

MINUTES OF HAVERHILL SELECTBOARD REGULAR MEETING
Monday, December 2, 2013
Draft Subject to Review, Correction and Approval at Following Meeting

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

Town Manager: Glenn English

Administrative Assistant/Finance Officer: Jo Lacaillade

Selectboard Clerk: Karen Hyde

Members of the Public Present: Dick Guy, Darwin Clogston, Dave Johnson and Ed Ballam -- JO

Call Meeting to Order:

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

Pledge of Allegiance

Approval of Agenda: Lynn Wheeler made a motion to accept the Agenda; seconded by Robert Roudebush and carried unanimously.

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

Scheduled Public Appearance(s): There were no scheduled public appearances, but Mr. Darwin Clogston wanted to ask some questions about the road bond. The first question Mr. Clogston had was about Lily Pond Road. He stated that the newspaper said there were only 17 residences on Lily Pond Road and it seemed like a low number for the amount of money being spent. He wanted to know if people living on Cutting Hill Road and Moody Road should be included in the count. Rick Ladd stated that he concurred with that and also that they had asked for a traffic count. TM English stated that he had requested the traffic count, but the machine was in disrepair. Mr. Clogston stated that you could not go the speed limit on Lily Pond Road because it was in very bad condition. Chairman Fortier asked Mr. Clogston about the truck traffic on Lily Pond Road and Mr. Clogston stated that there was a lot. Mr. Clogston also asked what the total repayment was on a ten-year, million dollar bond. AA Lacaillade stated that it was \$1,202,572.51 at the tentative interest rate that they were quoted.

David Johnson was at the meeting to address dog issues in Haverhill, specifically unregistered dogs and dogs with no rabies shots. He had a recent issue with a dog owner who lived near him. He was walking his dogs and the other dog owner's dog attacked his dogs. He has had issues with another dog owner who has made multiple threats to Mr. Johnson. He came and talked with the Haverhill Police Chief about this incident. The most recent incident left him stymied as to what to do. A neighbor tried to help Mr. Johnson get the dog away from his dogs and the dog eventually backed away. One of his dogs had two puncture wounds, so Mr. Johnson called Linda Smith, Animal Control Officer, who he says did not respond. When he received no response from Linda, he called the Police Department. Officer Elliott came and talked with him. Officer Elliott went across the street and talked with the dog owner and the owner told Officer Elliott that if Mr. Johnson had to take his dog to the vet that he would make restitution. Mr. and Mrs. Johnson took the dog to the vet in South Ryegate and it needed to receive a booster rabies shot, pain pills and antibiotics. The dog owner could not prove that the dog was licensed

or had its rabies shot, so Officer Elliott house quarantined the dog for 10 days. The dog owner has not made restitution even though it has been two weeks since the incident occurred. Mr. Johnson called the Town Clerk's office today, December 2 and the dog had still not been licensed. The dog owner has proven to Linda Smith that the dog had been vaccinated for rabies. Mr. Johnson was wondering why a dog that was home quarantined couldn't be kept at the Center Haverhill Armory where they have kennels. TM English stated that the kennels were run on a volunteer basis. TM English stated that he has spoken with Linda and the dog has been licensed. Linda has ordered the dog be quarantined at home, but tied out. The dog owner also told Linda that he intends to pay restitution, but he is waiting for his military check.

Mr. Johnson then stated that when he was asked the address of the dog owner, he couldn't tell them because there was no number on the building. He stated that he was notified in 2001 that he needed to display his street number on his house. There were a few other examples of buildings with no street numbers on them. His question was: "Who enforces the numbers on the houses?" TM English stated there is no enforcement mechanism. There is nothing in the ordinance that provides for a fine or a violation. Mr. Johnson also stated that he started a business in 1991; followed the letter of the law in order to do this. As of now, he has never had an inspection done. He felt it was just another regulation that the Town implemented, but did not enforce. Rick Ladd commented to Mr. Johnson that the enforcement of the Life Safety Code was the responsibility of the Fire Chief, not the Town. He also shares the same concerns as Mr. Johnson and that is why they are bringing forth the Resolution that they met with the Fire Chiefs about last week. Chairman Fortier stated that he would like to get a sense of how many buildings do not have numbers on them and does that pose a significant problem to responders. Richard Guy stated that it could sometimes be troublesome. They have a general idea of where a house is, but there are times when they have to turn around and go back. TM English stated that responders have maps that show the buildings and the numbers on the buildings. Chairman Fortier stated that several of the points that Mr. Johnson brought up were going to be addressed in the very near future.

