

**Minutes of Haverhill Selectboard Regular Meeting  
Monday December 10, 2018  
6:00 PM**

**Draft subject to review, correction and approval at the next meeting.**

**Board Members Present:** Fred Garofalo, Tom Friel, Darwin Clogston and Chris Luurtsema.

**Excused Members:** Chairman Wayne Fortier

**Interim Town Manager:** Glenn English

**Town Administrative Assistant/Finance Officer:** Jennifer Collins

**Town Clerk:** Tina Hebert

**AP/Payroll Clerk/Bookkeeper:** Sandi Pierce

**Members of the Public Present:** Tim Northcott, Dawn Lavoie, Mike Lavoie, John Lavoie, Roy Sabourn, Paul Kidder, Bob Sammon, Susie Tann, Howard Hatch, Gary Hebert, Greg Mathieson, Alex Nuti-de Biasi, Doug Henson, Margo Longacre, Joe Longacre, Rick Ladd and Bart Mannn.

**Call Meeting to Order:** The meeting was called to order at 6:00 P.M. by Vice-Chairman Fred Garofalo.

**Pledge of Allegiance**

**Agenda Approval:**

**Consent Agenda:** Tom Friel made a motion to approve the consent agenda. Darwin Clogston seconded the motion and it carried unanimously.

**Scheduled Public Appearances:**

- **Roy Sabourn – Powderhouse Hill:** Sabourn presented his plans to the Selectboard and stated that the corner marker have not been set because Sabourn wished to present some of his findings to the Selectobard before setting the final corners. Sabourn stated that there were no discrepancies from the 2007 survey done by Burgess on the sides adjacent to the Lavoie property. Sabourn agrees with the corner Burgess identified behind Lavoie’s garage and a pin he placed in the fence-line. Two other common points Burgess and Sabourn both identified, include one in the middle of the paved driveway and another on the street. Sabourn did find discrepancies with a few plans done by LeAnn Nystrom to which he identified in orange on his plans. Sabourn expressed confidence in his survey and stated he can provide support for his lines; however, he cannot find supporting documentation for Lynn Nystrom’s surveys. Sabourn stated that technically, the deed to this property is the “Haverhill Cemetery Corporation”, not the Town of Haverhill. “Haverhill Cemetery Corporation” allegedly no longer exists, and it’s recommended that the Town Council be contacted to decipher how to transfer legitimate title. Mike Lavoie requested that Sabourn describe the

topography of the surveyed area where the discrepancies are, and he explained that it is a steep, wooden embankment. Sabourn explained that the 1813 deed shows a legitimate right-of-way for a 1/8 acre parcel; however, it is not clear where this right of way is located. In 1849, Mrs. Page conveyed the track that was surveyed to the cemetery, and in that deed, she reserved the 1/8 acre. In December of 1849, the State legislature approved a sale of that 1/8 acre to the Cemetery Corporation. This means, there is an outstanding right-of-way to get to the 1/8 acre that the State owned in 1813, but the location is not defined. Because of the topography, Sabourn does not believe the right-of-way would have been on the north, east or south side along the road. In his opinion, the only logical place it would have been is over the property that Lavoie now owns, the fields and house lot, or where the cemetery road ended up. Vice-Chairman Garofalo asked if the Board if they'd like Sabourn to set up boundary markers where he's indicated they should go, except for the one pin that would be located in the middle of Lavoie's driveway. Dawn asked if Sabourn concurs with the right-of-way that Lynn Wheeler identified in her findings when she researched Powder House Hill. Wheeler identified the right-of-way as going down into the property that the Lavoie's currently own. Sabourn stated that there is a deed that mentions a right-of-way going between the northside of the school house and the original boundary line of the Lavoie's lot. Dawn stated that the issue of a right-of-way originated when Wheeler presented her findings to the Heritage Committee. Mike Lavoie requested that the Selectboard propose an offering to him and Dawn to help offset the mental and financial hardship this issue has caused their family. Lavoie has also requested an apology from the Board. Tom Friel made a motion to get the Attorney involved to discuss quieting the title. Darwin seconded the motion and it carried unanimously.

