

TOWN OF LITCHFIELD BOARD OF SELECTMEN

October 16, 2017

Selectmen's Meeting

Members Present: Brent T. Lemire, Chairman
Steven D. Perry, Vice Chairman
John R. Brunelle
Kurt D. Schaefer

Absent: Kevin C. Bourque - Excused

Also Present: Troy Brown, Town Administrator

5:00 p.m. Paperwork review

6:00 p.m. Call to Order

Pledge of Allegiance

Review and Approval of Consent Items:

1. Approval of Board of Selectmen Meeting Minutes from September 25, 2017
2. Approval of Account Payable Manifest 10/3/2017 (\$622,518.23), 10/10/2017 (\$68,362.99) and 10/17/2017 (\$72,216.67)
3. Approval of Payroll Manifest 10/5/2017 (\$56,348.57), 10/12/2017 (\$61,485.47) and 10/19/2017 (\$54,684.79)
4. Tax Collector Reconciliation - September
5. Town Clerk Reconciliation - September
6. Abatements (6)
7. 2017-02 Tax Warrant - \$10,286,610.00
8. 2017 Supplemental Tax Warrant - \$15,147.00

Approval of Consent Items

Selectman B. Lemire reads aloud the Consent Items

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve the Items of Consent
Selectman K. Schaefer **seconds** the motion. **Vote carries 4-0-0.**

Request for Additional Items/Other Business

Selectman S. Perry would like to discuss the intersection of Lance Avenue and Century Lane with the Board of Selectmen.

Business

Fire Station Building Committee

Town Administrator T. Brown tells the Board of Selectmen he has shared a Fire Station Building

Committee charge he prepared. It outlines the members, purpose and responsibilities of the Committee. He states the first step is to have the Board of Selectmen officially approve and accept the members of the Committee and the purpose and responsibilities he has shared if they are in agreement. He hopes the Committee can work together with the Architect, Engineer and Construction Manager on everything leading up to the Bond Vote of the new Fire Station Complex, making sure all the design plans, permits and cost estimates are all in place in a timely manner. He also put into this charge the possibility of a discussion on possible alternate uses of the current Fire Station. He has stated the Committee would dissolve on March 13, 2018, unless the Board of Selectmen decide to change the purpose and continue the use of the Committee.

Selectman B. Lemire states he feels Troy's idea of the Committee seeking alternate uses of the old building is a good idea. He states a few members of the Budget Committee were interested in having this discussion.

Selectman S. Perry asks why the current Fire Station would not still fall under the jurisdiction of the Fire Department, if they had a use for it after the new one is built.

Troy states it certainly could. But knows some members of the Budget Committee have made comments about identifying a reuse plan. He states he and B. Lemire have had meetings with the Budget Chair and School Officials trying to coordinate 2018 Capital Projects, and this discussion has come up there also.

Selectman S. Perry tells the Board they sat here with the Engineer who did a study of the Fire Station and its possible uses, and they were told if they repurpose the building it would have to be brought up to current codes and would cost a whole lot of money.

Selectman B. Lemire states that is not the intent, the intent is to see if there is something that can be done with the building without having to do that. Such as storage of some kind or a garage.

Selectman S. Perry mentions the reason he said this is because he thinks they are looking for a definition of "repurpose" of the building so they can get an idea or reason as to what can be done with the building. He thinks they may be barking up the wrong tree, because \$200,000 may have to be put into the building in order to repurpose the building for something else other than a use by the Fire Department.

Selectman B. Lemire states this is what the Committee can bring forward.

Board continues to discuss their thoughts and interpretations on reposing the building.

Selectman B. Lemire reads aloud the outline Troy has prepared.

TOWN OF LITCHFIELD, NH
FIRE STATION BUILDING COMMITTEE
2017

PURPOSE:

The Litchfield Board of Selectmen hereby establishes the Fire Station Building Committee to insure the design, construction plans and construction contracts for a new fire station building, as approved by article #13 on March 14, 2017, are completed and ready to for ballot vote on March 13, 2018.

