

MINUTES OF HAVERHILL SELECTBOARD REGULAR MEETING
Monday, November 16, 2015
Draft Subject to Review, Correction and Approval at Following Meeting

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

Board Member Excused: Robert Roudebush

Town Manager: Glenn English

Administrative Assistant/Finance Officer: Jo Lacaillade

Selectboard Clerk: Karen Hyde

Members of the Public Present: Darwin Clogston, Harry Burgess, Tom Harris, Chief Byron Charles, Sgt. Wallace Trott, Jeff Page, Jasper Page and Ed Ballam – Journal Opinion

Call Meeting to Order:

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

Pledge of Allegiance

Lynn Wheeler suggested a moment of silence for the victims of the Paris, France attack. All agreed.

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

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

Scheduled Public Appearance(s):

- **Chief Charles-Heroin in Community:** Chairman Fortier stated that at the last Selectboard meeting, the Board had requested Chief Charles come in and give them an update on heroin in the community and the use of Narcan. Rick Ladd asked if the discussion could not only be heroin, but substance abuse and Chairman Fortier stated if the Chief was ready for that and the Chief said that was fine. The Chief started his discussion with the use of Narcan, also known as Naloxone. He stated that as far as the New Hampshire Chiefs of Police Association are concerned, they haven't taken a stance on departments keeping Narcan readily available in their cruisers. Some agencies, like Haverhill, have a fairly rapid response from the ambulance crew. Sometimes, the ambulance crew is at the scene before the Police Department. The officers who arrived on the scene first have found themselves on more than one occasion in the last year performing CPR on individuals that were later brought back by the use of Narcan from the ambulance crew. Once an individual reaches the level of not breathing, nasal Narcan is not much help as the individual requires a higher care service than what the officers can give them. With that being said, Chief Charles stated that his officers are not trained in how to use it and so far, they haven't lost anyone yet. The Chiefs of Police Association leaves it up to the individual towns and chiefs whether they want to use it or not. Rick Ladd asked the Chief if he has heard any negatives from the towns that are using Narcan and Chief Charles said that he hadn't heard any negatives. Lynn Wheeler asked if there were any additional threats to the officers who had to revive someone in this condition. Chief Charles responded that there is a certain amount of aggression when someone comes out of that state. It doesn't happen with everyone, but it does happen with some. It can be an issue more for the ambulance personnel

who are trying to deal with them. They have had to actually have officers placed inside the ambulance until an individual could calm themselves down. Some people do come out of their high very upset because their high has been ruined.

TM English asked Chief Charles if the incidences of overdoses have bottomed out. Chief Charles responded that they have not responded to a heroin overdose in quite a while now. There are a couple of different things going on. The Police Department knows for sure when they receive information that some have been brought to various hospitals without calling the ambulance. When the individual gets to a hospital, there is no reporting requirement to law enforcement that the person came in under the influence of a narcotic or heroin. A lot of this has to do with HIPPA, but there again, there is a lot of information out there that they could be receiving and are not receiving. It doesn't necessarily mean that the Police Department is going to go right out there and arrest someone because they have been brought to the Emergency Room. It is just information and this information can be very useful to the Police Department when it happens. It is also concerning that the Police Department and the ambulance are not getting called because once that happens, certain people know that law enforcement is involved. There are laws put into place that when law enforcement shows up to an overdose or someone calls law enforcement to report an overdose, when law enforcement gets there, and they happen to find drugs or needles, the individual can't be prosecuted for that. Just this year, there have been multiple arrests. Two recently were settled in Superior Court and those individuals are in prison. The other two cases are open and pending. At that particular time, those individuals were involved in dealing heroin pretty substantially in the area. Once this group of people are arrested, it doesn't mean that the problem stops. There are other people on the radar screen; it just takes time and evidence. Chairman Fortier asked how long that particular law had been in effect. Chief Charles stated that he would have to go back and look, but thought it was fairly recent. Lynn asked Chief Charles if he has seen fentanyl in the area. Chief Charles responded that he has and has been seeing it for a while. Rick asked what the charge was for fentanyl and Chief Charles said it was the same as heroin – a felony. Chief Charles commented that this is an epidemic across the country. The New Hampshire State Police and the New Hampshire Drug Task Force are so understaffed; there are three people for Grafton and Coos Counties. The State has pulled the plug on a lot of that and funds that supported that. Agencies or towns don't want to get into doing all of their own individual buys and deals. It is a completely different training methodology. There are a lot of things that come down with that and a lot of liability and the Drug Task Force is needed to monitor and run that. It's not that the Drug Task Force won't come and help when asked; they are just overwhelmed and understaffed. Some things need to be changed at the State level and there should be more funding to support them because the Task Force supports the individual towns. TM English commented that the national trend is away from prosecution and toward treatment and that seems to be reflected in the State policy. Chief Charles's opinion is that there is no way law enforcement is going to be able to handle this drug epidemic by arresting every single person in possession of heroin and throwing them in jail. This is not going to happen as it will overwhelm the jails and is a serious amount of work. This doesn't mean that people are not going to go to jail and there are consequences. There needs to be more options available for people who want to get off this "stuff". Chief Charles commented that there are limited resources as to where they can go and money is also an issue. A lot of people don't have money for treatment. "Do they get treatment or do they not get treatment?" Those particular issues need to be addressed. As far as he is concerned, the people who are dealing the stuff are completely separate. If arrested, they should be prosecuted and go to jail. Rick Ladd asked Chief Charles if he had to deal with anyone 19 years or younger and Chief Charles responded that he had had one heroin case. Rick also asked if Chief Charles had an opportunity to work with the Grafton County

