

TOWN OF LITCHFIELD BOARD OF SELECTMEN

December 11, 2017

Selectmen's Meeting

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

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 November 27, 2017
2. Approval of Account Payable Manifest 12/5/2017 (\$169,675.74) & 12/12/2017 (\$72,211.45)
3. Approval of Payroll Manifest 12/7/2017 (\$45,064.10), 12/7/2017 (46,254.09) & 12/14/2017 (\$53,910.85)
4. 2018 ACH School Payment Authorization
5. Earned Time Expendable Trust Expense
6. Building System Trust Funds Expense
7. Intent to Cut - (1)
8. Veteran's Credit - (7)

Approval of Consent Items

Selectman B. Lemire reads aloud the Consent Items

Selectman S. Perry **motioned** for the Board of Selectmen to approve the Items of Consent
Selectman J. Brunelle **seconds** the motion. **Vote carries 5-0-0.**

Request for Additional Items/Other Business - None

Appointments

Denis Page - Alternate Planning Board Member (term expires 3/31/2019)

Selectman B. Lemire thanks Mr. Page for volunteering and for coming in this evening. He states the Planning Board is recommending Mr. Page as an alternate member to the Planning Board.

Selectman S. Perry asks Denis Page to tell the Board a little bit about himself.

Denis Page introduces himself to the Board. He mentions he just finished schooling at NHTI, it

was a certificate program for Building Inspection and Planning Review/Plans Examiner. He noticed the advertisement where the Planning Board was looking for new members, and thought with the extra time on his hands he could volunteer. Mr Page states he is leaning more towards the public safety, and would like to bring this knowledge to the Board, and learn from them also. He hopes to give back to the Community a little more now that he has some time available.

Selectman B. Lemire states Mr. Page did attend the last Planning Board meeting, where they approved his appointment pending approval from the Board of Selectmen.

Selectman S. Perry **motioned** for the Board of Selectmen to approve the appointment of Denis Page as an alternate Planning Board Member with a term to expire on March 31, 2019.

Selectman K. Schaefer **seconds** the motion. **Vote carried 5-0-0.**

Tyler Perrin - NRPC Commissioner (term expires 3/31/19)

Selectman B. Lemire tells the Board the Planning Board has recommended Tyler Perrin be appointed as NRPC Commissioner.

Selectman S. Perry **motioned** for the Board of Selectmen to approve the appointment of Tyler Perrin to the NRPC as Commissioner with a term to expire March 31, 2019.

Selectman J. Brunelle **seconds** the motion. **Vote carries 5-0-0.**

Fire Station Project Update

Present in front of the Board of Selectman are Jonathan Halle from WarrenStreet Architects and Preston Hunter from Eckman Construction.

Selectman B. Lemire states they presented and updated the Planning Board the other evening, and are here to update the Board on the Site and Building Plans for the Fire Station Project.

Jonathan tells the Board the construction documents, designs, engineering and site plans are now complete and have been shared with Fire Chief Fraitzl. They have also been passed on the Eckman Construction, who is the construction manager who has been chosen for the project.

Preston Hunter tells the Board they have received and reviewed the plans and specs. They are currently in the estimating process for the project, and are anticipating completion of this around Christmas. He mentions the Budget Committee meeting scheduled for January 4, 2018, and that they will be prepared to present the cost (which will act as the GMP - Guaranteed Maximum Price) attached to the project at that time. This will allow the Town to move forward with the construction cost portion of the project for the Warrant Article. He mentions there will be other costs associated with the project those the Fire Chief and Town Administrator T. Brown are working on currently.

Jonathan states one of his issues in estimating this project is that the construction market now is extremely busy due to holiday season and moving into January. He and Eckman both agreed they should not publicly bid the job right now, because they feel they would get escalated numbers. This would be due to companies not having the time to bid the project, the bidding atmosphere is just attach a number (which would be high) because they do not care if they get the work or not. He states it is just currently not the right market to bid this project. Jonathan feels February or March would be a better climate. So they agreed and decided Eckman would bid the project inhouse, using subcontractors they typically use to come up with the GMP. Then

wait to see what happens at the Town's Deliberative Session in March, then put the project out to bid to the public. They feel it would be a much better atmosphere at that time in the Spring. Selectman B. Lemire reminds Jonathan the other evening the Budget Committee stated they need an amount in order to make a decision, and need it by the meeting on January 4th so they can prepare and discuss if they can recommend this for the Town Deliberative Session. Jonathan and Preston state they will have the necessary information and will attend this meeting on Thursday, January 4th at 7:00pm at Campbell High School.