MEMBERSHIP:

The committee will consist of six members as follows:

1. Troy Brown, Town Administrator
2. Frank Fraitzl, Fire Chief
3. Doug Nicoll, Deputy Fire Chief
4. Kevin Lynch, Inspector
5. Thomas Young, Citizen
6. Rene Theroux, Citizen
7. Rich Lascelles, Citizen

RESPONSIBILITIES:

1. Conduct all meetings in accordance with New Hampshire's Right-To-Know law (RSA 91-A).
2. Report directly to the Board of Selectmen and provide project updates and reports.
3. Provide recommendations and review of final building and site plans.
4. Provide recommendations and review of interior furnishings and facility equipment.
5. Coordinate with project Architect, Engineer and Construction Manager to insure all design work, cost estimates and permits are completed prior to bond vote.
6. Promote the project at special meetings, budget meetings, websites, LCTV, local medial, etc.
7. Identify alternate uses for current fire station building.
8. The Committee's work will be complete after the Bond Vote on March 13, 2018, at which time the Board of Selectmen may expand the purpose and responsibility of said committee.

Selectman S. Perry **motioned** for the Board of Selectmen to approve and establish the Fire Station Building Committee as written and discussed.

Selectman J. Brunelle **seconds** the motion. **Vote carries 4-0-0.**

Troy mentions now the Committee has been created, there are appointment forms for Thomas Young, Rene Theroux and Rich Lascelles for the Board to sign/review. Board states they were noticed in the paperwork review.

Unanticipated Funds (RSA 31:95-b)

- a. **\$250 from Salesforce (on behalf of David Conti) for the Justin Bissett Memorial Baseball Complex**
- b. **\$1,527.00 from Marilyn Jewett for 30 Flag Pole Kits to be displayed on Charles Bancroft Highway on Memorial Day, Independence Day and Veterans Day.**

Town Administrator T. Brown states due to the dollar amounts of these contributions being under \$10,000 there is no need to hold a Public Hearing, the Board of Selectmen can just accept the funds. Troy mentions he has been working with Marilyn (Pat) Jewett on the flag pole kits all summer and they have finally found and purchased sets that meet the requirements set by Public Service. He tells the Board Jack, and Dave Mellen will be working this friday to install the brackets on utility poles along 3A. He mentions the flags are not to be displayed from Spring

to Fall, but will be displayed a few weeks before each of these holidays Memorial Day, Independence Day and Veterans Day.

Jack mentions he will be placing flags on 15 poles at the south and 15 at the north ends of Town along Charles Bancroft Highway. He thinks at the north end there may not be 15 poles before Pinecrest, if so he may move a coupe up along Pinecrest due to the parade route that leaves from the Middle School.

Selectman S. Perry **motioned** for the Board of Selectmen to accept these Unanticipated Funds per RSA 31:95-b as read this evening.

Selectman J. Brunelle asks how will they be installing the brackets and poles.

Jack mentions they will be using the dump truck.

Selectman J. Brunelle **seconds** the motion. **Vote carries 3-0-1**

Tractor Rental Agreement

Town Administrator T. Brown states he and Jack have run into an issue with the rental of a mower the Highway Department and Town usually rent for one week each year to do the roadside mowing throughout Town. He informs the Board last year when they went to rent the piece of equipment from HP Fairfield, they require a signed contract and proof of insurance. Troy states that due to the Town changing property liability insurance coverage from LGC to Primex last year, when the Town requested an insurance certificate from Primex to include with the rental contract, they wanted to review the contract from HP Fairfield. After reviewing Primex informed the Town that parts of the contract from HP Fairfield would not be covered by the Town's property liability insurance policy or the policy caps were not at the levels recommended and strongly suggested legal review of the contract. Troy took this advice and forwarded the contract to the Town's Attorney Laura Spector Morgan. After completing her review she informed the Town not to sign the rental agreement, and suggested changes to the contract which she would draw up for review by HP Fairfield. After doing so this information was given to HP Fairfield, who stated they will not amend their rental agreement because it is the standard agreement used by all towns, schools, and private entities.

