

Town of Litchfield, New Hampshire

Board of Selectmen

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Meeting Date: 5/13/19

Call to Order: 6:00 pm

Meeting Location: Town Hall

Meeting Called By: Board of Selectmen
Type of Meeting: Selectmen's Meeting
Facilitator: Steven J. Webber

Note Taker: Matthew Sullivan
Minutes Approved: ___/___/_____

In Attendance: Troy Brown, Town Administrator
Memo: None

Five Selectmen were in attendance:
1. Steven J. Webber, Chairman
2. Kurt D. Schaefer, Vice Chairman
3. F. Robert Leary, Sr.
4. Brent T. Lemire
5. Kevin A. Lynch

No Selectmen were absent:

Agenda Topic: Call to Order | **Presenter:** Selectman S. Webber

1. 5:00pm - Paperwork Review
2. 6:00pm - Call to Order
3. 6:00pm - Pledge of Allegiance

Agenda Topic: Review and Approval of Consent Items | **Presenter:** Selectman S. Webber

1. Board of Selectmen Meeting Minutes from April 22, 2019
2. Tax Collector's Reconciliation - April
3. Town Clerk's Reconciliation - April
4. Tax Credits & Exemptions - (1)
5. 2019 Tax Warrant - First Issue
6. Accounts Payable Manifest from April 30, 2019 of \$139,729.92, May 5, 2019 of \$958,563.89, and May 14, 2019 \$19,499.76
7. Payroll Manifest from May 2, 2019 of \$52,143.22, May 9, 2019 of \$53,659.12, and May 16, 2019 of \$55,542.86

Discussion: None

Motion (Selectman Lemire / Selectman Leary) To approve the Items of Consent.

Vote: (5-0-0) The motion carried.

Agenda Topic: Items Moved from Consent | **Presenter:** Selectman S. Webber

1. None

Agenda Topic: Items Added to Consent | **Presenter:** Selectman S. Webber

1. None

1. **John Brunelle, IT Director - Security Camera Equipment Purchase Order:**

- a. Funds were encumbered last year to help with the replacement of security cameras this year.
- b. The Board of Selectmen, in 2018, realized the security system needed to be replaced. The Board of Selectmen encumbered \$75,000 to help with the cost of the new security system.
- c. The current cameras used at Town Hall and the police station are ten years old and out of date.
- d. The idea is to build off the new security system the fire department has.
 - i. The camera technology is IP based and decentralized.
- e. The goal is to replace out of date cameras, add cameras, and remove an old server from the Town Hall side.
 - i. The additional cameras would help with the coverage in front of Town Hall.
 - ii. Cameras would have access to watch where revenue and money are accepted.
- f. The cameras for Town Hall will help to cover the current blind spots, and the cameras for the police station are for failing cameras.
- g. The request was for 20 cameras. The request would cover the out of date cameras and the need for additional cameras.
 - i. Twelve cameras will replace the out of date cameras and the eight cameras would be additional.
- h. The purchase order request is for \$22,500, but the estimate is for \$21,500.
 - i. The purchase order is more than the estimate because of the tariffs coming from China.
 - ii. The current estimate is protected from the tariffs, but any additional work could be affected by the tariffs.
 - iii. The tariffs from China will increase any additional work by 10% to 20%.
- i. The wiring will also need to be replaced. The buildings use CAT 3 wiring and need to be updated to CAT 5 wiring.
- j. The new security cameras will have a five-year warranty. After five years, the town can keep renewing the warranty.

Discussion: None

Motion (Selectman Schaefer / Selectman Lemire) Pursuant to the towns purchasing policy, I move to authorize the purchase order M-19-07 in the amount of \$22,500 for the purchase and installation of a security camera system at the town office and police station. The said funds were encumbered in 2018, for this purpose.

Vote: (5-0-0) The motion carried.

2. **Fire Department Radios Purchase Order:**

- a. This was a project that was planned for with the 2019 budget.
- b. The purchase order is requesting \$39,072.65.
- c. The purchase order is for:
 - i. A mobile radio - installed in the new utility truck.
 1. The truck should arrive in one or two months.
 - ii. The portable radios. - six handheld radios.
- d. The Board of Selectmen had budgeted \$40,000 for this project with the 2019 budget.

Discussion: None

Motion (Selectman Lemire / Selectman Schaefer) Pursuant to the towns purchasing policy, I move to authorize the purchase order M-19-08 in the amount of \$39,072.65 for the purchase and installation of radio equipment for the fire department.

Vote: (5-0-0) The motion carried.

3. **Regular Planning Board Member Appointment - Tony Turecki (Term Exp. 2022):**

- a. Tony Turecki has been serving as an Alternate on the Planning Board.
- b. Chairman Michael Croteau had contacted Town Administrator Troy Brown about making Tony Turecki a full member.

Discussion: None

Motion (Selectman Schaefer / Selectman Leary) I move to appoint Tony Turecki as a regular Planning Board member with a term to expire on March 31, 2022.

Vote: (5-0-0) The motion carried.

