

# TOWN OF LITCHFIELD BOARD OF SELECTMEN

## May 14, 2018

### Selectmen's Meeting

Members Present: Brent T. Lemire, Chairman  
Kevin C. Bourque  
Kurt D. Schaefer  
Steven J. Webber

Absent: John R. Brunelle, Vice Chairman - 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 April 23, 2018
2. Approval of Account Payable Manifest 5/8/2018 \$40,774.42 & 5/15/2018 \$58,769.92
3. Approval of Payroll Manifest 5/10/2018 \$52,599.67 & 5/17/2018 \$53,042.89
4. Timber Tax Levy - \$2,689.48
5. 2016 Tax Supplement Warrant - 2016 & 2017
6. DRA MS-123 Form
7. Veteran's Credit (1) - Approval
8. Elderly Exemption (1) - Approval & (1) Denial
9. April 2018 Reconciliations - Tax Collector & Town Clerk

### **Approval of Consent Items**

Chairman B. Lemire reads aloud the Consent Items

Selectman K. Bourque **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**

#### **River Access Facility**

Town Administrator T. Brown states the River Access Facility has been constructed. The River Access Subcommittee which Jayson and Peter are part of have started doing some of the necessary landscaping, which includes low profile guardrails around the parking area. So he has asked Jayson to come in front of the Board this evening to give an update, and speak with

the Board regarding the entrance to the facility and other landscaping decisions that need to be made with the Board of Selectmen's approval.

Chairman B. Lemire thanks both Jayson and Peter and all involved for their efforts in getting this project completed, and so quickly. He states there has been nothing but positive feedback regarding everyone's efforts in completing this River Access Facility.

**Jayson Brennen, 23 Aldridge Street and Peter Psaladis, 31 Pearson Street**

Jayson tells the Board he is here tonight to update the Board and discuss the landscaping recommendations and options. He states the road or driveway, parking lot and path to the river have been completed. He states they cannot thank Continental Paving Company enough for all their help and support on this project, it could not of been done without their help. Rick Charbonneau donated his time, the labor, equipment and materials to complete this River Access roadway and parking area. Jayson states this project would not of happened this quickly without his generosity and help. He also thanks the owner of Jeffrey Land Surveying for all his time he donated in surveying the property, his hard work was also greatly appreciated.

Jayson tells the Board of Selectmen he is here to discuss and get the Boards feedback and approval on 5 major landscaping components for the River Access Facility, and the options the subcommittee has come up with after researching options and prices.

1. Fencing around Parking Lot
2. Entrance Fencing
3. Driveway Border
4. Entrance Sign and a few small additional signs stating the rules of the facility.
5. Lockable Gate at Entrance

Jayson mentions with pre-approval from Town Administrator T. Brown they have started the installation of the fencing around the parking lot area. It will be a wood low profile guard rail, the same specifications done at SawMill.

Next will be the entrance fencing, which will be about 50 feet in from Charles Bancroft Highway. The subcommittee came up with three options

1. A wood split rail (approximate cost \$800)
2. White vinyl fencing (approximate cost \$1,200)
3. Granite posts with connecting chain (approximate cost \$2,400)

Jayson states the Committee overwhelming voted for the wood split rail fencing, which is present in many areas of town such as the school, farmland etc.

Next would be the driveway border which will start after the 50 ft. of fencing along each side of the driveway leading to the parking lot area (about 250 ft.). The options are

1. Do nothing
2. Boulders every 8 ft. (Continental mentioned they have some they could supply)
3. Low profile fencing (same as parking lot)
4. Wood split rail fencing

Jayson states the Committee voted 75% for boulders and 25% for the low profile fencing.

Next is the Entrance Sign and there are 4 options

1. Standard (approximate cost \$500)
2. Granite (under \$1,000)
3. Boulder (cost unknown)

4. Historical (cost unknown)

Jayson states the Committee liked the first two ideas, but leaned towards the Standard to keep with the look of the other signs in Town.

Last is the gate at the entrance of the facility and the Committee decided on a standard metal gate that swings open and can be locked (approximate cost \$800).

Jayson tells the Board the budget for the items the Committee recommends the approximate total cost comes to \$4,700. This is just below the budget allotted of \$5,000.

Jayson mentions the Committee also had a discussion on if they should install extras such as cameras (\$250) and some additional signage (\$250).

