

TOWN OF LITCHFIELD BOARD OF SELECTMEN

February 12, 2018

Selectmen's Meeting

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

Absent: Brent T. Lemire, Chairman

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 January 8, 2018
2. Approval of Meeting Minutes - Bond Hearing from January 11, 2018
3. Approval of Meeting Minutes - Eckman Construction from January 15, 2018
4. Approval of Meeting Minutes - Eckman Construction from January 19, 2018
5. Approval of Meeting Minutes - Deliberative Session from February 2, 2018
6. Approval of Account Payable Manifest 1/30/18 (\$106,314.77), 2/06/18 (\$42,171.98) & 2/13/18 (\$71,732.77)
7. Approval of Payroll Manifest 2/01/18 (\$97,343.19), 2/08/18 (\$48,200.67) & 2/10/18 (\$51,077.46)
8. December Reconciliation - Town Treasurer
9. Application from Current Use - Not Recommended
10. Veteran's Credit (1)

Approval of Consent Items

Selectman S. Perry 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 - None

Business

Conservation Commission Resignation - Richard Husband

Town Administrator T. Brown mentions he shared an email with the Board of Selectmen from

Richard Husband regarding his resignation from the Conservation Commission effective immediately.

Selectman J. Brunelle **motioned** for the Board of Selectmen to accept the resignation of Richard Husbands as a member of the Conservation Commission and ask our Town Administrator to send Mr. Husband a letter on behalf of the Board of Selectmen thanking him for his years of service to the Town of Litchfield.

Selectman K. Schaefer **seconds** the motion.

Selectman J. Brunelle asks if anyone know why he resigned.

Selectman S. Perry mentions he believes it may be because he is unhappy with the actions the Town has taken regarding Darrah Pond, and the depletion of the water levels. He feels the Town should be more proactive. Troy states this is why he believes Mr. Husband has resigned also.

Vote carries 4-0-0.

River Access Project Update - Conservation & Recreation Commission

Present: Joan McKibben - Conservation Commission and

Jason Brennon -River Access Subcommittee.

Town Administrator T. Brown mentions he has invited the Conservation Commission and the Recreation Commission (John Bryant unable to attend) to attend the meeting tonight to discuss the River Access Project. Troy states this project will most likely be starting in the spring. He mention the Town Encumbered \$5,000 for this project. He feels the project should be straightforward and simple now that Continental Paving has volunteered to construct the driveway and parking lot area. So seeing as spring is around the corner he feels they need to discuss who will be in charge of this project. Who will have the authority to approve changes to the scope of work. Who may be the volunteer citizens or committee that will be out there overseeing the project as it is being constructed. Troy states because there have been a lot of people involved from the Board of Selectmen, Recreation Commission, Conservation Commission and the Subcommittee created by the Conservation Commission who he feels believe they will be seeing this project through. He mentions they are working on it now and Joan has submitted the paperwork for a driveway permit with NHDOT. So he feels it is important for everyone to understand who will be responsible for what regarding this project. Troy mentions the Conservation Commission owns the land, but the BOS is required to oversee the leasing of the property. They all need to come to an understanding so they can have a discussion with the Farmer to see is he wishes to continue to lease the land, and before he plants in the area in the spring.

Joan McKibben mentions the \$5,000 will be spent by the Board of Selectmen. She agrees with Troy that the Subcommittee will want to be involved in overseeing the project with the Conservation Commission. Also the Recreation Commission has mentioned they will take over the project once it is completed and becomes a Town entity.

Selectman J. Brunelle states the property is owned by the Conservation Commission, so would this mean they will be turning it over to the Town and the Board of Selectmen to oversee.

Joan mentions the section involved would be given to the Recreation Commission to oversee, but the Conservation Commission would continue to own the rest of the property and the Board of Selectmen would hand the leasing.

Selectman S. Perry states all this can be said, but it does not stop the Conservation Commission in 10 years from saying they do not like what is being done on their property. Joan states the Conservation Commission bought the property, but the Town owns it. Selectman S. Perry states the Town owns it, but the Conservation Commission has all the management rights and the Board of Selectmen can't tell the Commission what to do. Troy mentions this is his point, everyone has good intentions today, but 10 years down the road things change. So there needs to be an agreement with the Conservation Commission, a formal resolution drawn up and filed stating everyone's long term responsibilities and the management of the property.

Selectman S. Perry agrees and is in favor as long as legal counsel approves and the Conservation Commission agrees. He feels the Conservation Commission will have to give up rights to this small piece of this property to the Recreation Commission for them to oversee. Not that this would absolve the Conservation Commission from being able to speak out if something is not being maintained or is a hazard to the community in some way.

Selectman K. Schaefer states he is part of the Recreation Commission and this has never been a topic of discussion and never been voted on that they might manage this property.

