

MINUTES OF HAVERHILL SELECTBOARD REGULAR MEETING
Monday, February 23, 2015
Draft Subject to Review, Correction and Approval at Following Meeting

Board Members Present: Chairman Wayne Fortier, Tom Friel, Lynn Wheeler (in at 6:30 due to conflicting meeting) and Robert Roudebush

Board Member Excused: Rick Ladd

Town Manager: Glenn English

Administrative Assistant/Finance Officer: Jo Lacaillade

Selectboard Clerk: Karen Hyde

Members of the Public Present: Howard Hatch, Mike Bonanno, Darwin Clogston, Lory Grimes, Mark Langdon and Ed Ballam – Journal Opinion

Call Meeting to Order:

Chairman Wayne Fortier called the meeting to order at 6:00 pm

Pledge of Allegiance

Agenda Approval (additions/deletions completed by Board consent): Robert Roudebush made a motion to accept the Agenda; seconded by Tom Friel and carried unanimously.

Approval of Consent Agenda: Robert Roudebush made a motion to accept the consent agenda; seconded by Tom Friel and carried unanimously.

Scheduled Public Appearance(s):

- **Use of Clifford Memorial Building for Church Services-Lory Grimes and Mark Langdon:**
Chairman Fortier introduced the Board to Lory Grimes and Mark Langdon. Mr. Langdon and Ms. Grimes were attending to ask about the possible use of the Robert E. Clifford Memorial Building for Sunday church services. Mr. Langdon stated that the name of the church is Passion Church. The idea behind it is to do something different than the other churches in the area. The message wouldn't be any different, just a different style of church. He is looking for a place to meet that is nontraditional. There are not a lot of options in the area to lease. He is not looking to buy a building. The goal is to succeed, but if it doesn't, he doesn't want to be burdened with getting rid of a building. The idea is to be multi-generational, but also to focus on younger families. Chairman Fortier asked Mr. Langdon if he already had a group formed in the area. Mr. Langdon responded that before they launch, they are putting together a launch team of about 30 or 40 people, which will be a church before a church. Before they start holding services, they will put the team together responsible for various aspects of the services, etc. The idea is to reach as many as people as they can. Chairman Fortier asked if they were looking at younger people. Mr. Langdon stated that everyone would be welcome, but with the style, it might be more appealing to the younger generation. Chairman Fortier asked what space they were looking at the Robert E. Clifford Memorial Building and Mark responded the largest room. Mr. Langdon was estimating that in 2 years, there may be as many as 150-200 people. The services would be from 10-11:15, but they would need to set up, so the hours would probably be 9-12. He was hoping to start in September or October, and they would not need the building before then. TM English asked Mr. Langdon if they were a corporate entity, registered with the Secretary of State and Mr. Langdon stated

that they were in the process of getting registered, which he expected to be in a month. Getting their 501(c)(3) would take a little longer. TM English suggested to Mark and Lory that the Masonic Hall up the street was for sale, and thought the building might be ideal for what Mark and Lory wanted to do. Mark and Lory stated that they did not want to own. TM English thought that the owners were looking for any kind of revenue generated from the building. Chairman Fortier stated that the current rate for renting the Robert E. Clifford Memorial Building is \$400/day. TM English commented that the group would qualify as a charitable organization, so they would qualify for a 10% discount making the rate \$360/day. TM English stated that when he was first approached, he had an issue with the separation of church and State. He had obtained advice from two legal sources and was told that the Town could lease to a church as long as the church was treated like anyone else who wanted to rent the building. Lory asked if they had a long-term lease, would they then be able to negotiate the rate of rental. TM English stated that the application form addresses that question. Chairman Fortier stated that two Board members were missing and the Board wasn't going to make a decision that evening, but they certainly wanted to talk it over. Chairman Fortier's suggestion was for Mark and Lory to go in and look over the building and see if it actually was what they wanted.

- **Good Shepherd Ecumenical Food Pantry-Lease:** The Good Shepherd Ecumenical Food Pantry people did not show up. AA Lacaillade stated that she had also not received their 501(c)(3) paperwork. The Board passed on signing the lease until the next meeting on March 9, 2015.
- **Mike Bonanno-Airport Commission Appointment Candidate:** Mike Bonanno was interviewed by the Board as an appointee to the Airport Commission. As he has been on the Planning Board for several years, Mr. Bonanno felt it was time to "expand his horizons". He will keep his other duties to the Planning Board as well. Robert Roudebush made the motion to appoint Mr. Bonanno to the Airport Commission; seconded by Tom Friel and carried unanimously. Mr. Bonanno was to come in and get sworn in by Town Clerk Tina Hebert.

Public Hearing: None

Town Manager's Report: TM English passed.

Pending (Old) Business:

- **2015 Budget Assignments:** Chairman Fortier stated that concerning the Warrants, he would like Board members to pick out certain warrants that they would feel comfortable in addressing, pending any questions from the public. He asked that they review that before Town Meeting and as well, certain sections of the budget that they were familiar with to address those.

