

**Town of Haverhill
Select Board
MEETING MINUTES
July 6, 2020**

(Members participated onsite and visitors participated by
videoconference/teleconference because of the COVID-19 pandemic)

DRAFT subject to review by the Board

Board Members Present: Darwin Clogston, Chair; Matthew Bjelobrk, Vice Chair; Howard Hatch; Fred Garofalo; Steve Robbins

Town Employees Present:

Town Manager: Brigitte Codling

Financial Officer: Jennifer Boucher

Health Officer: Gary Hebert

Members of the Public Present: Senator Bob Giuda & Carolyn Hofmann (in-person) as well as Kevin Shelton, Mike & Dawn Lavoie, Griffin Robarge, Alex Nuti-de Biasi, Doug Teschner, Barbara Warren, and Kaylee Heathe (via Zoom).

The meeting was **Called to Order** at 6:00 PM by Darwin Clogston. A quorum was met.

Pledge of Allegiance

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

- **July 6, 2020**, 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: 1-301-715-8592 (US) or the website <https://ZOOM.US/meeting> (ID# 97424357760; password: 710702); 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.

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Roll Call Attendance:

Fred, Steve, Howard, Matt, and Darwin

Agenda Approval:

MOTION #1: Matt made a motion and Howard seconded the motion to approve the Agenda for July 6, 2020, as printed.

Roll Call Vote: Fred (Aye), Steve (Aye), Matt (Aye), Howard (Aye), Darwin (Aye). The vote was unanimous. The Motion passes.

Consent Agenda

MOTION #2: Darwin asked for a motion to approve the minutes of the previous Select Board meeting on June 22, 2020, and the Select Board work sessions of June 29; also, to sign manifest, forms, and other warrants. Jennifer added a FairPoint Abatement discussion to the agenda. Matt made a motion and Howard seconded the motion.

Roll Call Vote: Fred (Aye), Steve (Aye), Matt (Aye), Howard (Aye), Darwin (Aye). The vote was unanimous. The Motion passes.

Town Employee Appearances: None

Scheduled Public Appearances: Senator Bob Giuda; Nicole Kidder; Greg Matteson; Kevin Shelton and Doug Teschner, HEEC.

HEEC (Haverhill Entrepreneurial Economic Committee) / Broadband

Kevin stated that everyone wants to see broadband throughout the Town. The HEEC has been speaking with North Country Council to piggyback on their Carroll County efforts, including a survey. Doug noted that what came out of the business survey of a few years ago is that broadband is the better way to go. Doug stated that there are grant funds, including the Cares Act money, but the Committee's work with the North Country Council focused on getting customer data and getting the Town to partner with other towns for funding and resources. Doug stated that the NH Electric Cooperative is committed to get broadband in their service area. Doug stated that they are looking at a long-term effort.

Discussion followed. Doug stated that the goal is to get fiber network technology down every road in Town.

Brigitte stated that \$50 million became available from the State for broadband in NH. The Office of Strategic Initiatives (OSI) was tasked with receiving RFPs for grant money access across NH. Brigitte stated that when contacting smaller Wi-Fi/internet providers and working with Forum attendees, she focused on public MESH Wi-Fi network coverage for Woodsville and N. Haverhill, which would be managed by the Town. The proposal for the grants is \$100,000 with a 50/50 match. Discussion continued.

Kevin and Doug expressed the benefit of public-private partnerships and of groups of towns combining to seek funding. Steve asked if there were security issues with the MESH network. Brigitte noted that there is firewall protection between the user and the network.

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Public Wanting to Address the Board:

Senator Guida

Senator Guida expressed how polarized the political landscape currently is, which includes the NH House and Senate. So, the bill related to Haverhill is amalgamated with other bills, and he couldn't guess the outcome when the governor sees the Bill.

Darwin stated that the Town of Haverhill is addressing a sewer system that is at capacity and the prospect of building an emergency services building, which could involve state or federal funding. Senator Guida offered two possibilities for funding resources: the Community Development Finance Authority, and he suggested that it is less expensive to renovate an older building than constructing a new building because of building codes. Senator Guida addressed the broadband issue stating that the person to contact is the director of the OSI, Jared Chicoine.

