

**Town of Haverhill
Select Board Meeting
MINUTES
Monday, March 15, 2021 6:00 PM
R. E. Clifford Memorial Building
65 South Court Street Woodsville, NH 03785
And ZOOM**

The meeting was **CALLED TO ORDER** at 6:00 PM by Darwin Clogston, Chair.

Pledge of Allegiance

Town Employees Present:

Town Manager: Brigitte Codling

Assistant Town Manager: Jennifer Boucher

Select Board Members Present: Matthew Bjelobrk, Howard Hatch, Fred Garofalo, Steve Robbins, Darwin Clogston. A quorum was met.

Members of the Public Present:

Online

Christina Hebert

In Person

Regis Roy, Kevin VanNorden, Brenda Jewett, Joe McQueeney, Marilyn Blaisdell, Mary Partridge, Paul Forcier, Ed Ballem, Dawn Lavoie, Joe Longacre, Margo Longacre; Walter Mitchell esq.

Clogston, Chair: Per Gov. Sununu Meeting Compliance CHECKLIST to Ensure Meetings are Compliant with the Right to Know Law During the State of Emergency (abbreviated)

- **March 15, 2021**, Select Board Meeting
- Executive Order—This public body is authorized to meet electronically.
- Confirming a) providing public access by telephone, with additional access by video or other electronic means, ZOOM conferencing is being used. All members of the Select Board have the ability to communicate contemporaneously, the public has the ability to contemporaneously listen and, if necessary, participate in this meeting by dialing the following number: 1-929-436-2866 (US) or the website <https://ZOOM.US/meeting> (ID# 9408469153; passcode: 17146); b) public notice has been provided of the necessary information for accessing the meeting though ZOOM or telephonically, instructions have also been provided on the website of the Town of Haverhill at www.haverhill-nh.com, and c) providing a mechanism for the public to alert the public body if there a problems with access (call 802-793-0535 or email at townmanager@haverhill-nh.com); d) adjourning if the public is unable to access the meeting. In the event that the public is unable to access

the meeting, the meeting will be adjourned and rescheduled. Please note that all votes taken during this meeting will be taken by ROLL CALL vote.

ROLL CALL ATTENDANCE: Matthew Bjelobrk (Here), Howard Hatch (Present), Fred Garofalo (Here), Steve Robbins (Here), Darwin Clogston (Here). A quorum was met.

Election Follow-Up

Clogston stated that at the election last Saturday, he was not re-elected to the Select Board, but because of the recount period required after an election, he remains on the Board until that time expires. He stated he was considering a recount due to irregularities reported at the polling place.

AGENDA APPROVAL

Agenda Modifications:

- Clogston added the swearing-in of elected officials under New Business.

MOTION #1: Bjelobrk made the motion to approve the Agenda as written, and Garofalo seconded the motion.

Roll Call Vote: Matthew Bjelobrk (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Aye), Darwin Clogston (Aye). The motion passed unanimously.

CONSENT AGENDA

MOTION #2: Bjelobrk made the motion to approve Minutes from **March 1, 2021 (Select Board meeting)** and **March 6, 2021 (Emergency Select Board meeting)** as written, and Garofalo seconded the motion.

Roll Call Vote: Matthew Bjelobrk (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Aye), Darwin Clogston (Aye). The motion passed unanimously.

TOWN EMPLOYEE APPEARANCES: None.

SCHEDULED PUBLIC APPEARANCES

Carol Norcross

Regis Roy stated that she contacted Norcross about this meeting but did not receive a reply.

Kevin VanNorden Appointment to Parks & Recreation Commission

VanNorden stated that he is at the meeting to request appointment to the Rec Commission.

Clogston asked:

1. What is your basic understanding of the purpose, duties, and responsibilities of the Rec Commission, which you are volunteering for?

VanNorden replied to provide activities to the residents of Haverhill.

2. Do you have any experience or training that would be useful?

VanNorden replied that he has three girls and substitutes at the Haverhill schools.

VanNorden continued that he is an EMT and completed his advanced EMT classes recently.

VanNorden continued that he has been involved in neighborhood programs and life guarding.

3. Are you willing to attend training that may be provided by the State or the Town related to this?

VanNorden replied, "Yes."

