A, owner Brad C. Benton to enclose an existing 14x22 wood shed used for maple sugar production/agricultural use."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: B. Benton**

**TA PRESENTS:**

*Custodial Services – Annual Bid process*

TA Shepard informed the Board that the annual bid process for custodial services is due. TA Shepard informed the Board that the quality of the current janitorial service has been less than expected on several occasions throughout the year. The Board agreed to follow through with their annual bid process.

**MOTION: “To go out to bid for new custodial services.”**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

*ZBA Appointment Request*

TA Shepard informed the Board that Chris Hodges’ appointment to the Zoning Board of Adjustment expired in 2018 and he does not want to renew his term. Joseph Monti, current alternate on the ZBA is interested in the vacant position.

**MOTION: “To appoint Joseph Monti to the Zoning Board of Adjustment.”**

Motion: B. Benton

Seconded: M. Peabody

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

In the last few weeks, Sky Bartlett submitted resignations to the Zoning Board of Adjustment and Conservation Commission due to his intention to relocate out of Thornton. However, since he is not moving for a few months, he would like to remain on both committees until he officially moves out of town.

**MOTION: “To rescind the resignation of Sky Bartlett to the Zoning Board of Adjustment and Conservation Commission.”**

Motion: B. Benton

Seconded: M. Peabody

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

*HEB Contract*

TA Shepard presented contract amendment #6 from HEB regarding the FEMA work that C. Fournier is performing for the Town as previously agreed.

**MOTION: “To approve contract amendment #6 from HEB.”**

Motion: J. Paul-Hilliard

Seconded: B. Benton

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

*Capital Reserve Request*

**MOTION: "To approve the request for funds from the Municipal Bridge and Maintenance Repairs capital reserve account in the amount of \$10,000 for the Millbrook culvert study payment to Streamworks LLC."**

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

*Abatement Requests*

TA Shepard presented an abatement requests for Pemi-River Campground for a camper that now has a current registration.

**MOTION: "To approve an abatement request for Dolly Hess, PID #16/3-50S059 in the amount of \$39.00."**

Motion: B. Benton

Seconded: M. Peabody

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

*Renovations at Transfer Station*

Sky Bartlett has offered to meet with the BOS to talk about his interest in assisting with the renovations at the Transfer Station. TA Shepard thanked Mr. Bartlett and provided him with the bid information. She also let him know that there may be another bid coming in on that project from another local contractor. Mr. Bartlett does not want to participate in the bid process at this time.

*CIP Request*

TA Shepard stated that Bill DeLeo sent an email to department heads requesting all updated requests be sent to the TA by July 13, 2018. TA Shepard requested permission to schedule the department requests for the July 18<sup>th</sup> meeting. The Board agreed.

*Millbrook Culvert Update*

Chairman Sabourn informed the Board that the easement drafts are completed. TA Shepard reviewed them and she will send to John Paul Hilliard for his review. Once that is completed, they will be sent to Attorney Conklin so he can finalize and mail out for signature. Once the easements have been signed, we are ready to move forward to obtain permits.

*Warrant for Unlicensed Dogs*

TA Shepard presented the Tax Collector's warrant for 114 unlicensed dogs.

**MOTION: "To approve the warrant for unlicensed dogs."**

Motion: B. Benton

Seconded: M. Peabody

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

*Pending Planning Board Application – Kevin French*

TA Shepard informed the Board that Kevin French (an abutter to the town hall building) has a pending application with the planning board. During this process it was realized that there is an issue with the driveway permit.

Mr. French informed TA Shepard that when the Town of Thornton was given the maintenance rights to Merrill Access Road by the State, each side of the road was allowed two driveway

permits. One was provided for the town hall and Mr. French's property received the other driveway permit. Mr. French wants to construct a second driveway and the State of NH will not allow it. TA Shepard explained the town's limited ability to assist him but Mr. French is determined to obtain a second driveway permit and would like to meet with the Selectboard to request help obtaining a permit from the State. The Board agreed that they do not have any jurisdiction or any authority to overturn the State's decision. B. Benton stated that the Planning Board is requiring Mr. French to widen his current driveway if a second driveway permit is not approved. The Board asked TA Shepard to inform Mr. French that he can choose to meet with the Selectboard but they do not have any way of assisting him with this matter.

#### *HEB Field Reports*

TA Shepard provided the BOS with all of the HEB Field Reports to date on the bridge project and encouraged them to review the reports and initial them.

#### *Election Coverage*

TA Shepard informed the Board that Brook Rose, Town Clerk appointed Heather Baldwin Pro Tem Town Clerk to assume election requirement duties in her absence on June 15th. TA Shepard and the Board agreed that Town Clerk Rose had that authority as Town Clerk. However, it is the Board of Selectmen's responsibility to set the rate of pay. The Board and the TA should be included in this process in the future. The BOS discussed what the rate of pay should be for Ms. Baldwin. Supervisors of the Checklist are paid at the rate of \$10 per hour and Ballot Clerks receive \$8.50. After discussion, the BOS agreed to pay Ms. Baldwin at the hourly rate of \$15 per hour for the hours she worked on June 15<sup>th</sup>.