Brigitte asked what the status of HB1234, and Senator Guida replied that it is in the preliminary stages called "enrollment of the bill." Senator Guida continued that once the bill is on the Governor's desk, he has 7 days to sign it, veto it, or let it pass without a signature.

Senator Guida noted that GAP funding is soon to be available from the Business Finance Authority.

PENDING OLD BUSINESS

Consideration of Draft Ordinance for Garbage / Junk

Gary Hebert, Health Officer, discussed the truck transfer permit and that further research is needed for that wording to be put in an ordinance. He stated that there are nuisance properties with overflowing dumpsters and junk, which he monitors. Gary requested the status of many properties that are clearly neglected and that he has recently photographed. Brigitte stated that one of the properties is in process with the town's lawyer. Gary was concerned about the safety of the neglected buildings. Gary stated that another property appears to be a junkyard, and he researched the licensing process for junkyards. The certificate of approved location/application for license for a junkyard is made in writing to the local governing body—the Select Board, in this case—and there is nothing in place in Haverhill. Gary continued a discussion about enforcement of Town ordinances and receipt of permit applications. He further proposed hiring a land-use administrator to assist all boards in the development and enforcement of ordinances and administrative rules in the NH statutes that pertain to land use.

Brigitte summarized the issues brought up by the Health Officer: trash ordinance, list of hazardous properties, junkyards, and the recommendation for a land-use administrator.

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NEW BUSINESS

Select Board Conduct

Darwin distributed a statement concerning Steve Robbin's testimony on the Public Hearing on HB1234:

“Steven Robbins: I want to voice my opposition to Item 49. This Amendment is not something that has been voted on by the people that it effects and reverses the process of the highway maintenance in the Woodsville Fire District. It's been ongoing by the Woodsville Fire District since the 1800's. The residents of the District enjoy well maintained streets and have been on a continuous improvement plan to ensure the safety of people traveling on our streets. And, we don't believe that if this changes hands we will have the same maintenance that we have today. The affirmative vote on this Amendment is much more than the maintenance of the streets though. This is about further division of a fragmented community. In my 54 years, I have never seen a community so divided. I ask that you please allow our community to work this out and work towards healing and moving forward.”

Darwin read a written statement as Select Board Chair:

“As Select Board members, duly elected, we solemnly swore to ‘...faithfully and impartially discharge and perform all the duties incumbent to me as a Select Board member according to the best of my abilities, agreeable to the rules and regulations of the Constitution and laws, so help me God.’ “

Darwin continued: *“After much reflection, I find myself as Select Board Chair in the unfortunate position of bringing to the Board's attention two separate and unrelated actions by Selectman Steve Robbins that violated this oath and put the Town at risk.”*

“First, Mr. Robbins released to the public part of a Town of Haverhill's employees' confidential personnel file. Not only is this action unlawful, something for which Select Board member Robbins could be charged; but, the Town of Haverhill may yet be party to a lawsuit from which the Town would be responsible to pay damages.”

“My second concern is Selectman Robbin's testimony before the New Hampshire Senate Committee on Executive Departments and Administration on June 9th of this year, regarding what was originally Senate Bill 414. You have before you his transcribed testimony—testimony that was faulty and categorically untrue. He not only does not speak impartially as his oath dictates, but outright lies about the events that the Select Board to vote unanimously to proceed with this highway funding legislation. This is the timeline of events that Select Board member Steve Robbins said never happened:”

“The September 30, 2019, email from Precinct Commissioner Richard Guy, and I quote, ‘The law that I sent to you states how the money is allocated. No review of the process is needed nor will it be tolerated. You cannot change the law.’ “

“October 21, 2019. Select Board work session regarding highway funding.”

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“October 28, 2019. Select Board regular meeting, which included a discussion on highway funding.”

