

MINUTES OF HAVERHILL SELECTBOARD REGULAR MEETING

Monday, May 2, 2016

Draft Subject to Review, Correction and Approval at Following Meeting

Board Members Present: Wayne Fortier, Tom Friel, Darwin Clogston, Mike Bonanno and Chris Luurtsema

Interim Town Manager: Jo Lacaillade

Administrative Assistant/Finance Officer: Jo Lacaillade

Selectboard Clerk: Karen Hyde

Members of the Public Present: Brian Gallagher, Rick Ladd, Howard Hatch, Dennis Cunningham, Steve Robbins, Mark Goodrich, Town Clerk Tina Hebert and Ed Ballam – JO

Call Meeting to Order:

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

Pledge of Allegiance

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

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

Scheduled Public Appearance(s):

- **Representative Brian Gallagher-Candidate for Senator:** Representative Brian Gallagher is a Candidate for Senator in District 2. Mr. Gallagher is from Belknap County representing District 4, which comprises the towns of Sanbornton and Tilton. He gave a short background of his education and prior employment. He serves on the Ways & Means Committee, which establishes the revenue estimates for the State before the Finance Committee begins the process of deciding how to spend the money. He learned last fall that Senator Jeanie Forrester was considering moving on to higher office and contacted her in order to get to know her. When she announced in March, it became incumbent upon him to make a decision on whether he wanted to pursue the seat, which he has. He has been visiting other towns in the district to introduce himself. Haverhill is his 12th visit. Mr. Gallagher commented that he was a conservative individual and understands when laws are passed in Concord, not only do they affect the cities and towns that have a larger population south of Concord, but they intimately affect the communities like Haverhill. He was brought up with the tradition that “you don’t spend more than you have”. Tom Friel asked Mr. Gallagher where he was originally from and Mr. Gallagher said he was from Johnston, Rhode Island. Chris Luurtsema asked what the plans were to rectify the “yucky” state finances. Mr. Gallagher replied that the unemployment rate in New Hampshire was at 2.6%. Sitting on the Ways & Means Committee, they made the projections 2 years ago to try and be realistic and reasonable but not optimistic and unpredictable. So right now and it will probably come out in the news soon, the State is enjoying a surplus of funds in the general fund, which drives it. The state, as a whole, has to look at the structure that was built out in terms of the anticipation of rising enrollments and accept the fact that those kind of things are not here because the birth rates behind us is showing the population is going to slow. Mr. Gallagher’s emphasis would be to make sure things that have been promised, if there are opportunities, to go back and keep that promise. Chairman Fortier commented that the light winter had to have affected a lot of North Country industry as far as skiing areas and snow machines and

hotels. He knows that the State has projected a surplus but asked if the lack of tourism that occurred may have an impact on the overall economy of the State. Mr. Gallagher commented that one would think that a soft skiing season would seriously affect some of the revenues and normally they are. There is another factor that comes into play and that is the lower price of gasoline that people are paying. People are traveling more miles because of this. The rooms and meals tax has gone up slightly because travel is a little less expensive than previous years. Mr. Gallagher thanked the Board for the opportunity to speak with them. Chairman Fortier commented that the Board appreciated Mr. Gallagher coming to the meeting and giving them his input.

- **Steve Robbins-Hazard Mitigation Plan Grant Application:** Steve Robbins stated that he has applied for and will receive a grant for the Town's Hazard Mitigation Plan, which needs to be updated by 2017. He needed the Board to accept the grant and sign the paperwork that they accept the grant. It is \$8,000 and the grant is for \$6,000 from Emergency Management and \$2,000 will be in kind from the Town. Mike Bonanno made the motion to accept the Hazard Mitigation Plan Grant Application; seconded by Tom Friel and carried unanimously. Town Clerk Tina Hebert would notarize the Application.

