

MINUTES OF HAVERHILL SELECTBOARD REGULAR MEETING
Monday August 31, 2009

Board Members Present: Roderick Ladd, Peter Conrad, Peter Heilemann, David Joslin and Robert Maccini.

Town Manager: Glenn English

Administrative Assistant/Finance Officer: Jo Lacaillade

Members of the Public Present: Joel Godston, Wayne Fortier, Steve Robbins, Bernie Marvin, Cecil Smith, Lori Peterson, Byron Charles, LeeAnn Nystrom, Everett Henson, Wallace Trott, Howard Hatch, Madison Boemig, Homer May, Brenda Hill and daughter, and Ed Ballam from the Journal Opinion.

Call Meeting to Order:

Chairman Ladd called the meeting to order at 6:02.

Approval of Agenda:

Bob Maccini made a motion to approve the agenda with an amendment that the chair be allowed to deviate from the listed order; the motion was seconded by David Joslin and carried unanimously.

Approval of Consent Agenda:

David Joslin made a motion to approve the Consent Agenda as presented; seconded by Peter Conrad and carried unanimously.

Public Health Board: Steve Robbins, Health Officer was in attendance to discuss a property in Haverhill Corner at the corner of School Street and Dartmouth College Hwy (Route 10). The Haverhill Precinct Commissioners have a health concern about water that is coming from this property. A local contractor, Ted Boutin, also has talked with the Commissioners and indicated that he also has a concern with what is there. They are requesting the Health Officer to do some follow up. Steve Robbins said the septic system has been investigated by Scofield's; they have pumped it, put a camera in it and in their professional opinion, it has not failed. The water continues to run, even after being pumped, they have dried the deep box out; the water is not coming from their house, through the septic system and out to the bank. The problem, it is believed, is ground water, going through their system, which is why it is believed to be testing positive for e-coli. Steve Robbins has been in contact with the St. Of New Hampshire and they recommend leaving it until next summer because it has been so wet this year and see what happens. There is no way to make the guy dig his backyard up to see where the water is coming from when he has checked his system and there doesn't appear to be any problem. Rick Ladd wanted to know if there has been a follow up test by the DES or a dye test to which Steve said

no, it was not necessary. Rick said there is a concern there and it is right over the top of the water lines. Steve understands that the Precinct Commissioners have a concern but he has contacted DES and they have made a recommendation. Bob Maccini asked if it is a design approved system to which Steve said yes. Bob asked if a perk test was done and no water was found, to which Steve responded yes. The Precinct Commissioners have been advised that it is thought to be a water line because of the amount of water; it is more flow than the household would flow. Steve Robbins said that Scofield completely drained the tank, went back and dug up the d box, the tank hadn't filled up enough to flow yet, and the d box was still dry; everything checked out perfectly according to Schofield. Rick Ladd asked if the public health officer had gotten a report of that; Steve said that he got a verbal report. Rick asked to have a dye test done; and there was a short discussion as to whether it is warranted. Bob Maccini said that if the system was done by a licensed designer and they did the perk test required it should be above seasonal high water tables so it shouldn't be ground water. Steve stated he understands but is following the State DES recommendations. Peter Conrad asked about the location of the water line which is right underneath so he further asked if it could be a water line leak. Steve Robbins said that Woodsville Water and Light states that it is not a leaking water line. David Joslin thought that if the water coming out chlorinated, then it would indicate that it is coming from the house; if it is not chlorinated, it would indicate it was ground water. There was a discussion as to what further can be done to pinpoint where the water is coming from. Steve Robbins agreed to do a dye test.

Public Hearing: Pursuant to RSA 31:95-b Appropriation for funds made available during year-FEMA-Hazard Mitigation Plan Update: Town Manager English provided an overview of the funds which is a \$5,000 grant that was accepted from the State of New Hampshire to update the Hazard Mitigation Plan; we have to formerly accept this money into the budget; the money is being used to pay an administrator to come in and organize the committee and get us through the process of the update. The Town's match to the grant is in kind services so there is no cost to the Town. Bob Maccini made a motion to go into public hearing at 6:15 pm; seconded by David Joslin and carried unanimously. There were no comments made by the public. Bob Maccini made a motion to come out of public hearing at 6:20 pm; seconded by David Joslin and carried unanimously. Bob Maccini made a motion to accept the grant money for the purpose of updating the FEMA Hazard Mitigation Plan, seconded by Peter Heilemann and carried unanimously.

Town Manager's Report: TM English reviewed a simulated tabletop exercise that was done last week assuming that the Moore Dam in Littleton was in danger of collapsing. If that did occur it would flood most of Woodsville, some of parts of Route 10, and the area south of North Haverhill where the Bradford Pratt building is among others. The exercise included evacuating Woodsville and the time line to do so. He believes they did pretty well according to the written plan but there are some issues that will have to be looked at including what to do with people that refuse to go to a shelter without their pets. The written report has not been received yet from FEMA on their opinion of how the exercise went.