So Jayson tells the Board in reviewing the Committee recommendations it would be the metal swing locking gate at the entrance, with a standard sign, a wooden split rail fence, boulders lining each side of the roadway leading to the parking lot and a low profile wood guard rail surrounding the parking lot.

Jayson states that John Bryant from the Recreation Commission has an idea for a second gate down by the parking lot leading to the 8 ft. path down to the river, which will allow the Fire Department to have access to the river with their equipment if necessary. It would not be a metal swing gate like in the front of the facility.

Town Administrator T. Brown mentions if the front roadside sign is put in the right-away, due to it being a State road there may be the need to apply for a permit.

Jayson states it will be set in enough from the road, and this will not be an issue.

Selectman K. Bourque asks if there are any other properties where the Town has installed/uses cameras. Jayson states no, but he is not the expert.

Selectman Bourque does not feel there will be a need for camera at this time, and the Police Chief has stated they will be monitoring the area. The Board agrees and feels they can monitor and if the need arises they can deal with it at a later date.

Selectman Bourque mentions the split rail fencing he feels does not last, and is in favor of the white vinyl fencing for the \$400 additional price tag. Jayson mentions they went to Gate City Fence and they looked at the top end of the wood fencing which is cedar in order to have it last longer. Selectman Bourque states if it is cedar that is different than pine and would have no issues with that type of fencing.

Chairman B. Lemire asks who will be having overall jurisdiction of this facility.

Troy states it will be the Recreation Commission, it will be considered a park and they will be maintaining it. The Conservation Commission is the owner of the land, and the Board of Selectmen are the ones to authorize the leasing of any of the Town properties, including leasing this land to the McQuestens. Troy mentions on the agenda later this evening, there is a discussion of a Memorandum of Understanding for the Board to approve, which breaks down all the responsibilities of the parties involved and all will sign the agreement.

Chairman B. Lemire asks who will be insuring the property.

Town Administrator T. Brown states they will be adding it to the Town's insurance policy, just like any other property.

Jayson asks what are the Boards wishes for the landscaping.

Board agrees on the metal locking gate at the entrance, standard entrance sign, cedar for the fencing at the entrance, boulders along both sides of the driveway and the wood low profile

guardrail fencing for the parking lot.

Jayson and the Board also discussed having the Sub-Committee get together and take a pole on recommendations on a name for the facility.

Selectman K. Bourque asks when the public might have access to the facility.

Jayson states they are hoping some time in June. They also discussed when the road would be closed for the winter, and they felt November.

Chairman B. Lemire **motioned** for the Board of Selectmen to approve and authorize the four Landscaping Plan recommendations for the River Access Facility as discussed. A metal locking gate at the entrance, standard entrance sign, cedar for the fencing at the entrance, boulders along both sides of the driveway and the wood low profile guardrail fencing for the parking lot.

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

Jayson asked if any purchase orders will be needed before they can proceed.

Troy states no one purchase will exceed \$3,000, so they can go to a supplier and purchase what is needed anytime.

### **Memorandum of Understanding (MOU)**

Town Administrator T. Brown states he discussed drawing up a MOU with the Board about a month ago. It will outline the background and ground rules to be followed from all parties involved regarding the River Access Facility. Troy mentions the River Access Subcommittee will be dissolved and the Recreation Commission will take over the management and financial responsibility of the facility. The Conservation Commission who owns the land is aware of this, and our giving up their rights to the management of this small parcel to the Recreation Commission. They and the Town do not want to be responsible for one penny of this project, it is the responsibility of the Recreation Commission and this is all in the drafted Memorandum of Understanding. Troy states the document will be signed by the Chairman of the Recreation Commission - John Bryant, Chairman of the River Access Committee - Jayson Brennan, and Chairman of the Conservation Commission - Joan McKibben.

Chairman B. Lemire asks if legal has reviewed the document.

Troy states no he did not run it by legal counsel, did not think it was necessary.

Board agrees they wish for it to be reviewed by legal or NHMA, but have no issue making a motion of acceptance pending final approval from legal.

Selectman K. Schaefer **motioned** for the Board of Selectmen to approve the Memorandum of Understanding for the River Access Facility as discussed, pending a successful legal review.