Steve also wanted to discuss some Health Officer issues. He was trying to get a feel for what the Board was going to do on the hazardous and dilapidated building. Chairman Fortier asked Steve where he wanted to see the Board go and Steve said he wanted to see "them gone". Steve went on to say that he knew of at least three (3) properties that were letting water in and two (2) of them were owned by the same person (Chapel Street and Ammonoosuc Street). Steve was comfortable with a lot of RSA-147 and what he is allowed to do or not do. Chairman Fortier explained to Steve where the Board was at on this issue. It has been about a year since Steve came in about the health issues on these buildings. There was some movement by the Heritage Commission to try and negotiate a deal but that didn't work out. The Board has contacted the owner and a neighbor of one of those houses has been in twice to find out what the Board's progress was. The Board is in the process of trying to establish an administrative warrant to go inside this building. Chairman Fortier commented that Steve was reluctant to go inside of this building at the time because he didn't think he had full authority to do that. Steve reported what he had observed from the outside and it is the Board's hope to receive an administrative warrant so that they can go inside and make an assessment of what is there and if there are any violations that can be addressed. The Board has not heard from the Town's Attorney since the last meeting. Interim TM Lacaillade stated that the Town's Attorney had suggested the administrative warrant as the next step. Steve commented that there was a house on Walnut Street owned by George Smith that was also a problem. He has tried several times to get in touch with Mr. Smith and has been unsuccessful so far. Chris commented that every window in that building was gone. Chairman Fortier told Steve that when they make some progress, he would be notified as well as the Woodsville Fire Chief.

Rick Ladd commented that there was a hearing in Concord concerning opiates and the drug problem. He stated that so far this year, New Hampshire has had 456 deaths related to those drugs. In terms of per capita deaths, New Hampshire is third in the country. In terms of funding from the State, they are funding on a per capita base around \$8.80 per person. New Hampshire is ranked 49th in terms of funding. There is a direct correlation between the number of deaths and the funding. He went on to say that it doesn't take 3 months for rehab; it's closer to 36 months for rehab and they are always an addict, so it's a life-long thing. This is a super-huge issue and there would be more to come.

Public Hearing: None

Interim Town Manager's Report: Interim TM Lacaillade deferred as she had given the Board a written report of the previous two weeks. Chairman Fortier stated that the Board appreciated these summations.

Pending (Old) Business:

- **NPIAS Assurances:** Chairman Fortier commented that Dennis Cunningham, Airport Manager and Mark Goodrich of Dubois & King were attending the meeting to discuss the NPIAS Assurances. Chairman Fortier commented that the Assurances were 20 pages long and this was a new set of

Assurances that apply to a storm-water pollution prevention plan. Mark explained that fueling is provided at the Airport so it's considered an industrial activity by the EPA. There is currently a storm-water pollution prevention plan but it doesn't meet the regulations so the Town needs to do a new one. There is FAA funding to do that. The Grant Assurances only apply for the duration of the project and he and Interim TM Lacaillade have confirmed this with the NH DOT Bureau of Aeronautics. It is very similar to the last Assurances although they have been updated a little bit regarding the consultant selection. Chairman Fortier asked what the total grant was and Mark replied that it was \$8,960 to update it, of which the Town's share is \$448, which is 5%. Darwin asked if the \$448 was in the Airport budget and was told that it was. Chris asked if this was separate from the rotating beacon and Interim TM Lacaillade stated that it was. Howard Hatch asked if this was for storm-water containment and Mark said it was for a storm-water pollution prevention plan. Chairman Fortier asked how long this prevention plan had been in effect and Mark stated that it has been updated in years past. Jim Fortier, the previous Airport Manager, maintained it. Howard commented that run-off was starting to be a concern in that area and he didn't pasture heifers there anymore. Chairman Fortier commented that with new technology, it would be helpful if the Board knew the area was being polluted and if it was, then they would have to take some measure to correct it. Howard stated that he didn't think the Airport was causing any contamination. Mike Bonanno made the motion to accept the grant; seconded by Chris Luurtsema and all approved. Darwin asked if Mr. Goodrich would be back in to discuss the rotating beacon with the Board. Mark said that if they liked and Carol Niewola of the NH DOT Bureau of Aeronautics would also be willing to speak with the Board. Mike Bonanno made the motion that the Board certifies that Interim TM Lacaillade sign the document; seconded by Chris Luurtsema and all approved.

New Business:

- **MS535 Approval:** Interim TM Lacaillade stated that the MS535 Approval is the report that the Auditors produce after auditing the Town's books. It is not the full financial statement that is received in the mail but it is a required document. It talks about the audited expenses and revenues and a statement of the Town's standing. Mike Bonanno made the motion to sign and approve the MS535; seconded by Tom Friel and all approved.