diversion program and Chief Charles said that he had. Chief Charles continued to say that they send people right to the program through the Police Department. Rick asked if the individuals who have taken advantage of the program been successful. Chief Charles stated that the majority of the kids that go through the program come out on the positive end of the spectrum. He knows of one specific case that the program did not work and they are still dealing with the individual. Chief Charles stated that diversion is a great thing for the Police Department. He and other chiefs have asked about diversion for adults. People make mistakes and certain crimes and punishments should be able to work themselves through diversion. This would all have to be a case-by-case basis. He believes that this program saves money. The Town prosecutor spends less time dealing with juvenile issues when they are in diversion than if they are not. TM English asked Chief Charles for numbers as far as kids in diversion and Chief Charles commented that off the top of his head, there were 4 or 5 kids. AA Lacaillade commented that she had served on three of them. Rick asked if there was an early intervention program going on at the high school and middle schools for this issue. Chief Charles stated that at the high school level, the answer is yes. The middle and elementary schools are looking into these programs. Tom Friel asked Chief Charles what his take was on the Narcan issue. Chief Charles was of the opinion that it was not necessary for his officers to carry Narcan as there were three (3) ambulances in Town. Chairman Fortier thanked Chief Charles and Sgt. Trott for coming in and giving them an update.

Public Hearing: None

Town Manager's Report: TM English reported that there will be a Highway Advisory Committee Meeting on Thursday, November 19 at 5 PM in the conference room of the JRM Building.

Pending (Old) Business:

- **Logging Lot-Mountain Lakes:** Chairman Fortier stated that the Board had received a packet of information, which included a letter from Harry Burgess, Harry's license information, search results, maps, intent to cut, certificate of insurance, and the timber sales agreement made with Mountain Lakes and Tom Harris. Chairman Fortier asked where Tom Harris and Harry Burgess were in the cut and Tom responded that they were half done. Chairman Fortier asked how much had been placed in the escrow account. As of this day, Harry had brought \$7,443.40 into the Town. Chairman Fortier asked if that amount included what had been turned into Mountain Lakes and he was told that it wasn't. This was just what had been turned into the Town. Harry reported that a total of \$30,000 had been turned in so far, with Mountain Lakes getting \$17,000 of that. Chairman Fortier commented that since the cut is half done, it has been restricted to the creation of trails. Tom Harris stated that it was thinning. Tom Friel commented that he had been out to the lot and it was his impression that there was excessive cutting of wood. Tom Harris said that it would all be cleaned up and Tom Friel commented that he was talking about the small trees left standing. Tom Friel's opinion was the cut was excessive and Tom Harris stated that he did not agree with Tom Friel. Tom Friel commented that he saw more trees cut from the lot than he would like to see cut. Chairman Fortier asked if it was because of the trail width and Tom Friel stated that they were cutting the trails and then going off the trails and cutting more. Chairman Fortier asked Tom Harris if he had stopped logging since it was wet. Tom Harris responded that they had a little bit more to cut around and they haven't gone down into the real wet section. They are hoping for cold weather. Chairman Fortier asked him if they were allowed to continue trail cutting, how much longer would this take. Tom Harris responded there was a lot of wood out there, with a lot of blow-down. Harry commented that he thought through the winter. Harry commented that he had walked the lot with Tom Harris and he