Chris suggested starting a discussion with the Selectboard, the Lavoie's and the Page's to find a mutually agreed upon boundary solution. Darwin suggested that the Town Manager also be involved. Chris Luurtsema apologized as a member of the Board for the misinformation given throughout this process and for the turmoil they have experienced. Darwin Clogston personally apologized to the Lavoie's. Mike Lavoie asked if he can get a letter from the Town that states there is no longer a boundary line dispute on his property. Dawn also asked how the undetermined right-of-way could affect the property in the future. Tom Friel suggested talking to the Attorney and look for a way to write off the 1/8<sup>th</sup> acre. Chris Luurtsema asked if the Lavoie's and the Town Manager could discuss adjusting the "dog leg" by including it with the "535 property" and choosing a right-of-way that works with their land. Sabourn will provide the Board with a written report and he also mentioned that the Lavoie's were very courteous while he was doing his survey.

### **Scheduled Public Hearing(s):**

- **Business Park Covenants:** Vice-Chairman Garofalo suspended the Selectboard meeting to open the scheduled Public Hearing at 6:15 P.M. Chris Luurtsema explained the proposed revisions to the covenants which clarify the sewer and water hook-up requirements. Chris stated that the revised covenants would mandate that if you purchase a business park lot and *if* you require water and/or sewer hook-up, you will need to pay the Town the \$25,000 fee. If you do not require water and/or sewer hook-up, you will not be responsible for the fee. Chris explained that these guidelines will carry through to future lot purchasers as well. Howard Hatch asked if lot-line adjustments in the business park are allowed and if that is covered in the covenants to which Chris replied that that issue is not

mentioned in the covenants. Vice-Chairman closed the public hearing at 6:20 P.M. Chris Luurtsema made a motion to adopt the revised covenants. Tom Friel seconded the motion. Darwin asked if by adopting this change, would the original intent of these lots be destroyed. Fred stated that he hopes that this change will improve the current business climate. ITM Glenn English explained that the original intentions of the lots were to put Town-owned land on the tax roll and to also encourage business growth. Howard mentioned issues with enforcing the covenants to lot owners. The motion carried by a vote of 3-1. Voting in opposition was Darwin Clogston.

### **Pending (Old) Business:**

- **Update on Lily Pond Road Project:** Glenn English reviewed documentation on the project and stated that after reading the Clerk of the Works' notes, he did not sense any dissatisfaction from the contractor (Chief Crushing). Glenn stated that a bid for the paving portion was never signed, except for the accepted quote from Pike Industries and there was not a performance bond against the work. Glenn stated that because certain sections were built from scratch, he expected some of the paving to be better than it is. Glenn suggests doing some core samples on sections throughout the road. Glenn stated there should have been Town personnel present during the entire paving process and that did not happen. There was discussion regarding a few days when Town Highway employees were running a grader, roller and performing flagging duties. Darwin stated he believed Chief would be adjusting the cost of the contract to off-set the Town's assistance. Road Agent MacDanolds has been asked to install deflectors on the edges of the road.

### **New Business:**

- **Equalization:** Tim Northcott explained that this is a process that the State does every year by December 14<sup>th</sup>. It involves matching assessed data with the selling price of deeds that have gone through during the year. Northcott ran the preliminary data to see how the overall numbers look and at this point, he stated they meet State standards. Currently, Northcott is showing that the assessments are typically 95% of the selling price. State specs are 90%-110%. Fred asked if the auctioned properties affected the median ratio and Northcott stated those properties are excluded from the data. Tim is in the Town office every Thursday.
- **Appointment of Deputy Health Officer:** Sandi Pierce expressed interest in being the Deputy Health Officer and the Health Officer states she is qualified to do so. Tom Friel made a motion to recommend Sandi Pierce as the Deputy Health Officer. Chris Luurtsema seconded the motion. Darwin Clogston asked if Sandi would bring up the new junkyard by Neil Robie's to her Health Officer and Sandi stated she would. The motion carried unanimously, and Town Clerk Hebert will swear-in Sandi.
- **Streetlight on Horse Meadow Road:** A resident on Horse Meadow road requested a street light that shines away from his property which may result the light shining onto the cemetery instead. ITM English suggests deferring the request to the Cemetery Commission so they can weigh-in on the issue and the Board agreed.
- **Advertisement – Town Manager Search:** Chris Luurtsema suggests cutting the last sentence from the first paragraph in the current advertisement. The Board

would like the ad to request that letters of interest be mailed and submitted to the Town Clerk's office by 1/25/18 at 4:00 P.M. Darwin suggested adding that a master's degree is preferred, as it was discussed previously. ITM English does not feel comfortable taking part of the hiring process. The advertisement will be posted in the Bridge Weekly, Caledonian Record, Union Leader, Journal Opinion and the NHMA. Fred Garofalo stated there is expressed interest from the Hiring Committee to participate in the interview process. The Board decided to stick with the current plan. Greg Mathieson suggested posting the Town Manager advertisement on some Veterans sites.