Town Administrator T. Brown states they will be encouraging the public to attend the meeting also. He mentions there is also a Public Hearing scheduled for January 11, 2018, where they will be presenting the same information in order to update anyone who could not attend on January 4th.

Preston mentions there is a website <https://litchfieldfirestation.com> which is a great resource for all residents of the Town to view and read the history and issues with the current Fire Station, design and layout information for the new station along with plans shown for a future build out of the Police Department. He tells the Board when the cost information is all completed that will also be added to this website.

Selectman J. Brunelle states he will post the information on all the Towns websites.

Selectman B. Lemire mentions there will be information and this website published in the HLN, along with open houses possibly for the 55 and older Communities.

Jonathan discusses the site plan and how the site is designed for the future addition of the Police Station and parking areas should this ever be added to the building. They are working on the smaller build out for just the Fire Station. However, they are permitting the entire project, some of the smaller permits they have received others are pending. He tells the Board they are in very good shape.

T. Brown asks Jonathan if the Planning Board had any comments or questions.

Jonathan states there were a few questions. One was if a light should be on Albuquerque. He mentions the State does not advocate for this, there are usually signs stating emergency vehicles are exiting/entering and use caution. There are also both drive lanes at each end of the site on Albuquerque, and the building sets back enough that you will clearly see a fire truck leaving the site.

Selectman B. Lemire states the Planning Board members were very satisfied with the presentation and felt it was informative.

Jonathan mentions he has a poster for the Chief to post in areas around Town, and asks due to verbage on the poster if the Town can advocate to vote for this project. He suggests Town Counsel may need to address this, because he knows it has come up as an issue in another Municipality.

Troy mentions usually the Board of Selectmen and Town Counsel remain neutral and just provide factual information. You have groups, associations and friends of who support the project and encourage people to get out an vote on a specific Article.

Selectman B. Lemire states Troy and the Board will have to double check with Counsel. Board thanks Jonathan and Preston for the update this evening.

Public Input - None

Bond Counsel Approval

Town Administrator T. Brown mentions as discussed he reached out to law firms that were recommended by the NH Municipal Bond Bank, that provides bond counsel and legal services. Troy states they received three responses from PretiFlaherty, Devine Millimet and Drummond Woodsum.

He tells the Board they are all close in price range. PretiFlaherty the Town currently uses as legal counsel regarding St. Gobain and the PFOA matter. But it would be a different division out of their Concord office. Their price is \$3,000 to \$4,000 there would be a \$4,000 maximum cap. Troy tells the Board they do not bill for any services provided if the Bond Article fails. What was not clear is if there would be additional fees if the Town did a Bond Anticipation Note, so they may need to find some interim financing before the Bond is issued through the Municipal Bond Bank, depending on when the construction project starts. So the \$4,000 cap Troy is not sure if it included the Bond Anticipation Note, he will have to check. Troy mentions Devine Millimet will be \$4,000 to \$6,000 they did not include a lot of information of what this included. But they are the most experienced bond counsel in NH, there was a period in time when Devine Millimet were the only legal firm who did Bond Counseling in the State. Next the third was Drummond Woodsum and their price was \$4,500. Troy states they were very thorough in their proposal. They had additional fees if the bond were to exceed \$5M, also \$2,000 if a Bond Anticipation Note was required, and \$5,000 if the NH Bond Bank is not used, but there was no fee if the bond article failed.

Troy tells the Board all three are qualified to do the work. The Town has a relationship with PretiFlaherty, but Devine Millimet is very experienced in this matter.

Selectman S. Perry states he would rather not go with PretiFlaherty, and would recommend Devine Millimet due to they have the most experience.

Selectman J. Brunelle asks if they have a fee if the Article does not pass.

Troy thought in their proposal there was a minimum fee of not more than \$1,000. He mentions there is not a lot of work involved they will make sure the proposed Warrant Article and Public Hearing notices are worded correctly and that the Town gives proper notice. They make sure everything is covered correctly so after the vote is taken, legal counsel does not declare the whole process invalid and the Town has to wait another year and do it all over again.

Selectman S. Perry **motioned** for the Board of Selectmen to approve to use Devine Millimet for the Town's bond counsel services.

