

**Town of Haverhill  
Select Board Meeting  
MINUTES  
Monday, December 19, 2022, at 6:00 PM  
R. E. Clifford Memorial Building  
65 South Court St.  
Woodsville, NH 03785  
Or on ZOOM**

**CALL TO ORDER:** Chair Fred Garofalo called the meeting to order at 6:00 PM.

**Select Board Attendance:** Kevin Knapp (Present), Katie Williams (Present), Mike Graham (Present), Vice Chair Steve Robbins (Present), Chair Fred Garofalo (Present). A quorum was met.

**Town Employees Present:**

**Town Manager (TM):** Brigitte Codling  
**Assistant Town Manager (ATM):** Jennifer Boucher

**Members of the Public Present**

***In Person:***

Howard Hatch	Regis Roy
Tammy Webb	Darwin Clogston
Doug Dutile	Dawn and Mike Lavoie
Bob St. Pierre	Matthew Bjelobrk
Vickie Wyman	Pat Buchanan
Carolyn Hofmann	Alex Nuti-de Biasi ( <i>Journal Opinion</i> )
Joe and Margo Longacre	
Glen Page	

***Online:***

Mike Bonanno	Delcia Vinnacombe
Joanne Young	Christina Hebert
Jim McKinnon	Jessica Moody
Guy Mitchell	Tim Robie
Lorraine Prescott	Bob Long
Jake Cochran	Robert Maccini
Ron DeRosia	
Mary Brooks	

**PLEDGE OF ALLEGIANCE**

**AGENDA APPROVAL**

**MOTION #1:** Vice Chair Robbins made the motion and Williams seconded the motion to approve the Agenda as amended.

- Chair Garofalo added two items to the Agenda – Under New Business Olivarian School late fee forgiveness and under Old Business TM evaluation forms. Chair Garofalo noted that the Board will go into Nonpublic Session at the end of the meeting.

**Voice Vote:** All approved, none opposed, none abstained. The motion passed unanimously.

## **CONSENT AGENDA**

### **Approve minutes from the previous meetings**

**MOTION #2:** Williams made the motion to approve the Minutes from **December 5, 2022**, meeting as amended. Chair Garofalo seconded the motion.

- Knapp asked to correct the minutes from the meeting of December 5, p. 4, Motion #6:
  - Graham seconded the Motion, and, for the Vote, three approved and two abstained.

**Voice Vote:** All approved, none opposed, none abstained. The motion passed unanimously.

**MOTION #3:** Williams made the motion to approve the Minutes from **December 12, 2022**, meetings as written. Chair Garofalo seconded the motion.

**Voice Vote:** All approved, none opposed, none abstained. The motion passed unanimously.

## **SCHEDULED PUBLIC APPEARANCES:**

### **Robert St. Pierre Regarding Meadow Lane**

St. Pierre (11 Merchants Lane) stated that he is representing Glen Page (7 Merchants Lane) and himself regarding the 2020 discontinuation of Meadow Lane/Merchants Lane. At the August 29, 2022, Select Board meeting the discontinuation list was discussed. As an abutter to a potentially discontinued road, he or others did not receive certified notice, and, thus, he did not appear. St. Pierre provided the Board with a map showing 110 feet of road that Merchants Lane and Meadow Lane share. St. Pierre stated that the NH Division of Forests and Lands gave St. Pierre permission to plow Meadow Lane. St. Pierre stated that he can prove that Meadow Lane has been maintained by the Town for 20 years and stated that not being on a Town-maintained road devalues his property.

Page stated that he purchased the house on the basis that it was a Town-maintained road. Recently, he had an emergency, and the police and fire were dispatched to his property. He felt it is important to have the road maintained.

### **Discussion:**

Doug Dutile, Chair, Haverhill Corner Commission, stated that the road has been maintained by the Town for many years. Commissioner Dutile asked about the water lines to the two properties, and Commissioner Lavoie stated that those water lines are Precinct-owned.

TM Codling stated that she spoke with staff from the NHDOT, the Department of Parks, and the Department of Forest and Lands, and the state fully maintains Meadow Road from Route 10 to Bedell State Historic Park; however, the state does not maintain park roads in the winter. Merchants Lane (private road) is the spur road off of Meadow Lane (state road). TM Codling stated that the Town does not maintain state or private roads confirmed by the Town's attorneys and the NH Municipal Association attorneys. TM Codling stated that the state contact noted that he will be happy to enter into a MOU with the two property owners on Merchant's Lane that the state has the responsibility for Meadow Lane and the culvert on Meadow Lane.

Mike Lavoie, Haverhill Corner Commissioner, noted that many years ago, Meadow Road was plowed by the Town of Haverhill, and after 1997, the state took over the road and has never plowed Meadow Lane since then. Vice Chair Robbins noted that the Town's plow trucks cannot turn around at the end of Merchant's Lane without going onto private property or backing onto a state road. Chair Garofalo noted that his concern is the liability issue for the Town in plowing a private road, and Vice Chair Robbin noted that the Town hires private contractors to plow the private road, which generates an even greater level of liability. TM Codling noted that the Town of Haverhill cannot spend money for the private benefit of residents.