New Business:

- **Discussion of Creation of Highway Committee:** Chairman Fortier stated that the creation of a Highway Committee seems to be what the Board was hearing from the Public Hearing. He asked the Board how they would go about creating this Committee, whether they would handpick individuals who might be experienced in the field or put it out as a feeler in the paper. Tom Friel stated that his gut reaction would be to put it out and see how many people apply and what their expertise is. Robert Roudebush had questions about the Committee itself. He is convinced that there is a wealth of information in the Town. People who know a whole lot more than he does about some of the things they wrestle with every single year, such as highway, roads and equipment buying. He wanted to know if they were going to be calling it an Advisory Committee. Chairman Fortier stated that he thought that they could. Robert asked who the Committee would be advising and Chairman Fortier stated that they would be advising the Board, the Town Manager and the Road Agent. He also stated that they would be advisory only; they would not micromanage the Town Manager or the Road Agent. If there is a project that the Road Agent identifies that is going to take time and money, the Board would call the Committee in and get their opinion on how best to attack the problem and at what cost. Chairman Fortier stated that if the Town wanted to build a section of road, the Board would get advice from the

Committee. He also stated that the Board had discussed the possibility of a \$1 million bond, the Committee would help with how to spend those funds wisely. Robert then asked how the Board would come up with potential membership on the Committee. Tom Friel responded that it would be put out in the papers and then the Board could ask people for their expertise. Chairman Fortier stated that he wasn't opposed to that idea, but standards criteria must be cited. Robert then asked who would make the selection for the advisory board once the Board received input from interested, potential members. Chairman Fortier stated that the selection process should be between the Board, the Town Manager and the Road Agent. Robert then asked what kind of quality advice or knowledge in a certain, given area would the Board expect the potential advisory committee to have. Chairman Fortier stated that field experience in road building, road maintenance and construction; knowing the cost analysis of a culvert or how to build one or design one, the cost involved in that. Robert stated how to figure that cost. Chairman Fortier stated that someone who was up-to-speed on construction materials and things of that nature, good field experience. There are prior road agents that know the Town's roads; know the bad and good sections. There was one who was in the contracting business as a road agent foreman. This is the kind of field experience that is needed. Robert stated that anybody who was on the advisory board should be expected to have a level-headed, nonbiased approach to any position they may advise on. Chairman Fortier stated that the funds allocated each year for road maintenance is not enough to maintain the roads the way they should be. The Town Manager has expressed his concerns that if a road is going to be built, build it right. If it's built right, there is no need for weight limits put on in the spring. Robert asked TM English if he had any thoughts on the formation of the Committee. TM English responded that he didn't need to get into it right now; the Board needed to talk about it first. He is amenable to any expert advice that he can get. Chairman Fortier stated that he heard at the Public Hearings that the public supported the idea of an advisory committee and his conception of the Committee is that it would be advisory only. Robert stated that properly formed and regulated, the Committee could be a big help. Lynn Wheeler stated that she thought it was going in the right direction. Howard Hatch commented that if the Board advertised for members, they wouldn't get what they wanted. The Board needed to specifically ask for members. He also commented on the word "advisory". He thought that the Committee should have four (4) people; there were construction people and retired road agents that live in Town.

- **Revision to Raffle Permit:** Chairman Fortier stated that the Board had copies of RSA 287-A, which has to do with raffles. "Date Received", "Purpose of Raffle" and the words "for purpose cited above" have been added to the current Raffle Permit. Chairman Fortier commented that this was just a housekeeping matter. There was an entity in Town that had conducted a raffle, but had no Raffle Permit, which they were going to rectify. TM English wanted to call the Board's attention to the last two sentences of Section 287-A:7, which talks about permits. It seemed to him that the last two sentences were in conflict. The sentences were: "Except as otherwise provided in this section, the permit shall expire at the time of the drawing and shall not be transferable. At the request of the charitable organization to conduct more than one raffle, the governing body may extend the permit to one year from the date of issuance." He commented that he was currently signing the Raffle Permits and needed a little more guidance from the Board on what constitutes permission to have a year permit. Chairman Fortier's perception was that the same organization mentioned above had produced a raffle request that was authorized by the Town and the first prize was 100 gallons of fuel and the second prize was a ton of wood pellets. If they wanted to have that raffle more than once throughout the year, for that specific purpose, the extension would be okay. Tom Friel stated that if the State of New Hampshire called it a "raffle" then it was a "raffle". When a Raffle Permit is received, TM English stated that the criteria that is used is (a) that the organization is a non-profit; (b) there is a copy of the organization's bylaws, and (c) there is a copy of the raffle ticket, which must have the name of the organization, the drawing date, the prizes to be awarded and the donation. Robert Roudebush asked if it mattered what the definition was between a raffle and a game of chance. TM English stated that it mattered greatly because a game of chance is regulated by the State Gaming Commission. The State has inspectors that monitor games of chance. He has some issues with what is defined as a "raffle". Chairman Fortier stated that since the

