



Approved on: 9/12/18
BOS Initial: RAS
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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 August 29, 2018

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

STAFF PRESENT: Town Administrator (TA) Debra Shepard

5:00 P.M. Chair Roy Sabourn opened the Thornton Board of Selectmen meeting with the Pledge of Allegiance:

RA Kubik

RA Kubik met with the Board to discuss some proposed changes in the town-paving plan. RA Kubik stated that the following projects are already underway: Banjo overlay, reclaiming of High Brook Road and fixing the short piece of Pasture Lane. Previous discussion was held on using SB38 funds to repair and pave Peaked Hill Road. During a site visit, Chair Sabourn and RA Kubik noticed a drainage issue on a nearby property and sought and received approval of the property owner to correct the problem. Hopefully this will send the water in the right direction and away from the road. With the improvement to the drainage, RA Kubik is confident the road will be in much better shape going forward.

RA Kubik shared several ideas he had for the usage of SB38 funds. He considered working and fixing culverts on Sutherland Road since they will be paving in that area already. However, RA Kubik felt it is now too late in the season to address the culverts and drainage problems on Sutherland. He also considered work on Diamond Ledge Road since they would be working in that area as well.

RA Kubik proposed using the SB38 funds to address Orris Road and Woodwinds Road. Discussion followed.

RA Kubik distributed a new five-year road plan for the Board to review. After a short discussion, the Board agreed with the proposed plan for SB38 funds as well as the five-year road plan.

MOTION: "To divert the 2018 SB38 funding from Peaked Hill Road to improvements/repairs to Orris Road and Woodwinds Road."

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

The Board discussed the work being completed on Millbrook and the stone dust surface, which was recently installed. Chairman Sabourn was pleased with the smoothness of the surface.

Regarding the Millbrook and Hazeltine Road culvert work commencing very soon, Chair Sabourn suggested using a heavier gauge pipe for the overflow culverts. He said that while this would be a more expensive option, it would also last longer. This change would be about \$5,000 more. The Board agreed with this decision.

A.R.J. Wiley was present and asked about additional repairs to Millbrook Road. He said there were rocks sticking up out of the road in certain areas. Discussion followed. RA Kubik said he would look at the area they are concerned with and will address the issue. He said there might be ledge in that area. Discussion followed.

MOTION: "To approve the payroll manifest dated 8/31/2018 in the amount of \$28,550.94."

Motion: J. Paul-Hilliard

Seconded: B. Benton

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: M. Peabody, J. Gaites

MOTION: "To approve the vendor manifest dated 8/31/2018 in the amount of \$92,308.00."

Motion: J. Gaites

Seconded: B. Benton

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Abstained: J. Paul-Hilliard

Minutes

MOTION: "To approve Board of Selectmen meeting minutes for August 15, 2018 as amended."

Motion: J. Paul-Hilliard

Seconded: J. Gaites

Discussion: None

Motion Passes: 4 – Yes, 0 – No

Abstained: B. Benton

MOTION: "To approve Board of Selectmen non-public meeting minutes for August 15, 2018 as submitted."

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None

Motion Passes: 4 – Yes, 0 – No

Abstained: B. Benton

ZCA Review

MOTION: "To approve ZCA #2018-61 for PID #7/2-13-37 owner Ginger Jimenez on Cals Hill Road to build a 12x15 shed."

Motion: J. Paul-Hilliard

Seconded: J. Gaites

Discussion: None

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve ZCA #2018-62 for PID# 15/3-1 owner JAB Realty NH LLC to replace roofing on residence and 4 cottages."

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve ZCA #2018-63 for PID# 17/7-17 owner Vincent & Jean Scalese, at 370 Upper Mad River Rad to replace an existing 20x26 deck."

Motion: J. Paul-Hilliard

Seconded: B. Benton

Discussion: None

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve ZCA #2018-64 for PID# 3/4-7B owner Richard & Karen Navedo, 302 Thornton Gore Road to demo existing and build a 21x29 house."

Motion: M. Peabody

Seconded: J. Paul-Hilliard

Discussion: None

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve the welfare manifest dated 8/31/2018 in the amount of \$406.00."

