

**MINUTES OF HAVERHILL SELECTBOARD REGULAR MEETING**  
**Monday, June 21, 2010**  
**Draft Subject to Review, Correction and Approval at Following Meeting**

**Board Members Present:** Roderick Ladd, David Joslin, Peter Heilemann, and Lynn Wheeler and Wayne Fortier.

**Town Manager:** Glenn English

**Administrative Assistant/Finance Officer:** Jo Lacaillade

**Members of the Public Present:** Ronald Willoughby, Glenn Mitchell, Rebecca Mitchell, Don Bagley-SAU School Board, Gary Fournier-Assessor, Peter Conrad, Harold Brown, Carol and Larry Norcross and Ed Ballam from the Journal Opinion.

**Call Meeting to Order:**

Chairman Ladd called the meeting to order at 6:05 pm

**Approval of Agenda:** Lynn Wheeler made a motion to approve the agenda; seconded by David Joslin and carried unanimously.

**Approval of Consent Agenda:**

David Joslin made a motion to approve the consent agenda with the amendment that warrants be moved to New Business; the motion was seconded by Lynn Wheeler and carried unanimously.

**Scheduled Public Appearance(s):**

- **Don Bagley-Building Lease and Maintenance Issues:** Mr. Bagley stated that the SAU had signed the lease; he further stated that he had provided Chairman Ladd with a copy of their minutes so he would be aware of some of their issues regarding maintenance of the building. There was discussion regarding the new fiber optic line that has come into the building and the problems that might occur with access to different websites that the Town uses. The new system will utilize the same filtering systems that the schools have. There was discussion as to whether the new system the SAU will be using is cohesive with the Town needs including the offsite backup and security of files; additional costs that will be passed on to the Town; and the need of the Town Departments to set up their own email accounts. He reviewed the list of maintenance issues which include the paving of the parking lot, painting, bathroom fixtures replacement, furnace, window blinds, carpet cleaning; dusting and cobwebs. There was more discussion regarding the internet service within the building. The Town Technology Committee is going to meet in the near future and look at the Town's direction for internet service. There was further discussion regarding the list of maintenance that the SAU provided. TM English did not feel that painting was needed in the SAU space and used the meeting room as an example of the condition of the paint; touchup of the paint had been done recently. He reviewed the maintenance that has been done on the bathrooms and stalls will be looked at out of the current budget. Blinds are not the responsibility of the landlord. The carpets in the entire building need to be cleaned and that will be looked at. The heating system is a large money item and there is no money in the budget for that type of issue. He recommended saving as much money as possible out of the Town maintenance and repair

budget to address the internet issue that the Town will now be facing. The Town needs to look at their own internet needs and decide what best suits our needs and not what perhaps the SAU is willing to provide. The cleaning issues will be addressed. The internet system was discussed again and Mr. Bagley stated that he was sure that Adam, the SAU IT department, would assist the Town in any way that he could.

### **Town Manager's Report: None**

Chairman Ladd advised Harold Brown that he would be allowed to speak at the place on the agenda that allows for public comment; speaking under the Town Manager report was not a proper place.

### **Public Hearings: None**

### **New Business:**

#### ➤ **Abatements:**

- Larry and Carol Norcross-206/102: There was a lengthy discussion as to how the value of an acre is determined. The assessor explained the primary site value and how backland expands from that to determine a value. The initial building site has more value than the other area of the lot. Town water and septic then are further adjustments. There was a very lengthy discussion regarding this property. Chairman Ladd referred to the Planning Board Subdivisions regulations and stated this was a non conforming lot. Lynn Wheeler stated that this is not a lot for subdivision and assessors use different formulas and information for assessing purposes; what Chairman Ladd is referring to does not apply because this is an existing lot. Gary Fournier stated that even though the property could not be developed as a house lot because there is not room for a septic system there is an existing building on the lot. He stated that no addition to the value has been added for water and sewer, which are not on site. Lynn Wheeler felt that the assessor is doing a fine job and has consistently since he has been on board. The Board asked that Assessor Fournier provide them with comparable lots for substantiating this value later in the meeting. The property was tabled until later in the meeting.
- Larry and Carol Norcross-417/011: A discussion ensued regarding how the land values are determined, the camp and septic system on the property. David Joslin made a motion to accept the assessor's recommendation that no adjustment in value be given; the motion was seconded by Wayne Fortier and carried unanimously.
- Ronald Willoughby-413/064: Mr. Willoughby has a hard wired generator on his property and he does not feel that it should be taxable. Gary Fournier explained that once a generator becomes permanently affixed to the property with hard wiring that it is taxed as part of the property. Permanently affixed generators have become more common in the past few years in this area and are taxed as they are found on properties. Harold Brown stated that a judge of whether it was permanent would be if it has a direct fuel source underground, a portable generator needs to be hooked up when needed. Mr. Willoughby stated that it has a direct fuel source; he did not want to worry about it coming on if he is not on the property. Gary Fournier stated that he based his value on the reasonable and customary value of this type of addition to a property even though Mr. Willoughby states that he paid less than that. There was a long conversation about what is real estate and Lynn Wheeler stated that it is anything

