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BOS Initial: JPH
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**TOWN OF THORNTON
BOARD OF SELECTMEN**

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**Board of Selectmen Meeting Minutes
September 13, 2017**

6:15 P.M. Vice Chairwoman Peabody opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance.

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

STAFF PRESENT: Tammie Beaulieu, Town Administrator

ABSENT: Chairman John Paul-Hilliard

Weeping Birches Lane

The Board discussed an on-site inspection of Weeping Birches Lane at Waterville Estates that was conducted this evening at 5:00p.m.

R. Sabourn stated that the Board reviewed the problematic section of the road with the concern relative to the grade of that section may not meet town road standards. After inspection, the Board agreed that this portion could be considered a short pitch that does not exceed 10% grade. Due to the infrastructure that has been built around this portion and that the section of the road is older than the current project, this section can be accepted at a 10% grade based upon the table of road construction standards.

After discussion, the board agreed to postpone further discussion. The Board also agreed to review new information concerning the road that was presented during the site inspection tonight. TA Beaulieu confirmed that the standards that were submitted to the Board are the most recent road standards.

ZCA Review

MOTION: "To approve ZCA # 2017-37 for PID #17/19-12 for Thomas and Ann Barbeau for roof mounted solar panels."

- Motion: R. Sabourn
- Seconded: B. Benton
- Discussion: None.
- Motion Passes: 4 – Yes, 0 – No**

MOTION: "To approve ZCA # 2017-39 for PID #3/2-5 for Donna Garfield to remove an existing mobile home and to build a new single-family home."

- Motion: R. Sabourn
- Seconded: J. Gaites
- Discussion: None.
- Motion Passes: 4 – Yes, 0 – No**

MOTION: "To deny ZCA # 2017-40 PID # 17/7-49 for Jose Ferreira for a bedroom addition."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: The Board discussed that an updated septic system will need to be received or an explanation as to if the septic system is adequate for an additional bedroom.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To deny ZCA # 2017-41 PID#3/4-7b Ricardo and Karen for demolishing the camp and to rebuild in the same footprint."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: R. Sabourn explained that this is a nonconforming lot. The Board reviewed the Zoning Ordinance concerning non-conforming lots. The lot must have 50 feet of frontage, capable of supporting a well and septic system using state standards without the request of a waiver. The owners indicated that they do not want to install a well and septic system at this time. If the building is removed than the reconstruction would need to meet current standards. The Board discussed that the owners would need a state approved septic design or acquire a variance from the ZBA. The Board suggested that the applicant speak with the Planning Director to review their options.

Motion Passes: 4 – Yes, 0 – No

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

6:34 SB38 Highway Grant Funds \$89,162.43 Public Hearing RSA 31:95-b

Present: Todd and Gail Kent

Vice Chairwoman Peabody opened the public hearing at 6:34 p.m. The advertisement notice for the public hearing was read as posted in the Record Sun Enterprise.

THE TOWN OF THORNTON – HIGHWAY DEPARTMENT has been awarded unanticipated funds from the State of NH Highway Block Grant program in the amount of \$89,162.43 to be used for highway construction, reconstruction or maintenance purposes.

Vice-Chairwoman asked for public comment. Mr. and Mrs. Kent requested information on the grant and how those funds will be used for town roads.

TA Beaulieu explained that this grant is a non-lapsing grant that has to be expended on highway items. She stated that the grant cannot be expended on items that were originally in the operating budget.

RA Kubik initially wanted to use these funds to rebuild the remainder of Sugar Run. Since then his recommendation has changed to use the operating budget to finish rebuilding Sugar Run as there is already a vendor hired to work in that area and this will allow the town to receive a better rate. Sugar Run will be completed using the town operating budget and the RA will forward items that can be completed using SB38 Funds that will meet the grant requirements.

Mr. Kent asked if any other funds were anticipated from FEMA for the flooding damage on July 1, 2017. R. Sabourn stated that additional funds are expected, the town is working on the list of damage. The SB38 funds are not related to the recent storm damage and were offered by the State to initiate work to improve the economy.

Mrs. Kent asked if High Brook Road is on a list for repair. TA Beaulieu explained that the RA uses a software to catalogue roads in order of priority for repairs. She recommended that Mrs. Kent speak with the Road Agent to determine where High Brook Road is on the priority list for repairs.

