

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

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

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

**Town Manager:** Jo Lacaillade

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

**Road Agent:** Stuart McDanolds

**Clerk of the Works (Lily Pond Road Project):** Steve Tegu

**Members of the Public Present:** Dawn Lavoie, Michael Lavoie, Howard Hatch, Greg Mathieson, Steve Wheeler, Dennis Cunningham, Dick Guy, Don Kimball, Margo Longacre, Joe Longacre, Mike Bonanno, Brad Sargent and Ed Ballam for the Journal Opinion.

**Call Meeting to Order:** The meeting was called to order at 6:00 P.M. by Chairman Fortier.

**Pledge of Allegiance**

**Agenda Approval:** Darwin Clogston made a motion to approve the agenda as written. Tom Friel seconded the motion and the motion carried unanimously.

**Consent Agenda:** Chairman Fortier noted that due to a procedural error the minutes from the non-public session were not properly sealed and are therefore available to the public. He also noted that the date on the non-public minutes should be corrected to read 07/23/2018 not 07/09/2018. Darwin made the motion to approve the consent agenda with Chairman Fortier's correction to the non-public minutes. Fred Garofalo seconded the motion. Darwin wanted to make sure that his notes and Jo's responses were included as part of the non-public minutes. Jennifer Collins informed him that they had been included as part of the minutes as attachments. The motion carried unanimously.

**Scheduled Public Appearances**

- **Mike Lavoie:** Lavoie asked if the Board had received a letter back from the Town's Attorney verifying whether or not there were any conflicts in the way the bidding process for Powderhouse Hill was held. Lavoie would like verification on whether there is a right-of-way on his property to Powderhouse Hill, as he believes he was told there was one in the past.
- **Road Agent Stuart McDanolds, Chief Bogie, Steve Tegu – Lily Pond Road Project:** Chief Bogie was unable to attend tonight's meeting. Road Agent McDanolds stated that

the trees have been cut, cross culverts have been replaced and the road crew discovered that the quality of the material under the lower portion of the road is less than what was expected. McDanolds proposed a new plan of action that involves starting at the Piermont Line and changing the amount to 1700 feet of shim and overlay, building up approximately 400 feet by the quarry hole, applying shim and overlay from the 2100' mark to Moody Road, and more shim and overlay from Moody Road to the tree line above the Conrad residence. McDanolds went on to explain the excavation work that is required at the beginning of the road which abuts Route 25 and stated he has been in contact with NH-DOT regarding their water concerns as well as working up to the intersection of Route 25. Town Manager Lacaillade stated that the project is in line with the proposed budget so far. It was stated that the Town has not received anything in writing from the State about accepting the plan changes so the Town can proceed with the top of the road and work on the bottom once the permit is received. Chris Luurtsema made a motion to accept the agreement with HEB and that the authorized signer could be Town Manager Lacaillade. Tom Friel seconded the motion and it carried by a vote of 4-1. Voting in opposition was Darwin Clogston. Chris made a motion that the Highway Committee meet to discuss the issue with the contractor, Road Agent & Town Manager Lacaillade and to keep the Selectboard updated. Tom Friel seconded the motion and it carried unanimously.

Michael Conrad requested to be on the Highway Committee. The Board was not sure if that was possible. They would need to review the guidelines on the committee to see how many members the committee was to be made up of and what the qualifications were needed to be a member. Jo will look into this for the next meeting. Michael was more than welcome to attend the meetings as a member of the public. He requested to be notified when the next meeting is held.