Motion: J. Paul-Hilliard

Seconded: B. Benton

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Abstained: M. Peabody

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

6:00 Kevin McGuire, TS – Paper Recycling

K. McGuire met with the Board to discuss the paper recycling at the Transfer Station. He stated that the last year he received \$90 a ton, then \$75 and then \$17 per ton. This month a mixed load of paper and cardboard received \$5 per ton. K. McGuire stated that it will now cost the Town \$35 a ton to recycle paper. The Board discussed ideas that the Town can still accept recycling for paper. After discussion, the Board agreed to pay the cost for recycling paper for the time being.

TA PRESENTS:

CIP Discussion

TA Shepard stated that on August 1st, the Board had a CIP discussion with B. DeLeo and Chief Defosses regarding a future ambulance replacement option and that included reusing the box of the ambulance to be outfitted on a new chassis. Chief Defosses submitted his CIP request at \$64,000 and B. DeLeo wanted confirmation that the BOS approved that amount. Discussion followed.

MOTION: "To approve \$64,000 in the CIP program for the replacement ambulance."

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Job Description Update – Transfer Station

TA Shepard submitted an updated job description for the board's review based on previous discussions with the BOS. The previous job description was Assistant to the Transfer Station Manager. The new job description is Transfer Station Assistant Manager. The only change that was made was the job title; all other duties in the job description remain the same.

MOTION: "To accept the revised job description of Transfer Station Assistant Manager to replace the previous job description of Assistant to the Transfer Station Manager ."

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

Motion Passes: 5 – Yes, 0 – No

New Punch Card Samples/ No Cash Policy

TA Shepard provided a sample of the new TS punch card. The cards will be sold in values of \$5.00 since this is the lowest cost to dispose of items. As the money is used, the card will be punched in \$5 increments. These cards can only be purchased at town hall.

TA Shepard submitted the newly created Transfer Station Fee Policy for the board's review and adoption. The Board reviewed the policy.

MOTION: "To approve the Transfer Station Fee Policy as presented."

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

Motion Passes: 5 – Yes, 0 – No

TA Shepard informed the Board that she received an agency agreement from Chief Defosses. This is an addition to the Intergovernmental Agreement. This would allow Chief to dispose of the old Tahoe through a bid process.

MOTION: "To accept the agency agreement to give the Fire Chief the ability to dispose of the old Tahoe vehicle through a bid process."

Motion: J. Paul-Hilliard
Seconded: B. Benton
Discussion: None.

Motion Passes: 5 – Yes, 0 – No

TA Shepard informed the Board that she received a quote to update the heating/air conditioning zone in the newly renovated area as discussed previously. Several companies were asked for bids but because the town's current system is a duct work system, it was difficult to obtain quotes. American Air Systems, the company that currently services the town, submitted a bid of just under \$2,500. The Board agreed that this is a reasonable quote and that they would waive the procurement policy in this instance based on the lack of quotes received.

MOTION: "To waive the procurement policy to require 3 quotes for the additional heating/cooling zone and to accept the quote from American Air Systems in the amount of \$2,500."

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

Motion Passes: 5 – Yes, 0 – No

Police Cruiser Accident

TA Shepard informed the Board that Chief Miller was involved in a small accident with the police cruiser. The damage to his cruiser and the other vehicle was approximately \$6,400 combined. An insurance claim has been filed.

Tax Deeded Property Sale

TA Shepard informed the Board that the closings are scheduled for September 4, and all buyers are expected to attend. The deeds will be signed by the Board at the following Board meeting.

Employee BBQ

TA Shepard asked if the Board would like to schedule the BBQ. The Board agreed to schedule the BBQ on September 25th from noon to 2pm for all town employees.

6:30 Officer Ryan Harkonen – Commendation

Chief Miller thanked the Board for the opportunity to recognize Officer Harkonen. Chief Miller read a commendation letter from Chief Miller to Officer Harkonen dated July 28, 2018. Chief Miller received a message from a resident thanking Officer Harkonen for rescuing her son and other family members from drowning in the Mad River while he was off-duty.

The Board thanked Officer Harkonen.