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

### **Lease Agreement - 334 Charles Bancroft Highway**

Town Administrator T. Brown mentions the Board has a nonpublic at the end of this meeting to discuss the buying and leasing of real estate property. However, he does not believe they will need to for this discussion, but if this conversation takes a direction they feel uncomfortable with they can defer it to nonpublic. Troy tells the Board he has drafted a lease agreement, which he has shared with the Board for their review. He states he worked on a few agricultural lease agreements in the past when he worked for the town of Hollis, and was able to use those documents as a template. He mentions this has gone through a legal review. Troy also

mentions he met with the McQuesten's and they have agreed to the terms and conditions of the lease agreement. The Board has the authority to enter into a lease agreement for a period of one year. If in the future they wish to extend the lease into a multi year arrangement, they could take this to a Warrant Article and ask the voters. Troy mentions the McQuesten's have been operating on a lease agreement with the Conservation Commission for years on an annual basis, and have been paying \$1,500 a year. But with the River Access Facility came questions, and it was discovered the Conservation Commission did not have the authority to enter into a lease agreement of any kind, that authority fell to the Board of Selectmen.

So he contacted the Commissioner of Agriculture to see what is the going rate for leasing an acre of agricultural land. He was advised the range is from 0 to \$100 an acre, sometimes but rarely \$150 for speciality purposes. The Commissioner reminded Troy that having someone farm the land is a benefit to a town, cuz as quickly as 3-5 years the land can be lost due to overgrowth and it would be a big expense to try and reclaim the soil. Troy mentions he asked the McQuesten's how many acres are being farmed, because some of the land has been lost to the River Access Facility and there is a small section down by the brook they cannot farm. They stated there are 10 acres to be farmed and are in agreement that \$100 is a good price per acre. Troy feels this is a good agreement and the annual lease would change to \$1,000 a year if the Board approves.

Board is glad to see the land being farmed and also feels it is a good arrangement.

Selectman K. Bourque **motioned** for the Board of Selectmen to approve and authorize the Town of Litchfield, New Hampshire to enter into a lease agreement at 296 Charles Bancroft Highway Map 15 Lot 22, for a term of one year as per the price agreed upon.

Selectman S. Webber **seconds** the motion. **Vote carries 4-0-0.**

### **Homeland Security**

Town Administrator T. Brown tells the Board of Selectmen the Fire Chief was in a meeting today with a representative from the Safety Division of Homeland Security. The purpose of the meeting was to find a way for the Department to apply for grant funding for the future construction of the new fire station. Specifically the Chief is looking for grant funding for the generator and the equipment needed for the EOC. However, the Chief learned the Department/Town was not eligible to apply for these grants because the Town's Emergency Management Plan has expired. But there is a grant program that can be applied for to help rewrite and update the plan. The maximum the Town can receive is \$4,500 with a 50% in-kind required match. So the Fire Department is seeking authority to apply for a grant to update the Department's Emergency Management Plan.

Selectman K. Schaefer **motioned** for the Board of Selectmen to authorize the Fire Department to seek grant funding from the New Hampshire Department of Safety - Division of Homeland Security in the amount of \$4,500, with a 50% in-kind match requirement, to update the Town's Emergency Operation Plan.

Selectman S. Webber **seconds** the motion. **Vote carries 4-0-0.**

### **2018 Tax Warrant**

Troy tells the Board the first issue of the Tax Warrant is completed and needs the Boards

approval.

Selectman K. Bourque **motioned** for the Board of Selectmen to approve the first issue of the 2018 Tax Warrant .

Selectmen K. Schaefer **seconds** the motion. **Vote carries 4-0-0.**

### **Public Input - None**

#### **Albuquerque Travel Lane Width Discussion**

Town Administrator T. Brown mentions the Selectmen received a request during public comment on March 26 from resident Bill Fisk, to decrease the travel lane width on Albuquerque Avenue to 10 feet on the 6 mile long road. Mr. Fisk stated by decreasing the travel lane width it to increase the life of the road, decrease travel speeds and allow more travel space for cyclists. Troy states the Road Agent is currently striping the roads and would like to paint the fog lines on Albuquerque, but needs to know if the lane width will be changing. So he has placed this item on the agenda for final determination by the Board of Selectmen. Troy tells the Board based on the Road Agents research, it is best to grind old fog lines off and paint over them with black paint, however this fades and would require additional applications and costs every few years. He has not expressed a concern one way or another on changing the width of the road, Troy states it does not impact him or his decision. Troy did ask Police Chief O’Brion and he is opposed to narrowing Albuquerque Avenue, for numerous safety reasons. On by narrowing the road he can see an issue for the large fire apparatus traveling this road with the new fire station being built on Albuquerque. He mentions this is a main roadway in town, which would become an alternate route in the event of Charles Bancroft Highway becoming impassable, or in the event of an evacuation.