Public Hearing: None

Town Manager's Report: TM English stated that the Chamber of Commerce was hosting an Economic Development dinner, December 3, 2013 at 5:30 at River Bend in Bradford, VT. Chairman Fortier and Robert Roudebush were planning on attending the dinner. He also reported that there was going to be a celebration at Alumni Hall for Edith Celley on Wednesday, December 4 from 4-6 PM. Rick Ladd had a joint commendation from the Selectboard and the Haverhill Corner Precinct Commissioners which he was going to present.

Pending (Old) Business:

- **Capital Improvement Plan-Roads:** Chairman Fortier stated that earlier TM English said that the traffic counter was in disrepair. TM English stated that once the counter is repaired, every vehicle that passes will be recorded. He thinks that the traffic counter can distinguish between two- and multi-wheel axle vehicles. Lynn Wheeler stated that they shouldn't rely on the number of cars, but the condition of the road.
- **Ag Lease Further Discussion:** Chairman Fortier stated that there was some discussion at the last meeting on how the money from the Ag Lease was going to be disbursed. Robert Roudebush stated that he thought it was a bad idea to split the revenue from the Ag Lease. Tom Friel also stated that he didn't feel that it should be split. TM English stated that if you go back to before the Business Park was created; all of that land was "part of the Airport." The payments were always credited to the Airport. The change occurred when the Industrial Park was created; part of

that land was dedicated to the Business Park and the rest to the Airport. Robert Roudebush made the motion to allow the Airport Commission to keep all the money from the Ag Lease; seconded by Tom Friel and carried unanimously.

New Business:

- **Employee Recognition:** Chairman Fortier stated that in the past, a small, annual stipend was given to the Town employees with full support of the Board. He also stated that, in addition to the stipend, he and Lynn Wheeler have provided coffee and Christmas cookies for three or so hours for the employees to get together. Robert Roudebush made the motion to continue with employee appreciation; seconded by Tom Friel and carried unanimously. The get-together will be held on Thursday, December 19, 2013 from 9:30 AM to 12:00.
- **Building Code Ordinance:** Rick Ladd stated that a Building Code Ordinance was not what they were talking about. Tom Friel stated that that was what was brought up at the Planning Board meeting and the Planning Board was going to have a Public Hearing regarding this Ordinance. Rick Ladd stated that the 2006 Building Ordinance that was put forth was flawed back when it was talking about the Sludge Ordinance and the International Building Code. He would like to get the Resolution going to deal with the Life Safety and Fire Codes applied properly and consistently throughout the Town before they start jumping into a Building Code Ordinance so quickly. At the Fee Schedule meeting on November 25, the Fire Chiefs and the Precinct Commissioners agreed that there was a problem, but the problem could be remediated through the Resolution. Rick stated that he would support the Planning Board studying this topic over the next year. TM English stated that he was at a meeting of the Good Ole Boys earlier that day and he had given them a recap on the meeting of November 25. There was a member of the Planning Board there and it was said that the Planning Board had voted to have a hearing to decide whether to proceed with the Building Code under the direction of the meeting of November 25. TM English stated that there was no direction to proceed; there was information that it could be done, along with many other alternatives. AA Lacaillade stated that what did come out of the meeting was that they were going to amend the Life Safety Ordinance to say “per State Code.” Rick Ladd stated that the Life Safety Code was part of the NFPA Fire Code. He also said that, as a Town, they needed to decide what version they wanted to adopt. TM English stated that they had talked about a corrective amendment to the Life Safety Ordinance to be in sync with the State. Rick stated that there was a difference between Building Code, the Fire Code and Life Safety. Chairman Fortier asked if the Selectboard could ask the Planning Board to back off for a year and they would work in conjunction with the Planning Board. TM English stated that if the Planning Board holds a hearing, he would be there and his comments, as a resident of Haverhill, would be that this is premature and there are other avenues open to them. He is not opposed to a Building Code at some point when the public will support it, but it is premature. He also reminded that the 2006 draft of the Ordinance was defeated, so putting up the same one didn’t make much sense. After the meeting of November 25, Rick Ladd made some changes to the Resolution and wanted a second reading of the Resolution. Rick stated that they were going to have to meet with the Chiefs another time to work out a Fee Schedule. The Chiefs did agree that the Resolution was needed. The new changes started on Page 2, which are a reflection of the statutory authority which the Chiefs currently have and it references NFPA or statute throughout. On Line 29, number 9 states: “Through enactment of this resolution, the Selectmen of the Town of Haverhill recommend and urge the fire chief(s) and designee(s) to focus initial inspections toward: (1) multi unit dwellings with more than two units where a person(s) live(s) permanently, day and night and (2) those places such as day care facilities,

