

TOWN OF LITCHFIELD BOARD OF SELECTMEN

December 10, 2018

Selectmen's Meeting

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

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 26, 2018
2. Approval of Account Payable Manifest 12/4/18 \$2,733,271.69 & 12/11/18 \$172,129.36
3. Approval of Payroll Manifest 12/6/18 \$46,470.96 & 12/13/18 \$57,857.18
4. Abatement - Map 2 - Lot 88 \$107.62
5. Land Use Change Tax - \$12,500
6. 2018 Assessment Ration - 85.8%

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 S. Webber **seconds** the motion. **Vote carries 5-0-0.**

Request for Additional Items/Other Business - None

Business

2019 Holiday Schedule

Town Administrator T. Brown shared with the Board of Selectmen the 2019 Holiday Schedule. He mentions on Civil Rights Day the Town Tax Collectors office will be closed due to the State Division of Motor Vehicles being closed and no work can be accessed/processed. Terri will be using Earned Time for this day. But the Town Clerk's office will be open.

Troy mentions on Columbus Day the Town will be closed.

Troy also mentions the Town Offices are closed the day after Thanksgiving, however the Solid Waste/Recycling Center will be open. Eligible Employees will receive Holiday pay for this day.

**2019 Holidays
Non-Bargaining Unit Employees Only**

New Year's Day	Tuesday	January 1, 2019	Closed
Civil Rights Day	Monday	January 21, 2019	Open
Civil Rights Day	Monday	*Clerk & Tax Closed	Closed
President's Day	Monday	February 21, 2019	Closed
Memorial Day	Monday	May 27, 2019	Closed
Independence Day	Thursday	July 4, 2019	Closed
Labor Day	Monday	September 2, 2019	Closed
Columbus Day	Monday	October 14, 2019	Closed
Veteran's Day	Monday	November 11, 2019	Closed
Thanksgiving Day	Thursday	November 28, 2019	Closed
Day after Thanksgiving	Friday	November 29, 2019	Closed
Day after Thanksgiving	Friday	**Solid Waste Open	Open
Christmas	Wednesday	December 25, 2019	Closed

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve the 2019 Holiday Schedule for Non-Bargaining Employees as discussed.

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

Acceptance Of Fire Station Office Furniture - (estimated cost \$9,500)

Town Administrator T. Brown tells the Board that Police Chief Poirier from Barnstead contacted Fire Chief Fraitzl last week with an offer to donate used office furniture (chairs and tables) for our Towns New Fire Station. Troy states the furniture is in great condition and valued at about \$9,500, they will be renting a storage container to hold the furniture until the construction of the New Fire Station is complete. He states this is a great opportunity for the Town to receive this furniture at no charge.

Selectman K. Schaefer **motioned** for the Board of Selectmen to approve and accept the used office furniture from the Town of Barnstead which will be used for the New Fire Station, and ask the Town Administrator T. Brown to sent a thank you letter to the Barnstead Board of Selectmen.

Selectman S. Webber **seconds** the motion. **Vote carries 5-0-0.**

Winter Street and Road Maintenance Update

Town Administrator T. Brown wanted to update the Board of Selectmen regarding the contracted snowplow operators working for the Town. He mentions the last discussion the Board had regarding the drivers contracts, some were still stamped as drafts and some were

still being processed. He tells the Board all contracts have been received and signed and are in his possession. He also has all insurance certificates in place. But adds the certificates do not add the Town as additionally insured, upon looking back at previous certificates those did not list the Town either, they just show the drivers have insurance. Troy mentions they have one contractor who is operating a private truck with the Towns equipment installed onto it, and he has no general liability coverage. This was due to the expense because of the type of business he owns. He reached out to his insurance company but they required him to take out an additional policy (not just add to his existing business policy) and it would cost an additional \$5,000 for coverage in addition to what he is already paying for coverage.

Troy tells the Board upon talking with his insurance agency they told him the vehicle is covered in the drivers policy and it includes bodily injury, property damage and liability coverage. Troy states he wanted to make the Board aware of this issue because there is some risk to the Town without having general liability coverage in place. He states the only other option for the Town would be to find a way to hire this individual as a town employee and lease his plow truck, but feels this does not make any sense.