Troy mentions the cost of changing the road width is also quite expensive

#### **COSTS:**

Removal of existing white fog lines by grinding \$1.00ft / \$63,360.00

Removal of existing fog lines by paint \$0.25ft / \$15,800.00

Paint new fog lines \$0.385ft / \$2,439.00

Troy feels the Town is better served leaving the the lanes as they are, so far only one resident has come forward with any concerns or wanting to change the travel lanes. He does not support using taxpayers dollars for this matter. Troy mentions they had a meeting with numerous individuals including DOT, Fire/Police Chief, Road Agent, owner of large trucking company etc. who were all in favor of not changing or supporting this request.

Board of Selectmen state they support the recommendations of the Police Chief, and do not support any changes be made to the travel width of Albuquerque’s roads.

Selectman K. Bourque **motioned** for the Board of Selectmen to support Police Chief O’Brion’s recommendations and oppose the narrowing of the travel lanes on Albuquerque Avenue.

Selectman S. Webber **seconds** the motion. **Vote carries 4-0-0.**

#### **Cemetery Trustees Correspondence**

Troy states the Cemetery Trustees have 3 questions they have shared with the Board of Selectmen. Upon reading, the Board and Troy feel they should be reviewed and commented on

by legal counsel. So they will defer this discussion for a future meeting.

### **Purchasing Policy - Review and Update**

Troy states he would like to apologize, because at the last Board of Selectmen meeting they discussed and amended mainly (appendix A) in the Purchasing Policy. However, when Karen and he started looking at the policy again, they realized the language in section 2 regarding Purchase Orders needed to be clarified.

Troy states the Auditors are in and they have had questions regarding the Purchasing Order procedures. They are looking at the different levels or amounts that trigger needing approval from the Board or the Town Administrator.

So he has shared the recommended changes with the Board, which make it very clear now within the Policy. Allowing the Town Administrator to approve and sign a purchase order from \$5,000 up to \$12,000, before any purchase is to be made. The Board of Selectmen would be consulted on their agenda of any items over \$12,000 needing their approval and signatures. This language was not stated clearly in the existing policy, but now will be.

Troy states the second matter of concern and discussion with Department Heads and the Auditors is the \$3,000 dollar amount that needs Town Administrator approval, they feel this is low in today's environment. So he is suggesting it be raised from \$3,000 to \$5,000.

Selectman S. Webber **motioned** for the Board of Selectmen to approve and amend the changes discussed in the Town of Litchfields Purchasing Policy, effective this day May 14, 2018.

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

### **Purchase Order Approval - Line Striping \$14,484.30**

Town Administrator T. Brown mentions the annual line striping contract requires a purchase order, because it exceeds the \$12,000 cap and requires Board of Selectmen approval.

Selectman S. Webber **motioned** for the Board of Selectmen to authorize a purchase order in the amount of \$14,484.30 to Industrial Traffic Lines for striping Town Roads.

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

### **2018/2019 Plow Contracts**

Troy tells the Board some of the contracted plow drivers will not be returning for the 2018/2019 contract year. As of now it appears there are two vacancies. Troy mentions he and Jack have been reviewing the Purchasing Policy and are having hard time trying to see where this fits in. One of the reasons is when the Town contracts with a plow driver they provide their own truck, but the Town mounts all the sanding/salting and necessary plow equipments onto their trucks. So typically there is an understanding if you are going to become a contracted plow driver for the town, it will not be for just one year, due to the time and effort involved. Troy states each contract for a plow driver can be anywhere from a minimum guaranteed price of \$8,000 up to \$12,000 a year. So the difficulty is how does he post this competitively out on the market. He is wondering if at this time the Board is ok with just putting out an announcement on the town website and newspaper stating we are seeking interested contractors, without having them bids. Selectman B. Lemire states it has to be put out as a request for proposals and bids. He also

asks what did legal counsel say.

Troy states he has not asked legal. He states if it is put out for bid then the contractors can name their own price, and the town has a set contractor price of \$75 per hour.

Chairman B. Lemire states people have contacted him expressing interest in wanting the opportunity to bid for a town contract to plow. He also mentions if they are having difficulty trying to handle this, he would like legal counsel to be consulted on the matter.

Other Board members state they have had the same requests from people wishing to bid on contracts also. They feel everyone should be given the opportunity to put bids in for these vacancies.