Selectman K. Bourque **seconds** the motion. **Vote carries 5-0-0**

Authorization to Hire Full-Time Bookkeeper

Town Administrator T. Brown tells the Board they have gone through the interview process and they have Heather Snaman they recommend for the full-time Bookkeeping position. She has over 10 years of accounting experience, she was a resident of Litchfield and went through the school system here. Heather holds a bachelor degree in accounting, and is ready to start work. They have worked out an agreement for a starting rate of pay of \$22 per hour and a start date of December 18th.

Selectman S. Perry **motioned** for the Board of Selectmen to approve the hiring of Heather

Snaman as a full-time Bookkeeper with a starting hourly rate of \$22.00 per hour and an effective date of Monday, December 18, 2017.

Selectman J. Brunelle **seconds** the motion. **Vote carries 5-0-0.**

Prosecutor Agreement

T. Brown tells the Board after meeting with the Board of Selectmen and meeting with Mr. Coates they have an agreement, which extends Mr. Coates the current prosecutors contract for another 3 year term. This includes a salary of \$68,000 as an independent contractor with no benefits. Troy states the contract has been reviewed and approved by legal counsel. Selectman S. Perry **motioned** for the Board of Selectmen to approve the 3 year contract agreed upon by the Board of Selectmen and Bradford H. Coates as the Prosecutor for the Town of Litchfield, with a term effective 1/1/2018 to 12/31/2020.

Selectman J. Brunelle **seconds** the motion. **Vote carries 5-0-0.**

2018 Holiday Schedule

Troy mention the Board of Selectmen on an annual basis have to set the Holiday Schedule, and it is recommended they go with the same schedule as the past 2 years.

Town Of Litchfield, New Hampshire

2018 Holiday Schedule

Non-Bargaining Unit Employees Only

New Year's Day	Monday	January 1, 2018
President's Day	Monday	February 19, 2018
Memorial Day	Monday	May 28, 2018
Independence Day	Wednesday	July 4, 2018
Labor Day	Monday	September 3, 2018
Columbus Day	Monday	October 8, 2018
Veteran's Day	Monday	November 12, 2018
Thanksgiving Day	Thursday	November 22, 2018
Day After Thanksgiving	Friday	*November 23, 2018
Christmas	Tuesday	December 25, 2018

***Solid Waste Only - The Solid Waste Facility will remain open.**

Eligible Employees will receive holiday pay for this day.

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve the 2018 Holiday Schedule as recommended.

Selectman K. Schaefer **seconds** the motion. **Vote carries 5-0-0.**

Nashua Regional Solid Waste Management - District Cooperative Agreement

Troy states this is a Cooperative Agreement with all the Communities who participate in the NRPC, through the Household Hazardous Waste program and the Solid Waste District. It is a way for residents to dispose of hazardous materials such as paint and chemicals in a safe manner. He mentions the contract has been revised and the language updated. All the Communities have signed the Cooperative Agreement, except Litchfield. Troy states it has been reviewed by legal counsel.

Selectman S. Perry **motioned** for the Board of Selectmen to approve and authorize Town Administrator T. Brown to sign this District Cooperative Agreement on the Boards behalf. Selectman J. Brunelle **seconds** the motion. **Vote carries 5-0-0.**

Road Impact Fee Expense

Troy reminds the Board the Town received extra Road Impact funding from the State this year, and they asked the Board to approve that money to pave a section of road (about 1 mile) on Albuquerque and Page Road. The project cost was estimated at \$189,975. However, the Town just received the final bills for the work completed and the final cost was \$200,642.20 which exceeded the budget by \$10,668. Troy mentions the Road Impact Fee account has an available balance of \$25,774.20, so he would like to request permission to expend \$10,677.20 from the Impact Fee Account to pay this bill.

Selectman S. Perry **motioned** to authorize the expenditure of \$10,668.00 from the Road Impact Fee Account to cover the additional paving costs for the Albuquerque Avenue and Page Road projects.

Selectman J. Brunell **seconds** the motion. **Vote carries 5-0-0.**

Earned Time Policy Update

Troy mentions at the last meeting they discussed changes to earned time portions of the Personnel Policy, and the Board requested Troy make a few changes to the language and get back to the Board for review. Troy has the Board look on page 18, and tells them they discussed if an Employee exceeds the maximum number of earned days accrued instead of losing them they could place them in their sick bank account (which is not eligible for payout). The changes are shown in green

The maximum number of days that may be accrued ~~and carried from year to year~~ is based on the table below.