6:40 p.m. Vice Chairwoman Peabody closed the Public Hearing.

MOTION: "To accept SB38 Highway Grant funds in the amount of \$89,162.43 under RSA 31-95b - unanticipated funds."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

6:45 Revisit Transfer Station and Town Hall projects and bids

TA Beaulieu and AA Mahurin revised the timeline for the project bids allowing additional time for project completion as requested by the Selectboard during their last meeting.

TA Beaulieu has discussed the bids with the Town of Campton and Ellsworth. Ellsworth did not respond. The Town of Campton suggested using a poured concrete wall. This suggestion was discussed with Alba Architects and HEB Engineering. Alba Engineering informed TA Beaulieu that the poured concrete would cost at least \$50,000 plus additional excavation. HEB also informed the TA that the bids received for the original specifications are reasonable.

The Town of Campton recommended going back out to bid for the building renovations this fall rather than next year. The Town of Campton is also looking for a cheaper solution for the retaining wall project.

R. Sabourn discussed having the Thornton highway department rehabilitate the retaining wall at the Transfer Station rather than hiring a vendor at a larger cost. RA Kubik agreed that this is a project that the highway department could complete within a day or a day in a half. The safety concern regarding the top of the retaining wall could be fixed with jersey barriers. After discussion, the Board agreed that the increased height with the jersey barriers would improve the safety concern. The Board agreed to discuss the option to have the highway department rehabilitate the retaining wall at the Transfer Station and to install jersey barriers to remove the safety concern of open areas at the top of the retaining wall with the Town of Campton.

The Board agreed to discuss re-advertising for bidding to begin construction of the transfer station addition in April of next year (for duration of completion anticipated within 11-13 weeks, with a completion date by August 1, 2018) with the Town of Campton as well.

The Board also agreed to put the town hall renovations out to bid again with a longer time line (for duration of completion anticipated within 5-8 weeks, with a completion date of April 1, 2018) and to re-advertise at the same time as the transfer station addition bids.

ACTION FOLDER

MOTION: "To approve the payroll manifest dated 9-15-2017 in the amount of \$21,360.53."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 3 – Yes, 0 – No Abstained: M. Peabody

MOTION: "To approve the second payroll manifest dated 9-15-2017 in the amount of \$1,596.88."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 3 – Yes, 0 – No Abstained: M. Peabody

MOTION: "To approve the vendor manifest dated 9-15-2017 in the amount of \$368,267.07."

Motion: J. Gaites

Seconded: R. Sabourn

Discussion: None.

Motion Passes: 3 – Yes, 0 – No Abstained: M. Peabody

MOTION: "To approve the minutes of the August 30, 2017 as written."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 3 – Yes, 0 – No Abstained: R. Sabourn

Intent to Cut

MOTION: "To approve an Intent to Cut for PID# 17/8-2 on High Brook Road submitted by Jeffrey Brown."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Concerned Citizen Request

The Board reviewed a concerned citizen form received from Robert Towle regarding last meeting's discussion on repairing the stonewall near Mountain Woodlands road that was damaged during the plowing season and to place fill along the town road and the stone wall at the culvert. The form has been forwarded to the highway department for Road Agent input as well.

TA Beaulieu stated that the town policy does not reimburse for mailbox damage during plow season. TA Beaulieu asked what the justification would be to expend funds to repair the stone wall damage during plowing season. The Board also agreed that the stone wall is no different than the mailbox policy and funds will not be expended to repair the wall. The Board suggested that Mr. Towle remove snow in front of the stone wall during the snow removal season to prevent the buildup of snow. The Board agreed that the town needs to review the culvert issue that was mentioned in the concerned citizen report.

Procurement Policy Request

The Board reviewed a request from Road Agent Kubik to waive the procurement policy with respect to the vendor that will be used to outfit the new 2017 F550 highway department truck for the town to purchase the hydraulic and plow equipment from HP Fairfield. RA Kubik explained that this will allow the town trucks to have interchangeable equipment since the other trucks have equipment already purchased from the vendor. He also explained in his request that the town has not had a good result when using other vendors for this type of equipment.