Troy states by time this was finished it was late fall, Jack also had heard another supplier he worked with was renting tractors so they decided to postpone until this year. However, that has not worked out and there are no others companies who rent out this type of equipment any longer, except HP Fairfield. Troy mentions to the Board Jack is concerned about this being a safety issue at intersections if the Town goes another year without roadside mowing.

Troy mentions after years of experience he knows sometimes when dealing with Lawyers and Insurance Companies, and even though they are doing their jobs sometimes you have no other alternative but to go against their request. But Troy states he and Jack are not going to take this type of action, but are bringing this to the Board for advice and recommendations.

Selectman K. Schaefer states other Towns have Primex and are renting this equipment from HP Fairfield. Troy tells Kurt yes.

Selectman B. Lemire mentions if the Town Insurance Company as well as Legal Counsel have recommended against signing this contract, he can in no way go against their recommendations and subject the Town to any such liability.

Jack mentions Troy shared the responses from Primex and Legal with him and it seems to him,

(even though he is not questioning an attorney) that her concerns seem to be about what could happen to the tractor and limited to no insurance coverage on things outside of the warranty that the Town would be liable for.

Selectman B. Lemire states he understands, but two of the Town's agencies have advised against the Board signing this contract and there is no way the Board could second guess them and go against their recommendations.

Jack understands, but feels Laura is misinterpreting what they are saying.

Selectman S. Perry states the Town is doing roadside mowing correct.

Jack states no they have not done any roadside mowing. He states they are trying to maintain as best they can at intersections, but there is a lot of area to cover and it is too difficult to do it all by hand for one person.

Jack states he and Troy are looking for some type of suggestion for what they can do, there is no way to rent the equipment needed and they do not know what to do at this point.

Selectman S. Perry states hire an outside company.

Jack states that is the problem there is no one. There is one company in Keene and they do not come this far. He has also checked with the State, and they just laughed at him.

The Board of Selectmen, Troy and Jack discuss other alternatives. They mention Londonderry and Hudson have these roadside mowers, and would it be a possibility for the Town to hire them to do the mowing or rent their equipment.

Selectman S. Perry asked about the possibility of purchasing the equipment, Jack (Town) has a tractor, they would need to purchase the mower and boom for roadside work. Depending on cost it may be an option to purchase, instead of renting or paying someone else.

Troy and Jack will get some price information and will check with surrounding Towns to see about hiring or renting equipment and report back to the Board with their findings.

Public Input - None

Bookkeeper Position Status

Troy mentioned he wanted to update the Board of Selectmen on the Bookkeeper position. He reminded the Board he had advertised the position as part-time, and he has received only one application to date. He states if they advertise now it can take 4-6 weeks. Karen White has been doing the duties for this position as well as her own and all the year end activity and is getting tired. He feels the part-time position with no benefits included is the reason for the lack of activity for this position. So he is asking the Board to allow him to advertise for a full-time with benefit Bookkeeper position, he states it is in the 2018 budget as a full-time position.

Board of Selectmen agree and felt it was to be advertised as a full-time position from the beginning, so agree to allow Troy to advertise for a full-time Bookkeeper.

Selectman B. Lemire wanted to share with everyone that Channel 9 News broadcast information about an email scam and our Town Clerk/Tax Collector Terri Briand posted information on the Town's webpage regarding this email scam going around. They are targeting people via email, claiming they are from the Division of Motor Vehicles and that you are in violation and owe money. **DO NOT OPEN ANY EMAIL FROM THE DMV. Delete the email and if you have any questions contact them directly.**

2018 Health Insurance Rates

Town Administrator T. Brown states there was one item in the 2018 Budget that was unfinished and that was the Health Insurance rates. He tells the Board he just received notice from Interlocal Trust that the 2018 Health rates would increase by 17.39%. Upon receiving this notification he contacted the Healthtrust, because he worked with them last Spring trying to price plans for the Town. He states even though they do not have the same identical plans as the Town currently has, they have plans comparable and offered pricing. He states they were not much different than what is with Interlocal Trust, the rate they unofficially estimated was at a -6.2% decrease.