If an employee's accumulated days exceed the maximum accrual limits at any time throughout the year such excess will be transferred to the employee's Individual Sick Leave Account at a rate of one (1) earned Time hour to three (3) sick account hours. All hours transferred shall be subject to the Individual Sick Leave Account policy and shall not be eligible for payout at retirement or termination.

Selectman S. Perry asks if he is reading something wrong. He points out where it states 1 earned time hour into 3 sick account hours. Troy states in the current Personnel Policy employees instead of selling their time can put it into their sick leave account and for each 1 hour you receive 3 hours. Troy reminds the Board they cannot cash in these hours. Board discussed and stated they agree and will support a 1 to 1 transfer of sick time. Troy also mentions the Board discussed a provision to be included in the Policy for exceptions if an individual could not take time off and was going to lose it, they could submit in writing a request and the Board would have the option to waive/adjust the policy on an individual case by case.

Exceptions: The Board of Selectmen may grant exceptions to maximum accrual, minimum usage and buyback for extraordinary circumstances. A written request shall be submitted to the Board of Selectmen for consideration and each request will be considered separately, on a case by case basis.

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve the changes to the wording on page 18 of the Personnel Policy as discussed, and amended to show a 1 to 1 transfer of time into the Sick Leave Accounts. Effective 1/1/2018.
Selectman K. Bourque **seconds** the motion. **Vote carries 5-0-0.**

Administrator Report

Town Administrator T. Brown tells the Board the Road Agent has made him aware of a situation. Seem a resident on 1 Bear Run Drive has put out metal posts on the edge of their property (in the right of way) that could make for a dangerous situation if someone were to hit them with a plow or vehicle. Jack has explained this is not acceptable and a dangerous situation to the property owner. But the property owner is upset he is asked to move them and will/has not. Troy is looking for permission from the Board to send a letter informing the resident to remove the stakes.

Selectman S. Perry states if they are in the right of way, Jack should take a Police escort and remove the metal stakes and be done.

Selectman B. Lemire would prefer to send a letter first, stating he has a deadline to remove the posts or the Town will remove them.

Board discussed these metal stakes are dangerous and can become projectiles if struck by a car or plow. After a discussion they agree to have Troy compose a letter stating a time frame for removal and the Police Chief and Road Agent deliver it to the resident. If they do not comply then the Road Agent will remove them.

Troy tells the Board Laura Gandia has contacted him asking when the Town/BOS would like to hold the Pat Jewett Appreciation Day Award Ceremony. She would like the hold it on March 5, 2018, as close to Pat's birthday as possible. Troy mentioned to her the Board is meeting on March 12th, and they could accommodate her on that evening, but she would prefer the ceremony on the 5th. So Troy asks the Board if they would be interested in moving the BOS meeting to March 5, 2018.

Selectman S. Perry states the Board members are usually present, but it does not have to be held during one of their meetings. Board discussed and will hold their BOS meetings as scheduled and Laura can hold the ceremony on March 5th as she would prefer.

Troy reminds the Board he will be off this Thursday.

Troy also mentions all the Health Insurance changes Karen White has submitted and she has worked with all the Employees and Retirees to make sure everyone is enrolled and will have their cards by 1/1/2018. He states the Retirees received their subsidy and were thankful. Karen has done a tremendous job and the enrollment has gone very well.

He also mentions it was nice to be at the Budget Committee meeting and present a Budget that is now below the Tax Cap mainly due to the saving from the Health Insurance changes.

Selectman Reports

No one had any business this evening.

Items moved from consent - None

Other Business

T. Brown mentions he has a meeting on Wednesday, December 13th with State Officials and members of the Town to discuss the bike path along 3A. He will update the Board at the next meeting.

Selectman B. Lemire mentions the Board of Selectmen received an invitation from the Fire Department to attend their awards ceremony being held on January 27, 2018 from 1-4pm at Passaconaway Country Club. Please let them know if you can attend.

Selectman J. Brunelle **motioned** for the Board of Selectmen to adjourn the public portion of the meeting to go into a non-public session per RSA 91-A:3,II(c) - Reputation and RSA 91-A:3,II(a) - Hiring/Compensation.

Selectman K. Bourque **seconds** the motion.

Roll call vote - Selectman K. Bourque (yes), Selectman J. Brunelle (yes), Selectman S. Perry (yes), Selectman B. Lemire (yes) and Selectman K. Schaefer (yes). **Vote carries 5-0-0.**

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

The next Board of Selectmen's meeting will be on December 27, 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