Troy states snow season is upon us and the Town does not have a lot of choices for drivers this season. Next he mentions all the Town trucks have been repaired and are storm ready. Also due to the nice weather the Highway Department has been able to repair all mailboxes and most of the damage done during the previous storms by the plow truck drivers to properties, a few things will have to be completed in the Spring. Troy mentions he advertised for contracted plow drivers in the HLN, Nashua Telegraph and the Union Leader, and believes only 1 person has contacted the Road Agent about potential hiring. He mentions this is a tough time of year to be trying to hire. Troy states he has spoke with the Towns Insurance Company and they suggested the Board take a look and consider changing the way the Town hires contractors for snow removal. They state the Town should be hiring all plow drivers as temporary seasonal employees and they should be fully covered under the Towns insurance policy. Also when hiring a contractor and their equipment, they were very concerned about when the Town installs its plow/sand salt equipment onto their equipment/truck. They have advised the Town to stop this practice because they are being hired as an individual contractor and the Town should have no ownership of their equipment being used. It opens the Town up for possible legal problems, an example would be if they damaged property with a town plow that was put on a contractors truck, finger pointing could happen because they could say it was the town equipment that caused the damage or an accident. Counsel stated even though the Town is named within an insurance binder, you do not know the specific terms and conditions of that policy, because the Town does not see the actual policy.

Selectman J. Brunelle asks if Troy knows the actual impact this would be on the Town, because this would be a significant increase to contractor costs and insurance premiums.

Troy states he does not, but will need to research. He thinks it is going to be harder and harder to find independent contractors who will do Town road maintenance without having guarantees or multi-year contracts. Which is why the Town may want to look more into having its own equipment and just hire seasonal employees.

Selectman J. Brunelle states that is a huge expense also, and you end up having your equipment sit for long periods of time.

Board discusses the equipment the Town already owns and operates.

Troy states the Town is short 2 drivers and 2 trucks. So without hiring someone soon, plowing for the next storm will take longer for the drivers they do currently have.

Chairman B. Lemire mentions the lack of plow drivers has become an issue for many Towns around the State.

So Troy tells the Board they will have to take a look at making changes to how the Town operates its policies and procedures in regards to this matter for next season.

2018 Preliminary Year End Budget Review

Town Administrator T. Brown states the figures he shared with the Board are just preliminary. But with only a few weeks till the end of the year things are looking great, even after having issues at the Highway Department with costly vehicle repairs. He was unsure of some of the paving costs expected. But received a phone call from Continental Paving today and the commitment they made to grind/mill pavement on sections of Page Road this year will be done. They are going to start this week, Continental has no concerns with the weather, so this will get completed this year. Troy mentions Continental also repaired areas at the north end of Albuquerque this past week, which was from the heavy use of their vehicles. Troy and the Board mention Rick is always very conscientious of the wear on the roadways due to the heavy use of his vehicles at that end of Town, and makes every effort to maintain the roads. Troy mentions overall as of now they are in good shape, but a lot can change in a few weeks. He states they are looking at a possible Unexpended Surplus of roughly \$200,000. He tells the Board it has been a good year, everyone has done well.

2018 Preliminary Encumbrances

Town Administrator T. Brown tells the Board he has reached out to all the Department Heads and Committees and has received feedback, but is sending out one more reminder to all. So he is sharing some of the estimates with the Board for them to review, no actions is necessary this evening.

Recreation Commission is estimating

\$7,500 - Recreation Darrah Playground Equipment - they are hoping to make improvements as well as more handicap accessible.

\$4,500 - Recreation paint basketball courts and wood guard rails - in order to protect the court more from vehicles driving onto the court.

\$3,500 - Recreation paint exterior Talent Hall

Town Administrator - T. Brown is looking to replace and update furniture in some areas of the Town Hall. He mentions he is looking at used furniture, but it is still costly.

\$5,000 - Misc. Office Furniture TA, Finance, Reception

\$50,000 - Assessing - Troy mentions the Town is suppose to be on a system of setting aside funds yearly so when the Town reaches the update year of assessments (every 5 years) they have the funds to cover this expense. But that has not been able to happen mostly due to the Pennichuck Water and Fairpoint abatements most of those funds were used to handle this

matter. So this year he would like to get \$50,000 in the fund for the 2020 update assessment expense.

\$25,000 - Fire Utility Truck - This was discussed with the Fire Chief at a previous meeting with the Board.

\$12,000 - Police Speed Trailer - Troy mentions you can get a speed trailer for \$6,000, but it does not collect data, it just flashes speeds to try and slow traffic down in an area. This one they are requesting actually includes software that will collect data (size of vehicle, traffic counts, speeds etc.)

