



Approved on: July 18, 2018
BOS Initial: TOS
Rec'd by Town Clerk on: 8/17/18
Town Clerk Initials: djm

TOWN OF THORNTON BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes July 2, 2018

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

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

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 7/6/2018 in the amount of \$38,508.80."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve the vendor manifest dated 7/6/2018 in the amount of \$604,759.12."

Motion: B. Benton

Seconded: M. Peabody

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: J. Gaites

Minutes

MOTION: "To approve Board of Selectmen meeting minutes for June 20, 2018 as amended."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve two sets of Board of Selectmen non-public meeting minutes for June 20, 2018 as submitted."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None

Motion Passes: 4 – Yes, 0 – No

ZCA Review

MOTION: "To approve ZCA #2018-47 for PID# 18/5-3 owner, Norman and Cynthia Scrimshaw a 25-ft round Yurt."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None

Motion Passes: 4 – Yes, 0 – No

The Board reviewed and signed off on covered bridge reports.

TA PRESENTS:

PA28 NHDRA

The Board signed the form agreeing that they will not use the PA 28 Inventory form from NHDRA.

Police Grants

TA Shepard presented Highway Safety Grant forms for the Cruiser MDT Equipment grant and the E-Ticket Equipment Grant for the Board's signature. The Board signed both forms.

Notice of Hearing for Thornton v. Mahmoud

TA Shepard informed the Board that the notice of hearing between the Town of Thornton and Mr. Mahmoud has been scheduled for July 16, 2018 at 1:30 pm. TA Shepard will attend.

Custodial Services – Annual Bid process

TA Shepard informed the Board that the current contract for custodial service expired at the end of June. TA Shepard asked the current custodial service if they would consider providing service for the Month of July while bids were being accepted. They agreed but with an increase in cost of \$330 for the Month of July. After consideration, TA Shepard decided to not enter into an agreement with the current custodial service for the month of July. The Board agreed with this decision and TA Shepard will have the custodian bid advertised.

MOTION: "To go out to bid for new custodial services."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Request for Road Name Change

TA Shepard stated that a request has been made to change Weeping Birches Lane road name to Horizon Drive. The Fire Department and the Village Water District have approved these changes. Chairman Sabourn stated that it needs to be clear if the entire Weeping Birches Lane is going to be changed or just the portion that is complete. TA Shepard will research and provide more information.

Beautification – Invoice and Receipts for Town Hall

TA Shepard informed the Board that Leslie Hoyt submitted an invoice for mulch and other expenses. TA Shepard discussed an invoice received from L. Hoyt for some services she provided as a member of the Beautification Committee at Town Hall. The invoice did not have any receipts attached and therefore TA Shepard did not authorize it for payment. The Board agreed. M. Peabody suggested having the beautification committee review invoices prior submission for payment to the BOS. M. Peabody informed the Board that L. Hoyt is also working with the Beautification Committee to improve the landscaping at the Transfer Station and the Committee will be meeting at the Transfer Station on Tuesday.

Contracted End of Year Services

TA Shepard informed the Board that Tammie Beaulieu has submitted total invoices in the amount of \$5,231.00 for her contracted services during audit season and to assist with other TA duties during the transition. This total is approximately \$2,300 less than the budgeted amount. TA Shepard stated that the most recent invoice included 8 hours of travel time that had not been billed for in the past. TA Shepard informed the Board that she feels confident that she can go forward without Ms. Beaulieu's services and is very thankful for all of her assistance during the transition. The Board agreed to pay this invoice and are also very thankful for the additional services provided by Tammie Beaulieu during the town administrator transition.

Chickenboro Road

TA Shepard informed the board that a conference call is scheduled with Steve Whitley on July 17, 2018 at 10:00 to discuss Mr. Baldwin and Chickenboro Road.

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

1:45 Non-public session pursuant to RSA 91-A: 3, II (a – compensation, e- legal)

1:07 p.m. MOTION: "To enter into non-public session pursuant to RSA 91-A:3, II, (a & e)"

Motion: B. Benton

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

1:55 pm MOTION: "To come out of non-public session."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To promote Officer Meier per agreement from labor grade 8 step 3 to labor grade 8 step 4 effective July 1, 2018."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To regretfully accept a resignation from Daniel Day as the Transfer Station assistant manager effective July 14, 2019."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To advertise for an Assistant Transfer Station Manager at Labor Grade 7 step 1."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Tax Collector's Deed acceptance/denial annual process

Selectman Gaites and Selectwoman Peabody reviewed the properties that may be available for tax deeding. D. Mahurin stated that there are 15 properties that are available for tax deeding as of today. D. Mahurin stated that she imagines some properties to be unavailable for tax deeding as she expects the taxes to be paid prior to deeding.

D. Mahurin stated that the deadline for payment to remove properties from the tax deeding process is Friday, July 6, 2017. If taxes are paid on these properties then they will no longer be available for deeding.

