

MINUTES OF HAVERHILL SELECTBOARD REGULAR MEETING
Monday, May 19, 2014
Draft Subject to Review, Correction and Approval at Following Meeting

Board Members Present: 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: Jay Apicelli, Darwin Clogston, Janice Estes, Dan Brady, Christina Hebert, Steve Robbins 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): Lynn Wheeler made a motion to accept the Agenda; seconded by Robert Roudebush 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):

- **Jay Apicelli-Restorative Justice:** Mr. Apicelli attended the meeting to talk to the Board about the Restorative Justice Program, a new program in the Haverhill area. Robert Roudebush and AA Lacaillade are involved with this program. Mr. Apicelli explained that the Restorative Justice Program is a diversion program away from the court system. It is a program for youths up to 18 years of age and who have a non-felony case. While the court system is offender-centered, the Restorative Justice Program is victim-centered. There is a sliding fee involved for participating in this program, which ranges from \$50 up to \$250. Mr. Apicelli then discussed the process which includes the offender, the offender's parents, the victim, if they choose to come, and whoever the victim would like to have with them and two or three people who represent the community. It is not very easy for the offender to sit across from the victim who they have offended and make amends. Mr. Apicelli stated that the victim satisfaction rate is 100%. Lynn Wheeler asked Mr. Apicelli how he determined which offenders would make it through the program and he stated that he screened everybody. The first thing he tells the offender is that they have to take full responsibility for what they have done; otherwise, they can go directly to court. Chairman Fortier thanked Mr. Apicelli for coming to the meeting.

Public Hearing: None

Town Manager's Report: TM English handed out a proposed plan for the parking lot project at the JRM Building. He reviewed the plan with the Board and answered questions from the Board. TM English stated that he did not have asphalt prices yet, so he could not give the Board a definite paving price. Rick Ladd asked about the number of handicap spaces and TM English stated that he used the ADA standards. The Board's directive to TM English was to figure out more space behind the generator and a road out to the right-of-way.

New Business:

- **Public Health Issue-Haverhill Corner:** Janice Estes returned the Boston Cane to the Selectboard. She also wanted to discuss the property next to her home and the safety issues concerning it. Ms. Estes stated that she had been in contact with both TM English and Health Officer Robbins about her issues. Health Officer Robbins stated that he had been to the property a couple of times and Ms. Estes stated that she had not received a call back about her concerns, which were specifically the refrigerator that still had the door on it and the rotting food inside it. She has seen skunks and two rats at the property. She has called the property managers and has received no return call from them. TM English stated that he has done what he was supposed to do, which was to notify Health Officer Robbins. He did that the day after Ms. Estes had been in to see him. Health Officer Robbins has been to the property and he has also spoken with the property managers and asked them to do what they were supposed to do. Health Officer Robbins stated that the property was bank owned. He has written a letter to the bank, stating that he had received a complaint about the property and they needed to do something to stop the Town from taking further legal action. The bank's response was to seek bids to clean up the property, which they are finding very expensive and they keep searching. Rick Ladd stated that he has received many calls about this property as well. His biggest concern is with the refrigerator, which has rotting meat inside of it. He cited RSA 147:21A, which states all discarded refrigerators must have their doors removed and this particular refrigerator still has the doors on it. His other concern was that all the doors in the house had hasps on them and now there are none, so anyone can walk in. Health Officer Robbins stated that anyone who entered the property other than himself was trespassing. He, as the Health Officer, was the only one authorized to enter the property. TM English stated that the Board had directed him to look for municipal health ordinances. He looked at several towns and found that most don't have health ordinances that deal with what is called "nuisances" by law. He did find, however, that the City of Berlin has a local city ordinance that takes a more enforcement-oriented tact. A complainant notifies the Health Officer that there is an issue. The Health Officer reviews it and then it is given to the City Attorney to prosecute as a misdemeanor. This is not what is in the state statute as clearly as it is in the City of Berlin's ordinance. Health Officer Robbins stated that he would get in touch with the property managers on Tuesday morning and put some pressure on them to remove the refrigerators from the property and get the doors locked. TM English stated that there needed to be a better mechanism for dealing with these various trash issues throughout the Town. Chairman Fortier asked if the Town could adopt a similar ordinance to what Berlin has. TM English suggested that the Select Board study the Berlin ordinance as it had some interesting aspects to it. It was the Board's decision to have Health Officer Robbins talk with the property managers. It was also the decision of the Board to review the statutes and the Berlin ordinance that they were given and discuss this issue again at the next meeting on June 2, 2014.

