

Hello Select Board Members,

This is for your information only...per the *Right to Know* laws **please do not respond.**

This is my Town Manager Report for Monday May 13, 2019.

Road ROW:

Per Walter Mitchell - As for older public roads, the town does not own the road. Instead, the Town has a right of way (more properly described as the public's right of way). In fact, in most situations even where the deed to a parcel of land describes the boundary as "along the road", according to decisions from NH's Supreme Court the actual ownership runs to the centerline of that road. Therefore, it is no surprise when a surveyor shows the ownership running into the road. However, that ownership is subject to being burdened by the public's right of way. This would be true in the situation along Allagash road as it has been maintained by the Town for decades. Allagash is a public road by prescription (adverse possession establishing a right of way), or by RSA 229:1.

Criminal Back Ground Checks:

RSA 41:9-b provides us the authority for requiring criminal back ground checks not "across the board", but rather only in certain specified circumstances. Namely, when the potential employee will be:

1. Working with children or elderly persons;
2. Entering the homes of citizens; or
3. Collecting or managing money.

We will be requiring a criminal back ground check or the new Town's Bookkeeper/Admin prior to hiring.

Boards, Committee, and Commission Communications:

Per RSA 91-A, NH's Right to Know law; in order for a discussion about any business of the board to be found in violation of the statute, the discussion has to involve at least a quorum of the board – no quorum, no violation. However, there is also a possible due process concern to be considered. If two board members are discussing administrative or planning issues, they are not performing what is referred to as "quasi-judicial" functions, and there should be no concern. Contrasted with that, if the two members are discussing the merits of an application that is pending before, or about to be presented to, the PB, they are performing quasi-judicial functions. In that case, there is a concern that they are prejudging an application. All such discussion must be held only at a public meeting.

Commission Membership:

UPDATE: Consideration of Appointment to Commissions was added to the Agenda.

- **Recreation Commission – Mona Sanville**
- **Conservation Commission – Ezra Mann**
- **Conservation Commission – Linda Olsen Smith**
- **Conservation Commission & Heritage Commission - Marie Bjelobrk**

Commission, Committee, Board Handbook:

I am considering putting together / or having an intern or summer temp put together a Commission, Committee, Board Handbook. The handbook would include the Mission, Purpose, Function, Authority, Membership (including contact info), guiding RSA, original Warrant that created the entity (if available), and any other pertinent and useful information. This handbook would be a resource for anyone looking to volunteer on a board, engage with a board, or oversee a board as a Select Board liaison, etc.

Gym memberships for the PD:

As part of the centralization of the Recreation Department to the Clifford Building and the short term Lease we are working on with the SAU for classroom space in the Clifford Building over the winter. As well as a desire to begin efforts to proactively maintain the Town's facilities. We are working with Always Fit Gym to provide memberships at the local gym for the PD. The police chief and I have also begun discussions around a new Policy around physical fitness requirements (pending). Gym memberships will help the Haverhill PD recruit and retain officers by making our employment competitive with other Police Departments. There is a shortage of available officers to pull from and the market is very competitive. We meet with David Robinson on Friday May 10th to discuss plans and associated. The quoted price (pre-negotiation) is \$30/person x 8 officers = \$240/month or \$2,880.00 per year. **UPDATE: We checked with our Health Insurance Agent and found that our policy will reimburse up to \$400 per person (\$200 every 6mths) if an employee can provide evidence, they used the gym 35 times in that 6mth period. Brandon and I are discussing how to incorporate this into our Gym effort so to minimize the cost to the town.**

Health Benefits for Town Employees:

In an effort of transparency, proposed changes to the Town's Health Plan was brought up at the Haverhill Department Head bi-weekly meeting. Proposed changes include an increase of employee obligations related to HRA benefits; specifically, an increase in employee paid portion of any co-pays for office visits and non-specialty prescription drugs. These relatively minor changes will directly save the Town money on HRA payments and will also result in a significant reduction HRAs to process, reducing administrative costs. Our Insurance Agent is running exact numbers for our information and use in making a final determination. Department Heads voiced some concern, and in turn Brandon Alling and his administrative team agreed to formally compare the Town's health plan to other like-municipal health care plans. Our Insurance Agent assures us that we are very competitive, but we will await the results of the comparison before we make a final decision. **UPDATE:** Dept heads expressed concerns that medial offices are not taking employee's word that they have coverage through the HRA reimbursement program. We are going to be providing a letter with pay stubs this week for employees to present to their medical institutions.

