



Approved on: 8/29/18  
BOS Initial: RAS  
Rec'd by Town Clerk on: 9/12/18  
Town Clerk Initials: djn

**TOWN OF THORNTON  
BOARD OF SELECTMEN**

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

**Board of Selectmen Meeting Minutes  
August 15, 2018**

**ROLL CALL:** Chair Roy Sabourn, Vice Chairman John Paul-Hilliard, Selectwoman Marianne Peabody, and Selectman Jack Gaites.

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

**ABSENT:** Selectman Brad Benton

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

**MOTION: "To approve the payroll manifest dated 8/17/2018 in the amount of \$27,489.06."**

Motion: J. Paul-Hilliard

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: M. Peabody**

**MOTION: "To approve the vendor manifest dated 8/17/2018 in the amount of \$585,491.99."**

Motion: M. Peabody

Seconded: J. Paul-Hilliard

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: J. Gaites**

*Minutes*

**MOTION: "To approve Board of Selectmen meeting minutes for August 1, 2018 as submitted."**

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: R. Sabourn**

**MOTION: "To approve Board of Selectmen non-public meeting minutes for August 1, 2018 as submitted."**

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: R. Sabourn**

*ZCA Review*

**MOTION: "To approve ZCA #2018-55 for PID #3/2-19 owner Alan & Susan Rawson, 431 Thornton Gore Road for interior renovations."**

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

**MOTION: "To approve ZCA #2018-56 for PID# 17/7-7 owner McCormack Family Trust, 336 Upper Mad River Road to replace roofing."**

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

**MOTION: "To approve ZCA #2018-57 for PID# 16/7-43 owner Deborah Engelhardt, 15 Bear Ridge Road, for a remodel with window replacement."**

Motion: M. Peabody  
Seconded: J. Paul-Hilliard  
Discussion: None  
**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve ZCA #2018-58 for PID# 8/5-10 owner William and Gemma Curran, Wanosha Road, 24x24 House."**

Motion: M. Peabody  
Seconded: J. Paul-Hilliard  
Discussion: None  
**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve ZCA #2018-59 for PID# 8/4-10 owner Karen LaCasse and Craig Smith, Wanosha Road, 44x34 House with a 30x26 garage."**

Motion: M. Peabody  
Seconded: J. Paul-Hilliard  
Discussion: None  
**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve ZCA #2018-60 for PID# 10/9-46 owner Chris and Alysha Gowen, Diamond Ledge Road, 24x24 House with a 11x9 outbuilding subject to driveway permit approval from the Road Agent."**

Motion: M. Peabody  
Seconded: J. Paul-Hilliard  
Discussion: R. Sabourn discussed that the road is shown as a town road on the 911 list. The road has not been maintained over the previous 5 years and could be reclassified as a class VI road but has not been posted. R. Sabourn stated that the road has not been posted as a class VI road and it is not fair to penalize the property owners who purchased property on a town road and disallow them to build on their property. After discussion, the board agreed that the road will need future improvements. The board agreed to approve the ZCA permit.  
**Motion Passes: 4 – Yes, 0 – No**

**TA PRESENTS:**

**Action Folder:**

*Millbrook/ Covered Bridge Road Bridge*

**MOTION: "To approve a request for funds in the amount of \$142,092.45 from the Capital Reserve- Bridge Maintenance Account for HEB Engineers and Neil H. Daniels Inc."**

Motion: J. Paul-Hilliard

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**MOTION: "To accept change order #1 for the Covered Bridge for an increase in the amount of \$4,030 for different site conditions encountered during construction."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve an Intent to Cut for PID #11-1-33, Sawmill Road."**

Motion: M. Peabody

Seconded: J. Paul-Hilliard

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

*Concerned Citizen – McGowen*

Mr. McGowen submitted a concern regarding an outdoor fire-burning furnace that operates during the summer. He is concerned with the quality of health for neighbors and feels this is a nuisance. AA Mahurin has consulted with the State of NH and was informed that the town could have the health officer determine if the furnace is a public health threat or a nuisance. Mr. McGowen has suggested that he would draft an ordinance to be voted on during town meeting to address outdoor wood furnace burning. The board suggested that Mr. McGowen contact the State of NH as they approve the installation of these furnaces. After discussion, the board agreed that this may be a civil issue and not an issue for the Town's Health Officer

*2017 Audit*

TA Shepard distributed copies of the 2017 Audit for board members to review.