Troy mentions last year there was a 21% increase and this year 17.39% increase. He reminds the Board the Health Trust lumps everyone (all the schools, towns and any municipal group) into a pools. Which are 50 or less, 100 or less or over 100, and the whole pool you are with is rated together once a year. When you have a larger pool you are spreading out that cost and liability amongst all the enrollees and it provides a more stable rate than with a smaller pool. Troy states the Town's open enrollment is just weeks away, and the Budget Committee is looking to wrap up the Budget Review process. So he took a look at what is currently happening, and in the 2018 budget they included a 10% estimate with Interlocal Trust which would be a net increase of \$41,246. In 2018 with the new rate increase of 17.39% would bring the total amount to be raised to \$493,303 a net increase of \$72,300 (which would add an additional \$31,054 to the proposed 2018 budget). But if they Town went to Health Trust they have a collective bargaining agreement, and there is specific language regarding the health plans agreed to (the Town has the right to change) but everyone needs to be in agreement, and that the plans are comparable. Troy states if they are able to get the Union to make the change they should be able to see a flat cost for health insurance this year (give or take a few thousand dollars). If they would be unable to get the Union to agree to the change and the Town just went to the Non-Union Employees they would be looking at an increase in the 2018 budget of net increase of \$25,000, which is still lower than the \$41,246 with Interlocal Trust.

Troy states there would be a change in copays and with the RX plans, but feels they should take a closer look. He is not asking for the Board to make a decision now, he just would like to know if the Board is open to taking a closer look at the plans, and approaching the Union to see if they would be on board and interested in having a discussion regarding this.

Selectman J. Brunelle states he feels the Board has to take a closer look. Board is in agreement, and would like Troy to get information so they all can discuss possible options.

Administrator Report

Town Administrator T. Brown gives the Board a 2017 Budget status. He tells the Board he does not have a report showing the current status of the budget this evening, but hopes to have one for them at next Monday night's meeting. Troy states Karen and he have been monitoring things for the past few months and things are looking good, but as they are getting closer to the end of the year they are getting a little nervous. This is due to some of the expenses the Town that were not budgeted such as; \$26,000 in fire hydrant rentals, Budget Committee removed \$22,000 in Health Insurance, legal costs due to the PFOA issue with St. Gobain and the

ongoing abatement with Pennichuck Water. Troy states he is at the point where he does not have a real good handle on where they are at exactly, and mentions at this point weather can play a part in the end of year figures. So he would like to be able to issue to the Department Heads a request they freeze expenditures on all non-essential items. This would put a hold on things, allow him to meet with the Department Heads and just review their budgets. He mentions he will be reaching out to the Town's contractors also to see if they can put a hold on some of the work they may be doing as well. Troy states whatever the case the Budget will be very tight at end of year.

Selectman B. Lemire asks if it is feasible to require all purchases to through Troy till the end of year. Troy states he would like to be consulted and communicate with everyone on a daily basis on any purchases as everyone goes forward.

Selectman J. Brunelle states he feels all the Department Heads are well aware of the Budget shortfalls, and are doing everything they can not to overrun their budgets.

Selectman B. Lemire states Troy has to make sure. Board discusses micro managing Departments and their budgets.

Troy tells the Board he will give them a report at the next meeting and they can see if there are any areas of urgency and go from there.