foster families, and places of assembly, and (3) new commercial, industrial and institutional structures and buildings, and”. On Page 3, on Line 21, the words “or Change of Occupancy” have been added. On Page 4, Lines 28-31, it states: “The certificate of compliance issued by the local fire chief or designee will not be issued until *the property owner satisfactorily meets directives of the fire chief or his designee* and the property owner/builder properly displays the 911 Address assigned by the Town pursuant to the Town 911 Addressing Ordinance. *The 911* requirements apply to all structures including single-unit dwellings.” The italicized words were new. There was a small change at the bottom of Page 6, which reads: “The Town of Haverhill shall compensate the fire chief or designee for inspections as *approved* by the Selectboard.” The last change was on Page 7, Lines 7-9, which reads: “Further, the Haverhill Selectboard adopts this resolution with the intent of supporting fire chiefs, their subordinates and designees with a consistent inspection process that better serves life, safety and fire needs throughout Haverhill’s three fire districts.” The Fee Schedule still needs to be supported by the Fire Chiefs and Precinct Commissioners. The Resolution is not going to be an issue, but the Fee Schedule is. Lynn Wheeler had a question about the change on Page 2 and whether the Town was leaving themselves open to a lawsuit by keying into certain facilities. Rick stated that you might be if you were just looking at one landlord, but if you are looking at a use group as a total, then figure out how to randomly select those within the group. TM English stated that that was right out of statute. Rick also stated that the Chiefs were going to make Life Safety a priority. It was suggested to run the Resolution by legal to make sure that the wording did not leave the Town open to lawsuit. Rick also said that he was going to contact Brad Kennedy, Richard Morris and Don Hammond for a meeting before the next Selectboard meeting on December 16, so that they can have something solved about the Fee Schedule so the Selectboard could take action.

- **Tax Deeding:** AA Lacaillade presented to the Selectboard for their review until next meeting a list of properties that are up for tax deeding. She stated that she tried to give the Selectboard some information if she knew anything specific about the property. She also stated that there were many that have been on the list previously; there were also some new properties. Chairman Fortier stated they would review the list at the next meeting.

Commission/Committee Reports: Chairman Fortier stated that the Economic Development Committee has completed their business survey. The Committee is scheduled to meet again on January 29, 2014. He will present an overview at the Chamber of Commerce dinner at Oxbow. There would be copies made of the survey for the Selectboard. The 250th Committee is winding down. There will be a lecture on Sunday, December 8, at 2:00 at Pike Hall concerning the Pike Manufacturing Company. The next big event is Saturday, December 14, which is the ending celebration of the 250th and it is the Holiday on the Common in Newbury, VT.