Powder House Hill:

UPDATE: Received the Quit Claim Deed from the Mitchell Group this week. Incorporated comments from the buyers (they wanted the acreage added and address fixed) and comment from Tom Friel to verify the surveyed acreage; which has since been added to the deed. The Deed will be signed on Monday night, then I will schedule a closing date with Mike and Dawn Lavoie afterwards as they have requested a private closing. They will need to bring a cashier's check for the purchase price, recording fees, and pay their portion of the transfer tax.

Temporary Hold Shelter:

After doing some research, we found in our files the clause that has been referenced for some time, which lead officials to believe that the Town needed to have the temporary hold shelter for dogs “at large” open at least eight (8) set hours per week for "unannounced inspections".

- RSA 437:3 Submit premises, buildings and other enclosures to unannounced inspection by department employees or local animal control, law enforcement, or health officials at reasonable times.
- RSA 437:13 (omitted) “Reasonable times” means the license holder’s eight regular, posted open hours between 8 am and 4pm, Monday through Friday, which are subject to unannounced inspection by the department and access to the public for the return of pets in accordance with RSA 437:13

The cited RSA, 437.13 has been omitted from RSA 437; it is still being referenced by the State of New Hampshire - Office of Legislative Services - Division of Administrative Rules - Department of Agriculture, Markets, and Food. Chapter Agr 1700. Transfer of Animals and Birds; who issue our Animal Transfer License.

However, the RSA has statutory authority.

I called the NH Municipal Legal Inquiries section and they indicated that they are of the opinion we do NOT need to have the temporary hold shelter open on a schedule.

With this I have drafted letters to be sent to the two (2) ladies who currently work at the shelter; one for four (4) hours Monday and the other for four (4) hours Tuesday. The letters will release them. I have forwarded the letters to the legal team at Primex just to cover our bases. However, I do not expect any issues to be cited with this decision. **UPDATE: Final draft of letters were mailed to the two part-time employees Friday May 10, 2019.** Subsequently, the Animal Control Officer and the Chief of Police **have started recruiting for** an on-call Deputy Animal Control Officer to back Katie up in her duties. This will be a better use of the Town’s funds and serve a real need. I have given them the go ahead to begin the recruitment process.

Covered Bridge Damage:

Richard Clifford, Head of Maintenance will be cleaning the entire bridge next week, to include the removal of all graffiti. This will be done with the Town’s equipment and he will be paid his hourly rate to perform this work. As you may already be aware the camera on the bridge was not operational at the time of the incident. The Haverhill PD is investigating. We will be tracking costs related to the clean-up effort so that we are prepared to present them to the legal system for reimbursement if/when they find the perpetrator. The camera on the bridge was installed a few years ago by a Mr. Bill Harris. He has been asked by Richard Guy, Woodsville Precinct Commissioner to look at the camera and get it operational again. I have let the precinct know that I intend to include the camera at the Bath-Haverhill covered bridge in my proposal for IT services so that all of the Town’s surveillance cameras are networked and accessible remotely. We have also had an offer from a resident to help with the purchase of a new / improved camera. I will continue to keep in touch with this individual as we move forward. It is my understanding that the Town of Bath, the Town of Haverhill, the Woodsville precinct, and the Heritage Commission all have an interest in the Bath-Haverhill Covered Bridge. So I will be

working to define the shared interest at some point to improve our efforts and communications related to the bridge.

Chapel Street Demolition Project:

We have gotten a lot of interest in the Chapel Street Demo Project; I anticipate we may receive nearly ten (10) bidders. As I have reported to the Board, the asbestos certification and metals test results have been provided to Casella's Special Waste Unit and I will provide the winning bidder with that documentation. I have spoken to Woodsville Water & Light and confirmed that they will mark the location of where both the water line and the sewer line need to be cut and capped. Insulators will need to be placed on the electric lines and the contractor will need to be cognizant of the TV, phone, and cable lines along Chapel Street. The stone wall at the back of the house and the raspberry bushes along the property boundary to the right of the house need to be preserved and protected. The winning bidder will need to submit a Building and Demo permit and pay the \$25.00 fee for such. Additionally, the contractor will be responsible for all traffic control and traffic control barriers used to shut down Chapel Street during the demolition. The contractor and I will both visit residents in the neighborhood prior to the start of operations to educate them on the process, schedule, and actions to be taken to demolish the building and remove the debris. The Contractor will be responsible for providing the Town with a detailed schedule, the Town (me) will prepare the contract. Reminder: Due to the asbestos and lead clearances we will accept the low bid for Alternate A. **UPDATE: I would ask the board to consider & at the meeting discuss the low bidder's qualifications for building demolition while considering bids. Perhaps announce the "apparent low bidder" and "apparent second" with the caveat that in order for the apparent low to be awarded the contract that they need to be able to provide adequate proof that they have "building demolition" specifically covered by their Liability Insurance policy. Additionally, consider also requiring that the low bidder be required to provide references / examples of successful past demolition projects. If they cannot provide adequate insurance and references, then we move to the apparent second low bidder and do the same. You could actually go right down the list until you found the contractor who fit the bill 100%. I am not sure what a motion would sound like to support that, but I think it would be prudent to do so. NOW WITH that said, if the low bidder can tell us they have "building demo" explicitly covered by their liability policy and you all know this contractor to be qualified...you could just award the contract Monday night. Maximum amount available for this project is \$24,000.00 (\$18,000.00 carried forward and \$6,000.00 in the Woodsville Housing Fund) Ideally, the Max Bid would be below \$20,000.00 so there are funds available for clean-up of the cellar hole and any incidentals necessary once demo and disposal is complete.**

ALSO: Once I get the contract drafted it will cover the following details that contractors should be made aware of. Water and Sewer will be located by Woodsville Water & Light and marked. The waterline will need to be cut and care taken not to pull the pipe from the water main. The sewer will need to be cut and capped. The electrical lines will need to be insulated. The Cable, TV, and Phone lines will need to be protected along Chapel Street. The rock/cement retaining wall at the back of the structure will need to be protected and the raspberry bushes on the left-hand abutting landowner will need to be protected as well. The street will need to be shut down for the length of the project so proper request will need to be made for that and the Contractor will be required for all traffic control, traffic control devices, and signing. The Contractor will be responsible for protection of the site at all times with a work zone parameter fence. The contractor will be required to provide a detailed schedule starting with signing and mobilization on-site through demobilization. The Contractor will be required to show evidence of proper disposal of construction debris at a landfill.

Lily Pond Road:

We met with Pike Industries and they have agreed that the raveling is a pavement mix issue. They agree to come back and repair the areas that are failing. We will wait a few more months and monitor the pavement to see if a few more questionable areas will remain unchanged or begin to degrade. We will regroup in July and then mark out the final areas to be repaired. Other work being considered for repairs by the Town this summer along Lily Pond Road includes ditch and shoulder work as well as tree planting. **UPDATE: Remaining available funds (revised) for Lily Pond for work this summer is \$8,463.95**

Towns Website:

The website has had important information updated. I will be taking over the maintenance of the Town's website until and unless we find a candidate to fill the Bookkeeper's position after which we will assess if that task is appropriate for our chosen candidate.

Message Board:

After much fanfare we have the message board up and running with a useful message that is not offensive to residents ☺ sorry about that.

Granite Blocks at Railroad Park:

As reported previously there was a request to gift 25 of the granite blocks from the Mill Street Bridge project last summer, to the High School. Though there has been no opposition to making this gift to-date, it is appropriate for us to get the input of both the Heritage Commission and the Recreation Commission prior to reaching out to the SAU to develop a MAU for the gift.

UPDATES:

Public Opinion Survey:

A draft of the Town Manager's public opinion survey has been sent to the Select Board for preview before the meeting. It will be discussed at the meeting May 13, 2019. It was created in Survey Monkey and will be offered as a web link or in hard copy format at the Town Select Board Office and anywhere else the Select Board would like it made available.

Relocation of the Recreation Department:

We will be relocating all Recreation Department activities to the Clifford Building, including Sherri Sargent's office and all equipment etc., on May 17th and 18th. We will be loading the trailer on Friday and unloading and organizing on Saturday. Sherri and I would like to invite anyone who would be willing to volunteer a few hours Saturday morning to help with the unloading and organizing to come to the Clifford building Saturday at 9am. There will be pizza and soda provided for lunch.

