

MINUTES OF HAVERHILL SELECTBOARD REGULAR MEETING
Monday, March 9, 2015
Draft Subject to Review, Correction and Approval at Following Meeting

Board Members Present: Chairman Wayne Fortier, Tom Friel, Lynn Wheeler, Rick Ladd and Robert Roudebush

Town Manager: Glenn English

Administrative Assistant/Finance Officer: Jo Lacaillade

Selectboard Clerk: Karen Hyde

Members of the Public Present: Linda Brake, Darwin Clogston and Ed Ballam

Call Meeting to Order:

Chairman Wayne Fortier called the meeting to order at 6:10 pm

Pledge of Allegiance

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

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

Scheduled Public Appearance(s):

- **Good Shepherd Ecumenical Food Pantry-Lease:** Linda Brake and Ed Ballam were representing the Good Shepherd Ecumenical Food Pantry. Ed stated that the group has applied for and TM English had a copy of the incorporation paperwork. Linda had an official copy signed by the group's Board members. The paperwork had been registered March 9, 2015 with the Town; it will go to the State immediately and the next step after that was the IRS. The bottom line was that the group did not have a 501(c)(3) yet; they were very close to it. Ed stated that the group had obtained insurance as well; it was ready to go with just a phone call. They had obtained a quote from Kinney/Pike. The extenuating circumstances are the Food Pantry at Tri-County CAP was closed Tuesday, March 3. Linda, staff and volunteers had boxed up everything, unplugged refrigerators and put everything into hibernation until the group finds out what the next step is. Ed spoke with TM English and they may have come up with a way around it if the Board is amenable. They would like to move in to the Robert E. Clifford Memorial Building at the Board's discretion on March 14 to get the Food Pantry back up and running. Ed felt that the group may be able to get the Food Pantry back up and running by Monday, March 16, 2015, but everything was up to the Board. He knows it's one of those things where they have had a few missteps; everything has been voluntary. Linda has been doing yeomen's work in addition to all of the other things going on in her life. They have \$7400 in their bank account right now that is available to them. Linda had a check for the agreed-upon rent amount. They have gift cards to buy food and food in stock from the USDA and other donors and workers. They have all the equipment ready to go; they are just in want of a place. TM English had distributed to the Board a copy of the corporation and insurance paperwork. The corporation paperwork had been looked at by Attorney Michael Ransmeier. TM English stated that he thought the Board might be uncomfortable signing a lease without the corporation paperwork so he inserted a conditional statement in the first paragraph of the lease agreement that basically states that the lease is not executed until such time as the Secretary of State's office approves their article of corporation.