Graham stated that he is hesitant to stop the winter maintenance of Merchants Lane if it has been plowed for the last 5 years, and suggested that the Town enter into an MOU with the state to hire a contractor to perform winter maintenance from Route 10 to the entire Merchants Lane.

Joe Longacre (No. Haverhill) commented that the road issues in Haverhill have been going on for a long time. His road is private (Farnham Lane), but is plowed by the Town. J. Longacre suggested that an MOU be negotiated so that the Town can plow Merchants Lane.

Page asked the Board to obtain the MOU from the state. TM Codling noted that the Town cannot legally enter into an MOU with the state.

Graham asked for evidence that Merchants Lane was not a Town road. TM Codling noted that all Town records lists Merchants Lane as a private road.

Wyman stated that from a real estate perspective the affect is huge – VA financing and resale will be affected. Wyman noted road maintenance is part of a sale agreement.

Chair Garofalo reiterated that the property owners have to enter into an MOU with the state – the Town cannot do it. Graham asked for the state official to come to a Select Board meeting.

Hofmann stated that if the private parties plowed Merchants Lane, they would also have to plow the state road, which would create further liability.

Chair Garofalo noted that to change the previous vote of discontinuation of Merchants Lane, a vote would have to be made to reconsider.

**MOTION #4:** Vice Chair Robbins made the motion to reconsider the discontinuation of Merchants Lane. Graham seconded the motion.

- Williams asked about private contractors hired by the Town to plow Merchants Lane.
- TM Codling noted that there would have to be an MOU for anyone to plow Merchants Lane.

Vice Chair Robbins withdrew the Motion to reconsider.

Graham withdrew his second.

**MOTION #5:** Vice Chair Robbins made the motion to speak to the state about an MOU for the Town to plow Meadow Lane from Route 10 to the intersection of Merchants Lane to allow residents access to their private road. Graham seconded the motion.

**Voice Vote:** Four approved, none opposed, one abstained. The motion passed unanimously.

#### **TOWN EMPLOYEE APPEARANCES:**

##### **Andrew Eliot, HPD**

TM Codling noted that Officer Eliot was at the meeting to be introduced to the Board. Officer Eliot stated that he grew up in Benton, NH, and graduated from the Police Academy on November 18. (Applause) Vice Chair Robbins noted that he has worked with Officer Eliot a number of times, and it has been a pleasure.

**PUBLIC WANTING TO ADDRESS THE BOARD:** None.

#### **PENDING (OLD) BUSINESS:**

##### **2020 Audit Presentation by Tammy Webb of Vachon Clukay & Company PC**

Webb introduced herself as the Audit Manager at Vachon & Clukay and lead auditor for the Town's 2020 audit. Webb highlighted the following:

- The Town received an unmodified opinion of the Town's financial situation for all recording units, and Vachon & Clukay gave the Town a "completely clean opinion."
- Webb discussed the audit standards that focus on risk assessment and unpredicted testing. Webb performed a control test on the vendor and payroll disbursements, and there were findings.
- Webb found that total revenues exceeded budget estimates by \$25,000, which was "pretty good."
- Webb stated that expenditures were also less than the budgeted amount by \$299,000 or 5.3%. Webb stated, "great job."

- Webb stated that at year end, the total budgetary fund balance was \$1.2M. Webb stated that the Town continues to have a “consistent and stable financial position.”
- To reduce the tax rate, Webb looked at the unassigned budgetary fund balance that was 8.84% of the community annual appropriations.
- Webb listed highlights from the 2020 audit -- \$128,000 in Covid Grant Revenue and ARPA fund revenue of \$478,000 over 2 years.
- Webb discussed the Governance Communication letter to the Board, which is a summary of the audit process – the Single Employer Plan from GAAP75 was adopted and implemented, there was “no lack of authoritative guidance,” and management was helpful. A material weakness was that the “general ledger [was] not being properly reconciled in a timely manner.” Material audit adjustments included reducing the allowance for uncollected taxes, reversing tax-deeded properties considered an asset to the Town, reducing the retirement payables, reversing vacation leave payables, recording Town profits over \$44,000, and recording an escrow deposit of \$177,000.
- Webb discussed the basic Management letter, which cited invoices being paid that did not have department head approval, staff pay rate discrepancies, and credit card receipts not being maintained.

**Discussion:**

Williams addressed the untimely reconciliation of records, and the trial balances received in August.

Graham asked if Covid created the problem of slow reconciliation, and Webb agreed that with people working from home made it difficult to get together for discussions. TM Codling stated that changes have been made to reconcile these deficits, such as rate-of-pay formats.