4. What is your understanding of a conflict of interest?

VanNorden did not know how to answer, but stated he hopes there is no conflict of interest.

5. Are you willing to so state a conflict of interest if one should arise and remove yourself from the table?

VanNorden replied, "Yes."

6. What is your view on basing decisions solely on the facts alone prescribed by the NH statutes and local ordinances?

VanNorden replied facts are important, you should base decisions on facts.

7. Are there any questions for the Board?

VanNorden replied "None."

Codling stated that VanNorden will have to visit the Town Clerk to take the Oath of Office.

MOTION #3: Hatch made the motion to approve Kevin VanNorden's appointment to the Parks & Recreation Commission, and Bjelobrk seconded the motion.

Roll Call Vote: Matthew Bjelobrk (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Aye), Darwin Clogston (Aye). The motion passed unanimously.

Clogston congratulated VanNorden on his appointment to the Parks & Recreation Commission.

David Ilsley Request:

Clogston reported that the email he received is a request related to the 42 Ammonoosuc Street, Woodsville, property.

Clogston read the email from Ilsley, as follows:

"Brigitte Codling, Town Manager:

Thank you for getting rid of the tree. Now that it is gone is it OK for me to clean up the area and cut the grass to improve the looks of the area and not look like a slum area."

Codling noted that the last time this came before the Board, the Board disapproved the parking of Ilsley's vehicles on the adjacent property because the tree was dropping limbs, but now with the tree removed, could he park there.

MOTION #4: Robbins made the motion to approve Ilsley's maintenance of the property at 42 Ammonoosuc Street, Woodsville, with parking allowed, and Hatch seconded the motion.

- Hatch asked about liability and the motion was amended to include a "hold harmless agreement" to be executed between the Town and Ilsley.

Roll Call Vote: Matthew Bjelobrck (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Aye), Darwin Clogston (Aye). The motion passed unanimously.

PUBLIC WANTING TO ADDRESS THE BOARD: None.

NEW BUSINESS:

Mildred Page Fund / Haverhill Heritage, Inc.

Clogston read the letter from the Haverhill Heritage, Inc., organization:

“Dear Select Board Members:

The Board of Directors at Haverhill Heritage, Inc., request that the Select Board determine how to best allocate resources from the Mildred Page Fund available for distribution in 2021. Give careful consideration to our organization’s request for funds for capital projects to repair and restore the 8 windows on the façade. These windows are a signature feature of the design as part of Haverhill Heritage, Inc., project to return this important structure to active use of Court Street Arts and the programming venue. A source of pride and a cultural resource and Alumni Hall attracts visitors from afar who support our community. The building’s grand windows flood the interior with natural light are now in need of restoration and continued preservation. The proposed project will address this by repairing the windows can be raised and lowered safely, scraping and painting sashes and shutters to protect these historic elements that are constantly exposed to the elements. The sashes will be evaluated with any deteriorations and replacements needed. The Building and Grounds Committee of Haverhill Heritage, Inc., with the building manager of Alumni Hall to define the scope and scale of this project. Together they had identified a local craftsperson who has the expertise to guide the project to a successful conclusion.

The project team has developed a realistic project budget of \$1,800 of work. We hope the Select Board has always demonstrated its appreciation of the importance of Alumni Hall by supporting our past efforts to carefully allocate the funds for this project. The board of Haverhill Heritage, Inc., is confident Haverhill values its architectural heritage with a special appreciation of Alumni Hall. Haverhill has enthusiastically endorsed our efforts to care for the structure that serves as our organization’s public face. We are very grateful for the Select Board to consider our request that it support this important project when allocating resources from the Mildred Page Fund.

Sincerely,

Pat Buchanan

MOTION #5: Bjelobrck made the motion to approve \$1,800 from the Mildred Page Fund for the Haverhill Heritage, Inc, windows project. Garofalo seconded the motion.

Roll Call Vote: Matthew Bjelobrck (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Aye), Darwin Clogston (Aye). The motion passed unanimously.