### **Pending (Old) Business: None**

### **New Business:**

- **Steve Smith – Dugout Road:** Steve Smith was not present, so this item has been tabled until the next meeting.
- **Briar Hill Road Property:** The Town received the agreed upon \$1,500 payment from the high bidder, so he is no longer obligate to purchase the property and the Town retains ownership of the property. Jennifer Collins discussed different options the Town has to move forward with selling the property. Darwin Clogston made a motion to add the Briar Hill property to the list of properties for the next auction. Tom Friel seconded the motion and it carried unanimously.
- **VFW Lease Agreement for Playground:** Steve Wheeler stated that the VFW officers are all in favor of the agreement and Town Manager Lacaillade stated that Primex and the Town Attorney both approve the agreement as written too. The Board discussed adding the dimensions (100'x50') in the agreement and Town Manager Lacaillade stated she would add it. It is estimated that the playground will be built in the Spring.
- **Scheduling 2018 Tax Deeding Work Session:** The Town Tax Collector recently sent

out 62 deed notices and suggested that the Board hold a Work Session to go through them. Board members will send their availability to Jennifer Collins and will then coordinate a work session based off that.

- **Settlement Offer – Harris (Former Leonard MH – Benton Road):** The property purchasers who wish to back out of the contract are proposing a settlement offer in the amount of \$1,500; \$1,000 of which would go to the Town and \$500 to the auctioneer. The purchase amount was \$17,000 at the auction and the auctioneer does not recommend accepting the settlement for the proposed amount. Darwin Clogston made a motion to decline the offer of \$1,500 and counter at \$3,400 and allocating \$1,700 (10% of the property purchase amount) to the Town and \$1,700 to the auctioneer. Tom Friel seconded the motion and it carried unanimously.
  
- **Loader Repair:** A local Catamount dealer quoted the loader repairs at \$26,107.37 and \$4,500 to use a rental loader for the month. Catamount Forest Products stated the transition and core charge would cost \$9,100 and it would cost \$6,250 for the installation which is a total estimate of \$15,705.76. CFP would charge the Town \$30/hour to use a rental loader as needed. There was a discussion about potential FEMA funds that may be available to assist financially with equipment repairs that were directly related to FEMA projects. Tom Friel made a motion to move forward with Catamount Forest Products with their quote of \$15,705.76. Fred Garofalo seconded the motion and it carried unanimously. Town Manager Lacaillade and Jennifer Collins will research the availability of FEMA funds for the repair costs.

**Town Manager’s Report:**

1. The Paving Bid for Lily Pond has been awarded. The bids received were as follows:
 

Bryant	\$71.30 per ton for the shim and topcoat and \$71.50 a ton for the reconstructed section.
BlakTop	\$71.97/ton
R&D Paving	\$72.51/ton
Pike	\$65.15/ ton

The Pike bid equates to a total of \$213,325.00 and is far below the others.

The costs at this point are estimated as follows:

Culverts	\$7,532.00
Tree Cutting	11,000.00
Chief Construction	143,131.00
Paving	<u>213,325.00</u>
Total known at this time:	374,988.00

There will be miscellaneous costs that will still be possible and the cost of the clerk of the works. These are the funds available for the project:

Highway Capital Reserve	\$182,163.00
Tar Budget in 2018	100,000.00
SB38 Funds	<u>150,521.00</u>

Total Available for Project \$432,684.00

The State was out last week to meet with us regarding the driveway permit we need from them where Lily Pond meets Rt. 25. As I told you in an email on Friday, the State is requiring engineering notes for the project and we quickly reached out to HEB because we did not have time to delay. They were in attendance at the meeting also. Stuart will be presenting information tonight about proposed changes to the project due to conditions that have been found with the work so far.