Selectman J. Brunelle mentions it may of been before he came on the Board of Selectmen. Because it was discussed they would be willing to take over and maintain and manage the property. He mentions it was not a vote, but just discussed and an understanding.

Board is in agreement that they need to discuss and come to decisions as to who will be managing/maintaining the site.

Troy mentions there was a public hearing and John Bryant from the Recreation Commission spoke about how they could maintain the property. He mentions all three parties will have to draw up a document outlining how everyone will be involved now and in the future

Jason Brennan asked Joan how Parker Park and other locations are handled between the Conservation Commission and the Recreation Commission.

Joan states Parker Park is maintained by the Recreation Commission, other lands they have volunteers who help maintain (trash/mowing etc.) such as at Moores Falls.

Jason mentions they talked with Greg Jeffrey who gave input oh how the parking lot should be laid out. The path to the river will be hard pack (gravel), they followed ADA regulations. He mentions the debate now is to not have a fence and keep the area open because it will be easier to maintain.

Everyone discussed the location of the parking lot (has been changed) the fencing (which has been eliminated), where the gates will be located (has been changed).

Selectman J. Brunelle mentions he thought the farmer was asking for the fence to keep people out of the field and to protect his equipment.

Board continues to discuss the fence and gate issues.

Town Administrator T. Brown mentions he will have a discussion with the local Farmer who has been leasing the land to see if he is still interested in farming the property and what he may need for the property and his equipment. He will speak with Legal Counsel regarding recommendations on a written agreement for all involved, the Board of Selectmen, Recreation Commission and the Conservation Commission. Also that the Subcommittee continue to work on the project.

Selectman S. Perry would also like Troy to see what it costs to lease 13 acres of land in today's market.

Jason mentions to back they could not take the lease money and use it to maintain the road and area. Selectman S. Perry states he was thinking the same thing.

Troy will report back to the Board.

NHDOT Municipal Work Zone Agreement

Troy tells the Board they have signed one of these agreements before. It is a standard agreement for all of NHDOT paving projects. Paving is scheduled this summer at the intersection of Page Road and extending north for approximately 7 miles to the Litchfield/Manchester town line. Troy states NHDOT uses their own flaggers for these projects, but need to reach out to the Selectmen for an agreement to be in place that there is an understanding they can do their own traffic control. He has consulted with Police Chief O'Brien who has no issues with the Selectmen signing this agreement. Normally, Special Detail is required on NH 3A, but because NHDOT owns the road it is not required. However, companies like Comcast, Eversource and Fairpoint are required to have Special Detail.

Selectman K. Schaefer **motioned** for the Board of Selectmen to approve the Municipal Work Zone Agreement to allow NHDOT to control traffic for the NH 3A Pavement Project.

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

Manchester/ Nashua Stormwater Management Agreement

Town Administrator T. Brown tells the Board he has been attending monthly meetings at the Nashua Regional Stormwater Coalition. They have been working with Southern Regional Stormwater Coalition, and they have now created a group called the Nashua and Manchester Regional Stormwater Coalition. It has been formed similar to the NH Seacoast Stormwater Coalition which was formed several years ago. He and the Coalition have as well as NHDES have attended many of their meeting. Everyone involved has been working really hard to try and come up with a plan for all the Communities involved (approximately 25) to pool their resources and share information so not to duplicate work in this permitting process required by the EPA and save each other money as a group. Troy states an example is it is required each Community have 3-4 public outreach meeting each year. They would like this group to host these meetings so everyone gets the same information and the training is consistent for all the Communities. So the Nashua and Manchester Regional Stormwater Coalition is recommending to do the same thing NH Seacoast did and have all the Communities participating (expected 19-25) to contribute \$2,000, which will be "seed" funding to hopefully leverage grant funding to assist with mapping, system identification, public education and other requirements of the MS4 Permit. He also mentions the Selectmen Encumbered \$10,000 for stormwater related expenses in 2017.

Board agrees

Selectman K. Schaefer **motioned** for the Board of Selectmen to authorize the expenditure of \$2,000 from Encumbered Funds for this purpose discussed and authorize the Town Administrator T. Brown to sign the Nashua and Manchester Regional Stormwater Coalition Agreement.

Selectman K. Bourque **seconds** the motion. **Vote carries 4-0-0.**

Selectman J. Brunelle states is great when Communities work together

Public Input - None

Utility Assessment Proposal

Town Administrator T. Brown tells the Board he is not asking for any action this evening, but just wants to introduce this information to them.

George Sansoucy is a utility assessor the Town has hired to represent Litchfield in the Pennichuck Property Tax Abatement case. He mentions at the end of this week Chairman Lemire, Selectman K. Schaefer, himself, Mr. Sansoucy and legal counsel will be attending a mediation session regarding this Pennichuck Tax Abatement matter.

Troy mentions George Sansoucy spoke to him and felt the Town of Litchfield is not being aggressive enough in its assessment of all utilities in the Community.