organization in question was calling it a raffle, the Gaming Commission considered it a raffle. He also stated that there would be a meeting between the state liquor commission, their inspectors, their AG rep, the Gaming Commission, their inspectors, their AG rep, and his office next month to hash out some of the questions regarding games of chance. Lynn Wheeler asked about the 50-50 raffles with the divided tickets that are held at half-time games. TM English stated that those tickets are technically not legal as they do not have the name of the organization, date, and the prize on them. Tom Friel made a motion to approve the Raffle Permit revisions; seconded by Robert Roudebush and carried unanimously.

Commission/Committee Reports: Lynn Wheeler commented that the Rec Committee had their snowshoeing/cross-country skiing event on Saturday, February 21. Even though it was snowing, there were approximately 100 people, which was great. It was a great turnout. Everyone had a great time. Lynn stated that the Penny Sale did very well also. AA Lacaillade stated that the Penny Sale generated \$1,471 in revenue.

Correspondence: Chairman Fortier stated that the Board had received a Legislative Bulletin.

Comments of the Public: Darwin Clogston asked what the final amount was for the budget. TM English stated that the operating budget was up 49 cents, which included the Warrant Article for the Capital Reserve Fund for the Highway. Mr. Clogston also asked about the Town Reports and AA Lacaillade stated that they would be in by the end of the week. Lynn commented that she had a member of the public talk with her about wireless and how awful it was and why couldn't they do better. She told the person it was out of the Board's hands; it was not their decision. The person told Lynn that some Verizon people were indicating that the Selectboard is hindering it. She stated that the Selectboard has nothing to do with the decision. Howard Hatch asked about a tune-up on the Town's website, specifically the Airport and Planning Board minutes not being posted. AA Lacaillade stated that she had just received the Planning Board minutes for January that day. Howard also asked about the E-Mail Notification Page on the website and AA Lacaillade stated that it was not operational yet, and he would receive notification when it was. Robert asked AA Lacaillade if she was receiving the Airport minutes on time and she stated that she received them when the Airport Commission did. Howard asked about the Board taking a stand on the Airport Petition. Robert and Chairman Fortier commented that the Board had chosen not to take a stand on the issue. It was Howard's feeling that the Board should endorse it one way or the other. Again, Chairman Fortier stated that the Board had chosen not to do that. Ed Ballam commented that Planning Board minutes were his responsibility and he was late getting them to AA Lacaillade. Darwin Clogston asked what the FAA safety regulations were regarding the Airport runway. Robert stated that the landing approach zone on the south end of the runway is not in compliance with FAA regulations as articulated to the Airport through the Department of Transportation, New Hampshire Bureau of Aeronautics and they cite the proximity of Airport Road to the end of the existing runway as a continual deficiency in safety. The end of the landing strip comes within 3-10 feet of an existing traveled road will always be a thorn in the Airport Commission's side. It is a deficiency and is quoted every single time. Darwin asked if these were regulations or guidelines and Robert stated that they were written reports from the FAA and the Bureau of Aeronautics. Darwin stated that he would be voting on the Petition at Town Meeting and he was trying to understand what it really meant. Robert stated that the Petition meant a potential, modifying, altering of less than 3/10 of a mile of Airport Road where eastbound traffic is diverted back west and westbound traffic is diverted onto Business Park Drive or Morrill Drive. The decision and the discussion will be decided by the Town. Ed Ballam spoke from a Planning Board perspective. He commented that the Planning Board tries to avoid long, dead-end roads and Airport Road would be a pretty long, dead-end road if this plan goes through. It goes against the Planning Board regulations. Robert Roudebush again stated that everyone at Town Meeting would have a chance to express their opinions on this plan and Ed stated that would be a good thing. Tom stated that it would be the Town that makes the decision. Tom also wanted to know if and how closing Airport Road would affect other businesses in the area. Until he knows whether closing the road is going to cause any other problems, he was staying neutral on the plan. Lynn's opinion is that she has a great fear that by closing the road, there would be one less access to the school. Chairman Fortier's personal opinion is that he is not in favor of closing the road. The other thing to consider is that there have been two accidents there, one of which was a fatal. Both of these accidents were on take-off --

one was on Frank Stiegler's property and the other was on the school soccer field. It was his opinion that stop signs would help; people would have to stop and look.

Comments of the Town Manager/Administrative Assistant-Finance Officer: AA Lacaillade stated that the only thing she had was about the arrival of the Town Reports, which had already been discussed.

Comments of Selectboard Members: None

Adjourn Meeting: Tom Friel made a motion to adjourn; seconded by Robert Roudebush and all approved. Chairman Fortier adjourned at 7:30 pm.

Minutes transcribed by Karen Hyde