**Town Manager's Report:** ITM Glenn English stated that a company made an offer to perform all drug testing on-site for CDL employees, as it's been a hardship in the past for them to drive to Littleton and other local clinics are not offering these services anymore. Glenn provided the Board with a draft of a Drug and Alcohol policy for CDL Town employees and would like the Board to consider it. The policy would involve all CDL employees to be tested initially, then a random employee would be chosen quarterly to be tested moving forward. ITM English stated that the cost for this service would be less than \$1,000 annually and this is considered a First Reading of the policy.

Currently, Haverhill only has one representative (Tom Friel) serving on the North Country Council and ITM English stated there should be two. Tom Friel made a motion to approve Glenn English to serve on the North County Council as a representative of Haverhill. Fred Garofalo seconded the motion and it carried unanimously.

ITM English expressed concern with the fast-paced bond approach the representative previously presented to the Board regarding the Town Office building repairs. English stated unfortunately, proposing a bond to the Town on top of the \$1.8 million school bond is not practical and he believes doing small repairs over time would be more effective. Howard Hatch and Darwin Clogston have both volunteered to assist ITM English with this project. ITM English contacted Alliance and they have agreed to come look at the building to make recommendations upon Board approval. There was discussion regarding the current boiler in the building. The Board gave ITM English permission to contact Alliance to set up an appointment to review the conditions of the building.

The State has asked permission to have a Public hearing regarding the traffic signal survey. Chris stated that Wal Mart paid for the light in question and noted that the State is attempting to move a signal light that they didn't pay for. Chris expressed concern about confusion that he's witnessed at the intersection without the lights. Glenn suggested holding a public hearing to discuss this issue and to also bring up the intersection of Route 10 and Forest Street. The Board agreed.

**Commission/Committee Reports:** Tom gave a brief summary of the Airport Beacon Review Committee and stated he no longer wishes to serve as the Selectboard Representative for the Committee, as he predicts it conflicting with his current position on the Airport Commission in the future. Susie Tann also submitted her letter of resignation for the Airport Beacon Review Committee. Susie stated Preston Hatch has "taken a step back" from the Committee but may still be interested. It was stated that the issue may have been blown out of proportion and more work is being created than necessary. There was discussion surrounding the idea of pilot-activated beacon light and whether or not it would affect funding. ITM English suggests taking a "time-out" from the Beacon project and having the Airport Commission revisit their Master Plan. Doug Henson suggests keeping track of how many airplanes come in and out of the Airport with the use of a camera system. There was discussion on how the Board can help and Darwin suggested that ITM Glenn English attend a Committee meeting to which Glenn stated he would if the Board would like him to. The Board would like the beacon

advertisement to be posted on the Town's website. Susie Tann is still unsure if she would like to resign from the Committee. Doug Henson stated he'd like the Town to be better informed on airport decisions and ITM Glenn English suggested adding a few members to the Airport Commission that are not airport users and to then revisit the Commission's Master Plan. There was discussion about the house by the Airport. The Airport Beacon Review Committee will meet next on Wednesday 12/19/18 at 7:00 P.M.

**Comments of the Public:** Susie Tann stated the Board should look into Valley Vista as an alternative source for drug testing for employees. She also inquired about any updates on the Ralph Wright property and ITM English stated he asked the Town Attorney to discuss a potential auction with the Judge, as English does not want the Town to be financially responsible for the property clean-up.

**Correspondence:** None at this time.

**Comments of the Town Manager:** ITM Glenn English will be out of town from 12/20/18 until 12/26/18.

**Comments of the Finance Officer/Administrative Asst:** Jennifer Collins stated that a decision needs to be made soon for the Town Report dedication and the Board will discuss further at the next meeting. The Investment Policy and the Fund Balance Policy will be on the next meeting's agenda. Brunch is still scheduled for 12/21/18 at 10am.

**Comments of Selectboard Members:** Tom Friel stated that he will attend the next Airport Beacon Committee as the Selectboard Representative. Darwin stated he will also attend.

**Meeting Adjourn:** Chris Luurtsema made a motion to adjourn at 9:51 P.M. Tom Friel seconded the meeting and it carried unanimously.

*Minutes produced by Katie J. Williams.*