



Approved on: 10/10/18  
BOS Initial: JAS  
Rec'd by Town Clerk on: 10/12/18  
Town Clerk Initials: ajm

## TOWN OF THORNTON BOARD OF SELECTMEN

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

### Board of Selectmen Meeting Minutes September 26, 2018

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

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

**12:00 P.M. Vice-Chairman Paul-Hilliard opened the Thornton Board of Selectmen meeting with the Pledge of Allegiance:**

**MOTION: "To approve the payroll manifest dated 9/28/2018 in the amount of \$25,305.04."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: J. Paul-Hilliard**

**MOTION: "To approve the vendor manifest dated 9/28/2018 in the amount of \$378,486.96."**

Motion: J. Gaites

Seconded: B. Benton

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: J. Paul-Hilliard**

#### *Minutes*

**MOTION: "To approve Board of Selectmen meeting minutes for September 12, 2018 as amended."**

Motion: M. Peabody

Seconded: B. Benton

Discussion: None

**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve Board of Selectmen non-public meeting minutes for September 12, 2018 as submitted."**

Motion: B. Benton

Seconded: J. Gaites

Discussion: None

**Motion Passes: 4 – Yes, 0 – No**

*ZCA Review*

**MOTION: "To approve ZCA #2018-70 for PID #17/14-15-H7 owner White Mountain Escapes LLC, for a 30x44 single family house (WVED) with the condition that the cease and desist order from the State of NH is cleared by the State electrical inspector."**

Motion: J. Gaites

Seconded: M. Peabody

Discussion: None

**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve ZCA #2018-69 for PID #12/7-17 owner Todd Kent, for a 10x10 shed."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None

**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve ZCA #2018-68 for PID #17/17-1 owner Sharon Hale, for a deck replacement."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None

**Motion Passes: 4 – Yes, 0 – No**

**Chairman Roy Sabourn arrived at the meeting.**

**TA PRESENTS:**

**Action Folder:**

**Furnace Inspection**

TA Shepard informed the Board that the furnace has been inspected and a few issues were noticed. The burners for the town hall office (1) and the meeting room (2) will need to be replaced soon. A quote was received for \$539 to fix furnace 1 and 2. A humidifier valve attached to furnace 1 was shut off because it was leaking however, it is still leaking. TA Shepard will arrange for a quote from a plumber. The furnace technician was not able to clean the Police Department furnace due to non-availability of the Sergeant at the time that the technician arrived. Furnace 4 burner needs to be tested as well due to a past wasp nest that was sprayed with flammable products.

**MOTION: "To approve the quote received in the amount of \$539 to replace the burners for furnace 1 and furnace 2."**

Motion: J. Paul-Hilliard

Seconded: M. Peabody

Discussion: None.

**Motion Passes: 5 – Yes, 0 – No**

*Land Use Change Tax*

**MOTION: "To approve the Land Use Change Tax for PID# 7/2-13-34 in the amount of \$49."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 5 – Yes, 0 – No**

*Christmas Party*

The Board approved the Town Employee/Volunteer Christmas Party for Friday, December 7, 2018 at the same location as last year as they will honor the same price as last year at \$30.00 per person.

*Concerned Citizen*

Jacquelyn Wolf submitted a concerned citizen form regarding the ditch on Upper Road. She would like the ditch filled in as she feels it poses a safety concern. The Board agreed to have the Road Agent look into this request.

*NH Electric Inspector*

TA Shepard stated that Kenneth Valeri, State Electrical Inspector pulled ZCAs from White Mountain Escapes LLC and/or Kevin Dorsey and has issued a cease and desist due to suspicion of fraudulent work. Mr. Valerie suggested that the Town issue a stop order and require updated ZCA forms showing NH licensed contractors. TA Shepard will work with D. Mahurin to update the ZCA Applications going forward to indicate that all contractors must be licensed in the State of NH. D. Mahurin had Mr. Dorsey file addendums that show who he is using for a NH contractors. The Board agreed.

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

**1:30 p.m. Brad Benton and Roy Sabourn recused themselves from the first meeting in nonpublic as recommended.**

**1:30 p.m. Non-public session pursuant to RSA 91-A:3, II (c)**

**1:30 p.m. MOTION: "To enter into non-public session pursuant to RSA 91-A:3, II, (c)"**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

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

**Motion Passes: 3 – Yes, 0 – No**

**3:09 p.m. MOTION: "To come out of non-public session."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**3:11 p.m. MOTION: "To enter into non-public session pursuant to RSA 91-A:3, II, (I-legal)"**

Motion: R. Sabourn

Seconded: B. Benton

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**

**3:25 p.m. MOTION: "To come out of non-public session."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 5 – Yes, 0 – No**

*Non-Public Action re: M. Mahmoud*

Vice Chairman John Paul-Hilliard read into the record the actions taken by the board. The Board denied Mr. Mahmoud's request to waive interest and penalties and also denied his request to enter into a tax agreement with the Town of Thornton. The Board also informed Mr. Mahmoud that if the outstanding amounts were not paid within 30 days of the date of this hearing, the board would start the eviction process on Lot 8.