**MOTION: "To make a one-time rate of pay approval for Heather Baldwin in the amount of \$15.00/hour for the election duties she performed as ProTem Town Clerk on June 15, 2018 at the request of the Town Clerk. To also require that the Town Clerk inform the Selectboard and Town Administrator of any appointments or personnel changes that would require access to the town office and payment for service."**

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

#### *ZCA Permit Discussion*

Chairman Sabourn informed the Board that he spoke with the Kenneth Valery, a State Electrical Inspector, regarding the town's zoning compliance application with respect to the town's electrical contractor requirement on the ZCA. Mr. Valerie is concerned that the town could have problems with their requirement to have a licensed electrical contractor listed on the ZCA form.

The State of NH has laws that require a licensed plumber but not a licensed electrician. Chairman Sabourn further stated that any homeowner can do their own electrical work and doesn't actually have to live at the property. Chairman Sabourn was informed by Mr. Valery that the town can adopt an ordinance that is stricter than the State. He also informed Chairman Sabourn that many towns in the area do not have any building inspectors to follow up with the new constructions. Mr. Valery recommended that the towns of Thornton and Campton hire a joint building inspector due to their volume of building permit requests. Chairman Sabourn stated that Thornton would have to create a new position for a Building Inspector and he is not sure that the townspeople would be in favor of this at town meeting. After discussion of different options, the Board agreed to add a disclaimer to the ZCA that the Town of Thornton recommends hiring an electrical contractor for electrical work and that the Town is not liable for any damages that may occur if a homeowner does the electrical work themselves. TA Shepard will discuss this decision with legal counsel per request of the Board.

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

### **White Mountain Nation Forest – Wanosha Project Update**

Brook Brown, District Ranger of the Pemigewasset Ranger District, met with the Board to update them on the proposed integrated research project “Wanosha”, a grant opportunity for infrastructure that was just announced by the federal highways department, and their year-end service report. Formal scoping for the Wanosha project was completed this year and any concerns that were received from residents will be reviewed and considered. B. Brown informed that board that the timeline for the project includes finishing up the field work and completing the environmental assessment this summer/fall. Some project area plans for the 2019 year include maintenance and minor modernization upgrades to the campground, consideration of including the Smarts Brook mountain bike system into the federal mountain biking system, modernization of the Campton campground, addressing parking issues at the Welch Dickey trailhead. Chairman Sabourn stated that the parking issue at Welch Dickey trailhead is a major concern for the Town of Thornton and recommended that B. Brook receive a traffic count from the Thornton Police Department.

Some forester activities are also planned that would utilize Millbrook Road. Concerns have been received regarding historic properties and a heritage specialist will review the areas. Other concerns were raised regarding forestry plans and the impact on wildlife. B. Brown explained that the forestry work actually is to help benefit the wildlife. Scenery studies and safety and quality of life studies will also be performed as a result of a concern received from the scoping

Selectwoman Peabody asked if damages made to the road will be fixed by the Forest Service if damages are made during the forest project. Ben, State Forester, explained that they do generally fix damage they cause during forestry activities. B. Brown confirmed that the Forest Service would fix any damages caused by the forest harvest projects.

The grant opportunity is for infrastructure on or around federal lands. Grant information and year end reports were provided for the Board to review.

### **2:30 Weeping Birches Lane – Tom Avalone**

*Present: Road Agent Kubik, Tom Avalone*

Chairman Sabourn stated that some board members and the Road Agent visited Weeping Birches Lane to view the road. A report has been drafted by RA Kubik that include some concerns from Nobis Engineering relative to deficiencies that have not been addressed yet. Chairman Sabourn believes that fixing ditch lines would eliminate a lot of the drainage concerns.

T. Avalone offered to address each concern in the report.

1. Shoulder gravel is not a problem – Mr. Avalone stated that there is currently some shoulder gravel and he can have these concerns fixed next week.

Mr. Avalone agreed with the Road Agent’s vegetative buffer recommendation and agreed that they can be trimmed back.

Mr. Avalone stated that the stone wall mentioned in RA Kubik’s letter is esthetic and not meant to serve any other purpose. It is at least 3 feet off the end of the paving, which is greater width than required. Mr. Avalone does not believe that the snow accumulation would occur in that area. RA Kubik guaranteed that the stone wall will become damaged during routine winter maintenance and this presents a concern. Chairman Sabourn asked if the stone wall is right on the right-of-way. RA Kubik stated that the wall is in the right-of-way. T. Avalone will verify this. T.

Avalone also stated that he is not sure who will need to fix the stone wall if it is damaged. T. Avalone also offered to deed a larger right of way to the Town if needed.

