

TOWN OF LITCHFIELD BOARD OF SELECTMEN  
October 22, 2018

Selectmen's Meeting

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

Absent: Kevin C. Bourque

Also Present: Troy Brown, Town Administrator

5:30 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 October 1, 2018
2. Approval of Account Payable Manifest 10/16/18 \$376,728.24 & 10/23/18 \$38,821.82
3. Approval of Payroll Manifest 10/18/18 \$56,627.52 & 10/25/18 \$55,061.61
4. 2018 Tax Warrant
5. Abatement - \$60,473 (Pennichuck East-Utility)
6. September Reconciliations - Tax Collector, Town Clerk & Treasurer
7. Treasurer's Delegation Form (Textor, Briand & Eckley)
8. Purchase Order M-18-18 - Plow Truck \$26,940.00
9. Transfer of Funds
  - a. \$50,000 Earned Time ETF
  - b. \$25,000 Building Systems ETF
  - c. \$340.48 Fire Facilities CRF

**Approval of Consent Items**

Chairman 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 - None**

**Business**

**Mosquito District Regular Member - Curtis Sampson**

Chairman B. Lemire introduces Curtis Sampson to the Board.

Curtis states he has been a resident of Litchfield for the past two years, his family and he live on Garden Drive. He has worked for the Commuter Rail in Boston for 6 years. Curtis mentions he is looking to contribute and be more involved with town government, and feels serving on a Board such as the Mosquito District would be a way to give back to the community.

Selectman K. Schaefer states he knows Curtis through Scouts and Baseball. He states he is a great leader for the kids and feels he will be an asset to the Mosquito District.

Selectman K. Schaefer **motioned** for the Board of Selectmen to approve the appointment of Curtis Sampson as a member to the Mosquito District Commission.

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

### **DPW Feasibility Study**

#### **Alan Gould (President of MRI) and Michael Bobinsky are present from Municipal Resources Incorporated (MRI)**

Alan Gould states MRI is a Municipal Management Consulting Firm, they have completed projects/studies from South Carolina to Maine. They were retained by the Town of Litchfield to conduct a Department of Public Works (DPW) Feasibility Study to see if it makes sense to possibly consolidate all or some functions of the Highway Department, Solid Waste Department and Recreation Commission and other town services into a unified new "Department of Public Works". They are here this evening to present to the Board of Selectmen an overview of their findings and recommendations.

Michael Bobinsky thanks the Board of Selectmen, Town Administrator T. Brown and the staff of the Town of Litchfield for all their assistance in providing information in order for them to understand the current workings and costs of the Highway Department, Recycling Center, Recreation Commission and Maintenance services of the Town. They interviewed Heads of all the Departments involved, Fire Chief, Police Chief and Finance Director (budget review). They toured the Highway garage, Recycling Center, Cemeteries, Library, Town Hall and Recreational Facilities. They also reviewed the Town Policies and Procedures, looked at current contracts the Town has for snow plow drivers, lawn maintenance companies etc. This allowed them to understand the current operations, possible constraints and gain perspective of how the Town of Litchfield operates.

It is the recommendation of MRI from this study that the Town of Litchfield consider beginning the process of consolidating and unifying town functions in order to create a Department of Public Works, in order to serve, manage and support basic town functions. Functions that should be included in the new Department are

- Road Agent: Highway and streets, litter control, winter operations
- Building and Grounds: Custodial and mowing areas around town buildings
- Parks and Recreation: Maintenance (Field Maintenance)
- Solid Waste Management and Transfer Station.
- Contracted Project Engineer and Project Management
- Building Inspection Services (Optional)

Michael also recommends the Town have Primex review any and all Town Requests for Proposal/Bid (RFP/RFB) documents to ensure the Town is asking for consistent elements such as liability insurance, performance bonds and other operational guarantees.

Also to discontinue the practice of the Solid Waste Manager picking up trash along trails and sidewalks after hours with a private vehicle. Well greatly appreciated by the Town, employees should not be using private vehicles that are not covered by a specific agreement. He suggests this daily task be assigned to the Road Agent and his Department.

They recommended the Road Agent Position possibly be made into a Public Works Director position. Also other staffing recommendations such as combining some seasonal and full-time positions, moving away from some contracted positions. As well as updating job descriptions and defining better job duties new and old. They also recommend the Solid Waste Manager cross trains with the Road Agent to better understand the duties within the Highway Department and the Road Agent should cross train with the Solid Waste Manager to better understand the functions of his operation.