Troy states he was approached by the former Town Clerk (Diane), who is involved with the Lions Club who discussed with him that many citizens who live on 3A and do not get trick or treaters, or have children they have to drive to neighborhoods in order for them to trick or treat. So they would like to use the Town Hall parking lot on Tuesday 10/31 Halloween night from 6-8pm and sponsor a "Trunk or Treat" event. Citizens could bring their children here to a safe area to Trick or Treat among the cars (with their trunks up and decorated) and receive candy and enjoy a fun evening. Troy states he spoke with Police Chief O'Brion and he is all for the event, and there are no activities being held here at the Town Hall that evening. So he wanted to see if the Board was in support of the event. Halloween will be held at the same time in Town, this would just be an extra place where kids could come safely and enjoy trick or treating. Board supports the event.

Selectman K. Schaefer states there is another "Trunk or Treat" event being held at Darrah Pond during the day on Sunday October 29th. They tried to get the two events to merge together but were unable to schedule that this year, so there will be two events.

Troy just wanted to update the Board regarding a previous conversation the Board had about who has the authority to hire and fire. He consulted with Legal Counsel and she stated the Board of Selectmen are the ones charged with hiring and firing. The only exception is with the appointment the Town has with the Fire Chief, due to the passing of a Warrant Article at Town Meeting of

RSA 151:1. This gives the Board the authority to appoint a Fire Chief who has the authority to appoint the Firefighters. The Board is not notified of the day to day hiring or firing, but as a courtesy the Fire Chief does usually notify the Board of promotions within the Department.

Troy tells the Board he reached out to the NH Municipal Bond Bank, and they provided him with

a list of Legal Counsel who can act as Bond Counsel. So he will be working with a couple of the Attorney's to see what their fees are and will bring this information back to the Board for selection. He also has been advised that the normal practice is to use Bond Counsel leading up to the vote and there is no fee or charge for this, they make their money from underwriting and doing all the legal work to sell the Bond. Troy mentions he did learn last week from Bond Counsel that if the Article (Fire Station) passes the Town sells the Bond in July 2018 and the first payment would not be due until February of 2019 (interest payment only) and July of 2019 there would be an interest and principal payment. He thought there would be an expense for the Town in 2018. Troy had shared this information with the Budget Committee who asked him to follow up with Legal Counsel to see how this would affect the Tax Cap calculation. Legal Counsel has come back stating if there are no funds being raised for this Bond, you are not raising or appropriating any money for 2018 there would be no tax impact for 2018 and no calculation on the Tax Cap.

Selectman B. Lemire states in that case the Budget Committee can recommend it then.

Troy mentions Laura stated the Budget Committee is required to. Board discussed this matter.

Selectman Reports

Selectman J. Brunelle states they have had two good Budget Committee sessions, and are done with all the presentations. They have a break this next week and will start their voting activity he believes next week. He has not seen any follow up questions as of yet. John tells the Board at the last meeting he and Troy attended, the meeting got very uncomfortable for him once again. He presented the IT Budget for the Town to the Budget Committee and they questioned the value of his services once again to the Town. He states he went through this hell four years ago, and will not do it again. So he is looking for someone else on the Board or Troy to defend it or not, but he will no longer have a dialog and defend his value to the Committee it is to uncomfortable for him.

Troy agrees and states they were asking him to defend/justify his salary and what he brings for services to the Town in return. They would like data provided, and agrees John cannot be involved.

Troy will collect data from surrounding Towns and present information to the BC.

Selectman S. Perry states four years ago they put out a request and it came back at \$54,000 a year for IT services to have someone do the basics of what John does.

Selectman J. Brunelle states the Committee wanted to know why the Board did not take those funds and hire someone else.

Selectman S. Perry states because we were saving the taxpayer by keeping you and all your expertise. He cannot believe they are questioning this.

Selectman B. Lemire asked when did they want this information by.

Selectman J. Brunelle states their next meeting October 26th, however he will be abstaining from the whole conversation.

Selectman B. Lemire states he will talk with Troy before then, and will see about attending the meeting also.

Selectman S. Perry states the Planning Board has a meeting tomorrow night, and a request has

been put in they would like to see a "Heritage Commission" formed. In order to have a Demolition Permit process you have to have someone oversee it, and the best way to do this is to form a Heritage Commission. Town/Cities do this so a Historical Society is not involved who has to worry about preservation (colors of paint etc.). This would be just to allow a Demolition Permit process so buildings can't just be torn down, without notifying the Town and allow citizens to have say or the Historical Society to see if there is something they wish to salvage or purchase.