thought that the cutting looked really good. Chairman Fortier asked Harry if he currently had a contract with Mountain Lakes and Harry responded that he did not. The contract had been breached. Mountain Lakes doesn't own the property so therefore he can't have a contract with them. Chairman Fortier then asked what the Board's position was on that and Tom Friel stated that they need a new contract. Chairman Fortier asked if the Board had a copy of the contract and AA Lacaillade stated that they had the contract with Mountain Lakes and the proposed contract with the Town that Harry had brought in. Chairman Fortier asked Mr. Burgess if the agreements were similar and Harry stated that the only things changed were the dates and the landowner. AA Lacaillade commented that she had Harry add that the forester fee was 20% of stumpage and that he was responsible for the timber tax. Chairman Fortier also asked Harry if he was currently licensed as a professional forester and Harry said that he was. Chairman Fortier asked if Harry's license had expired or if he had recently renewed it. Harry believed he renewed it last year and Chairman Fortier commented that there was paperwork showing that Harry's license had expired September 30, 2015. Harry stated that he would take care of that. Rick Ladd commented that it was his understanding that the logging was to create trails for recreational purposes through this area but he didn't see that noted in the Mountain Lakes contract. What he saw was all designated trees would be cut and removed. Harry commented that it was a multiple use timber sale. Mountain Lakes' intention was to create recreational trails and at the same time, harvest timber and improve wildlife habitats. Chairman Fortier asked if there was a lot of blow-down in the area and Harry stated that there was. Chairman Fortier then asked Tom Harris what he did with the blow-down and Tom said that he chipped it because you can't get anything out of it. Chairman Fortier asked AA Lacaillade if the newest agreement that involved the Town was in effect. AA Lacaillade stated that the agreement was proposed. Chairman Fortier stated that it was his opinion that Mr. Burgess be licensed prior to the Board signing any contract. Tom Friel's concern is the volume of wood being taken out. Tom, Rick and Chairman Fortier wanted to go to the lot before any decision on a contract is made. Chairman Fortier asked if the Board wanted to wait on making a decision on the agreement until such time as Mr. Burgess obtains another license and Board members have had an opportunity to view the site. Tom Friel stated that was his feeling. Rick asked what the revenue to the Town was if the property continued to be logged the way it has been. TM English stated that if the numbers given are used and the job is half done, it would be \$30,000 but it depends on what's left to be cut and the value of that. Tom Friel stated that the Board still needed to decide whether they were going to sell the property or turn it into a recreational area. Darwin Clogston commented that the original contract with Mountain Lakes was a bid job, which may weigh on the second half of the cut. Some loggers expressed disappointment that it was supposed to be done in 9 months and so they didn't follow through with the bid because it has now been 11 months. His other comment was that he had walked out there and he had to agree with Tom Friel that the property was being cut too much. Jeff Page commented that Mountain Lakes took a bid for \$75,000 of what they were cutting and their 10-year plan was that they would only be cutting a value of 1/8 of that \$75,000. It was a select cut. Tom Friel commented that he had walked the boundary line with Mr. Page and they looked at the fence. Tom asked if Mr. Page would mind if a few of the Selectboard walked through his fields to view the fence line. Mr. Page stated that he didn't mind, but did want to let them know that there was still electricity in the fence and that he had removed his bull from the pasture. Rick commented that he was concerned how this property was initially presented to them by the Precinct that it was for recreational trails. Now, it is going beyond that. Chairman Fortier asked Mr. Burgess if it was going beyond and Harry responded that at first no. Harry then stated that he heard from the Board to continue logging. Chairman Fortier stated that it was restricted to the trails. He then asked Harry again if it had expanded beyond that and Harry said yes.

Chairman Fortier asked why. Harry did not know why. He had not marked any additional trees. Chairman Fortier asked Mr. Harris if he had 3 or 4 days to clean up and Mr. Harris stated that that was correct. Mr. Harris was to clean up, but no more cutting until the Board decided what to do with the property. Tom Friel, Rick and Chairman Fortier would go visit the property. AA Lacaillade commented that there was paperwork to close out the intent that was open with Mountain Lakes and it is done. There is no open intent to continue logging. Harry Burgess commented that he would check into his license and Chairman Fortier asked that he show them a current license. Chairman Fortier again commented that the Board was not going to make a decision on a new contract. Rick asked to recess further action with a time to be announced. It was the consensus of the Board that Mr. Harris would continue for the next 3 or 4 days cleaning up what was already cut.