MOTION: "To approve waiving the multiple bid requirement in the procurement policing for the purchase of equipment to outfit the 2017 F550 for the highway department."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

SIGNATURE FOLDER:

The Board signed approval of the MS1 form that was motioned for approval at the previous meeting.

7:15 Tom Duffield and Mr. & Mrs. Yarnell- Reconsideration for their expedited Wetlands Permit

Present: Tom Duffield, Rosanna and Michael Yarnell, Todd and Gail Kent

T. Duffield provided an updated wetland permit for the Yarnell's. He explained that during the previous meeting the Board denied the expedited request due to submitting an incomplete application. T. Duffield explained the need for an expedited application due to the flooding of the Yarnell's driveway after the flooding on July 1. The specifications for the new proposed culvert which will allow a larger volume of water to flow properly.

The plan rejected by the Town was not filed with the State. The proposed pool was removed and more cross section details were added to the updated plan. The silt fence will be used for erosion control and then removed. The updated plan was submitted to the State-DES. Mr. Duffield explained that if the Selectboard agree to sign the expedited application, then the application could be completed in 30 days rather than a 70-day timeframe if it is not expedited.

Todd and Gail Kent expressed concern that the incorrect plan was on file with the Town Clerk and was very concerned that the incorrect plan was submitted to the State. The Kent's opposed the use of pool/pond for water retention. After discussion, Mr. Duffield assured the Kent's that the correct updated plan was sent to the State and that the Town Clerk will have the correct plan on file with the Town that does not include a pool/pond or a dam.

The Board stated that T. Duffield needs to make sure all old plans that include a dam and pond are removed from the town records and the new plans are submitted in their place. R. Sabourn explained the expedited process to Mr. and Mrs. Kent.

The Board approved the expedited request.

Town Administrator presents

ZCA Form Update

TA Beaulieu explained a concern was forwarded on the processing of ZCA/Building Permits. The contractor and license number is included on the current form without confirmation from the contractor that they are completing work.

The concern is that the contractor may not actually be hired by the homeowner to complete the work even though the contractor may be listed on the ZCA. This could put the listed contractor in a position of false responsibility. After discussion, TA Beaulieu and R. Sabourn suggested that an addendum be added to the town ZCA form to include the contractor information as well as an area for the contractor to sign approval that they are completing the project thereby eliminating responsibility for contractors that are not actually completing work. The Board agreed.

Old Route 3 Storm Damage

B. Benton stated that the bridge appears to have been cleared and he will verify that the bridge concern has been addressed.

Emergency Management

S. Moulton, Emergency Management Secretary submitted EOP update contract proposals. TA Beaulieu presented an email from EMD J. Paul-Hilliard informing the Board that the updated proposal should be accepted. The emergency management director and secretary recommended contracting with June Garneau from Whitefield NH to complete the EOP update proposals.

MOTION: "To contract with June Garneau for the new EOP project."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOU for Northern Pass

TA Beaulieu informed the Board that the MOU has been finalized with Eversource signatures and returned to the Town.

OEP-FEMA Workshop

TA Beaulieu informed the Board that B. Reagan and J. Gaites will attend this workshop. B. Benton may be interested in attending and will contact the FEMA office to add his attendance.

FEMA Funding Drainage Project

TA Beaulieu discussed the FEMA Funding Drainage Project in regards to the Millbrook/Hazeltine Road project that Tom Ballestero is working on for the Town. TA Beaulieu explained that during a meeting she attended, FEMA discussed Hazard mitigation funds and recommended that the town compile an LOI for inclusion in the FEMA drainage project funding.

The LOI states that the Town wants to improve the Millbrook and any other stream crossing area that has an inability to convey floodwaters. TA Beaulieu and AA Mahurin completed the LOI and Vice-Chairwoman Peabody signed the form.

TA Beaulieu gave AA Mahurin the vault files on this area of concern and she is reviewing to pull a packet together with additional information regarding the flooding of Millbrook/Hazeltine Road will be included with the LOI. TA Beaulieu requested that the Select board provide her with information regarding any other area of flooding concern.

PD Interview Panel

TA Beaulieu informed the Board that J. Paul-Hilliard had previously offered to participate on the interview panel but cannot at this time due to work commitments. B. Reagan has offered to take his place on the board on behalf of the Selectboard. The interviews are scheduled for the

mornings of September 21 and 22, 2017. The Board agreed to have B. Regan sit on the interview board with the Police Department.