Steve states he can get a presentation regarding this for the Board, because it was requested the Board of Selectmen would be the ones to put this forward and on the ballot in March.

Selectman K. Schaefer states everyone in the area has one (Manchester, Londonderry, Milford, Merrimack, Amherst etc.).

Troy discussed with the Board how a Heritage Commission works, and that it can delay a demolition process. Board feels there is no harm to have such a Committee and will listen to a presentation.

Selectman S. Perry also wanted to notify the Board he will no longer be available for any Tuesday evening till the end of February due to family and work obligations. This poses a problem with the Planning Board meetings held on the first and third Tuesdays of each month.

Selectman B. Lemire states family and work come first, they will take this under advisement and the Board will discuss the matter.

Selectman K. Schaefer states the Recreation Commission found a Company who will paint the outside basketball court for approximately \$9,000 instead of the \$27,000 anticipated. Also the Trunk or Treat was discussed.

Selectman B. Lemire states he and Troy met with the Superintendent of Schools, Chairman of the Budget Committee and Chairman of the School Board again to coordinate and discuss everyone's activities, in order to help each other out in anyway they can. They are still discussing the Master Plan and how to fund Capital Improvement items and how they can all benefit and work together.

Troy mentions another thing that came out of the meeting was the Budget Committee and the School Board would like to meet here at Town Hall rather than the media room at the High School. He understands from the employees at LCTV this would be the preferred meeting place. So he will be working on coordinating this with all the Commissions and Committees. Board is in agreement, and feels the meetings should be here.

Except Selectmen K. Schaefer states he has had issues with the School moving his meeting (Baseball Committee) room locations around constantly. He finally found a spot here at Town Hall "his realm" and they want to move him out again he says no way.

Selectman B. Lemire states they will work out a schedule.

Items moved from consent - None

Other Business

Selectman S. Perry tells the Board the intersection of Lance Avenue and Century Lane (where

an accident occurred) he just noticed they cut the brush and overgrowth back for a clearer line of site. They also painted new stop lines. He asks the Police Chief his opinion of the area. Chief O’Brion states he has pulled data from 2012 to now and there have only been one other accident at this intersection till this one that occurred last week. He went and looked at the site after they cut everything back and is satisfied and feels it is not a safety concern. Selectman S. Perry states they painted new stop lines but did not remove the old lines so there are now double lines and it is confusing where to stop. So he is requesting the old set of lines be painted over so everyone knows where they are suppose to stop. Chief O’Brion states there are codes for this and he will look into it to make sure the lines are done properly with the Road Agent.

Selectman B. Lemire states the Conservation Commission has approved the River Access Committee’s request and construction of the boat launch and parking lot. He mentions the Board of Selectmen will still need to discuss and handle the lease arrangements with the property site. He would like to ask the Conservation Commission for any information regarding the lease they have and can provide.

Selectman S. Perry **motioned** for the Board of Selectmen to adjourn the public portion of the meeting to go into a

- 1.Non-Public Session - RSA 91-A:3,II(a) - Compensation
- 2.Non-Public Session - RSA 91-A:3,II(a) - Compensation
- 3.Non-Public Session - RSA 91-A:3,II(a) - Compensation

Selectman J. Brunelle **seconds** the motion.

Roll call vote - Selectman J. Brunelle (yes), Selectman S. Perry (yes), Selectman B. Lemire (yes) and Selectman K. Schaefer (yes). **Vote carries 4-0-0.**

Board of Selectmen will only come out of non-public to adjourn.

The next Board of Selectmen’s meeting will be on October 23, 2017 at 6:00pm at Town Hall

Brent T. Lemire, Chairman

Steven D. Perry, Vice Chairman

John R. Brunelle

Kevin C. Bourque

Kurt D. Schaefer