“November 1, 2019. Email sent to Woodsville Precinct Commissioners by Town Manager containing proposed highway bill language, and I quote, ‘Though most of this information is public record, I’m happy to provide it here to help the group work collaboratively towards a resolution or at a minimum, a mutual understanding.’ “

“November 6, 2019. Richard Guy email to Steve Wheeler and Paul Kidder [stated], ‘Holy shit. She’s psychotic.’ The response from Paul Kidder [stated], ‘That’s putting it mildly.’ “

“November 7, 2019. Article in the *Bridge Weekly* newspaper about the road funding debate, signed by all Woodville Precinct Commissioners.”

“November 18, 2019. Select Board’s public works session with Representative Ladd and Senator Guida, plus all three Woodsville presented draft concept.”

“December 6, 2019. Select Board public work session.”

“December 13, 2019. Legislation introduced.”

“I have made my point. There are, of course, minutes to these meetings available, as well as, Facebook and YouTube recordings. Select Board members Steve Robbins; actions are contrary to the position taken by the Board. The Board’s integrity should not be called into question because one member’s personal interests aren’t aligned with what is best for the people and community. We were elected to serve.”

Steve Robbins responded:

“...I explained to you in non-public session that I did not release any employees’ confidential personal information...we did not go to have the House or Senate change the way the highways operated. We voted to accept, accept the highways. That is very much different than what went on. And, I did not represent myself as a member of this Board. I represented myself as Steven Robbins...I have a constitutional right to my opinion. I have the right to address the State Senate and I did not identify myself as a representative of the Board....in your further statement, Mr. Guy did...I was not with him. I don’t know what he said. I didn’t listen to his testimony.”

TOWN MANAGER’S REPORT

James R. Morrill Building / Town Offices Reopening

Brigitte announced that the Town Offices at the Morrill Building will be reopening on Monday July 13, 2020, by appointment only with a door monitor who will ask questions, take your temperature, and verify your appointment. Members of the public will begin to schedule appointments next week using Appointment Plus.

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Town of Haverhill Fire Department Committee

The Fire Department Committee has met 5 times and are productive meetings. Next meeting: July 14
Committee elected Jon Bufford (resident of Pike, NH, and Chief, St. Johnsbury, VT Fire Department) as
Chair. Brigitte noted that a survey will be going out soon and public and internal meetings will be
scheduled in the next month.

Clark Pond Road:

Brigitte stated that Austin Construction began construction. The project has an anticipated completion
date of October 9, 2020. The bridge and road will be closed to through traffic intermittently.

French Pond Road Project:

Brigitte stated that temporary construction easements have almost all obtained, and collaboration with
utility companies is occurring. Culvert replacements are almost complete.

Woodsville Lawsuit:

The Town was served through the Town's lawyers, and Jennifer and Brigitte are preparing the response.

Status of Requests for Bids:

The Town has put out to bid and held bid openings for the following projects or services:

- Center Haverhill Armory Roof Renovations
- Tree Removals
- Plumbing Services

Dean Memorial Safety Project

Brigitte stated that the grant for funding is still on pause, and the feasibility study has not started yet.

Central / Forest Intersection

Brigitte reported that the NHDOT has verbally approved the construction permit, and the Town has not
received the formal approval to do safety improvements to the intersection.

Blackmount Trail Update (North Haverhill to Woodsville):

Brigitte reported that responses from both the NHDOT and FHWA have been received; however, no fair
market value appraisal has been received as yet.

Northern Borders Regional Commission Grant

Brigitte stated that this grant is to fund a feasibility study for a wastewater treatment and collection
system, primarily for expanding the North Haverhill Industrial Park and relieving the Woodville plant
from the influx of N. Haverhill wastewater.

Fred asked if there is consideration to expand the treatment plant in Woodsville. Brigitte stated that it was
found that expanding and upgrading the Woodsville plant would be in the millions of dollars. A new plant
in N. Haverhill will allow both areas to improve economic development.

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Broadband Grant

Brigitte noted that this issue had been discussed earlier in tonight's meeting.