*Federal Lands Access Program*

TA Shepard asked the Board if they had any knowledge about the US Department of Transportation Federal Highway Administration Federal Lands Access Program (FLAP). This program was brought to her attention by a resident. FLAP is not a grant program but a federal aid highway reimbursement program. Funds can be spent on public highway, road, bridge, trail or transit systems that are located on, adjacent to or provides access to Federal lands.. The Board asked TA Shepard to research this further and determine if this program could benefit the town.

*Transfer Station Changes*

The Board discussed the checks only policy for the Transfer Station. Effective October 10, 2018 no cash will be accepted at the Transfer Station. Residents will be required to pay by check or punch card. Punch cards can be purchased at town hall.

**MOTION: "To adopt the checks only/no cash policy at the Transfer Station."**

Motion: J. Gaites

Seconded: M. Peabody

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

*Goose Hollow Update*

M. Conn informed TA Shepard that Avitar was not permitted to access Goose Hollow Campground to determine which campers were registered and which would need to be assessed for property tax purposes. The assessor created 17 new property cards and estimated the values. Once the tax bills have been sent out, property owners will need to file for an abatement to make any changes to the value.

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

**1:30 Appointment and Swearing In of Interim Town Clerk**

Chairman Sabourn welcomed Donna Monti as the new Town of Thornton Interim Town Clerk.

**MOTION: "To appoint Donna Monti as the Interim Town Clerk until Town Election in March 2019."**

Motion: J. Gaites

Seconded: J. Paul-Hilliard

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

Selectwoman Peabody swore Donna Monti in as the Interim Town Clerk.

**1:40 Chief Miller – PD Update**

Chief Miller presented a 50% grant match for the speed sign message board to be signed for grant acceptance.

**MOTION: "To accept the grant funding of 50% of the cost of the speed sign message board."**

Motion: J. Gaites

Seconded: J. Paul-Hilliard

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

The Board congratulated Chief Miller on a successful National Night Out. Chief Miller explained that this event is a multi-town event and the plan going forward is to hold the event in each town over the next few years. The Board expressed that they felt it would be better to continue to hold this event in Thornton as the location was wonderful and they felt the event would continue to grow if the location was consistent year after year..

*Budget Update*

Chief Miller informed the Board that some of his operating budget lines are over expended due mostly to grants that are waiting for a match to be received. These budget lines will be reimbursed through the grant programs.

### *Executive Development Training*

Chief Miller informed the Board that he will be attending two three day command training series for executive development training in Rhode Island for \$1,780.00. These trainings would be in October and November 2018. Chief Miller informed the Board that his Chief training budget line could go over budget due to the cost of the hotel. Chief offered to pay for his own food and mileage for the training.

### *Department Update*

Chief Miller informed the Board that the booking room camera has been installed and the grant will be reimbursing the town. The camera system for Chief's cruiser and the new computer have been ordered and will be installed this month. These budget lines will also be reimbursed shortly. Chief Miller is looking into the Dodge Charger as a cruiser option and will update the board in the future. The Board discussed the condition of the roads in Thornton and the difficulty of driving a lower clearance vehicle in the winter conditions. Chief Miller will consider their concerns and update the Board as to their options.

### **2:00 Brian Regan – Planning Board**

B. Reagan met with the Board regarding an application that has come before the Planning Board. NHDOT is working with owners of parcel 6 lot 5-1 at 3447 US Route 3 owned by Charles, Linda, and Amy Pitman. The Pitman's applied for a site plan review for a winery business with the Planning Board after the Zoning Board granted a special exception for the business contingent upon the receipt of a driveway permit from NHDOT.

The DOT has agreed to give up part of the right-of-way and will review their needs for what type of right-of-way would need to be retained in this area. NHDOT is requesting that the Town of Thornton review the plan and determine what width of right of way should be retained along Mirror Lake Road for the Town's needs. The Board discussed a reasonable right of way. After discussion, the Board agreed that 25 feet from center line and a 15-foot extension maintenance easement from all points from the culvert would be acceptable. Brian will share this information with NH DOT.