2. FEMA storm of July 1, 2017: We have received the first payment that was just for the initial emergency response; in the amount of \$5,839.96. We have a tentative amount for reimbursement for everything left excluding Clark Pond Road at \$153,715.50. We have not received the official confirmation of this number yet. With regards to Clark Pond Road, we have had meetings and phone conferences over the last year to see what will be allowed and not allowed. We had a phone conference just last week with Homeland Security reviewing some of their findings. They will be putting something in writing soon that gives us options for the repair. The State bridge money that was approved for the project does not become available until October of this year and we will need to have engineering done before the project can move forward. We hope to have their notice by the meeting on August 20<sup>th</sup> and Chris Fournier with HEB will be here to discuss those with the Board.
3. FEMA storm of October 2018-we are just finishing up the numbers with FEMA but it appears that our reimbursement will be for approximately \$3500.
4. We have set a new date (just set today) for a Rail Trail meeting with Senator Guida, Chris Gamache, Chuck Henderson and William Cass of the DOT. The meeting will be here at the Town office at 1pm on Wednesday, August 29<sup>th</sup>.
5. We had training for the testing of cell coverage on Friday; we were loaned 2 T-Mobile phones just for the weekend and Jim Marshall and I did testing of their service. We still will need to cover more of their "reported coverage area" but were not able to this weekend and we will have the T-Mobile phones back in September. We now have a loaner AT&T phone and enough local volunteers had the right phones to test Verizon. We will continue to drive through roads, off road etc. to get the readings we need over the next couple of months.
6. There has been no new information regarding WMUR although we know that the Governor is now involved in the letter writing campaign also. We have one member of the public who has really taken the lead from the private sector to keep this issue in the forefront.
7. We had a celebration BBQ yesterday for the community to review a very early draft of the Vision to Action Forum "Creating a Greater Haverhill" held earlier in the year. There is more work to be done on the report but it gives a good overview of what the community had to say and what they want going forward. I have provided you copies of the draft as it is today.
8. One of the groups that formed from the Vision to Action process is a Community Connection and Engagement Committee. They have met for the last few months and I have attended all but one meeting. They went live with the calendar that shows all the events and meetings going on in our community. That calendar is now linked to our website so that everyone will be better informed on happenings in our community. They still have many projects tasked to them and are moving forward.
9. The Haverhill Entrepreneurial Encouragement Committee is doing great work also. They are working to find mentors for businesses starting up and provide workshops. They meet the 4<sup>th</sup> Wednesday of the month at 6 here at the Morrill building.
10. The ZBA will be meeting regarding two properties on August 9<sup>th</sup> at 6 pm.

**Commission/Committee Reports:** The Planning Board met and discussed appropriate documentation for the gravel pits. Concerns were discussed with two pit owners and both parties seem willing to work with the Planning Board. Benedict's Way boundary issues were addressed. A letter was approved by the Planning Board to be sent out to pit owners explaining guidelines that they are required to follow.

The Heritage Committee met and there are two residents who expressed interest in joining the committee. The committee would like to interview them before they make recommendations to the Selectboard.

**Correspondence:** The Board received the Legislative Bulletin, a letter regarding New Hampshire School Funding and a letter from Senator Guida providing an update from the Rail Trail. There was a discussion on releasing the Attorney's correspondence relating to Powder House Hill. Darwin thought it should be released. Tom did not want to release it as is and suggested we release a redacted version. The Board asked Jo and Jennifer to consult with the Town attorney for his thoughts of whether the legal opinion should be released and if portions of the opinion should be redacted.

**Comments of the Public:** Dawn Lavoie asked for clarification on how to be added to the agenda. Greg Mathieson briefly discussed different rates and reimbursements regarding FEMA. Mathieson also mentioned flag lights he'd like to see installed even though they are not enforced by Law. He would also like to see the bell removed from the tower and put on display. Town Manager Lacaillade stated that screens for the message sign were delivered. Mathieson suggested an unused building be made into a museum for the Town. Speakers at board meetings should be limited in the time they are allowed to speak.

**Comments of the Town Manager:** None at this time.

**Comments of the Finance Officer/Administrative Asst.:** None at this time.

**Comments of Selectboard Members:** Tom Friel would like to prevent further delays with the Powder House Hill issue. Darwin Clogston made a motion to move forward with Ray Sayborn's bid on Powder House Hill. Tom Friel seconded the motion and it carried unanimously. Darwin Clogston suggested that Chairman Fortier step down as Chairman when discussing Powder House Hill; however, Chairman Fortier disagrees. Darwin stated he enjoys the new format on the most recent financial reports.

**Meeting Adjourn:** Darwin Clogston made a motion to adjourn the meeting. The motion was seconded by Tom Friel and it carried unanimously. The meeting adjourned at 8:28pm.

*Minutes produced by Katie J. Moyse*