- **Capital Improvement Plan Review:** TM English commented that he had quite a bit of material for the Board and he didn't want to overwhelm them all at once. He thought that they may want to go through the spreadsheet in detail and then go through the paperwork that backs it up. There are some changes on the spreadsheet from previous versions. He has tried to lay out his proposal of capital infrastructure over the next ten (10) years. The first column was the actual asset, such as rolling stock and buildings, etc. The next columns were: Date Purchased, Useful Life, Scheduled Replacement Date, and Replacement Cost. A Capital Budget is not really a spending document, a capital budget outlines expenditures that the agency plans to make each year to carry out the capital budget. 2016 includes the first-year expenditure of funds for highway work. He went on to explain the \$350,000 in that line item. Town Meeting appropriated \$150,000 the first year to bank with the intent to continue that in subsequent years. When there was a substantial amount in there, to expend it on a project or projects. Based on the study by the North Country Council (NCC), based on the priorities of that study, he is recommending three projects next year to use that money. He would also recommend augmenting that money out of the tar budget. They have routinely been appropriating \$100,000 a year in tar for overlays. He has discussed this with the Road Agent and they feel that they have made a lot of progress in preserving the better roads with the crack sealing that was done. He has also discussed with the Road Agent reducing the tar budget to \$50,000 to address additional crack sealing next year and then have a reserve for small overlays or other jobs that are of an emergency nature. Then dedicate the other \$50,000 that has been budgeted year by year into the capital fund. In essence, cutting the tar budget by \$50,000 and asking the taxpayers to appropriate \$200,000 in 2016 into that reserve, which would make \$350,000 in the reserve for 2016. Lynn commented that that was not what the taxpayers were told. AA Lacaillade commented that the highway budget was being lowered by \$50,000; they were not asking for \$50,000 more. Lynn again commented that that was not what the taxpayers were told. TM English stated that the taxpayers would have to approve it. Rick asked TM English if they were going to continue to build up the fund or if there would be specific projects every other year. Chairman Fortier stated that TM English was going to recommend three road projects for 2016. TM English stated that the object of setting up the reserve account was not to borrow money, but to "pay as you go". This is not any different from that original guidance which was to save the money first and then spend it and not borrow it. He is abiding by that same direction.

The next project is the sewerline between the County Farm and the Woodsville Waste Water Treatment Plant. There have been two breaks in the line. TM English stated that he has already come to the Board for permission to apply for a planning feasibility grant to address the possible replacement of that line. He has applied to the USDA for such a grant and they will fund \$25,000 of that. The Town's share based on their formula is \$8,333 so the Board will see that appear in 2016 as a cost to the Town to match the USDA grant to do the study and the

preliminary engineering, not construction. There is a higher figure stretched out over 10 years, which would be an estimate because the study hasn't been done, so the number may change. That number would be the Town's share of a construction grant, which would again be 25-30% of the total cost.

The next project is the Haverhill Corner fire truck, which the Board has already discussed at a previous meeting. These are the projects that he is recommending for 2016. In 2017, according to the plan, there is a dump truck to be replaced. There is a police cruiser due to be replaced. There is a new item, which he has a description to address the heating/cooling system in the JRM Building. There is also an item to address the boiler in the Clifford Building, which is aged. There is a potential project at the pool.

As to the actual projects for 2016, there are three highway projects. There is a project on Brushwood Road, one on Clark Pond Road and the third is a project on Court Street. The Board was also given the RSMS plan that was provided by North Country Council that describes the system that they used to determine the condition of the Town's roads and what should be addressed in terms of priority. It is based on three criteria: traffic volume, road condition, and the connectivity of the particular road. It goes on to discuss the opinion that it's better to keep good and fair roads in condition and spend money on those first over time so that more roads don't deteriorate and require total reconstruction like some of the Town's roads. There is also a summary of the priority listing. The last section is a single sheet, which is a summary of the capital road construction program which shows the roads in priority order according to the NCC study. The three roads that should be addressed first based on those priority numbers are the three projects that he is recommending. He wanted to advise the Board that there was a meeting of the Highway Advisory Committee on Thursday, November 19 and this was what he was going to recommend to the Committee. He didn't know where that was going to go as there may be different views on that.

The second packet is the sewer planning project. It was a single sheet. TM English also talked about the Haverhill Corner fire truck project. He didn't give the Board the detailed analysis that the Haverhill Corner Fire Department did because the Board had already received that information. He did hand out the one-page summary of that project. The other project for 2016 would be the Stonecrest culvert project. This was discussed last year during the budget process and there was no consensus of how to proceed. In the meantime, the Board did receive a commitment from their partners at the Connecticut River Watershed Council to do an engineering study. They came up with \$15,000 to do that study, hired Horizons Engineering to do that study and TM English believed the actual cost was approximately \$13,000. Attached to the project that he handed out, there is an engineer's estimate of the actual construction. TM English had made some changes to that estimate and had crossed out costs and written in Town, which are things that can be done through the operational budget very easily, which would reduce the costs, especially in materials. The Town can provide their own material much cheaper than a contractor would charge the Town for similar material. The engineer originally cost the project out at \$73,865, but TM English thought the project could be done for \$70,000 and of that \$70,000 there was a grant of \$42,000. The Town's obligation would be to budget \$28,000 in Town money to complete the project. Chairman Fortier asked if this project was for 2016 and TM English stated that it was. He stated that they really need to address this project. The culvert is collapsing and could fail. He has also done a project sheet for 2017 for the police cruiser that should be replaced that year, including some back-up information on that particular vehicle. Lynn asked how many miles were put on a cruiser in three years. TM English stated that they were trying to run and limit themselves to 100,000 miles. They have since changed that and they are actually running up to 125,000 or 130,000 miles. Most local police don't do high-speed pursuits anymore as a matter of policy so more mileage can be obtained out of the