Emergency Management Director

J. Paul-Hilliard submitted a request to tender his resignation as the EMD and would like to have the Police Chief take on this responsibility. Chief is willing to begin the EMD position on January 1 and plans to introduce the option of a deputy in the Emergency Management 2018 budget. The Board agreed that they respectfully request that J. Paul-Hilliard continue to have discussions with the Police Chief to slowly transfer the responsibility. The Board agreed to not accept the resignation from J. Paul-Hilliard at this time and to request that he continue these responsibilities until the Police Chief is able to relieve him of this position.

Donation

The Board agreed to donate \$75.00 to the NH Humane Society in lieu of flowers on behalf of Neal Bates Robinson.

Weeping Birches Lane (Discussion Continued)

R. Sabourn stated that his concern is that asphalt may be installed before the concerns with the road are repaired. One concern is that the base of a portion of the road is not adequate which is showing a ripple under the road that could be a result of mud under the road. He suggested that gravel be installed to prevent the new asphalt from breaking up. The Waterville Estates Village commission is requesting that the Selectboard make sure that the base of the road is adequate before the asphalt is completed. Selectman Sabourn pointed out that Nobis Engineering agreed with this concern in their recent report.

R. Sabourn was informed that the District Commissioners are not opposed to hiring a separate engineer to look at the road structure, if necessary.

The Board agreed to review the new information provided at the site meeting tonight. The board agreed that they will have a separate meeting on September 18, 2017 so that concerns can be addressed prior to T. Avalon's paving schedule.

R. Sabourn stated that the Board could conditionally accept the road during Town Meeting, and that Mr. Avalone has been informed of their concern. The Board also discussed speaking with the Planning Board to have a review schedule in place for new roads that are expected to be accepted as a town road to allow an engineer to review at each phase to make sure that the road standards are being met prior to road acceptance.

Lobdell Invoice – Millbrook Culvert

The Board discussed payment on an invoice from Raymond Lobdell for wetland delineation services provided in regards to the Millbrook Culvert. R. Sabourn suggested that the invoice is less than \$500 and can be paid from the Highway Department Budget. The Board agreed.

8:22 p.m. NON-PUBLIC SESSION – RSA 91-A:3, II (a-personnel, c-reputation, b-hiring)

MOTION: “To enter into non-public session pursuant to RSA 91-A: 3, II (a, b, and c).”

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

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

Motion Passes: 4 – Yes, 0 – No

MOTION 9:05 p.m.: "To come out of non-public session."

Motion: B. Benton
Seconded: M. Peabody
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

MOTION: "To hire Bruce Rodgers for a full-time position with the Highway Department as the Thornton assistant Road Agent/Equipment Operator I to begin on Monday, October 23, 2017."

Motion: R. Sabourn
Seconded: J. Gaites
Discussion: None.
Motion Passes: 3 – Yes, 0 – No Abstained: M. Peabody

MOTION: "To promote Corporal Dan Gilman to the position of Sergeant effective January 1, 2018 with a pay increase to a Labor grade 10 step 12. A promotion ceremony will be held Friday, January 5, 2017 at 2:00 p.m."

Motion: R. Sabourn
Seconded: J. Gaites
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

MOTION: "To agree to a repurchase of tax deeded property for the former owner of PID# 6/3-1 with the outstanding amount of \$22,886.52."

Motion: R. Sabourn
Seconded: J. Gaites
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

MOTION: "To allow the Town Administrator to act on behalf of the Selectboard to finalize a contract with Attorney Mark Broth relative to a contract matter for a former Police Department employee."

Motion: R. Sabourn
Seconded: B. Benton
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

SELECTMEN COMMENTS

M. Peabody informed the board that the Christmas tree lighting is scheduled for Wednesday, December 6, 2017. M. Peabody mentioned scheduling the town Christmas celebration on December 8, 2017.

R. Sabourn stated that the highway department has cleaned out the trees at Duffy Bridge on Thornton Gore Road. It looks like the erosion of the bank has ceased at this time.

9:24 P.M. MOTION: "To adjourn."

Motion: J. Gaites

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Respectfully submitted,

Jessi Fleury
Board Secretary