Chairman Fortier asked for comments from the Board. Lynn Wheeler asked if the group had been contacted by the Secretary of State and how quickly the paperwork would be processed. Ed stated that it was a process. He had looked at the website and the State has an expedited process that can go through. It was a matter of a couple of months. He hoped it would go faster than that because there seems to be a movement to move things faster along. Tom Friel asked when the insurance kicked in and Ed stated that all he needed to do was make a phone call. TM English stated that there was one other technicality on the insurance. The lease mandates that both entities (the group and the Town) would be insured by the company. He also stated that there was a typographical error in the lease that he has corrected. The lease specifies \$250,000 for the first occurrence; it should be \$1 million for the first occurrence. He made the change in the lease, but the change should be initialed by both parties. Ed stated that he spoke with the agent who wrote the insurance policy and she said that if the group needed the policy tonight, it could be done. Lynn asked if they didn't have the non-profit corporation paperwork and something happened, would the person be liable. Ed stated that he checked with the insurance company and there is a rider available to officers of non-profit organizations. For now, though, the officers are willing to take the risk. In the signed copy of the corporation paperwork, the group has named the Church of the Nazarene as a benefactor, who will run a Food Pantry if something happens to the Good Shepherd Ecumenical Food Pantry. The Good Shepherd Food Pantry doesn't ever plan to dissolve; the State is requiring them to plan for the possibility. TM English stated that he put an option to the lease as a contingency if the Board decided to sign the lease, but it wouldn't be executed until the Board received the non-profit corporation paperwork. Robert Roudebush asked if the Board would be in violation of an RSA if they signed the lease. TM English stated that the lease is not executed until the contingency is met. Ed stated that the group knows that if the corporation paperwork doesn't go through, that they would have to move out of the building. Ed also stated that he fully understands how the Board may be feeling. Chairman Fortier asked if the food supply was still housed at CAP and they wanted it out of their building. Ed stated that was so. TM English stated that the food pantry was shut down; there was no food pantry operating at present. Tom Friel asked who did the corporation paperwork. Linda stated that she had done it and was learning a lot. Ed stated that Attorney Michael Ransmeier has reviewed all the paperwork before it was submitted. TM English stated that there were two originals of the lease going around the table to actually sign. Tom asked if the only change between the two was the one with the correction about the insurance policy. Lynn commented that the Board would be the "bad guys" if they didn't sign and Ed apologized profusely for putting the Board in that position. Robert Roudebush asked why CAP has ceased providing the service before the Food Pantry was up and running. It was the understanding of the Board that CAP would provide the service until the Food Pantry was ready. Linda explained that CAP had been doing it since October and the Food Pantry had gone past the expected time. Ed stated that it was the group's fault. Rick Ladd asked that if, in fact, the group changed the nature of the corporation by a vote of the majority of the corporate members, where does that put the Board if that corporation somehow changes? Is the lease still good if it goes on to another organization or another group? TM English stated that it had to be a food pantry and it cannot be sublet without the Board's written permission. It is locked into being a food pantry. If the group changes anything on the corporation paperwork, it would change the status of the lease. Ed stated that it was not the intention of the group to change the requirements of the lease. The lease would protect the Board if the group decided to change direction. TM English stated that the lease was for three years. Robert asked if Ed and Linda had the first month's rent with them and Linda stated that they had a money order for the March rent. Again, Ed stated that the group had \$7400 in their bank account plus a couple hundred dollars in gift cards to buy food. TM English asked Ed if that money was to comply with the terms of the lease and the expenses to buy food and Ed stated that it was. The large portion of the \$7400 was for the lease. Rick asked that the correction in the lease be initialed before signing of the lease. Chairman Fortier and Ed Ballam initialed the correction on the lease. Robert Roudebush made the motion to sign the lease between the Town of Haverhill and the Good Shepherd Ecumenical Food Pantry; seconded by Rick Ladd and carried unanimously. Ed commented that there was one more thing he wished to discuss and that was signage. He wanted to make sure that people could find the food pantry and be respectful with

the sign. It was decided that TM English and Lynn Wheeler would work with the group on the signage. Chairman Fortier thanked the organization for their work.

- **Darwin Clogston-Town Report:** Darwin Clogston wanted to thank the Board for their kind words about him in the Town Report. He also wanted to say that he appreciated the patience of everyone at the table with his questions and comments. Darwin also had comments about the Airport Commission's report in the Town Report and the petition about closing Airport Road. He presented a video made on Thursday, March 5, 2015 and taken on Industrial Park Road. It was coming from Route 116 towards the biodiesel plant. There are two tractor trailers blocking at least half of Industrial Park Road. This is an almost daily occurrence; sometimes for a few hours and in this particular case almost the whole morning. When there are tractor trailers bringing logs to his place of employment, he didn't know if they would have gotten through. The drivers were not in the trucks and the trucks were running. It was Mr. Clogston's understanding that by closing Airport Road, there would be more traffic through Industrial Park Road. Tom Friel stated that he questioned what the effects would be with closing Airport Road at a previous meeting. Chairman Fortier commented that this was not the first time they had heard of this sort of parking on Industrial Park Road. Rick stated that he wasn't so concerned about trucks parking there, but he was concerned if school buses and safety vehicles had to start using Industrial Park Road.