The Board instructed Mr. Mahmoud and Mr. Smith to contact TA Shepard if they wanted to come back before the BOS to discuss new options. Prior to being placed on the agenda, the BOS would like a copy of the proposal submitted to TA Shepard for review.

**2018 Thornton Emergency Operations Plan**

Chief Miller presented the updated 2018 Emergency Operation Plan for the Board's review.

**MOTION: "To adopt the 2018 Thornton Emergency Operations Plan as submitted"**

Motion: M. Peabody

Seconded: J. Paul-Hilliard

Discussion: None.

**Motion Passes: 5 – Yes, 0 – No**

**Review of Weeping Birches and Road Bond – Tom Avalone**

Tom Avalone met with the Board to discuss Weeping Birches Road and the Letter of Credit that expires on October 3, 2018 and is due for renewal at this time. RA Kubik and John Paul-Hilliard have done periodic inspections of the requirements set forth by the town to take ownership of Weeping Birches Road. Both RA Kubik and J. Paul-Hilliard agreed that all requirements have been met by Mr. Avalone. Brian Regan, Planning Board Director, submitted a letter recommending that the Board agree to lift the letter of credit. The Board agreed to not require an additional letter of credit once the current one expires on October 3, 2018. Two deeds are needed; one for the 50-foot roadbed from the Waterville Associates village association and another for the expansion areas from the cul-de-sac. Once the deeds are received by the Town, the town attorney will review them prior to Board acceptance of the road.

**NHEC – Judges Road Upgrades – RA John Kubik**

NHEC updated the Board on their conduit installation plans for Judges Road for the rest of this year and next year. The Road Agent provided an update for the pending roadwork/paving for 2018.

**MOTION: "To approve the roadway excavation permit for NHEC."**

Motion: J. Gaites

Seconded: J. Paul-Hilliard

Discussion: None.

**Motion Passes: 5 – Yes, 0 – No**

**William DeLeo- CIP Representative- 2019 CIP plan**

TA Shepard informed the board that Mr. DeLeo was not able to attend the meeting and he will be rescheduled to the October 10, 2018 BOS meeting. TA Shepard presented 2019 CIP information for the Board to review with Mr. DeLeo at their next meeting. The Board discussed increasing the annual amount budgeted for the CIP to reflect the increase in cost for purchases as well as anticipated expenses that will need to be funded in the CIP. The Board agreed to discuss this with Mr. DeLeo further.

**SELECTMEN COMMENTS**

*Bluegrass Festival*

Selectman Benton informed the Board that the Pemi-Bluegrass will not be holding their annual event next year due to the cost to host the event.

**4:26 p.m. MOTION: "To adjourn."**

Motion: J. Paul-Hilliard

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 5 – Yes, 0 – No**

Respectfully submitted,

Jessi Fleury  
Board Secretary

*Non-Public Action re: M. Mahmoud*

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The Board instructed Mr. Mahmoud and Mr. Smith to contact TA Shepard if they wanted to come back before the BOS to discuss new options. Prior to being placed on the agenda, the BOS would like a copy of the proposal submitted to TA Shepard for review.

**2:15 2018 Thornton Emergency Operations Plan**

Chief Miller presented the updated 2018 Emergency Operation Plan for the Board's review.

**MOTION: "To adopt the 2018 Thornton Emergency Operations Plan as submitted"**

Motion: M. Peabody

Seconded: J. Paul-Hilliard

Discussion: None.

**Motion Passes: 5 – Yes, 0 – No**

**2:30 Review of Weeping Birches and Road Bond – Tom Avalone**

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*prior to Board acceptance of the road.*

**2:45 NHEC – Judges Road Upgrades – RA John Kubik**

NHEC updated the Board on their conduit installation plans for Judges Road for the rest of this year and next year. The Road Agent provided an update for the pending roadwork/paving for 2018.

**MOTION: "To approve the roadway excavation permit <sup>for</sup> NHEC."**

Motion: J. Gaites

Seconded: J. Paul-Hilliard

Discussion: None.

**Motion Passes: 5 – Yes, 0 – No**

**3:00 William DeLeo- CIP Representative- 2019 CIP plan**

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