They also recommended repurposing the old fire station for the possible storage use of town equipment.

Chairman B. Lemire thanks Mr. Gould and Mr. Bobinsky for an outstanding report and the Board is still reviewing and working through all the detailed information MRI provided. He feels it is an outstanding roadmap that will help the Town move forward, but it will be long term process of implementing recommendations over time.

Below is the link for anyone to read the full MRI DPW-Feasibility Study

<Http://Litchfieldnh.gov/s/DPW-Feasibility-Study.pdf>

Board of Selectmen continued to discuss some of the recommendations from MRI.

Mr. Gould stated they will continue to support and help the Town and Board of Selectmen implement changes as they seem fit. They do not just leave the study and exit, they are around for the long haul to help in anyway they can.

Town Administrator T. Brown asks what recommendations they have to take this information to the next level.

Alan mentions the first step can be what does the Town feel is important and could funded and established first. Also job descriptions need to be updated or created and put into place in order to be able to do wage comparison studies and hire or place existing personnel into positions. He states they would be glad to assist with this when Troy and the Board are ready.

Board of Selectmen thanked both Mr. Gould and Mr. Bobinsky for all their assistance.

### **Public Input**

Jack Schiner 10 Whittemore Square has shared with the Board of Selectmen his suggestions for changes he would like to have made to the Elderly Exemptions, and a sample for a Warrant Article he would like placed on the ballot for the voters at the Deliberative Session in March.

Jack would like an increase in the Exemptions, he states there has not been an increase since the Elderly Exemption was implemented in Litchfield years ago. He states he is only recommending this but would like the Board to review his suggestions. He feels it would be a benefit to the Selectmen to do so, but it is up to them to consider it.

Chairman B. Lemire states the Board will discuss this with the Town Clerk and the Finance Director to see what the fiscal impact would be.

Jack mentions he was not looking for an answer this evening, he understands the Board needs to review the matter. He thanks the Board for their time.

Joe Cabral 7 Brickyard Drive states he hit the right evening to hear the MRI Report. He mentions he has requested through RSA 91A and has been told there is no record, so he is glad to hear there is. He tells the Board and Town Administrator T. Brown not to lie again and say there is no paper trail.

Chairman B. Lemire states that is not the case.

Selectman J. Brunelle states he would like to clarify because there is no MRI study for the Building Department, it is currently still underway.

Joe mentions he understands but is just saying that when he asks for a specific one like for the Police Department he is told there is no paper trail.

Chairman B. Lemire states there is a MRI Report for the Police Department and it is public record.

Joe ask then why under the RSA 91A request why did he not get it.

The Board asks Troy if Mr. Cabral asked for the Police MRI Report in his request, because it has been published and public record for years (20 years) on the Town's website. They state they do not remember this being part of his request under RSA 91A.

Town Administrator T. Brown would like to make things clear and reads Mr. Cabral's RSA 91A request "I would like a complete copy of the reports and written explanations of all studies requested through Municipal Resources Incorporated (MRI), from 2017 to present". So for the record, because he and the Board of Selectmen just were told they lied. He would like to make it clear that Mr. Cabral did not request the Police MRI Report, and the report for the Police Department was done sometime around 1998 and has been public record on the Town website ever since. Also Troy mentions at the time of his request there was no DPW MRI Report, it was just completed and shared with the Board as was mentioned this evening. There also was no MRI Study/Report or contract in place regarding the Building Inspector.

Joe Cabral states he thinks it was the Building Department that was under the Fire Department.

Chairman B. Lemire states there has been no MRI Report study done until now for the DPW, and the Fire Department/Building Inspector Study/Report has not been completed as of yet.

Joe states someone mentioned to him there was a study done regarding the Building Inspector. The Board states they told him there was no study.

Selectman J. Brunelle states what the Board stated to him was they reviewed and had discussions with the previous Building Inspector and Fire Chief regarding options and possible changes to the positions and they had no objections. The Board had public discussions regarding the matter with the Building Inspector back as far as 2013.

Mr. Cabral apologizes. Troy thanks him.

Selectman J. Brunelle asks Troy to send him the link for the Police MRI Report and he will post it in a more current position on the website.