Correspondence: Chairman Fortier stated that the Selectboard had a listing of all the social services that Grafton County has funded. They also received a letter from Jeffrey Hayes, the new executive director of North Country Council, urging their support and continue their membership in the Council. TM English stated that there was also a 2013 Annual Report for North Country Council in the Selectboard Office, which was very good. TM English also stated that Jeffrey has since resigned as executive director, so the Council is looking for a new executive director. Chairman Fortier stated that they had also received a letter from the Grafton County Commissioner’s Office to District 2 Boards of Selectmen advertising vacancy for County Commissioner for District 2. They had also received a letter

from Charter stating that their basic fees were going up. The Board also received a copy of the new tax rate.

Comments of the Public: Dave Johnson brought up the issue of resident tax, which is paid by residents who register vehicles or boats. He stated that people who live in Town who don't register a vehicle and are riding a bicycle, do not pay a resident tax. Chairman Fortier asked Mr. Johnson how the Town would know the person on the bicycle hadn't paid their resident tax. Mr. Johnson did not feel that the resident tax was an equitable tax. TM English stated that it doesn't cost the Town anything other than sending the bills out to generate \$28,000 in revenue. If the tax is abolished, \$28,000 in revenue is lost. AA Lacaillade pointed out that if the revenue from resident tax is lost, the amount would have to be made up which would fall on the backs of property tax payers so those who did not own property would be contributing even less.

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

Comments of Selectboard Members: Rick Ladd had a Resolution that he had initially put together for the Commissioners of Haverhill Corner, but he felt that it should be a joint Resolution. He read: "Whereas Alumni Hall is a magnificent structure in the historic district of Haverhill, NH and whereas Haverhill Corner's architecture reflects its history as Grafton County seat of government, 1793-1891. And whereas Alumni Hall is located on Court Street, originally the northern end of the first province road, then known as the Coos Turnpike from the coast to the Upper Connecticut Valley. And whereas Alumni Hall served as the Grafton County Courthouse. And whereas, during the twentieth century, the building served as the auditorium and gymnasium for Haverhill Academy and whereas, upon the closing of Haverhill Academy, the building quickly fell into disrepair. And whereas, in May 2005, Alumni Hall underwent another transformation, becoming a center for the fine and performing arts. And whereas in 2006, the Town of Haverhill Annual Meeting voted to raise and appropriate funding as the local manner to support Alumni Hall renovation. Now, therefore, with sincere appreciation, the residents of Haverhill recognize Edith Celley for her selfless work, grant-writing expertise and pride in her community that led to the successful restoration and preservation of Alumni Hall." The actual presentation of this Resolution will be on Wednesday, December 4 at 5:30. Lynn Wheeler made the motion to approve the Resolution with the appropriate change; seconded by Tom Friel and carried unanimously.

Rick Ladd stated that the Executive Council will review the resumes for Ray Burton's Commissioner position on the 20th of December and they are in the advertisement period right now. They are seeking people to apply for his position. Also, he commented that Norma Lavoie had passed away on Saturday, November 30.

Tom Friel stated that he had been contacted by King Covey of Linwood Real Estate about the Business Park lots. He wanted to know where the situation was on the listing of that property. TM English stated that it was not listed at present; the Town is selling the lots and it will so say on the new Business Park sign. Mr. Covey received info on the Park.

Robert Roudebush commented that there was going to be a public memorial service for the late Executive Councilor Ray Burton on Saturday, Dec. 14 at 1 p.m. in the Hartman Union Building at Plymouth State University. Mr. Roudebush intended to be there in whatever capacity. Chairman Fortier stated that he had a prior commitment to the 250th Committee, so was unable to attend the service. Rick Ladd stated that he would be there as the Rep from this area.

Adjourn Meeting: Tom Friel made a motion to adjourn; seconded by Rick Ladd and all approved. Chairman Fortier adjourned at 8:00 pm.

Minutes transcribed by Karen Hyde