Selectman K. Schaefer states they do have to purchase the equipment for \$12,000, but the Town can apply for a \$6,000 Grant from the State (Highway Safety) and get reimbursed for half of this expense.

\$75,000 - Misc IT (server replacements, camera & door systems, watchguard system in booking room - Troy and Selectmen J. Brunelle state the cameras in the Town Hall are 20 years old and all are failing. Investing money into this system makes no sense. John mentions everything that got recycled 7 years ago is now at its end of life and because the Town did not purchase an extended warranty most of the equipment has expired and any pieces left will expire in April. He will work to update as much as possible with whatever funds become available for the purchase of equipment.

Public Input - None

2019 Draft Default Budget

Town Administrator T. Brown states this is very much just a draft of the Default Budget that he has been working on. He reminds the Board there are new State laws that provide guidance as to how you prepare your Default Budget. One of the changes in the law is if the Town has an employment contract, Union contract or a multi year agreement such as a lease agreement or a bond it is approved by the voters. Now when they are approved any increase can be calculated into the Default Budget. An example would be if the Town has a 3% raise agreed upon for the Union in year 2 of that contract he can add that raise amount to the Default Budget. Another example would be a multi year agreement that the Selectmen have approved with the Town Administrator where a 3% raise was agreed upon, that 3% cannot be counted and put into the Default Budget for that particular year. It would have to be the last amount of salary approved which would of been say the year prior and is what would need to be carried forward. Troy mentions this is new, previously if there was a contract that was the amount budgeted in the Default. So it is a little tricky especially with the employment agreements. He mentions as another example if Dave Mellen from the Recycling Center has a contract with Waste Management for hauling fees, that contract would not of been ratified by the voters. Which if given to the voters would be risky to do, because if the voters said no and voted it down "no means no" and then there would be no way to have the Towns waste removed from the Recycling Center. So he mentions the Town does know they will be looking at an actual 3%

increase in the hauling fees with next years contract with Waste Management (which is reasonable) it cannot be calculated into the Default Budget.

Selectman J. Brunelle states he remembers reading about the changes, but feels it's kind of ridiculous and strange. Once a multi year contract was signed and in the Operating Budget it just ran. Now with a 3 year contract it cannot be added to the Default Budget. He agrees with what Troy stated and every contract could be put to the voters, but they put the members on the Board into this role to handle these types of things. John states it almost makes you want to place a contingency number back into the Budget.

Troy asks if they had that in the Budget. John states yes, but it was taken out over the years. Chairman B. Lemire states it use to start at \$30,000 when he first started, and gradually went up to \$60,000. But eventually went to zero.

Troy mentions there is another area that is a little tricky, and tells the Board the approach he has taken on the matter. He states for the Non-Union employees there is a line item of \$15,000 for all wages, the voters know these funds are in there they approved it in 2018. So he disbursed these funds to all the Non-Union employees, but for the Non-Union employees who had a wage increase since 2018 he carried forward that wage increase. But the \$15,000 he has left as zero, because he has taken the \$15,000 which was approved and gave it to the Non-Union employees.

Selectman J. Brunelle states he agrees and this has been done before.

Troy states if the Default Budget passes in 2019 the \$15,000 will not be there and the funds will have to be found elsewhere.

Administrator Report

Town Administrator T. Brown mentions he has had a discussion with Matthew Sullivan regarding being a minute taker for the Board of Selectmen. He was recommended to Troy by a resident in Town who is on the Recreation Commission, it is her brother. Matthew provided Troy with a sample of his work from taking meeting minutes for the Recreation Commission, and Troy shared it with the Board. He did a telephone interview with Matthew and he is very excited to have the position, Troy agreed and they will try it out.

Troy would like the Board to be aware the Board of Selectmen will not have a minute taker beginning in January, the Zoning Board lost there minute taker and Matthew has been the minute taker pro bono for the Recreation Commission since they lost their minute taker. So currently the only other minute taker the Town has is Michelle who handles the School and the Budget Committee. So he feels it is important to get a second person for the minutes on board.

Troy mentions last Friday's meeting was cancelled, and the meeting with Legal Counsel regarding Mel's has been rescheduled for Wednesday at 9am. It is in regards to Zoning Violations the Town received. If any of the Board is available they are welcome to attend.

Selectman Reports

Selectman S. Webber states he has nothing to report he was not in attendance at the last Planning Board meeting, but they just worked on the Master Plan

Selectman J. Brunelle states he was out of Town and did not attend the Budget Committee

meeting Chairman B. Lemire attended for him.