SWEARING-IN of TOWN OFFICIALS

Brenda Jewett, Deputy Treasurer

Oath of Office by Clogston:

“To Brenda Jewett of the Town of Haverhill in the County of Grafton; whereas there is a vacancy in the office of Deputy Treasurer in said town; whereas we, as subscribers, have confidence in your ability and integrity to perform the duties of said office; we do hereby appoint you, Brenda Jewett, as the Deputy Treasurer to said town. Upon taking the oath of office and having this appointment and the certificate of this oath of office recorded by the Town Clerk, you shall have the powers to perform the duties and be subject to the liabilities of said office until another person shall be chosen or elected and qualified in your stead. Repeat after me:

I, Brenda Jewett, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent to me as Deputy Treasurer according to the best of my abilities agreeably to the rules and regulations of the Constitution and laws of the State of New Hampshire, so help me God.”

Christina Hebert, Town Clerk

Oath of Office by Clogston:

“To Christina Hebert of the Town of Haverhill in the County of Grafton; whereas there is a vacancy in the office of Town Clerk in said town; whereas we, as subscribers, have confidence in your ability and integrity to perform the duties of said office; we do hereby appoint you, Christina Hebert, as the Town Clerk to said town. Upon taking the oath of office and having this appointment and the certificate of this oath of office recorded by the Town Clerk, you shall have the powers to perform the duties and be subject to the liabilities of said office until another person shall be chosen or elected and qualified in your stead. Repeat after me:

I, Christina Hebert, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent to me as Town Clerk according to the best of my abilities agreeably to the rules and regulations of the Constitution and laws of the State of New Hampshire, so help me God.”

Joe McQueeney, Cemetery Commissioner

Oath of Office by Clogston:

“To Joe McQueeney of the Town of Haverhill in the County of Grafton; whereas there is a vacancy in the office of Cemetery Commissioner in said town; whereas we, as subscribers, have confidence in your ability and integrity to perform the duties of said office; we do hereby appoint you, Joe McQueeney, as the Cemetery Commissioner to said

town. Upon taking the oath of office and having this appointment and the certificate of this oath of office recorded by the Town Clerk, you shall have the powers to perform the duties and be subject to the liabilities of said office until another person shall be chosen or elected and qualified in your stead. Repeat after me:

I, Joe McQueeney, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent to me as Cemetery Commissioner according to the best of my abilities agreeably to the rules and regulations of the Constitution and laws of the State of New Hampshire, so help me God.”

Election Follow-Up, cont.

Clogston addressed the Board members asking for consideration of a process for moving forward with last year’s budget. Garofalo suggested working with last year’s budget as best they can because the public does not like virtual meetings and there is no real option or guarantee their will be an option for an in-person meeting this summer to reconsider the 2021 budget.

MOTION #6: Garofalo made the motion to revert to the 2020 operating budget without warrant articles. Bjelobrk seconded the motion.

- Garofalo asked where the grader, dump truck, and the police cruiser stand. Codling presented a summary 2020 budget with proposed transfers to ensure continuity of operations, where possible, as reflected in the 2021 budget. Reductions in the budget included buildings and property maintenance, Police Department dispatch fee, Woodsville Fire Department budget, organic savings to the Town Fire Department, Emergency Management, Parks & Recreation Department, and debt services. Garofalo asked about the 2020 budget that allocated money to all three fire departments. Codling stated that from the legal opinion, the Town cannot fund a precinct for a duplication of services. Discussion continued. Budget line item increases included legal fees, planning and zoning, credit card reader for the airport, and highway, and a reduction to highway paving and Center Haverhill Armory renovations. Hatch stated that the Town cannot lose the highway equipment and he is willing to pay the interest on the payments for one year.

Roll Call Vote: Matthew Bjelobrk (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Aye), Darwin Clogston (Aye). The motion passed unanimously.

MOTION #7: Bjelobrk made the motion to approve financial transfers within the 2020 operating budget without warrant articles. Garofalo seconded the motion.

- Garofalo discussed the fire services funding. Discussion continued. Codling noted that with the Haverhill Corner Fire Department, the Town will contract with their department if the precinct votes not to join the Town Fire Department. Garofalo stated that he wants all three fire departments available for servicing the Town of Haverhill. Codling explained that as of the meeting all three fire station service areas were not changing, and through mutual aid all three stations would continue to serve all of Haverhill and support one another.
- Boucher further explained some of the fund transfers in the budget.
- Roy asked what about the fire department funding from January to March.