George proposed he take over the towns utility assessments, and it could probably increase the tax base by quite a bit. Troy states he is the one Company handling all the assessments for 30-40 Communities in the State of NH. So when there are issues such as with Fairpoint who files an abatement yearly with every single town, George and his company are able to represent all those Communities and consolidate the cases so each Community pays a prorated amount. Troy states his fee is not cheap it is \$30,000 per year. Troy tells the Board he discussed with Mr. Sansoucy that it was to late this year, because the budget is already set. However, he mentioned they could structure the agreement to have the first payment due and payable in 2019. So Troy felt with the meeting coming up this friday, it might be a good opportunity to discuss the merits of his proposal. If the they think it makes sense, then they could invite him to meet with the Board of Selectmen.

Selectman S. Perry states he is interested to see how this Pennichuck Water Tax Abatement Mediation works out this week.

Troy states he agrees, but he has concerns for in the future because there is a lot going on in the State with utility assessments.

Selectman S. Perry states it has become a regular thing for these utilities to come back and fight the Towns on all the rates they are charging. He mentions Mr. Sansoucy thinks he will get more from the utility companies, and how much more can Litchfield spend to try and fight them. Troy mentions that is the risk the Board of Selectmen will have to consider. But in the past he feels Mr. Sansoucy has done a terrific job in calculating the assessment of the utilities.

Selectman J. Brunelle states if they decide to do this George would be taking over for Avitar. Troy states only the utility assessments, this is all he does. Avitar would still maintain the Town wide assessments.

Selectman S. Perry asks what does the Town pay Avitar for their service of assessing the utility companies now.

Troy states it is all bundled into one contract with Avitar and that is \$48,000. Troy tells the Board Avitar is mainly residential and Gary Roberge who is Avitar's utility guy is basically retired. Board discussed and will have Troy keep them posted.

Administrator Report

Troy reminds the Board the Pennichuck Water Tax Abatement Mediation is Friday February 16, 2018 at 11am in Concord.

He has a Stormwater Coalition meeting tomorrow Tuesday, February 12, 2018 at 1pm at the Nashua Regional Planning Commission.

Troy is continuing to work on the 2018 Voter Guide insert for the Hudson/Litchfield News. Chief Fraitzl is working on the information for the Fire Station.

He reminds everyone the Town Hall will be closed next Monday for Presidents Day.

Troy also mentions he provided the Board with the quote he received from Jack for a new John Deere Tractor with a mower in the amount of \$119,322.19 (does not include a snowblower). He mentions they have to figure out an action plan, because how no roadside mowing has been done in at least 2 years. But unfortunately due to the legal issues with the rental agreement, they cannot rent the necessary equipment like they did for years.

Board discussed hiring a contractor to do the mowing.

Selectman J. Brunelle mentions then why do they have a Highway Department.

Selectman S. Perry states they have a Highway Department of one, and states the town can buy all the \$100,000 things everyone wants but it still comes down to there is no one to operate them.

Selectman J. Brunelle agrees and states if that's the case Jack needs to hire someone. The Board needs to send him a letter and make sure it happens as soon as possible.

Selectman S. Perry mentions a needs assessment (like was done for the Police Department) needs to be done. This way it is know exactly what is the Departments deficiencies and what needs to be done to fix the issues.

Board continues to discuss this matter and how Jack has been asked to hire someone.

Troy mentions trying to hire someone with no vacation, no health insurance for a 32 hour position is difficult. He and the Board discuss the current person Jack has helping him, and the possibility of a seasonal 26 week person to help out.

Board also discussed having MRI do a needs assessment, which would be an independent study. They would like Troy to get a quote and report the information back to the Board. Also have a discussion with Jack about what can be done to hire someone to help out with the Department. Troy will follow up with the Board at a future meeting.

Selectmen Reports

Selectman K. Schaefer mentions the next Recreation Commission meeting is tomorrow evening

Selectman K. Bourque states he attended the Planning Board meeting last week and Mel's Fun Park had a presentation regarding possibly expanding their facility to include paintball, bumper boats and a few other activities.

Selectman S. Perry had nothing to report

Selectman J. Brunelle states the Budget Committee's season is completed, so nothing to report at this time.

Items moved from consent - None

Other Business - None

Selectman S. Perry **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(a) - Compensation
Roll call vote - Selectman K. Bourque (yes), Selectman J. Brunelle (yes), Selectman S. Perry (yes), and Selectman K. Schaefer (yes). **Vote carries 4-0-0.**
Board of Selectmen will only come out of non-public to adjourn.

Patricia Jewett Award will be held on Monday February 5, 2018 at 6:30pm at Town Hall
The next Board of Selectmen's meeting will be on February 26, 2018 at 6:00pm at Town Hall

Brent T. Lemire, Chairman

Steven D. Perry, Vice Chairman

John R. Brunelle

Kevin C. Bourque

Kurt D. Schaefer