- permanently attached and if you start monkeying around with the definition then you start second guessing everything that you are doing. David Joslin made a motion to accept the assessor's recommendation for the Ron Willoughby property tax map 413 Lot 064 of \$1,400 abatement reducing the value of the generator; the motion was seconded by Lynn Wheeler. Voting yes: David Joslin, Lynn Wheeler, Wayne Fortier and Peter Heilemann. Voting no: Roderick Ladd.
- Glenn and Rebecca Mitchell-402/126-002: Gary Fournier is recommending that no adjustment be made at this time due to an upcoming BTLA hearing that is scheduled in the first part of July. This property was reviewed last year and adjusted; then the Mitchell's filed an appeal with the BTLA. There was some discussion regarding the cost associated with extending water and sewer to this lot to make it a commercial lot. Mr. Mitchell states that the cost would be somewhere between \$50,000 and \$100,000. There was also discussion as to where the "commercial" section of Town ends and the "residential" section begin. There was a very long discussion regarding property values of surrounding lots. Mr. Mitchell also referred to some traffic studies that show there is more traffic on Route 302 than Route 10; he also said that if he tried to put the property back into a trailer park there are a lot of new codes that he would have to comply with that are costly. The property is labeled as a commercial lot for sale but since there is no zoning in Town it was asked why the assessor is using commercial values for it; again it was stated that it is being marketed as a commercial lot. There was more discussion about this being at a BTLA hearing in the near future and that is perhaps where the decision should lie. Mr. Mitchell stated that he is confident that he is going to win at the BTLA level but he is distressed; he was born in this Town, has paid taxes in this Town his entire adult life and he just finds this terribly inequitable. Gary Fournier stated that all values are set by data obtained at each revaluation for comparable lot sales. There was much discussion about a lot that is directly across the lot and is used by James Walker for used cars and the assessment of that lot. Mr. Mitchell said that the Town needs to hire a professional appraisal outfit. TM English stated that he has to defend the assessor and his record. Out of all the properties in Town there were very few appeals tonight and 3 of them were relatively minor and insignificant; this one was substantial. That is not all the taxpayers in Haverhill saying that we do not have a proper assessor; that is them saying that; where are all these other people? The Mitchell's stated that they aren't taken seriously and are not listened to. The discussion continued. David Joslin said that he thinks the assessor does an excellent job and he doesn't think he is singling anyone out. Chairman Ladd said that the system is what is broken; we are making the money off from commercial property and what we are going to do is end up driving business out or putting them into foreclosure; the property tax system is broken and this tells me more that it is. And to classify it as commercial when there is no zoning in Town then it is being driven by what, the market? TM English clarified that property is assessed at the highest and best use whether you have zoning or not. There was more discussion as to when a property is determined to be commercial; at what point does it change. Gary Fournier stated that taxation rules in the State of New Hampshire mandate that property is taxed at the highest and best use based on the best evidence available and the fact that this property is near other properties and is being marketed as such would make any reasonable person assume that it is commercial property. The piece of land of James Walkers that is being used for comparison is being treated as backland to the main piece of Walker property because it is a continuation of the car lot. After further discussion Wayne Fortier made a

motion to defer a decision until after the issue be settled at the BTLA level; the motion was seconded by David Joslin and carried unanimously.

Chairman Ladd asked that abatements come to them sooner than the meeting right before deadline. Peter Heilemann requested that on the future lists include the previous assessment and recommended even if there is no change recommended and a column that shows the requested assessment from a property owner if they have a specific one.

There was a short conversation about the change in assessment for Grafton Motors which was a land value change due to the topographic issues of the property. There were also some minor adjustments to the building after inspection.

David Joslin made a motion to accept the assessor's recommendation on all other appeals; the motion was seconded by Peter Heilemann. Voting yes: David Joslin, Peter Heilemann and Lynn Wheeler and Rick Ladd. Voting no Wayne Fortier.

The Board took a brief recess.

### **Pending (Old) Business:**

- **Former Woodsville Armory-Name Adoption:** Lynn Wheeler reviewed the list of submissions received for possible names for the Woodsville Armory. After a brief discussion David Joslin made a motion to approve the name of the Robert E. Clifford Community Center; seconded by Peter Heilemann. After discussion the motion was amended to be the Robert E. Clifford Memorial Building. Voting yes: David Joslin, Peter Heilemann, Wayne Fortier and Rick Ladd. Lynn Wheeler abstained.

### **New Business: (cont.)**

- **Abatements:** Assessor Fournier provided the Board with information regarding the Norcross parcel Tax Map 206 Lot 102 outlining where the land value was derived from. David Joslin made a motion to accept the assessor's recommendation of \$35,300; seconded by Peter Heilemann. Voting in favor was Lynn Wheeler, David Joslin, Peter Heilemann; voting no was Wayne Fortier and Rick Ladd.