Waste Tires:

Complaint made at the April 29, 2019 Select Board Meeting. Selectman Clogston and Commissioner Lavoie visited the site of the complaint and spoke to the individual in possession of the tires. The TM has requested that the Health Officer visit the site to evaluate possible hazards.

NH North Country Council:

I met with Alex Belenz of the NH North Country Council and we discussed various services that the council can offer the Town of Haverhill. Of specific interest were services related to our infrastructure which include; culvert survey's, roadway condition inventories, and hydrology studies. They can provide us assistance with performing a new Traffic Safety Audit of the Forest / Central Street intersection. They can do traffic count studies, crash studies, and can help us put together a proposal and present it to the state for consideration. The NCC can also assist us with locating grant funding resources for various capital improvement projects, including highway related projects. I will be working closely with Alex over the coming months.

Primex Conference:

The Town Manager, the Recreation Director, and the Welfare Administrator will be attending the annual Primex conference which begins Tuesday May 14th in the afternoon and runs through Thursday May 16th. Jennifer Collins will be in the office to answer phones and address the public that come into the Select Board Office.

NHDOT Bridge Project on Rte 25:

The NHDOT held a Preconstruction Conference last Wednesday May 8th in the Haverhill Town Office for a bridge rehabilitation project over the Oliverian Brook. The Town Manager was given very short notice of this PCC and was already scheduled to attend the Local Officials Workshop that day. The Road Agent Stuart McDanolds was asked to attend as a representative of the town. This project is scheduled to be completed this summer and at times will reduce traffic to one lane. We have requested a set of plans and a copy of the contract for our reference.

Possible Petition:

Mr Rowley of County Road was in the Select Board Office this week inquiring about the process he would need to follow in order to present a petition to the Select Board. It is my understanding that it would be a petition related to the Road Agent. Stuart and I have met with Mr. Rowley at his house, subsequently he attended the 4-29-19 Select Board Meeting where we collectively reiterated that we are going to work on a solution for his location along County road. Mr Rowley since has come into my office where we discussed details and I explained that it would be sometime this summer that we address his concerns. At that time, I asked him to give me the time necessary to evaluate and work with Stuart. He asked for a meeting with me and Darwin at his property, which we agreed to do but have not been able to schedule yet. A petition, if one is presented Monday night, would be advisory only, as the Board does not hire or terminate employees that report directly to the Town Manager.

Department Head Reports:

Town Clerk ☞ Dog registrations were due in April we reminded residents with a message on the message board. My deputy has been on vacation and will be back on Monday. I will be leaving on Wednesday, for two weeks, will be back May 30th. I will be checking my email as well.

Tax Collector ☼ This week I have worked on getting my 2018L noticed printed off and sent out certified mail. In the last three weeks I got resident tax bills sent out. And now I will start next week working on getting first tax billing of 2019 sent out in the mail.

Maintenance Dept ☼ Rec Dept Office will be completed on time for the move this week, only have to sand and paint. That said IT needs to complete their part so she can have phone and internet . Steve completed cleaning/sweeping of Morrill Building parking lot .

Highway Dept ☼ Last week Road Posting signs were removed so we are open for trucks. Grading has begun with some gravel being hauled to fix the worst spots. Last week we worked on Limekiln Road, Lakes Side, Valley Road, Kearsarge, Briar Hill Road, and Tewksbury Road. Several places were repaired using the Backhoe including where the town truck went off the road last winter. This week's push is to keep on grading and putting out gravel. Grading; Moody Rd, Airport Rd, Lake Side Dr, part of Kearsarge Mountain Road. Also, pothole repairs in various areas including Lime Kiln Rd & Partridge Ln. Cleaning winter maintenance equipment. Road Agent attend the PCC for NH DOT Bridge Rehab project.

Welfare Dept ☼ This week was more active for Welfare than has been previously for past couple of months. 3 calls for electric assistance one homeless over this past weekend.

Recreation Dept ☼ Sherri has been out of office due to surgery on her broken arm; but will be refocused on hiring summer help this week and relocating her space to the Clifford Bldg.

Upcoming events: 5/17/19 Teen Night at Clifford Bldg 7-10pm
 5/18/19 Railroad Park Bluegrass Concert 5-7pm
 5/19/19 Paddle the Boarder, launch at 11:00am

Finance & HR Dept ☼ Will give her own report at the Select Board meeting.

“Every important cultural gesture comes down to a morality, a model for human behavior concentrated into a gesture.” Hermann Hess