Department Heads' Reports:

- **Town Clerk** –The Town Clerk is receiving a large volume of calls, and the Deputy Town Clerk position is being advertised for a second time.
- **Tax Collector** – Tax payments were due on July 2 and Melinda deposited \$1.4 million last week.
- **Property Records** – Connie is actively processing building permits, intents to cut, and intents to excavate.
- **Planning & Zoning** –The Select Board has set Reclamation Bond amounts for the gravel pits, and they have not yet been posted. Inspections of the pits by engineers has begun.
- **Highway Dept** – The Cemetery Road paving project was completed last week.
- **Dean Memorial Airport** – The Board toured the airport with the Health Officer and Fire Chief. Minutes of the onsite visit will be posted online.
- **Maintenance Dept** – New wood chips are going into the playground behind the VFW field. The Town Clerk's office and the Town Administration offices had new walls with tempered glass built in anticipating the public opening.
- **Welfare Dept** – Processing more applications for assistance because people have been out of work for a long time and shelters are not opening yet. The Welfare Department is expecting more applications to come in with the onset of foreclosure notices.
- **Police Department** –
 - PD Jobs Analysis is still in process.
 - Brigitte attended oral boards for a potential new hire.
- **Emergency Management and Public Health** – Gary discussed these issues earlier in the meeting.
- **Parks & Recreation Dept** –
 - The AP pool is not opening this year, but painting and maintenance will be done.
 - ZOOM Classes: Senior Stretch & Drums Alive. These classes continue and there has been an increase in participation. Attendees seem to really like the Zoom class platform.
 - HARP Summer Program: The Department confirmed that the summer HARP will not open.
 - Hazen Park: Residents are enjoying the park.
 - Concert at RR Park: The concert went ahead yesterday and everyone did a good job at social distancing.
 - Community Garden: The garden is looking good and all the lots are taken.

FINANCE OFFICER'S REPORT

Jennifer reported on a request for Consolidated Communications to do business as Fairpoint per the Town's utility assessor recommendation. Darwin tabled the discussion until more information can be obtained.

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Commission and Committee Reports:

Howard Hatch (Planning Board, Airport Zoning Board): Planning Board and engineers met onsite at the gravel pits. There was an airport work session and when I left the meeting I had more questions.

Steve Robbins (Parks & Recreation): We're meeting Wednesday night and hopefully we'll have a quorum.

Correspondence:

- Darwin received a request for an abatement on interest and fees for past due property tax. Jennifer gave background stating that the Board has traditionally not waived interest or penalties. The party can apply for hardship payment, but any interest or penalties have usually been denied by the Board. Jennifer noted that the Board does not have policies and procedures in place for dealing with hardship payments. Jennifer stated that the abatement would be on the principle and not the interest and penalties, and the request should be acted upon within 30 days.

MOTION #3: Matt made a motion to table the request for the property tax interest and penalty abatement. Darwin seconded the motion.

Roll Call Vote: Fred (Aye), Steve (Aye), Matt (Aye), Howard (Aye), Darwin (Aye). The vote was unanimous. The Motion passes.

Comments of Select Board Members:

Senator Guida asked to speak and stated that the State of NH revenues were down \$120 million at the end of June, and he stated that he anticipates lessening of appropriations to the towns from the State. Notably, gasoline tax revenues are down.

Darwin: Thank you to Pricilla and Aldin Brown of Green Thumb who donated flowers to the airport. Thank you to Don Drew and Sherry of Mountain Lakes District for the use of their facility tonight. Darwin received a call from a resident of Mountain Lakes about his driveway permit, and he had good things to say about the Town's office staff and the Highway Department. Darwin noted that there was a security breach at Kiln Works, and he wanted to thank the Police Department for their help late in the evening. On the Clark Pond Road Bridge, Darwin observed lots of activity, and it's approaching a 3-year anniversary. At Railroad Park, Darwin saw a young family enjoying the space. And, at Hazen Park, which has gone through a transformation, Darwin had a nice conversation with a man pushing a golf cart. The Playground behind the Morrill Building looked good with the new wood chips, and an elderly gentleman was out on the VFW field, which brought to mind that there are many positive things going on in Town.

Adjourn Meeting

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MOTION #4: Howard made a motion to adjourn the meeting at 8:15 PM. Steve seconded the motion.

Roll Call Vote: Fred (Aye), Steve (Aye), Matt (Aye), Howard (Aye), Darwin (Aye). The Motion passed.

Adjourned: 8:15 PM

Transcribed by Joanna Bligh

DRAFT