### **Pending (Old) Business: (cont.)**

- **Marketing Woodsville Armory:** TM English said that he had not had any realtors that were interested in marketing the armory building. Dale Bromley said that he would not be the one to handle it but perhaps another office within the company might be interested. There was a brief discussion as to whether there is a need for daycare in the area and whether this building might work for something like that. Peter Heilemann said that there is a growing need everywhere for Alzheimer Day Care also. Peter Heilemann thought an open house at the facility might help get ideas of use, 4<sup>th</sup> of July would be a good time next year. TM English will run an ad in a newspaper outside the area to see if there is any response from a realtor outside the immediate area. Lynn Wheeler presented some final plans for the landscaping project at the armory building in Woodsville. There are some trees that need to be taken down. A quote list will be compiled and sent to some area landscaping companies to see what the cost might be to just have someone do the project from start to finish and see if that is affordable.

- **Finalize timeline/action plan-Selectboard goals:** The Board reviewed the Selectboard Goals and dates for action. A meeting of the Technology Committee was scheduled to address the IT needs for the Town.
- **Report of June 17 work session on Life Safety Code Inspector:** The Fire Chiefs and Precincts are to let the Town know whether to continue the agreement currently in place. They are to let the Town know by July 31, 2010.
- **Planning Board clerical support and membership:** The clerk position has not been filled. There was not a quorum at the last Planning Board meeting. The ad for the clerk position will run in the paper again this week. There is only one application currently and it was just received for that position at the end of last week. The responsibility of setting an agenda and preparing for the meeting falls to the Planning Board Chair; Chairman Ladd said that he would speak with Donnie Hammond. There was discussion about hiring a temp to take care of the work but AA Lacaillade cautioned that this job has a lot of RSA's and rules that govern the issues that come before the Planning Board and to have a temp doing the work may not provide the needed review to meet the statutes.
- **Business Park:** There is no further information regarding the water service into the park and hopefully by the July 19<sup>th</sup> meeting where it will be on the docket some progress will have been made.

### **New Business: (cont.)**

- **Authorization to sign energy grants:** Wayne Fortier made a motion to authorize TM English to sign the EECGB Grant Agreement; seconded by Lynn Wheeler and carried unanimously.
- **Warrants:** Lynn Wheeler asked that the supplemental warrants be explained. AA Lacaillade stated that the conversion went fairly smoothly but there were several properties that in the conversion did not come across correctly and were left off from the original warrant. The supplemental warrants are establishing a first issue bill on those properties. The warrant goes to the tax collector and she will issue a normal bill from those warrants. There was a brief discussion regarding some issues that the Tax Collector was having with her computer. AA Lacaillade stated that the IT guy had done some clean up of stuff on that computer and it seems to be running better; it is not a server, wireless or hardware issue it was just a matter of cleaning up the computer. On a motion by Lynn Wheeler, seconded the board Peter Heilemann the Board unanimously approved the warrants.

### **Commission/Committee Reports: NONE**

### **Correspondence: NONE**

**Comments of the Public:** Harold Brown talked about the flag in the meeting room. He gave an overview of the history of the particular flag in the room and that there has been a lot of controversy about the flag because of the gold fringe. He would like to see the flag removed and preserved in Robert Clifford's memory since he had a special tie to this flag with a document outlining the very rich history of this particular flag; he will replace it with a "civilian" flag. He went on to say that the gold fringe and the finial are not proper for this type of civil proceeding. He suggested that this be an agenda item for the next meeting.

Harold Brown said that he intended to file a right to know request because he was not allowed to see the manifest and check register. Chairman Ladd explained that when the Board is acting on paperwork is not the proper time to review it; he can request to see it before the meeting starts or wait to see if at the end of the meeting. AA Lacaillade stated that he could come to the office and request to see it at any time because it is public information.

He voiced his opinion about the building permit system being illegal.

**Comments of the Town Manager/Administrative Assistant-Finance Officer:  
None**

**Comments of Selectboard Members:**

David Joslin asked if any Selectboard members were marching in the 4<sup>th</sup> of July parade. Peter Heilemann is out of Town; Lynn Wheeler was not sure; Wayne was walking with the VFW and Rick Ladd will be in it as a Representative.

TM English apologized to the Board for remarks made earlier in the meeting while defending the assessor but he does think that the Town has a good assessor and he is doing a good job. David Joslin said that he concurred as did Lynn Wheeler.

**David Joslin made a motion to go into non-public session per RSA 91-A:3 (a) to discuss a personnel issue;** the motion was seconded by Peter Heilemann and carried unanimously. All members were polled and in agreement and went into nonpublic session at 10:30.

Wayne Fortier made a motion to come out of Nonpublic Session, seconded by Peter Heilemann and all approved. The Board came out of Nonpublic session at 10:45 pm. No motions were made, no action taken and the minutes are to be sealed.

**Adjourn Meeting:** Lynn Wheeler made a motion to adjourn, seconded by David Joslin and carried unanimously. Chairman Ladd adjourned the meeting at 10:45 pm.

Minutes transcribed by Jo Lacaillade