### **Corning Road “No Thru Trucking”**

Chairman B. Lemire states Mr. Conway had requested the Board to check into the possibility of the Town adopting a “No Thru Trucking” ordinance for Corning Road.

He mentions Troy sought legal advice for Town Counsel, and he consulted informally with a few major trucking companies this would affect. Legally Town Counsel stated the town can adopt such a policy on any road, pursuant to RSA 41:11 and 47:17, provided there was a rational basis for doing so. But it would be challenged immediately in court by the trucking companies affected. B. Lemire states if there is no reasonable alternative available the courts have not ruled in favor of this in other cases. He states it was suggested the town may want to post no thru trucking between certain hours, such as 6pm to sometime early morning. However, if Manchester or Londonderry do not post their roads it will do no good.

Board discussed the matter and felt the issue/complaints are for in the early morning hours, so if they cannot stop it there is no need to post anything regarding evening hours because it would not help the current situation.

Board agrees and feels the challenge in court would not be favorable and there seems to be no other alternative at this time.

Chairman B. Lemire asks Troy to send a letter to Mr. Conway informing him of the situation and advise from Town Counsel. If he feels posting the road for no thru trucking during evening hours would help the Board will look into revisiting the matter.

### **Plow Truck Lease Agreement**

Town Administrator T. Brown mentions the voters authorized a 6 year lease purchase of a plow truck at last years Elections. Troy mentions this truck will be a big addition to the aging fleet the Town has, just this week they had a repair bill of \$12,000 for one of the old plow trucks. This new plow truck has been purchased and is currently having the dump body, plow and sander installed at Donovan Springs in Londonderry. He mentions the total purchase price, including the financing fee/rate of 4.25%, is \$171,384.36. With principal and interest included the 6 year annual lease payment is \$28,564.06. The 2018 Warrant Article approved \$26,940 so the difference of \$1,624.06 will be paid from the Highway Equipment Purchase line and he has updated the 2019 Budget to reflect the current annual lease payment.

Selectman S. Webber **motioned** for the Board of Selectmen to approve the 6 year lease purchase agreement for a plow truck with equipment, in accordance with the attached Lessee Resolution as required by Tax-Exempt Leasing Corporation.

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

### **Solid Waste & Recycling Skid Steer Purchase**

Town Administrator T. Brown mentions the skid steer is the backbone of the operations at the Recycling Center, and he and David Mellen have been discussing the best approach to replace the skid steer (leasing vs. purchase). David states the last purchase was unplanned with no time to research. It has been his plan to replace the skid steer every 5 years. Troy tells the Board David received a great quote (with the Municipal discount) from the local Caterpillar dealer, which included the trade-in of \$12,000 for the existing skid steer. So they are recommending the Town trade-in the current skid steer and purchase a new one which comes

with a two year warranty, and they would like to purchase an extended two year warranty. So out of the 5 years 4 will be covered with the Town only having to do routine maintenance. So Troy is proposing they use the Recycling Revolving Fund which has a current balance of \$44,543, and the purchase of the skid steer would be \$19,030. Troy also tells the Board this will reduce the proposed 2019 Budget by \$6,978.00 because of the annual lease payment would no longer be required.

Board discussed this proposal and funding, as well as the possibility of other equipment such as the compactor failing, but after reassurance from Troy and Dave, they are in agreement with moving forward with the purchase.

Selectman K. Schaefer **motioned** for the Board of Selectmen to approve and authorize the Town Administrator T. Brown to purchase a new skid steer for the Department of Solid Waste and Recycling in the amount of \$19,030 from the Recycling Revolving Fund. Furthermore to waive any and all requirements of the Town Purchasing Policy in accordance with Section 9-Exceptions.

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

### **Hazard Mitigation Plan Adoption**

Town Administrator T. Brown tells the Board the National Regional Planning Commission (NRPC) recently completed an update of the Town's Hazard Mitigation Plan with Department Heads and Public Safety Employees. Troy mentions once this Plan is in place, it will make the Town eligible for funding to help alleviate the impacts of future hazards. Also give the Fire Department the ability to apply for Grant funds, to help with purchases such as equipment, furniture, fixtures and radio equipment etc. for the new Fire Station.

Selectman J. Brunelle **motioned** for the Board of Selectmen to adopt the Town of Litchfield - New Hampshire Hazard Mitigation Plan as revised and updated in 2018.