Mr. Avalone stated that he has not had the Fire Chief view the area but did speak to him earlier on in the project and that he was happy with the dimensions. A turn around was also installed for the fire truck to back out near the last two houses.

Mr. Avalone addressed the Town's concern regarding the two-foot culvert diameter being damaged. T. Avalone stated that this culvert area was designed for a full 21 house development that now only includes a smaller development. He has only seen water in the detention pond once that he can recall. RA Kubik has concern with the deformity of the culvert. T. Avalone stated that he is willing to meet the RA at the culvert to discuss his concerns and to develop a solution.

T. Avalone stated that last summer, the ledge back was scraped down about 6 inches and he believes that a lot of the rutting that was occurring was due to the ledge pack that he has been using over the years. He stated that a point has been removed from that slope as well. New gravel was placed on top and was re-graded by Bryant Paving when they completed the paving project. T. Avalone stated that that area has always been flat, has not collected water and since paving, the water is clearly shedding to both sides of the road and there is no mud to be had. Chairman Sabourn stated that he and Selectman Paul-Hilliard do not agree with Mr. Avalone's idea of the drainage flow and there is still evidence in the silt beside the road at the high point. Mr. Avalone suggested installing an underdrain pipe to move the water away from the asphalt.

RA Kubik stated that the pipe crossing should be delineated with markers.

Chairman Sabourn and Selectman Paul-Hilliard firmly believe the area with steep grade needs some type of barrier to prevent vehicles from potentially dropping down over the bank. This concern was also voiced during a previous site inspection. Mr. Avalone suggested filling in some of the ditch line with gravel or stone to soften the line.

Chairman Sabourn presented a concern with the ditch line along the steep slope relative to erosion and would like to see this area after the summer season.

Mr. Avalone would like to meet with Selectman Paul-Hilliard and RA Kubik on site to find a solution to the noted concerns. The Board agreed and thanked Mr. Avalone for attending the meeting.

#### *Beautification Committee -Town Signs*

Road Agent Kubik stated that the Welcome to the Town of Thornton signs are being installed today by the Highway Department. TA Shepard confirmed that Selectman Paul-Hilliard received all the approvals needed from the State for the installation of the signs.

### **3:00 Tax Deeding Review and Inspection Schedule**

*Present: D. Mahurin, Administrative Assistant/ Tax Collector*

The Board reviewed the properties scheduled for deeding Friday, July 6, 2018 at 8:00 a.m.

D. Mahurin would like any waivers to be signed by the Board at their next meeting on July 2, 2018. D. Mahurin will provide an updated deed list by the end of this week so that BOS members can view the properties. On July 2, 2018 a new updated list will be provided for the Board to make a final decision at their meeting.

### **3:30 p.m. Chief Miller and B. Regan – Economic Development**

Chief Miller and Brian Regan met with the Board to discuss economic development concepts for the Town to bring business and development to the Town of Thornton. They have met to discuss a strategic plan to consider expanding property tax base, increase new businesses, and to grow existing business, etc. B. Regan discussed goals with the board and would like to start getting information to residents and local towns as to why Thornton is a preferred place to develop. Discussion continued regarding walking trails, biking trails, snowmobile trail systems, and a centralized town center. The Board agreed to start the process and develop the Economic Development committee.

### **4:04 p.m. MOTION: “To enter into non-public session pursuant to RSA 91-A:3, II, (c)”**

Motion: J. Gaites

Seconded: M. Peabody

Discussion: None.

Roll Call: Brad Benton – Yes, Jack Gaites – Yes, Marianne Peabody – Yes, Roy Sabourn - Yes.

**Motion Passes: 4 – Yes, 0 – No**

### **4:36 pm MOTION: “To come out of non-public session.”**

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

### **4:36 pm MOTION: “To enter into non-public session pursuant to RSA 91-A:3, II, (e)**

Motion: M. Peabody

Seconded: B. Benton

Discussion: None

Roll Call: Brad Benton – Yes, Jack Gaites – Yes, Marianne Peabody – Yes, Roy Sabourn, Yes.

**Motion Passes: 4 – Yes, 0-No**

### **5:00 pm MOTION: “To come out of non-public session.”**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None

**Motion Passes: 4 – Yes, 0 - No**

### **Selectmen Comments**

#### *Highbrook Road*

Chairman Sabourn stated that the Highway Department has done a great job preparing the road for paving.



*Safety Inspection*

TA Shepard stated that the Safety Committee felt the Highway Department and Transfer Station were in good shape. They were very clean and well organized. The committee would like to see a fence installed along the retaining wall next to the hopper at the Transfer Station. There is also a storage trailer with pallets for steps that the committee feels is a hazard and needs to be addressed. The committee will be submitting a report to the BOS in the near future.

**5:07 p.m. MOTION: "To adjourn."**

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

Respectfully submitted,

Jessi Fleury  
Board Secretary