### **2:15 Twin Rivers Cleaning – Janitorial Bid Review**

The Board opened a bid for janitorial services for the town hall/police department from Twin Rivers Cleaning. The bid amount is \$600 per month, with cleaning to be scheduled on Tuesday mornings before 8 am and Saturdays. The cleaning contract is from September 1, 2018 through August 31, 2019. Twin Rivers will supply all cleaning and paper goods. The bid does not include any additional estimates for the stripping and waxing of the floors or carpet cleaning. The Board agreed that the Town will hire independent contractors as needed for the carpet cleaning and waxing of floors.

**MOTION: "To approve the bid received from Twin Rivers Cleaning in the amount of \$600 per month."**

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

**Motion Passes: 4 – Yes, 0 – No**

## **SELECTMEN COMMENTS**

The board discussed that the Covered Bridge Road Bridge will be open for traffic on Friday and they would like to schedule a ribbon cutting ceremony upon the total bridge completion.

R. Sabourn informed the board that he is working on the review of the plan presented by Todd Baldwin concerning Chickenboro Road.

John Paul-Hilliard informed the board that he is working on a driveway permit in place of the Road Agent due to a conflict. During this process, J. Paul-Hilliard determined that the town does not have a set policy or set of conditions for approving driveway permits. The Board discussed line of sight concerns with the proposed driveway.

John Paul-Hilliard discussed a flagpole purchase for the cemeteries as well as installation. The estimated purchase amount is \$2200 and installation would be additional. The Board agreed that it would make the most sense to hire a flag installation company to install the flag as well.

### **Non-Public session pursuant to RSA 91-A: 3, II (b-hiring – Transfer Station, e - legal)**

#### **2:56 p.m. MOTION: "To enter into non-public session pursuant to RSA 91-A:3, II, (a & e)"**

Motion: M. Peabody

Seconded:

Discussion: None.

Roll Call: Jack Gaites – Yes, Marianne Peabody – Yes, John Paul-Hilliard – Yes,  
Roy Sabourn – Yes.

**Motion Passes: 3 – Yes, 0 – No**

#### **3:41 p.m. MOTION: "To come out of non-public session."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

#### **MOTION: "To make a conditional offer of employment to Candidate 2 for the Transfer Station Assistant Manager position at labor grade 7 step 4, with a start date of September 9, 2018."**

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

#### **3:42 p.m. MOTION: "To adjourn."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

Respectfully submitted,

Jessi Fleury  
Board Secretary

Approved on: 8/29/18  
BOS Initial: RKS  
Rec'd by Town Clerk on: 9/21/18  
Town Clerk Initials: djn

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

**Date:** August 15, 2018

**Members Present:**

[Roy Sabourn]	<input checked="" type="checkbox"/>	Selectman – Chairman
[John Paul-Hilliard]	<input checked="" type="checkbox"/>	Selectman – Vice Chairman
[Brad Benton]	<input checked="" type="checkbox"/>	Selectman
[Marianne Peabody]	<input checked="" type="checkbox"/>	Selectwoman
[John F. Gaites]	<input checked="" type="checkbox"/>	Selectman

**Motion to enter Nonpublic Session** made by Selectwoman M. Peabody seconded by Selectman J. Gaites.

**Specific Statutory Reason** cited as foundation for the nonpublic session:

       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.*

  X   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
[Selectman John Paul-Hilliard]	Yes
[Selectwoman Marianne Peabody]	Yes
[Selectman John F. Gaites]	Yes

Remove public meeting tape.

Entered nonpublic session at **2:56 PM**

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

Description of matters discussed and final decisions made:

**Category (a) Personnel:** Assistant Manager to Transfer Station - Motion to Make Conditional Offer to Candidate #2

**Category (e) Legal:** Pending Litigation Update

*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 J. Paul-Hilliard seconded by Selectman J. Gaites.

**Motion: PASSED**

**Public meeting tape replaced** (if applicable).

**Public session reconvened at 3:41 PM.**

**These minutes recorded by:** Town Administrator Debra Shepard

Draft minutes posted 08/16/18 at Thornton Town Hall.