

Town of Haverhill
Select Board WORK SESSION
MINUTES
Monday, December 13, 2021, 6:00 PM
R. E. Clifford Memorial Building
65 South Court St.
Woodsville, NH 03785
Or on ZOOM

Call to Order: The meeting was called to order at 6:02 PM by Fred Garofalo, Chair.

Select Board Attendance: Matthew Bjelobrk (Here), Steve Robbins (Here), Howard Hatch (Here), Mike Graham (Here), Fred Garofalo (Here). A quorum was met.

PLEDGE OF ALLEGIANCE

Town Employees Present:

Town Manager: Brigitte Codling

Assistant Town Manager: Jennifer Boucher (absent)

Visitor: Randy Subjeck

AGENDA APPROVAL

Garofalo noted that there was no agenda, and the topic of discussion was **DISTRICT BOUNDARIES**.

COMMENTS BY THE TOWN MANAGER

TM Codling provided the members with a packet about the NH Right-To-Know laws for their reference.

TM Codling discussed the article she was drafting for publication about the Who, What, and Why of Local District Taxes to clarify how Town taxes are set.

COMMENTS BY THE CHAIR

Garofalo stated that this meeting is to discuss **DISTRICT BOUNDARIES**, which from the last meeting seems confusing. Garofalo stated that the Board agreed to bring the districts in one-by-one to talk about boundaries, which have been set for 30 years.

The members discussed the development of the district of Woodsville and how 30 years ago the boundaries were expanded. Garofalo noted that Bjelobrk brought up the case that Woodsville's expansion was in question. Garofalo stated that the matter is of concern for district taxes, not Town taxes.

MOTION #1 [Killed]: Garofalo made a motion to rescind the decision the Board made at the December 6, 2021, meeting asking districts to come to the Select Board meeting to discuss boundaries.

- Graham stated that he did not recall that the Board voted on that, but asked the Town Manager to question Town attorneys.
- Robbins noted that the Board discussed ratifying the existing boundaries.
- TM Codling read the Minutes from December 6, Motion #3, stating as follows:

“[From the Minutes of December 6, 2021] **MOTION #3:** Robbins made the motion and Bjelobrk seconded the motion to direct the Town Manager and Assistant Town Manager to outline the map with the district commissioners of the existing districts and present that to the lawyers that it is OK to vote and ratify at Town Meeting. **Roll Call Vote:** Matthew Bjelobrk (Aye), Steve Robbins (Aye), Howard Hatch (Aye), Graham (Aye), Fred Garofalo (Aye). The motion passed unanimously.”

Garofalo stated that he will kill Motion #1.

Robbins stated that the Board needs to find out what to do to ratify the district boundaries. Bjelobrk discussed the tax concerns of the districts. TM Codling queried the Town layers and received a reply stating that the assessing may or may not be valid and there may be liability for the Town. TM Codling read the email from the lawyer:

“First, the Selectmen are required by law to assess the tax by a certified individual by the district. The former statute reads that the Selectmen of each town shall accept the tax on that part of the district line within their own town.”

TM Codling responded that some level of implication was removed because the Select Board accepts the taxes the District certifies that are sent to them. Garofalo noted that the districts set their own tax rates. TM Codling stated that once the district tax rates are set then the Town tax rate is determined.

Robbins read from the lawyer’s email that what has been in use for 30 years, there will be little to no risk to the Town to continue to maintain the status quo. Robbins summarized, “Leave it alone.” TM Codling noted that the Town would not sue, it would be the people in the district who feel they are being harmed who would sue the district.

Hatch stated that the expansion of Woodsville was for those who wanted to get into the district. Hatch discussed paying precinct taxes to North Haverhill but getting no benefits and was not able to vote on it. TM Codling discussed the petitions that were circulated for and against the expansion of Woodsville at the time, she explained that some people were included in the expansion who did not want to become a part of the District. Discussion continued. The Board concluded that it is not the Select Board’s purview to ratify the district boundaries.

TM Codling noted that the tax form must be approved and signed by the Select Board; however. As Bjelobrk stated previously, he was not comfortable certifying the District taxes. Discussion resumed.

TM Codling stated that the Woodsville precinct could insert on their warrant, for district vote, an article to ratify the district boundaries. Robbins stated that the issue has been resolved by the attorney’s response, and Garofalo stated that “the issue is now dead.”