Commission/Committee Reports: Darwin reported that the Airport Commission met and they are looking for members for the Commission. He reported that Doug Henson had asked about the Airport Ordinance Map, which hadn't been updated for fifty (50) years. The Airport Commission was going to work on that. There was some discussion about the beacon and research was still being done on it.

Darwin also reported that the Highway Advisory Committee had met and there was a lot of discussion regarding Clark Pond Road, Brushwood Road and Lily Pond Road. There was discussion about ditches, culverts, and bridges. He left the meeting with a lot of questions. He feels that the Commission doesn't have a direction. He commented that the direction of the North Country Council study was to do the best roads first and work their way down. He thought that didn't seem to be true because last year, they did the west end of County Road, which was a total reconstruction. He is confused because Clark Pond Road is supposed to be a shim-and-overlay but the experts on the Committee are saying that it is a total reconstruction. He's also concerned that the experts on the Committee are saying that the worst roads should be done first and yet that doesn't seem to be being addressed either. Lastly, Mr. Friel suggested that they should do some of the best roads as well as some of the worst roads and meet in the middle, but that doesn't seem to be happening either. It seemed to be mandated from the last administration that Clark Pond Road and Brushwood Road be done first. In his mind, Darwin said that they do not have a path to follow. He stated that it wasn't about Lily Pond, but it was about a program or a plan. Chairman Fortier stated that he disagreed. There is a clear Mission Statement and that took a lot of thought from the previous Board to make that statement. The North Country Council did identify the weaknesses and strengths of the Town's paved roads. In that schedule, there were good roads to be addressed and bad roads to be addressed, of which Lily Pond Road was one of them. The Highway Advisory Committee was formed to help address the capital improvement projects. The Road Agent had projects he

wanted to see done, but the Committee is clearly assigned to assist in the development and assessment of the capital road projects. Part of that is to look at the various assessments done by North Country Council and other material that the Board has to come up with a plan on how to address those. The previous administrator identified Clark Pond Road as a project for this year. He agrees that it may have called for a shim, but the experts felt more should be done to that road, particularly with the drainage. Chairman Fortier feels that there is a plan. Lily Pond does need some attention and they spoke of possible work that could be done with drainage and culverts to divert the water at the top of the hill so that they could see how it would run off this coming year and go from there as to what they can do. There is only \$150,000 a year and they have to be careful how they are going to spend that. Darwin asked how it was arrived at that Clark Pond Road and Brushwood Road would be the capital projects for this year. Chairman Fortier stated that that was identified by the previous Town Manager and the Committee agreed with it. Darwin commented that it was identified by the previous Town Manager, but not agreed to by the Committee, according to the Minutes that he had read. Chairman Fortier disagreed. He was there and did not hear any objection to those two projects. Darwin said that he was also there and what he heard was "I'm not interested in your prioritization; I'm interested in how you would do these roads". Chairman Fortier commented that that may have been the case with these two projects, but any future capital budget project should be agreed upon by the entire Committee, which should include the two volunteers, the Town Manager and the Road Agent. Darwin thought maybe they were on the wrong road and should stop that wrong road now before it's etched in stone. Chairman Fortier stated that they have told the public what roads they were going to do. If they get into a situation where they tell the public one thing and then do something different, the public might not trust them enough to continue to fund. He would agree that maybe it was a top-down decision, but that decision was made in at least two meetings that he attended. The Advisory Highway Committee knew what those two projects were and he did not hear any objection on them. Darwin respectfully disagreed. Howard stated that Chairman Fortier asked the Committee what was to be done on the road. The Committee told him what could be done on the road but they didn't tell him when to do it. He stated that Chairman Fortier made the decision to announce it at Town Meeting. Chairman Fortier stated that those two projects were agreed upon by the Committee and that was his understanding and that was what he told the public. He did not hear Howard stand up and disagree with those two projects. Howard stated that they were asked what needed to be done to correct the road; they didn't say it was going to be the project this year. TM English identified those two projects as #1 and #2 and Howard did not object to it. Howard said that he was objecting now and Chairman Fortier said that it was too late because they had told the Town what they were going to do and he's not backing off on that position. Howard walked out saying "sometimes you don't listen, Wayne". Darwin asked if Chairman Fortier would consider the gravel portion of \$109,000 a capital expenditure. Chairman Fortier said no because it was a normal allotment for a gravel purchase. Darwin asked about the new Highway truck that was purchased for \$105,000 and was that a capital expenditure. Interim TM Lacaillade explained that the truck was a capital expenditure because it came out of a capital reserve fund. Regular maintenance is not a capital expenditure. Darwin asked if there was a plan for the gravel roads. Chairman Fortier said that that would be up to the Road Agent. He asked Darwin what he would do with that money. Darwin said that Lily Pond Road was not all there is but he questions how they got to Clark Pond Road. Chairman Fortier told Darwin that he had explained that. He went on to say that the Mission says the committee will be called for deliberations upon the Town Manager and Road Agent's request. The first meeting those two individuals were not there and he believed that is where those two projects were identified. Darwin said that it was at the second meeting. The way it was presented was not like "what do you think of these two projects" but "these are the two projects so if you want to have input here, tell me how to do these two projects". Darwin said that he had no plan for that money. He is not a road expert, but are they doing the best roads first or the worst roads first? He said that Clark Pond Road is neither one of the best roads nor one of the worst roads. Chairman Fortier said that those two projects were identified by the previous Town Manager at the second meeting because he wasn't at the first meeting. He mentioned that the Road Agent feels that Clark Pond Road is a priority because of drainage and the upkeep of that road. Darwin totally agreed with doing Brushwood Road because it's a good road that they want to keep good. Interim TM Lacaillade stated that Clark Pond Road was near the top of the list in the fall. The total reconstruction came about due to the Highway Advisory Committee. Chairman Fortier again asked Darwin what he would do with the \$300,000 that is in the Capital Highway