**MRI (Municipal Resources, Inc., Plymouth, NH) Response for O&M (Organization & Management) Study**

Chair Garofalo introduced the quote from MRI to the Board, and Williams requested a more exact quote. Chair Garofalo wanted to find out if the people working in the Town office have too much or not enough to do. TM Codling suggested preparing a scope of work for MRI. Vice Chair Robbins noted that the Board needs to know what is not getting done and how we can correct it.

**MOTION #6:** Williams made the motion to reconnect with MRI to define the scope of work. Vice Chair Robbins seconded the motion.

**Voice Vote:** All approved, none opposed, none abstained. The motion passed unanimously.

**Financial Restructuring & Compliance Plan**

TM Codling reported that at the last meeting as a follow up to the audit, Administration was asked to come up with a plan for restructuring and compliance. TM Codling stated that reconciliation of the Town's records will occur every month. TM Codling announced a schedule for reconciliations that was presented to the Board. TM Codling noted that accord to a newly adopted RSA 21-J:20-a, municipalities are subject to a \$250/day fine for not completing audits on time. With TM Codling's schedule, the Town will not be charged any fines for current audits completed or in process. TM Codling noted that ATM Boucher will be exclusively working on the financial accounts. Vice Chair Robbins noted that the Town finances are most important, and he appreciated TM Codling addressing this.

### **Town Manager's Evaluation Forms and Next Steps**

Chair Garofalo provided the forms for the members and asked them to fill them out, and in the next two meetings, the Board will come together in Nonpublic Session to discuss the evaluation and present the results to the Town Manager.

### **NEW BUSINESS**

#### **Red Cross 2023 Facility Request**

Chair Garofalo reported that the Red Cross was asking to waive room fees when the Red Cross holds blood drives in 2023.

**MOTION #7:** Vice Chair Robbins made the motion to waive fees for the Red Cross Blood Drives. Williams seconded the motion.

**Voice Vote:** All approved, none opposed, none abstained. The motion passed unanimously.

#### **Mildred Page Funding**

Chair Garofalo announced two requests for funding from the Mildred Page Fund -- for Court Street Arts at Alumni Hall (\$10,000 for outside work for Alumni Hall) and for Haverhill Corner Precinct (as much as possible toward a total \$39,500 for windows and doors replacement).

Dutile stated that last year the budget was \$35,000, but the total this year for the work has increased. Buchanan, president of Haverhill Heritage, Inc., stated that this year the Alumni Hall exterior work needs completion, including repainting. Buchanan noted that Alumni Hall generated 1,000 visitors for events at the building in 2022.

Knapp asked about the Mildred Page Fund, and TM Codling replied that the principal amount does not change. What is withdrawn is what is accumulated from interest. M. Lavoie stated that the Mildred Page Fund donates money to many organizations throughout New England.

**MOTION #8:** Vice Chair Robbins made the motion that the Board award Court Street Arts at Alumni Hall and the Precinct of Haverhill Corner \$5,293.00 each from the Mildred Page Fund. Williams seconded the motion.

**Voice Vote:** All approved, none opposed, none abstained. The motion passed unanimously.

### **Tax Late Fee Forgiveness for Olivarian School**

Chair Garofalo reported that the Olivarian School requested waiving the late fee of \$40.13. ATM Boucher noted that the last abatement request was denied because the Town does not have a formal policy according to the Town's attorneys.

**MOTION #9:** Vice Chair Robbins made the motion [garbled] the late fee for Olivarian School. [Unknown] seconded the motion.

- ATM Boucher noted that the Board should consider developing a policy on this issue.

**Voice Vote:** All approved, none opposed, none abstained. The motion passed unanimously.

**TOWN MANAGER'S REPORT:** None.

**ASSISTANT TOWN MANAGER'S REPORT:** None.

### **COMMISSION AND COMMITTEE REPORTS:**

**Chair Garofalo (Conservation Commission):** Chair Garofalo had no report on the Conservation Commission.

**Kevin Knapp (Planning Board):** Knapp stated that the Planning Board will be meeting on December 27 for a Public Hearing on Boutin's subdivision and to review the Master Plan Chapter 1, Land Use.

**Steve Robbins (Parks & Recreation Commission):** Vice Chair Robbins stated that the Parks & Recreation Commission and Sherri Sargent are very busy. Vice Chair Robbins reported on the budget discussion at the last meeting, which included requesting to add a full-time assistant.

**Mike Graham (Airport Zoning Commission):** Graham stated that the Airport Commission meeting with the Planning Board is coming up, and the Commission discussed the need to revise the scholarship criteria.

**Katie Williams (Zoning Board; Woodsville Advisory Committee):** Williams noted that the Zoning Board and the Woodsville Ambulance Advisory Committee have not met.

### **CORRESPONDENCE:**

- Chair Garofalo announced the Notice of Rehearing from At High Noon LLC. TM Codling noted that the Town received an abatement request from At High Noon, which the Select Board denied. The Town is waiting to hear back from the Board of Tax and Land Appeals.
- ATM Boucher reported on the Auction and that all property was sold for a total of \$29,160.00.