TM English handed out an H1N1 flyer that will be available at the Town Offices with the facts about swine flu and what you can do to protect yourself, which populations are at risk and which populations will be eligible for the vaccine.

The position of Life Safety Inspector has been advertised and 5 applications were received. 3 of the applicants look promising and interviews will be set up in conjunction with the Fire Chiefs as soon as possible.

TM English recommended to the Selectboard that they sign an appointment form and execute a negotiated contract with Cecil Smith as the next permanent Chief of Police. He is, in TM English's opinion, highly qualified for the position and the sole internal applicant. TM English has full confidence that Cecil will be able to carry out the duties of that position and do them well. Bob Maccini made a motion to approve the appointment and contract for Cecil Smith which was seconded by David Joslin. An overview of the process used over the past few weeks from the former chief to appointing a new chief was given by TM English. Chairman Ladd stated that the Selectboard fully supports the concept of seeking the replacement internally first. If no applicant was found internally the NH Local Government Center has a process that we would look into for any future appointment. The floor was opened for public comment regarding the appointment. Joel Godston said that it is a good decision. There was no further comment forthcoming from the public. The Selectboard unanimously approved the appointment and employment contract of Cecil Smith as the Haverhill Chief of Police. There will be an official swearing in and reception for Cecil's appointment at the next meeting.

Scheduled Public Appearances: Cecil Smith-Police Department Budget Review-Cecil welcomed his staff that was in attendance. He gave a review of the budget as it stands now and projections they have made as to where they predict it to be at year end. There will be money available to help with the budget shortage. TM English said that there is a welfare crisis in Town this year and the money that the Police Department may be able to turn back to the Town will probably be needed in welfare. Chief Smith went on to explain that the sergeant position will be filled from within and there will be only one corporal for the present time. There will be some internal changes made to job duties to see if services can be improved by utilizing a different method. There was discussion surrounding the cost to the Town in putting another officer through the academy. Chief Smith is considering options in filling the vacancy to make sure that he is getting the best possible employee as the end result. There was discussion regarding whether the Chief will be asking for the 8th man as has been discussed for several previous years. Chief Smith said that he is in favor of it and explained some of the safety concerns that they face now that might be improved with an 8th man. TM English reviewed the need for additional coverage because of the nature of the population and the nature of the crime being dealt with. He further stated that no one is asking for the 8th man right now, although they could in the future, but the need has certainly been established for the 7th man for the past several years. It is a public safety issue. He thanked Chief Smith and Lori Petersen for the hard work they had put in reviewing the budget over the past couple weeks. Chief Smith said that his main concern is officer safety; one officer getting hurt will cost more in Worker's Comp costs than being proactive and having the staffing needed. Chairman Ladd said that we, as a State, are going to be going through some very deficit type years and asked if Chief Smith thought it would be possible to operate a 6 person force. Chief Smith said that he has short and long range plans but hasn't reviewed that fully yet but his initial reaction is that he could not; the crime and drug issues are not getting smaller which is adding to the welfare budget issues. TM English said that a further complication is that Grafton County Attorney's office is bumping felonies back to the local level which is adding to the workload on the local department. Steve Robbins said that he had been on

the ambulance crew for over 20 years and the activity that you see in downtown Woodsville in the middle of the night is much different than what you would have seen several years ago and he would not want to be a police officer out there alone anymore. TM English said that although the population numbers haven't changed that much over the past 20 years, the nature of the population has. Chairman Ladd stated that there had been a meeting at the County just that day to try to address lowering the County budget, which was unsuccessful but the County is getting more money as is the schools but the Town level is getting less. The Board thanked Chief Smith for his input.

Pending (Old) Business:

- **Railroad Park Rules and Regulations:** TM English reviewed the rules and regulations that had been introduced at the last meeting. Peter Conrad made a motion to approve the rules and regulations to be posted at Railroad Park; the motion was seconded by Bob Maccini. Peter Heilemann asked that TM English verify with the Town Attorney that the rule prohibiting weapons is legal. The board unanimously approved the rules and regulations pending legal advice on that one issue.