D. Mahurin stated that PID#11/4-17A includes a building on land of another. The building owner and land owner have been notified each year of each tax bill and tax notice. The building is in very poor dilapidated condition. After extensive research, Desiree informed the Board that the Town has the legal right to deed only the building for unpaid taxes. She also explained that the current owner of the building and the power of attorney has no interest in the building.

The land owner (land known as PID#11/4-17), Denise Kimball met with D. Mahurin to explain her intent to purchase the building from the town that is located on her land. D. Kimball would like to demolish the building and bring the property compliant with zoning codes. D. Kimball informed D. Mahurin that she is willing to pay something for the building after the deeding process. D. Mahurin recommended continuing with the deed process and selling the building to the land owner as authorized by NH RSA rather than putting the building out for sealed bid. The Board agreed with the recommendation.

MOTION "To accept and sign the waivers for tax deeding for the following properties:

- **PID #8-9/8, owner First Fisher Mountain Trust c/o Christina Brown Trustee, due to bankruptcy.**
- **PID #8-9/9, owner Christina Brown, due to bankruptcy**
- **PID #11/2/2, owner Alton Benton, due to liability"**

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0– No

Steele Building

Chief Miller informed the Board that Tom Duffield asked that he sign off on a form (as the Emergency Management Officer) regarding the Steele Building and flood zones. Chief spoke with Jennifer Gilbert and was informed that many towns are not signing this form unless they are prepared to enforce the flood regulations. M. Peabody explained that the flood maps are not reliable and that the Steele Building has never flooded. After discussion, the Board recommended that Chief Miller not sign this form and to inform Mr. Duffield that the town flood maps may not be accurate.

Peaked Hill Road Update

R. Sabourn met with FEMA and RA Kubik at Peaked Hill Road. R. Sabourn stated that the logging road on Richard Merrill's land off of Lumber Drive has a small stream that comes to the edge of the road. The original design was to have a deep ditch that would run from there down, into a big gully to another large pipe that went under interstate 93. R. Sabourn stated that someone installed a driveway with 12" or 15" pipe to get access for logging. The pipe is not big enough and that is what has been causing the problems on Peaked Hill Road. R. Sabourn contacted Richard Merrill to inform him of the problem and to request permission to remove the undersized pipe. R. Sabourn explained to Mr. Merrill that he would be allowed to install a larger pipe if he intends to use the driveway for logging purposes in the future. Mr. Merrill gave permission for the town to remove the pipe. R. Sabourn will inform RA Kubik to remove the pipe and open the ditching to alleviate the water problems. The small pipe will be left for Mr. Merrill after it is removed. The Board agreed.

2:36 p.m. MOTION: "To adjourn."

Motion: B. Benton

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Respectfully submitted,

Jessi Fleury
Board Secretary

Approved on: July 18, 2018
BOS Initial: ABS
Rec'd by Town Clerk on: 8/17/18
Town Clerk Initials: djm

**Non-Public Session Minutes
Thornton Board of Selectmen**

Date: July 2, 2018

Members Present:

[Roy Sabourn]	<u>X</u>	Selectman – Chairman
[John Paul-Hilliard]	<u>ABS</u>	Selectman – Vice Chairman
[Brad Benton]	<u>X</u>	Selectman
[Marianne Peabody]	<u>X</u>	Selectwoman
[John F. Gaites]	<u>X</u>	Selectman

Motion to enter Nonpublic Session made by Selectman B. Benton seconded by Selectwoman M. Peabody.

Specific Statutory Reason cited as foundation for the nonpublic session:

X RSA 91-A:3, II (a) The *dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

_____ RSA 91-A: 3, II (b) the *hiring of any person as a public employee.*

_____ RSA 91-A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, **other than a member of this board**, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.

_____ RSA 91-A:3, II(d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.

X RSA 91-A:3, II(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled

_____ RSA 91-A: 3, II (i) Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

Roll Call vote to enter nonpublic session:

[Selectman Roy Sabourn]	Yes
[Selectwoman Marianne Peabody]	Yes
[Selectman Brad Benton]	Yes
[Selectman John F. Gaites]	Yes

Remove public meeting tape.

Entered nonpublic session at 1:07 PM

Other persons present during nonpublic session: Town Administrator – Debra Shepard

Description of matters discussed and final decisions made:

Category (a) Compensation and (e) Legal:

Category (a) - Discussion relative to PD employee compensation and
Highway Department Employee resignation;

Category (e) - Pending Litigation.

Note: Under RSA 91-A: 3, III. Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of this board, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

Motion made to seal these minutes? If so, motion made by _____, seconded by _____, because it is determined that divulgence of this information likely would...

_____ Affect adversely the reputation of any person other than a member of this board

_____ Render a proposed action ineffective

_____ Pertains to preparation or carrying out of actions regarding terrorism

Roll Call Vote to seal minutes: [name] Y N

Motion: Not applicable minutes not sealed.

Motion to leave nonpublic session and return to public session by Selectman B. Benton seconded by Selectman J. Gaites.

Motion: PASSED

Public meeting tape replaced (if applicable).

Public session reconvened at 1:55 PM.

These minutes recorded by: Town Administrator Debra Shepard

Draft minutes posted 7-3-18 at Thornton Town Hall.