budget. Darwin stated that he would take Mr. Friel's advice from a year ago and address some from the top and some from the bottom. He would spend the money on Brushwood Road and then pick the worst road. Chairman Fortier's personal position would be to address Clark Pond Road as far as drainage. It is a heavily traveled road and has businesses on it. It is Darwin's perception that there are far worse roads in Town than Clark Pond Road. Chairman Fortier went on to say that Lily Pond Road was probably the worst paved road in Town and Darwin agreed. He heard at the Highway Advisory Committee Meeting from Mr. Hatch that if Lily Pond Road is drained for a year, they'll see what happens to the rest of the road. It was Chairman Fortier's opinion that Lily Pond Road should be addressed soon; it just won't be this year. Darwin stated that he lives off Lily Pond Road but he travels it every day and agrees that it is the worse road in Town. Rick Ladd commented that the capital highway projects shouldn't just be looking at the paved roads, but also the gravel roads. Some of the gravel roads are in very sad shape as well and that may take more than just a maintenance job to fix them. Chairman Fortier commented that North Country Council was willing, not free of charge, to do an assessment of the gravel roads. The Board hasn't heard back from them about that. Interim TM Lacaillade commented that they didn't have the Minutes of the previous two Highway Advisory meetings. Rick said that there were Minutes for the first meeting, but he couldn't recall any for the second meeting. Chris commented that going forward there needed to be an established plan/priority list. Chairman Fortier stated that that was the function of the Highway Advisory Committee. Chris commented that it didn't sound like that was the case with the first two projects. He thinks that the Selectboard needs to establish some sort of rule that there cannot be a selection process without full input. Steve asked if there were a five-year plan from the Road Agent and Darwin said that he didn't believe so. Interim TM Lacaillade commented that they shouldn't speak for the Road Agent. There is a plan from North Country Council that lists all of the paved roads, their priority and what needs to be done. She went on to say that the Mission Statement does not say that the Highway Advisory Committee picks the projects; they are only there to advise. Chairman Fortier commented that he would like to see the Committee work closely together to make a recommendation that everybody can buy into and that would be a recommendation of priority. They had a schedule of priorities given to them by North Country Council. There are a lot of projects in Town. When the Capital Highway budget was established a year ago, the public was told that they would "pay as they go" and it would take ten years or more. His question to the rest of the Board was do they need to change those two projects. Mike Bonanno and Tom Friel agreed that the public had already been told about these two projects and the Board should stick with them to establish trust from the public. Chris stated that he didn't know enough about the differences and what has happened with what they found. It sounded to him that one road wasn't as bad as they thought it was, but once they got into it, it got worse so it now requires complete restoration. He is concerned that there seems to be some discontent in how the original plan was processed. He is more curious how they are going to select those projects. He would like to lean on the people that know what they are doing as far as roads and have an understanding to prioritize. He thought the Board should have as one of their goals this year to figure out what they are going to do next, establish and stick to it as opposed to these two this year, these two next year. Interim TM Lacaillade commented that at the latest Highway Advisory Committee meeting, it was clear that the next project two years down the road would be Lily Pond Road. Darwin's position remained the same. New information has been obtained and he believes that the Board should readjust the two projects. He doesn't believe that it is too late to change the path that they are on. Rick Ladd commented that when the Highway Advisory Committee met the first time, they discussed what roads were the worst, but they didn't prioritize because they knew that wasn't a responsibility that they were given. He felt that now was the time for the Selectboard to look at the 10-year plan that they have and ask if it's a changing thing. It would be worth revisiting. Chairman Fortier commented that he would conclude his opinion as of the last Committee meeting. He agreed that the two projects were identified; no matter how they were identified, he doesn't think that the Board can go back on what they have told the people. When the capital road fund was established, not everybody was in agreement with establishing such a fund because they were afraid that that fund would not be funded every year. For the Board to now say they were going to do these two projects and switch it, he is fearful that people will become less trustful of the Board because they went with a different project. There is no guarantee as time goes on that they are going to get that \$150,000 each year. From what he heard, there was a willingness to try and solve the drainage problem from the top of the road. The drainage seems to be the worst problem on the road. The culverts are not right; the drainage is awful, but he did hear the Committee say that if