Troy mentions the way it has been done, there has not been much turnover. Typically contractors such as Dalmation who did the bike path last year, would continue to do so this year and so on.

Selectman B. Lemire and the Board agree these positions should not be guaranteed year after year, and they should be put out for bid proposals. Selectman B. Lemire states if we were just looking for drivers for the town trucks that would be one thing, but as far as the contracted drivers it needs to be put out for bid for all to be able to supply the town with a proposal and have the Board review.

Troy mentions his concern is that if any of these drivers get upset and decide not to plow this may create an issue for the town.

Chairman B. Lemire states the Board has a fiduciary responsibility to everyone in town, not to a few contracts, and believes it should not automatically be awarded to a few if they are not the best price for the town.

Board is in agreement to have Troy run this by legal counsel to see where the Town stands on this matter. Also they feel this has become an ongoing issue, and everyone should be allowed to submit a bid proposal for a job vacancy such as this for the town and the Board to review.

### **Administrator Report**

Town Administrator T. Brown tells the Board he received notice last week the bond application for the Fire Station has been approved. Both by legal Bond Counsel and administrative by the Municipal Bond Bank. He mentions of all proceeds as planned the funds should be transferred sometime around June 14, 2018.

Troy also mentions the Auditors are in this week, and Karen and the Departments have been supplying them with any needed information.

He tells the Board that Dave Mellen, the Transfer Station Director informed him he has put up a new sign. Dave was able to get the sign 100% funded by a New Hampshire the Beautiful grant. He painted the frame around the sign and did some landscaping himself. Troy tells everyone to drive by and take a look, it came out great.

Troy mentions he will be attending EPA GPS Training regarding Stormwater Management, this coming Wednesday May 16th. He states at a meeting last year the EPA, (region one out of Boston), reached out looking to help smaller communities with this GPS Stormwater Management permit process. They asked what Litchfield could use help with, Troy stated they needed to go out and identify all the outlet pipes for the town's stormwater catch basins for the next round of permitting.

So they will be coming up to train he and Jack with this handheld GPS equipment to help map the coordinates of the towns stormwater catch basin pipes. They will be lending the equipment for Troy to use for the next month.

Troy tells the Board the MRI Feasibility Study of the DPW will be Tuesday May 22, 2018.

### **Selectman Reports**

Selectman S. Webber states there is nothing to report at this time the next Planning Board meeting is tomorrow May 15, 2018.

Selectman B. Lemire mentions he attended the Primex (workers compensation insurance) annual workshop/seminar, at the Mount Washington Resort in Bretton Woods. It also included the NH Fire Chiefs meeting on the third day. It was very informative with lots of great programs, he mentions one of the best benefits is the networking. He states after talking with so many, he finds he is very grateful and proud of the work the Town of Litchfield does. He mentions he attended the meeting last week with Troy, the Fire Department, representatives from Eckman Construction and Rick Charbonneau regarding the site work for the Fire Station. He tells the Board Mr. Charbonneau is being exceptionally accommodating and generous to the Town, he is an asset to the Town of Litchfield.

Troy states he forgot to mention the Town received the AOT Permit, which is a permit issued by the State if any commercial work alters more than two acres of land.

Selectman K. Bourque states there is nothing to report at this time from the Conservation Commission.

Selectman K. Schaefer states the Recreation Commission had been working on the River Access Facility, which the Board of Selectmen has been updated on this evening.

Board discussed due to the next Board of Selectmen's meeting falling on long Memorial Day Weekend, they will postpone this meeting and just keep the next meeting as scheduled for June 11, 2018. If anything comes up they will call a meeting.

### **Items moved from consent - None**

### **Other Business - None**

Selectman K. Bourque **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

RSA 91-A:3,II(a) - Compensation

RSA 91-A:3,II(d) - Buying & Leasing of Real Estate

Selectman S. Webber **seconds** the motion.

Roll call vote - Selectman K. Bourque (yes), Selectman B. Lemire (yes), Selectman S. Webber (yes) and Selectman K. Schaefer (yes). Selectman K. Schaefer motioned to adjourn the meeting at 8:12pm Selectman Brunelle seconds the motion. **Vote carries 5-0-0.**

The next Board of Selectmen's meeting will be on June 11, 2018 at 6:00pm at Town Hall

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Brent T. Lemire, Chairman

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John R. Brunelle, Vice Chairman

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Kevin C. Bourque

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Kurt D. Schaefer

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Steven J. Webber