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

### **Police Chief Employment Agreement**

Troy Brown states the Board of Selectmen have been negotiating with Police Chief O'Brien, and have come to an agreement which he has signed. Troy mentions Legal Counsel has reviewed this agreement. It represents a 15 month term, effective January 1, 2019 to expire on March 31, 2020 and includes a 1% adjustment in wages. He mentions the Board can choose to let the agreement expire at the end of the term or renegotiate if they choose to do so.

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve the Police Chief Employment Agreement as reviewed for a term from January 1, 2019 to March 31, 2020.

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

### **Tax Deeded Property - 2 Lori Lane**

Town Administrator T. Brown mentions the final tax deeded property the Town acquired at 2 Lori Lane is being sold. It is being sold to the current occupant in the amount of \$3,500. Troy tells the Board this transaction has been reviewed and approved by Legal Counsel and the check has cleared.

Selectman J. Brunelle **motioned** for the Board to authorize and issue a Quit Claim Deed for the

amount of \$3,500 to Michael Mendes for the property located at 2 Lori Lane (Map1, Lot 42). Selectman S. Webber **seconds** the motion. **Vote carries 4-0-0.**

### **Final Budget Review**

Town Administrator T. Brown mentions he has received the health insurance rates, and it increased 10.5%, he had budgeted for 10% so has adjusted all budgets accordingly. Troy states the budget process has been going well.

Selectmen J. Brunelle states they have a meeting with the Budget Committee this Thursday where the Committee reviews the Town budget line by line looking for possible ways to reduce or not reduce the budget. John anticipates the meeting to be fairly quick, he does not think it will go beyond this one day. He agrees with Troy that the process has gone very well, the Town's budget is fairly consistent year after year. Troy has already shared the updated budget with the Committee for their review. Troy tells the Board as far as the tax cap is concerned, he has a placeholder for the Union contract of \$50,000 which he feels is a conservative estimate. The proposed Operating Budget is \$6,795,740 and will be reduced by the \$6,900 for the skid steer discussed tonight. So the Committee will be looking at exceeding the tax cap by 12,000-15,000, which includes the estimate for the Police Union contract but excludes any Health Agency funding. So they will learn more Thursday and report back to the Board of Selectmen at their next meeting.

### **Warrant Review**

Troy mentions he added Article 6 to the Warrants which is a list of the Health Agencies and their funding requests. They may also after discussions have another Warrant regarding changes to the Elderly Exemptions which was presented this evening. He would like the Boards opinion if they wish to see each Agency listed with a dollar amount attached, or just a lump sum of \$39,037 shown on the Warrant. See the Warrant and the amount below.

### **ARTICLE 6 - HUMAN SERVICES AND HEALTH AGENCIES**

To see if the Town will vote to raise and appropriate the sum of \$39,037 to support Human Services and Health Agencies as follows:

- Big Brothers/Big Sisters - \$500
- Home Health & Hospice Care - \$6,500
- St Joseph's Community Services (Meals on Wheels) - \$2,295
- Bridges (domestic violence) - \$300
- Greater Nashua Mental Health Center - \$19,795
- Lamprey Health Care - \$800
- Court Appointed Special Advocates - \$500
- American Red Cross - \$3,847
- United Way - \$500
- Harbor Homes - \$4,000
- Anne-Marie House - \$0,000

After a discussion the Board agrees to keep Warrant Article 6 as shown with the dollar amounts listed individually. This will allow the voters to decide and make any changes they wish at the Deliberative Session in March.

**Administrator Report - None**

**Selectman Reports**

Selectman S. Webber states the last Planning Board meeting was non-public so there is nothing to report.

Selectman J. Brunelle states he has shared the Budget Committee updates and the next meeting is on Thursday.

Selectmen B. Lemire states they are still negotiating with the Police Union, the next meeting has been moved to October 31, 2018 at 1:00pm.

Selectmen K. Schaefer mentions the Recreation Commission is having 2 basketball nets replaced outside at Darrah Pond by the Youth Basketball Association now and the Association will replace 2 more in the Spring, then will paint the courts.

**Items moved from consent - None**

**Other Business**

Selectman S. Webber would like to add an item to non-public under RSA 91-A:3,II(c) - Reputation.

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(a) - Compensation

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

Roll call vote - Selectman J. Brunelle (yes), Selectman B. Lemire (yes), Selectman S. Webber (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 November 5, 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

\_\_\_\_\_  
Steven J. Webber

