

Haverhill Highway Department Rift Reaches State House

BY PAUL HAYES

Staff Writer

HAVERHILL — By law, the Woodsville Highway Department is funded by the entire Town of Haverhill.

That could change.

Senate Bill 26 would amend the funding formula so that Woodsville taxpayers would bear the full cost of road maintenance in their tiny, one-square-mile district.

It's a controversial topic in this corner of the Upper Valley.

The bill went before the House Public Works and Highways Committee on Wednesday, and more than a dozen people delivered passionate testimony during a two-hour virtual public hearing.

Lead sponsor Sen. Bob Guida (R-Warren) said SB 26 would fix the existing law — the only such New Hampshire statute that governs spending in a specific municipality. In the process it would end Concord's interference in Haverhill's town affairs and allow the town to regain local control, he said.

“Sadly, this issue has fostered deep division within the community. Failure to amend this statute would perpetuate that division for the foreseeable future,” he said, adding, “the state's continued interference in this local budget issue

their own needs by removing some power from the existing municipality, in this case, the town. Woodsville has a separate legislative body and a separate governing body, through which it exercises its power. However, with that power comes responsibility. Specifically, precincts are responsible for funding their own activities,” Codling said. “Woodsville wants the independent power to operate its own highway department, without accountability to the town voters, yet it wants the town taxpayers, the majority of whom do not live in Woodsville, to fund it.”

Woodsville representatives disagreed.

Richard Wheeler, a current Woodsville Precinct commissioner, said the existing state law simply protected Woodsville taxpayers, guaranteeing that the precinct received its fair share of highway funds.

“We get 23.6 percent of the road money because 23.6 percent of the tax dollars are paid by the people of Woodsville,” he said.

Woodsville resident, Glenn English, who served as Haverhill Town Manager from 1991 to 2015, said there was a logical reason why Woodsville received more highway funding — its roads are more costly to maintain.

“[Woodsville] streets are paved and in some cases have curbing, sidewalks and closed drainage systems. They are expensive to maintain in relation to the town's roads, which

Woodsville Highway funding formula,” he said.

AUDITS

Woodsville officials objected to a provision in SB 26 that mandates annual audits, as required by state law.

The precinct is already performing a five-year, independent audit under orders from the Department of Revenue Administration because Woodsville did not perform the required annual audits from 2015 to 2019.

Results of the 2015 and 2016 audits uncovered numerous violations of state statutes including violations of the Municipal Finance Act and municipal budget laws, as well as a lack of “internal controls” that provided opportunities for embezzlement, theft and fraud.

However, James Gerry, head of the DRA's Municipal and Property Division, said the audit requirement in SB 26 was needed to ensure continued compliance.

“We have significant concerns that without the passage of SB 26 the district would have little incentive to complete the remaining two years of audits,” he said. “We believe the penalties threatened by last year's legislation [included in the HB 1234 omnibus bill] forced the district to start the process.”

Woodsville officials disputed claims of financial mismanagement and nefarious activity.

will continue to prevent its resolution at the local level for as long as it remains in place.”

Former Woodsville commissioner Richard Guy spoke in opposition, stating that the existing law provided equitable funding and that efforts to change it through SB 26 was part of a coordinated attack on the precinct’s autonomy. If the bill passed there could be serious consequences, he said.

“There is now a strong sentiment in Woodsville to disengage from Haverhill; this bill as written could be that final brick in the wall,” he said.

A similar measure was included last year in House Bill 1234, an omnibus bill of 40 measures rolled into one. It was approved by the legislature, but vetoed by Gov. Chris Sununu (for reasons unrelated to the Haverhill-Woodsville issue).

The House Public Works and Highways Committee took the matter under advisement. They will make a decision to pass, kill, amend, or retain SB 26 on May 19.

TOWN VS. PRECINCT

SB 26 is supported by top-ranking town officials and a 3-2 majority of the current Select Board.

Haverhill Town Manager Brigitte Codling and Assistant Town Manager Jennifer Boucher both spoke in support of SB 26, saying that Woodsville Highway was over-funded through the existing state law.

In 2018, Woodsville Highway had an annual budget of \$429,000 (\$53,650 per mile for 8 miles of road) while the Haverhill Highway Department’s annual budget was \$769,000

are rural, mostly dirt, with open ditches for drainage,” he said.

Guy, the former chair of the Woodsville Precinct Commission, said the existing state law protected Woodsville residents from contributing to the town and precinct highway departments simultaneously, which he called “double taxation.”

“All of the discussion today about how Haverhill people are subsidizing Woodsville, its just plain untrue, and I think it’s because the people that are speaking to you don’t fully understand how it works,” he said.

DIVISIONS

The testimony was combative at times.

At one point, Guy said that the Town Manager (Codling) and Board of Selectmen were to blame for the current battle over highway department funding.

“Prior to 2019, Haverhill was a very peaceful and cooperative town. The highway departments worked together when they needed a little extra help. We didn’t keep a ledger of the time, we just did it,” he said. “[But] since the hiring of our new Town Manager, Woodsville has been under siege from town management. You’ll find that the Town Manager is articulate and charming, but she has worked hard to disrupt all of our relationships, using bullying tactics that include threats of defunding, to enlisting you folks in Concord to be her heavy hand.”

Guy said Codling/Select Board efforts to consolidate and streamline town services (including the fire department) were a power

Wheeler, the precinct commissioner, said “we may not have done everything right” but added, “there is no money missing, not one cent.”

RESUMING NEGOTIATIONS

Those on both sides of the issue expressed an interest in resuming negotiations — but they differed on the ground rules.

Opponents of SB 26, including Select Board Member Steve Robbins and state Rep. Rick Ladd, asked the House Public Works and Highways Committee to kill the bill, and allow the funding formula to stand, until the town hammers out a new plan.

“The only way we are going to correct this is to bring the parties together ... and let us decide how to fix our own problems,” he said.

However, Haverhill officials have said they cannot resume talks until SB 26 is passed and Woodsville Highway drops its pending lawsuit against the town.

Select Board Vice-Chair Matthew Bjelobrck said previous talks between the town and precinct officials have been “fruitless,” and that Woodsville commissioners have no incentive to make concessions under the existing law, which guarantees town funding.

That opinion was backed by Robert Clegg, a former New Hampshire House and Senate member and Haverhill property owner.

“It’s been very difficult to sit with them,” Clegg said, adding, “I don’t blame Woodsville. They smile and say: There’s nothing to fix. We get almost half a million dollars a year because the

(\$10,687 per mile for 72 miles or road). Disagreement over that funding discrepancy prompted Woodsville to file a lawsuit against the town, which is pending.

Codling said Woodsville had the right to maintain a highway department, provided they pay for it, but said the precinct was trying to “have its cake and eat it too” under the current agreement.

“The Woodsville Fire District, like other precincts, is a separate and distinct municipality from the town. The entire purpose of forming a precinct or village district is to allow a smaller group of residents to manage

play and could prompt Woodsville to secede from Haverhill.

Darwin Clogston, a former Select Board chairman, offered an opposing viewpoint on the town’s divisions.

He said Haverhill officials and select board members have been harassed for their support of SB 26, and other reform efforts.

“The Haverhill Select Board members have been threatened and made to feel unsafe. Town Manager Brigitte Codling has been called ‘useless’ and ‘psychotic’ and ‘bimbo.’ Previous Town Manager Glenn English said he would, and I quote, ‘crucify her’ if she attempted to change the

legislature says we do, so what is there to talk about? There’s no reason to talk to you.”

“There is now a strong sentiment in Woodsville to disengage from

Haverhill; this bill as written could be that final brick in the wall.”