Pending (Old) Business:

- **Rental Rates for Clifford Memorial Building and Storage Buildings:** Rick Ladd made the motion to adopt the revised Clifford Memorial Building application and policy; seconded by Robert Roudebush and carried unanimously.
- **Job Description Life Safety Officer:** TM English stated that there were now 3 possible job descriptions for the Life Safety Officer. He handed out the latest job description. Rick Ladd went over the changes that were made. Rick stated that he would like to see the latest draft cleaned up and passed to the Fire Chiefs quickly as this position needs to be advertised. TM English asked if Rick could send him an e-version of the latest draft and Rick stated that he would. The Fire Chiefs would be invited to attend the next meeting in order to finalize and approve the job description.

New Business:

- **Cottage Hospital-National Award:** TM English stated that Cottage Hospital was named one of the top 20 Critical Care Facilities in the country. He wanted to acknowledge that recognition publicly and

wondered if the Board wanted to recognize this as well. It was the consensus of the Board that they would invite Maria Ryan and Maryanne Aldrich to the next meeting for recognition of this award.

Commission/Committee Reports: None

Correspondence: The

Comments of the Public: None

Comments of the Town Manager/Administrative Assistant-Finance Officer: AA Lacaillade stated that Becket School, and she wasn't sure what branch of Becket School, had turned in paperwork this year certifying that they were a charitable organization and had met all the criteria set by the State of New Hampshire to get an exemption from property tax on the majority of their properties. This would have major impact on the rest of the tax base. This year, it would be \$13,230 for the Town, \$3,240 for the County and roughly \$39,000 for the School of revenue that would be pushed to the other taxpayers.

The next item that AA Lacaillade brought up was that they had received a friendly reminder from the DRA concerning the MS-11 that was submitted. The concern was that a deputy tax collector was not listed because the Town does not have one and the Town is required to have one. Sandra Roy, Tax Collector, is asking that Christina Hebert be appointed Deputy Tax Collector in the interim and does handle some of the issues that come through. Rick Ladd made the motion to appoint Christina Hebert as Deputy Tax Collector; seconded by Robert Roudebush and carried unanimously. Chairman Fortier swore Christina Hebert in as Deputy Tax Collector.

AA Lacaillade then presented the annual Plymouth Septage Agreement. This year, the Town has the option of signing up for a one-year contract at \$150 per year or entering into a five-year contract at \$100 per year. Lynn Wheeler made the motion to enter into a five-year contract at \$100 per year; seconded by Tom Friel and carried unanimously.

Comments of Selectboard Members: Tom Friel commented that TM English was going to contact the Town Attorney about the sludge ordinance. TM English stated that he had contacted the Town Attorney. Robert Roudebush asked about the Boston Cane and AA Lacaillade stated that she would put an ad in the newspaper and contact the nursing homes. Chairman Fortier commented that he had been contacted by a local businessman who may have an interest in the storage sheds behind the Robert E. Clifford Memorial Building, specifically for aquatic therapy. He told the gentleman to come back with a plan and commented that the gentleman was interested.

Non-Public Session per RSA 91-A:3 (a) Personnel Issue

Robert Roudebush made a motion to suspend the public meeting and go into non-public session at 7:40 pm; seconded by Tom Friel. The Board was polled and all approved.

Robert Roudebush made the motion to come out of non-public session at 8:00 pm; seconded by Rick Ladd. No motions made; no action taken, and minutes are to be sealed. All approved.

Lynn Wheeler made the motion to appoint Leigh Reney as Deputy Town Clerk; seconded by Robert Roudebush and carried unanimously.

Adjourn Meeting: Robert Roudebush made a motion to adjourn; seconded by Lynn Wheeler and all approved. Chairman Fortier adjourned at 8:02 pm.

Minutes transcribed by Karen Hyde