they could solve that problem and see how it goes and what other deterioration of the road might occur, he thinks by taking borings and beginning to address the drainage problems may help. It doesn't solve the whole problem, but solves the immediate problem of drainage. He asked the Board if they stay on the projects as identified or do they change course here. Both Mike Bonanno and Tom Friel felt that the Board should stay on course with the identified projects so that the trust of the people is not lost. Chairman Fortier asked if that was the consensus of the Board and Darwin said no. Darwin thanked the other Board members for listening to him.

Mike Bonanno commented that he spoke with Dave Johnson regarding the 911 numbers on houses. He spoke with Chief Charles about his thoughts on the numbering. Mike still wanted to get together with Chris Demers at the post office and move forward from there. He also mentioned that the Planning Board had a long meeting and they okayed a minor subdivision, two (2) lot line adjustments and a lot merger. They put off elections until the next meeting because of the length of the meeting. They also met with the Highway Advisory Committee to finish up the subdivision regulations and there was good conversation there. Chairman Fortier reported that the Heritage Commission had met and they are in the process of obtaining a map. They also discussed the time capsule.

Correspondence: Chairman Fortier stated that the Board members had the SAU lease and would like the other Board members to study the lease and discuss it at the next meeting on May 16, 2016. Darwin asked how long the current lease was for and Interim TM Lacaillade believed it was a three-year lease. Darwin asked if the lease needed to be revisited and Chairman Fortier asked that the Board look at the lease and be prepared to have a thorough discussion at the next meeting.

Comments of the Public: Rick Ladd wanted to thank Jo Lacaillade for her assistance in helping the new Haverhill Corner secretary.

Comments of the Interim Town Manager/Administrative Assistant-Finance Officer: Interim TM Lacaillade commented that National Peace Officers Memorial Day is May 15, 2016 and National Police Week is May 15-21, 2016. The Board typically does a proclamation to the Police Department, which she has prepared for the Board to review. Tom Friel made the motion to accept the National Police Week Proclamation for the Police Department; seconded by Mike Bonanno and carried unanimously. Interim TM Lacaillade also commented that she had heard from Nick Thompson concerning the American Legion sign. Mr. Thompson did not receive permission to put up the sign and Interim TM Lacaillade told Mr. Thompson to get something in writing from the department that refused the request. She and the Board would try to see if there was anything they could do to help the American Legion.

Comments of Selectboard Members: Mike Bonanno asked that the Selectboard come up with a couple of dates for a possible barbecue at Mountain Lakes on one of the beaches. Chairman Fortier commented that by next meeting, they would get a couple of dates to Mike that would be good.

Adjourn Meeting: Mike Bonanno made a motion to adjourn; seconded by Chris Luurtsema and all approved. Chairman Fortier adjourned at 7:57 pm.

Minutes transcribed by Karen Hyde