vehicles. TM English also stated that for the two street cruisers three years is about it at the 125,000 miles. The 4x4 gets less mileage so there is more life out of the 4x4. Rick asked what was done with the old cruisers and TM English told him that they were auctioned off. The last project is the heating/air conditioning project for the JRM Building. He had a heating and air conditioning firm from Littleton come and look at the present system. The contractor actually felt that the oil-fired boiler and steam system was in pretty good shape. It was not horribly inefficient, but there were some issues, such as insulating some pipes for comfort, cleaning some steam traps and some other maintenance which would be done out of the operating budget. He and the contractor had discussed mini-splits, which are basically heating and air conditioning units that can be used in both residential and commercial. There is a condenser outside and there are up to 3 to 4 room units for that one condenser, which is a wall-mounted unit that provides air conditioning and some heating. It is heat pump and only effective when the outside temperature is not too low. There is an issue in the JRM Building when the central furnace is run in November and early December and again in early spring, it overheats. It is much more heat than what is needed. The idea is to heat in those months with the mini-splits, room by room, controlled by thermostat and not run the central boiler as much to save costs. The building is currently air conditioned with window units, which are very inefficient and expensive. This type of air conditioning is much more feasible in terms of cost. One (1) condenser and three inside units would do the Selectboard, Rec, and Town Clerk offices. One (1) unit on the other side would do the Police Department. Two (2) condensers and the inside units have a projected cost of \$15,000 for the conversion. TM English stated that this was not a recommended project for 2016; it was recommended for 2017. He would also recommend this sort of project for the Clifford Building. Chairman Fortier commented that that was a lot of work and he thanked TM English for his work.

Rick brought up what the Town was going to do with the old Haverhill Corner fire truck. He didn't feel that \$2,500 or \$10,000 were enough for the old truck. He feels that there should be a discussion about this if the truck is approved at Town Meeting in March. TM English stated that he had spoken with Ed Ballam and one way would be to go through a broker who has access to all of the departments in the country and can do a blanket marketing to sell the vehicle for a commission. A couple of other options would be to put it on the list-serve or sell it themselves. Rick also commented that he appreciated seeing the work that TM English had done. It was a good step forward.

New Business:

- **Appointment of Fair Hearing Officer:** Chairman Fortier stated that this had already been done. He stated that in the years Leslie Ramsay has been Welfare Administrator, she has not had anyone challenge a decision made by her. There is one now. Chairman Fortier stated that Leslie had called him and being Chairman he had the authority to appoint a Fair Hearing Officer. Leslie recommended a woman out of Littleton, who is experienced in this field. The hearing has since been postponed. AA Lacaillade stated that the woman's name was Ceil Stubbings from Littleton and she acts as Fair Hearing Agent for a lot of different towns. Chairman Fortier commented that she has a good track record as a Fair Hearing Officer.

Commission/Committee Reports: Lynn reported that the Rec Department was having their Turkey Plunge on Sunday, November 22, 2015. Chairman Fortier and AA Lacaillade were going to be plunging.

Correspondence: Chairman Fortier reported that the Board had received a Certificate of Appreciation from New Hampshire Employment Security for hosting the job fair. TM English stated that NHES liked coming here for their job fairs.

Comments of the Public: Darwin Clogston asked about the Highway Advisory Committee Meeting and he was told when and where the meeting was. Ed Ballam wanted to advise the Board that there was a company called FireTec.com that does fire truck sales. They are a brokerage firm that he is familiar with and they spell out exactly how it works and how the truck gets sold.

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

Comments of Selectboard Members: Chairman Fortier asked for an update on Robert Roudebush. He was told that Robert is now home. Ed Ballam reported that he had seen Robert's brother and Robert was doing well and making progress.

Adjourn Meeting: Rick Ladd made a motion to adjourn; seconded by Lynn Wheeler and all approved. Chairman Fortier adjourned at 7:30 pm.

Minutes transcribed by Karen Hyde