Action Folder:

Concerned Citizen Issues

Ron Daly had submitted a concern of a water pump running 24/7 at the Benton Sandpit. The Board had agreed that the Planning Board would need to address the gravel pit. TA Shepard informed the Board that Brian Regan issued a reply concerning Mr. Daly. He explained that the gravel pit owners were contacted and Mr. Benton met with Mr. Regan. The only potential violation to the gravel pit permit was the machinery, which was in operation outside of the approved hours of operation. The pump has since been shut down and there no longer appears to be an issue. TA Shepard will make sure that Mr. Daly receives a response. Brian Regan will draft a response letter for the Board's approval to Mr. Daly.

Notice of Intent to Cut

MOTION: "To approve an Intent to Cut for PID# 11/1-3, Jerel and Shirley Benton."

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Millbrook/ Covered Bridge Road Bridge

MOTION: "To approve a request for funds in the amount of \$17,601.86 from the Capital Reserve- Bridge Maintenance Account for two invoices from HEB Engineers for services rendered in May and June."

Motion: J. Paul-Hilliard

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

7:00 2018 DRA MS1, MS1V, MS434, MS9, MS10

The Board reviewed 2018 DRA forms.

MOTION: "To approve the 2018 MS1 as prepared."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve the MS1V as prepared."

Motion: J. Gaites

Seconded: J. Paul-Hilliard

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve and submit the MS434 as prepared with the \$25,000 overlay."

Motion: J. Gaites
Seconded: J. Paul-Hilliard
Discussion: None.
Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve the MS9 as prepared."

Motion: J. Gaites
Seconded: J. Paul-Hilliard
Discussion: None.
Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve the MS10 as prepared."

Motion: J. Gaites
Seconded: J. Paul-Hilliard
Discussion: None.
Motion Passes: 5 – Yes, 0 – No

Fire Department meeting

TA Shepard will meet with Chief Defosses and the Town Administrators of Ellsworth and Campton on September 6. The meeting will be related to the reorganization of the Fire Department. Discussion will also be held regarding the percentage of contribution of the three towns sharing the Fire Department service. This discussion will be relayed to the Boards.

Selectmen Comments

John Paul-Hilliard informed the board that he has been working on a driveway permit in place of the Road Agent due to a conflict. The Board discussed the conditions for the driveway permit that will be put in place. During this process, J. Paul-Hilliard suggested that the Town might want to revise their standards to provide better protection for the town.

7:30 Alfred Duguay – Mirror Lake Road

Present: Brian Regan and Alfred Duguay

A. Duguay met with the board to discuss permanently closing the spur of Mirror Lake Road. R. Sabourn informed him that a petition warrant article would need to be submitted for the Town Meeting in March. This would require a petition warrant article and the signature of at least 25 registered voters. M. Peabody encouraged Mr. Duguay to get more than the minimum 25 as each signature must be a registered voter. R. Sabourn encouraged Mr. Duguay to seek legal counsel in the wording and preparation of the warrant article as well.

Discussion continued on the discontinuance of the town road and how this resolution would only take care of part of the problem with this property. Mr. Duguay was advised to seek legal counsel to assist him in this matter and how beneficial it would be to have a survey done of this property.

7:45 Non-public session pursuant to RSA 91-A:3, II (c-reputation and e-litigation)

7:45 p.m. MOTION: "To enter into non-public session pursuant to RSA 91-A:3, II, (a & e)"

Motion: J. Paul-Hilliard

Seconded: J. Gaites

Discussion: None.

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

Motion Passes: 5 – Yes, 0 – No

8:30 p.m. MOTION: "To come out of non-public session."

Motion: J. Paul-Hilliard

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

8:30 p.m. MOTION: "To adjourn."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Respectfully submitted,

Jessi Fleury
Board Secretary

Approved on: 9/12/18
BOS Initial: PKS
Rec'd by Town Clerk on: 9/12/18
Town Clerk Initials: djm

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

Date: August 29, 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 Selectman J. Paul-Hilliard 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.*

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.*

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

Remove public meeting tape.

Entered nonpublic session at 7:45 PM

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

Description of matters discussed and final decisions made:

Category (c) Reputation

Category (e) Legal

*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 8:30 PM.

These minutes recorded by: Town Administrator Debra Shepard

Draft minutes posted 08/30/18 at Thornton Town Hall.