Public Hearing: None

Town Manager's Report: TM English reported that he had received a raffle request and he presented it to the Board for their advice. It was a raffle without a proper ticket. It was the first example of a tear-off ticket and the Board needed to make a decision on whether they would accept that type ticket. The statute mentions 50-50 raffles, but it doesn't address a different type ticket. TM English thought that they needed a policy decision locally on whether they would accept these or not. Chairman Fortier stated that 287-A talked about raffles and defined what the tickets are supposed to look like. The ticket must meet 4 criteria: (1) the name of the organization, (2) the date of the drawing, (3) the donation and (4) the prize. Tom Friel stated that the tear-off tickets were the normal for 50-50 raffles. Chairman Fortier stated that he had a meeting on Thursday, March 12, 2015 with the Gaming and Liquor Commission, the Attorney General rep for the Gaming Commission, and the Attorney General rep for Liquor. He would bring the Raffle Permit Application with him to the meeting and get clarification on whether 50-50 raffles were raffles or games of chance. TM English also reported that he had inspected the polling area and everything was in compliance.

Pending (Old) Business:

- **2015 Budget Assignments for Town Meeting:** Chairman Fortier stated that the Board may get questions on the articles at Town Meeting and Board members may feel comfortable with addressing certain articles. Lynn Wheeler stated that she would speak about recreation, if necessary. TM English stated that there were only 3 articles that were new: (1) Article 10, the new Capital Reserve Fund for Highway Construction; (2) Article 22, which is just housekeeping; and (3) Article 23, which is the Airport Commission petition, which the Board has not taken a position on. Robert Roudebush would answer any questions about the Airport Commission. Robert also mentioned that the Airport Commission had discussed other alternatives if the Article does not pass.

New Business:

- **Sansoucy Contract 2015 and 2016:** TM English stated that, in the past, the Town's utilities appraiser, Sansoucy, has offered one-year contracts at \$8,000. Sansoucy is offering a two-year contract for \$15,000, which is a savings. Robert Roudebush made the motion to accept the Sansoucy contract; seconded by Lynn Wheeler and carried unanimously.

Commission/Committee Reports: Lynn Wheeler reported that there would be a Family/St.Patrick's Day Dance on March 14 at the Robert E. Clifford Memorial Building. AA Lacaille stated that Winterfest was very well attended at Mountain Lakes. Lynn reported that the recent events have worked out very well.

Correspondence: Chairman Fortier stated he had received a request from Northern Pass Environmental Impact and whether the Board wanted a copy of the impact statement and he told TM English that they would like a copy.

Comments of the Public: Ed Ballam thanked the Board for signing the lease with the food pantry.

Comments of the Town Manager/Administrative Assistant-Finance Officer: TM English reported that he was very pleased to report that the Town has a very fine, local Mexican restaurant in Woodsville. He also reported that it was getting warm; however, the roads were going to get greasy. He anticipated that the road weight limits were going to go up soon. The policy is that if a person wanted to use a road during the road ban, there is a permit that they can get from the Road Agent to travel, preferably, early in the morning when it is colder. This pertains to anything over 10,000 lbs. AA Lacaillade stated that they were gearing up for renewal of the health insurance benefits, which starts over in July. She and TM English had a meeting with Harvard Pilgrim to see what they offer versus Health Trust. Harvard would look at what the Town now has and then revisit with them. Both AA Lacaillade and TM English felt it would be beneficial to have Board members also attend the meetings. It was decided that Lynn Wheeler would sit in on the meetings. Lynn asked for something that showed what the Town now has and AA Lacaillade stated that she would get it to Lynn. Lynn commented that the Town's employees now have a very good health insurance plan, but it would be good to look at other options.

Comments of Selectboard Members: Chairman Fortier stated that Town Meeting was Tuesday, March 10 and asked when Board members were going to be there. Robert Roudebush stated that he would be there in the morning. Rick Ladd stated that he could be there until around 3:30. TM English stated that the hours this year were the same as last year. Lynn Wheeler asked that since the Town has become more of a commuting community, would it ever be feasible to move Town Meeting to Saturday. TM English stated that towns do that; they need a vote at Town Meeting. Lynn thought that Saturdays would be more accommodating to the commuting folks. Chairman Fortier commented that at the next meeting on March 23, there would be a non-public session to go over evaluations. They would also do the reorganization of the Board at that meeting.

Adjourn Meeting: Robert Roudebush made a motion to adjourn; seconded by Rick Ladd and all approved. Chairman Fortier adjourned at 7:10 pm.

Minutes transcribed by Karen Hyde