- Ed Ballem asked about the debt service on the Haverhill Corner fire truck Engine #3. Discussion continued about who is responsible for the bond payments -- the precinct or the Town. Codling noted that the discussion should be between the precinct Commissioners and the Select Board.

Roll Call Vote: Matthew Bjelobrk (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (No), Darwin Clogston (Aye). The motion passed with four “Ayes” and one “No.”

MOTION #8: Bjelobrk made the motion NOT to pursue the reconsideration of any 2021 warrant articles with the Superior Court. Garofalo seconded the motion.

- Roy asked if there was any possibility of having a public Town Meeting. Garofalo stated that a public meeting following the defeat of Article 2 requires by State statute that 50% of Town voters (1,600) attend and there is nowhere that that can be done while maintaining COVID protocols of 6-foot distancing. Discussion continued. Codling noted that the legal opinion to hold a virtual Town Meeting was a multi-level opinion – from the Mitchell Group, the NHMA, and the Secretary of State’s Office. Codling stated that the Town would have been negligent to contradict the opinion of the Towns lawyers.

Roll Call Vote: Matthew Bjelobrk (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (No), Darwin Clogston (Aye). The motion passed with four “Ayes” and one “No.”

PENDING / OLD BUSINESS: None.

TOWN MANAGER’S REPORT: None.

ASSISTANT TOWN MANAGER’S REPORT: None.

BUDGET FOLLOW-UP

Woodsville Ambulance

March 13, 2021, Annual Town Meeting voting day pursuant to HB1129 the voters from the Town of Haverhill voted to overwhelmingly not approve the temporary optional meeting procedures under Article 2 on the Alternative Ballot. As a result of this vote, all subsequent articles on the Alternative Ballot were voted down; therefore, the Board of Selectmen were tasked with determining the Town’s Operating Budget. On March 15, 2021, at the Select Board meeting we chose to revert to the 2020 operating budget for the 2021 fiscal year. As a result of the decision, the entities who were budgeted to receive funding from the Town in the 2021 operating budget will continue to be funded, but at the amounts raised and appropriated in the 2020 operating budget. Therefore, the 2020 operating budget will allocate funding in the amount of \$110,732 for Woodville Ambulance.

MOTION #9: Clogston made the motion to allocate \$110,732 to the Woodsville Ambulance. Bjelobrk seconded the motion.

Roll Call Vote: Matthew Bjelobrk (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Abstain), Darwin Clogston (Aye). The motion passed with four “Ayes” and one Abstention.

Woodville Public Library

March 13, 2021, Annual Town Meeting voting day pursuant to HB1129 the voters from the Town of Haverhill voted to overwhelmingly not approve the temporary optional meeting procedures under Article 2 on the Alternative Ballot. As a result of this vote, all subsequent articles on the Alternative Ballot were voted down; therefore, the Board of Selectmen were tasked with determining the Town's Operating Budget. On March 15, 2021, at the Select Board meeting we chose to revert to using the 2020 operating budget for the 2021 fiscal year. As a result of the decision, the entities who were budgeted to receive funding from the Town in the 2021 operating budget will continue to be funded, but at the amounts raised and appropriated in the 2020 operating budget. Therefore, the 2020 operating budget will allocate funding in the amount of \$20,103 for the Woodville Public Library.

MOTION #9: Bjelobrck made the motion to allocate \$20,103 to the Woodville Public Library. Garofalo seconded the motion.

Roll Call Vote: Matthew Bjelobrck (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Aye), Darwin Clogston (Aye). The motion passed unanimously.

Patten Library

Clogston asked for a motion for funding at \$15,034.

MOTION #10: Bjelobrck made the motion to allocate \$15,034 to the Patten Library. Hatch seconded the motion.

Roll Call Vote: Matthew Bjelobrck (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Aye), Darwin Clogston (Aye). The motion passed unanimously.

Haverhill Library

Clogston asked for a motion for funding at \$13,464.

MOTION #11: Clogston made the motion to allocate \$13,464 to the Haverhill Library. Bjelobrck seconded the motion.

Roll Call Vote: Matthew Bjelobrck (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Aye), Darwin Clogston (Aye). The motion passed unanimously.