Chairman B. Lemire states he attended the Budget Committee meeting where they approved and voted on the School Budget. They adjusted the Budget by approximately \$240,000. He states there were a lot of healthy discussions. He also mentions he will be attending the first Heritage Committee meeting tomorrow night at 7pm in the Conference Room here at Town Hall.

Selectman K. Bourque states he has nothing to report from the Conservation Commission

Selectman K. Schaefer states he has nothing to report from the Recreation Commission.

Items moved from consent - None

Other Business - Troy mentions he shared an email he received with the Board of Selectmen. It is from a resident in Town who expressed interest to redevelop the Old (Current) Fire Station. Troy states it is too early to have such a discussion, but can respond back to this individual acknowledging they received the email and that it could be a discussion to be had in the future.

Next Board of Selectmen's Meeting December 17, 2018

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

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

RSA 91-A:3,II(b) - Hiring

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

Roll call vote - Selectman K. Bourque (yes), Selectman J. Brunelle (yes),

Selectman B. Lemire (yes), Selectman S. Webber (yes) and Selectman K. Schaefer (yes). **Vote carries 5-0-0.**

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

After adjourning the meeting we noticed members from the Historical Society in the lobby waiting for the public portion of the meeting in order to speak with the Board.

Chairman B. Lemire asked for a motion for the Board of Selectmen to come out of Non-Public in order to open Public Input.

Selectman S. Webber **motioned** for the Board of Selectmen to come out of Non-Public Session and to open the Public Input portion of the meeting.

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

Heidi Miller 2 Grove Court, tells the Board she has lived in Litchfield all her life and was the Art Teacher in the School District for 35 years. She is also a member of the Historical Society, and they were approached this summer by Matt Lepore about a town flag. Matt had a discussion with the Historical Society about his thoughts for designing a flag and showed them some of his designs. Later Heidi states it got her thinking about when she was the Art Teacher, that in 1984 there was a contest with the 8th grade students to design a flag for the Town's 250th Celebration. She remembered the flag vividly and one of her students that won the design. This

contest was put on by the Committee who sponsored the 250th Celebration. Chairman B. Lemire states he remembers this. Steven Calawa (who is also present) from the Historical Society states Diane Jerry was the Chairman of the Committee. Heidi states she did the contest with the kids and the Committee selected a design and she made a flag. The Boys who won the contest were Craig Morris and James Robinson. She looked for pictures of the flag and the boys design, but could not find any. Heidi states she is a Substitute at the School and two weeks ago she was in for the Art Teacher and thought if she could go in the storage/supply closet she would know exactly where it would be. They told her to go ahead, and sure enough she found the flag exactly where she thought it would be. She brought the flag to show the Board of Selectmen and states it was used in the parade for the 250th Celebration.



Steven Calawa and Heidi discuss the design with the Board and stated it was adopted as the Town Flag by the Committee. Chairman B. Lemire understood it was adopted as the flag for the 250th Celebration not as the Town Flag. He asks if they spoke to Matt Lepore about this find. Steven states they have not, they did not know how to get in touch with him. He and Heidi mention this is something to consider for the Town flag, and they should speak with Diane Jerry. Heidi states if this design is adopted she would use better materials and brighter colors for the design. Chairman B. Lemire mentions he remembers it was adopted as the official banner for the 250th Birthday Celebration, and not as a Town flag. Brent states he can get in touch with Matt Lepore and tell him to contact the Historical Society to discuss the options for the design for the Town

Flag. He also mentions the Heritage Commission meeting being held tomorrow evening, because Steven will be in attendance maybe he could bring the flag and if Matt can attend they can discuss it then.

The Board thank Heidi and Steven for coming and bringing this piece of history to their attention.

Selectman J. Brunelle searched for information and found it online. The contest was to design a commemorative banner to celebrate the Town of Litchfield's 250th birthday, it was accepted as the official banner of this Town Celebration, not as the Town flag.

Chairman B. Lemire closes Public Input at 6:50pm

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

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

RSA 91-A:3,II(b) - Hiring

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

Roll call vote - Selectman K. Bourque (yes), Selectman J. Brunelle (yes),

Selectman B. Lemire (yes), Selectman S. Webber (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 17, 2018 at 6:00pm at Town Hall

Brent T. Lemire, Chairman

John R. Brunelle, Vice Chairman

Kevin C. Bourque

Kurt D. Schaefer

Steven J. Webber