New Business:

- **Warrant Approval for Special Town Meeting:** Bob Maccini made a motion to approve the warrant as presented; seconded by Peter Heilemann and carried unanimously.
- **Planning Board Issues:** At the last Planning Board meeting no business could be conducted due to lack of quorum. The Board discussed the training record for members that have been offered training and not attended which they state they will do when they are interviewed for appointment to the Planning Board. The only member currently that has the training is Chairman Don Hammond. There is only one member that has been on the Board for less than 6 months so he was not a member the last time the training was offered. A discussion ensued about a Planning Board that is making decisions when they have not received the necessary training to aid in their decisions. Members take an oath when they are appointed to this board that they will follow state and local regulations and if they are not attending the training, they may not be following those rules and regulations when making those decisions. Their decisions are legal and binding unless they are challenged regardless of the training issue. Howard Hatch doesn't feel that the Board of Selectmen has been choosy enough about the members being appointed to the Planning Board. He feels they should be more stringent in the appointments to the Board. Chairman Ladd said that he concurs with him but there are not a lot of applicants coming forward for appointment and then a lack of quorum would always be an issue if they have not appointed enough members. TM English said there is so much duplication of government within this town that it is hard to find enough volunteers to fill the Boards. Bob Maccini said that when you have a good open minded collaborative Board it is not usually hard to find volunteers to serve on it but once you have a Board affected with agendas who dominate the meeting it is hard to get good people on. Howard said that members have to want to come and help people with the planning process and people coming in want to feel comfortable bringing their plans to them. David Joslin reiterated

that there are not lots of applicants for the Planning Board and a lot of the time we have to have a person to fill quorum; then no action can be taken. LeeAnn Nystrom said that she had many years of experience in dealing with the Board before she became its clerk and many times it mattered more what your name was rather than what the regulation was. TM English said that the Planning Board has a fully competent clerk right now and without her, the Board would really be in deep trouble. Chairman Ladd feels that the Selectboard needs to form a work group to review the process used for appointment to the Planning Board and look at the questions being asked to see if more can be done to select members that will show up at the meetings, get training when available and be a good appointment. Joel Godston said that he has been on the Planning Board in both the Town and Mountain Lakes and if people are not taking the training, they should be warned and if still do not take it, they should be removed. A work session was scheduled for September 14, 2009 at 5:00 to work towards improving the process of appointing members to the Planning Board. Howard Hatch and any other member of the public who are interested were invited to attend. Joel Godston asked if there were rules of procedure for the Planning Board members to whom LeeAnn stated there were but you can't force a member to read them. LeeAnn Nystrom told Howard that there were openings on the Planning Board if he would like to ask for appointment. Peter Conrad stated that it is not only the prior experience that LeeAnn bring to the job but her willingness to take the training and the attitude that she brings to the job.

- **Cutting Hill Road Project:** Sam Clough has given written notice to the Selectboard that the work has been completed for Marcel Brochu on Cutting Hill Road and meets and/or exceeds standards set by the Town of Haverhill. The bond that was required should now be released. Bob Maccini made a motion to release the bond; seconded by Peter Heilemann. Peter Conrad did not vote stating a personal conflict and all other members voted in favor of releasing the bond.

Presentations and Awards: None

Commission/Committee Reports: None

Correspondence: None

Comments of the Public:

Everett Henson asked if there were any restrictions for people hunting water fowl on the business park property. After a review of the Business Park Covenants which do not have such a restriction, he was advised that any other regulations would be whatever is allowed by the New Hampshire Fish and Game

Homer May was in attendance regarding the delinquent taxes on his property in Haverhill Corner. He has been trying to get an equity loan on the property and so far has been unable to; he is seeing a neurologist for health issues. He referred to a letter he has received from the Tax Collector that says his property is eligible for deeding on October 15th and he wants to know what he can do to stop this. AA Lacaillade said that if he feels his property is over assessed he has the option of filing for abatement for the assessor to review, he has never done that. The

deadline has passed for this year but that is an option for the future. She went on to advise the Board that the letter to which Homer is referring to is Tax Collector Sandra Roy's statutory duty to mail. She is following a process that is set by statute and only the Selectboard will be able to make the final decision when all properties in jeopardy are brought to them for a decision as to which properties will be deeded to the Town. Bob Maccini asked about the hardship abatement and Mr. May has not applied for that either. AA Lacaillade explained all of the hardship information that needs to be provided; she will check on the deadline to file. AA Lacaillade was directed to provide Mr. May with any information that might assist him in his application. Mr. May asked when he has to move out, he has been asking for that information and can't get it. TM English stated that the process has been explained to Mr. May many times and he refuses to follow the process necessary.

Joel Godston gave the Selectboard a letter that was received by the Airport Commission regarding Ray Burton's annual tour of the airports.

Comments of the Town Manager/Administrative Assistant-Finance Officer:

AA Lacaillade stated that Senator Reynolds had been in the office today stating that if the Selectboard would like her to attend a meeting to discuss issues before the next legislative session begins, she would be amenable to doing so.

Comments of Selectboard Members:

Peter Conrad asked that it be placed in the written record that he no longer wishes to serve as the alternate ex-officio to the Planning Board. There was a little further discussion as to Selectboard Board and Commission duties.

Adjourn Meeting: Bob Maccini made a motion to adjourn, seconded by David Joslin and carried unanimously. Chairman Ladd adjourned the meeting at 7:55 pm.

Minutes transcribed by Jo Lacaillade