AP Pool

Codling stated that the Board should vote on the AP Pool because the Board voted not to fund the pool, as well, as vacating the agreement around the pool and other issues. Clogston read a letter to the Woodville Fire District regarding a 60-day notice to terminate the agreement for the pool.

This letter is a 60-day notice to the Woodville Fire District in the Town of Haverhill wishes to terminate the agreement with the Woodville Fire District for the operation of the Town of Haverhill summer recreation program at the AP community pool. The Town of Haverhill will remove all items that currently reside at the pool or we can negotiate to sell any items to the

Woodsville Fire District. Please notify Sherri Sargent by the close of business on Friday, April 2, 2021, as to what the Woodsville Fires District wishes to do.

MOTION #12: Bjelobrk made the motion to send the 60-day notice letter to Woodsville Fire District regarding the termination of the agreement for the summer Recreation Department use of the AP Pool. Garofalo seconded the motion.

Roll Call Vote: Matthew Bjelobrk (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Abstain), Darwin Clogston (Aye). The motion passed with four “Ayes” and one abstention.

Nonprofit Organizations / Petitioned Articles

To all agencies requesting funding on the 2021 Town Warrant:

It was voted by the majority of voters against Article 2 to approve optional meeting procedures to see if the Town would vote to approve optional meeting procedures allowed by HB1129 for use during the Covid-19 State of Emergency. Optional meeting procedures shall include, one virtual informational meeting, one virtual meeting to address comments and amend the Warrant, and pass-through voting with two separate ballots – one for election of officers and one for the warrant articles. Therefore, this warrant article failed which meant that all other warrant articles failed that followed it on the warrant.

We regret to inform you that there will be no funding to the nonprofits that requested funding from the Town because of this vote. NO other town Meeting will be held at a later date to discuss this.

MOTION #13: Garofalo made the motion to send the above letter to the nonprofit organizations that petitioned the Town of Haverhill on the 2021 warrant. Clogston seconded the motion.

Roll Call Vote: Matthew Bjelobrk (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Aye), Darwin Clogston (Aye). The motion passed unanimously.

Codling noted that the sum for nonprofits that are not being funded is approximately \$59,000.

Application for Current Use

Clogston provided a list from the Assessor for properties in current use for signatures.

COMMISSION/COMMITTEE REPORTS:

- Bjelobrk noted that the Airport Commission has a meeting on Wednesday, March 17.

CORRESPONDENCE: None.

COMMENTS BY BOARD MEMBERS:

- Hatch stated that in his 50 years on Town boards he has never seen any person do as much research and take as much interest in Haverhill as Clogston. “Thank you, Darwin” [Audience clapping]
- Codling spoke about getting to know Clogston for the last two years. Codling noted that Clogston read everything that she sent him, was always well informed, often provided information that she could not have known about from the past, and collaborated on work that was before the Board. He spent many hours a week preparing for Select Board meetings. “I’m going miss working with Darwin.”

- Dawn Lavoie said that Clogston was always available to talk about concerns; that people constantly stop by his shop to talk and he never turns anyone away. [Audience applause]
- Clogston thanked everyone.
- Marilyn Blaisdell offered her opinion on the Town vote and the misrepresentation of Article 02 and the damage that did to the Town as well as the misrepresentation of the Select Board's decisions over the past two years. They have been transparent and open all you needed to do was go to the meetings, which she stated she had done.

RECESS and NONPUBLIC SESSION:

MOTION #14: Bjelobrck made a motion and Garofalo seconded the motion to recess for 5 minutes and go into NONPUBLIC SESSION according to RSA 91-A:32-c at 7:48 PM.

Roll Call Vote: Matthew Bjelobrck (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Aye), Darwin Clogston (Aye). The motion passed unanimously.

The Board come out of NONPUBLIC SESSION at 8:23 PM.

ADJOURN

MOTION #15: Robbins made a motion and Bjelobrck seconded the motion to adjourn the meeting at 8:24 PM.

Roll Call Vote: Matthew Bjelobrck (Aye), Howard Hatch (Aye), Fred Garofalo (Aye), Steve Robbins (Aye), Darwin Clogston (Aye). The motion passed unanimously.

The meeting ADJOURNED at 8:25 PM.

Transcribed by Joanna Bligh