4. **Board of Selectmen Delegation - License to Carry:**

- a. The Board of Selectmen had retained the right to approve and sign-off on the license to carry.
- b. Chief O’Brion has requested the Board of Selectmen to delegate the authority to him.
- c. Chief O’Brion has recommended the delegation of authority for several reasons:
 - i. He has access to the proper information, the Board of Selectmen does not have access to this information.
 - ii. There a quick time limit to approve or deny the request.
 - iii. If the request is denied, the person denied can appeal the decision to a court system.
 1. The Chairman of the Board of Selectmen could be subpoenaed to give testimony to why the Selectmen denied the request.
 2. If the Police Chief was delegated the authority, he could inform the judge why he turned down the request.
 - iv. Other towns authorize their Police Chief to make the ‘License to Carry’ decisions.

Discussion: None

Motion (Selectman Lemire / Selectman Leary) Pursuant to RSA 159:6, license to carry, I would like to move the Board of Selectmen delegate the authority to the Police Chief to issue resident pistol revolver licenses.

Vote: (5-0-0) The motion carried.

Agenda Topic: Public Input - started at 6:20 pm

Presenter: Selectman S. Webber

1. Robert Martineau, 25 Brook Road
 - a. Mr. Martineau has lived in Litchfield for 48 years.
 - b. Mr. Martineau spoke about the sinkhole issue he has been dealing with.
 - c. May 2, 2019, he received a letter from the Town Administrator. The letter read that the town engineer, Lou Caron, had been to Mr. Martineau’s property to investigate the sinkhole issue. The letter included the findings of the sinkhole investigation.
 - d. He requested an engineering report written and signed by Lou Caron. This report would read of Lou Caron’s findings and his determination of the sinkhole.
 - e. Mr. Martineau is also requesting the document that was created to allow a catch basin to be put in front of 27 Brook Road. He has requested the document before, but no one from the town has been able to locate the document.
 - f. Mr. Martineau brought in photographs showing the flooding that occurs on the top and around the catch basin. He also brought in a photograph that showed water coming onto his property from 27 Brook Road.
 - g. Mr. Martineau’s property is located at the end of Brook Road by Arcadian Lane.
 - h. Lou Caron’s email to Town Administrator, Troy Brown read that part of the problem could have been caused by tree stumps.
 - i. The Chairman of the Board of Selectmen offered to have Lou Caron, John Pinciario, Troy Brown, and himself come to Mr. Martineau’s property and look at the issue as a team.
 - j. Mr. Martineau mentioned that his neighbor has had this problem ever since the catch basin was put on his neighbor’s property. He estimated the catch basin was put in 15 years ago.
2. Public Input ended at 6:37 pm

1. **Treasurer's Delegation - Deposit Authority:**

- a. The Town Treasurer has the authority to delegate certain functions of her position.
- b. The one function she has chosen to delegate is the depositing of town funds.
 - i. She has identified three employees to delegate the depositing of town funds.
- c. On an annual basis, the Board of Selectmen reviews the Investment Policy then the Selectmen vote to approve the delegation of authority.

Discussion: None

Motion (Selectman Lemire / Selectman Lynch) In accordance with the town's Investment Policy, I would like to move that the Board of Selectmen approves the Town Treasurer's delegation of authority to Ann Ecey, Theresa Briand, and Patricia Textor for the deposit of town funds.

Vote: (5-0-0) The motion carried.

2. **Lease Agreement - 296 Charles Bancroft Highway:**

- a. This is the second year the town has an official lease agreement for 296 Charles Bancroft Highway.
- b. The town's tax maps have the land recorded as Map 15, Lot 22.
- c. This is the cornfield that abuts the River Access.
- d. The Board of Selectmen has the authority to lease property, but only on 12 month periods. A time longer than 12 months requires a town meeting.
- e. The lease is for \$1,000 or roughly \$100 per acre, plus or minus acres that they are using the farm
- f. The Board of Selectmen agreed to lease the land for another 12 months.

3. **NHMA Legal Services Approval:**

- a. This is an annual function of the Board of Selectmen. It's a long-standing policy that the Board of Selectmen contact the New Hampshire Municipal Association, the legal staff, and provide the lists of town officials, committee members, and employees that are allowed to contact NHMA. In return, the NHMA returns the names of town employees who use the service.
- b. The town pays for this service, and the town encourages the employees and Committee Chairmen to use this service.

Discussion: Selectmen Lynch wanted to know what was the cost of the legal service. He was informed there were no costs. The dues that employees pay cover the cost of the service. Troy Brown mentioned that the service costs the town about \$7,000 a year. Along with the legal services provided, NHMA also allows for participation in dental and health insurance programs. Selectman Lynch would appreciate having the NHMA pamphlet placed on the town's website. Troy Brown will contact John Brunelle and NHMA to receive permission to have the pamphlet placed on the town's website.

Motion (Selectman Lemire / Selectman Schaefer) I will make a motion to approve the list of employees and Chairmen provided to NHMA as written.

Vote: (5-0-0) The motion carried.

4. **River Access - John Bryant River Access:**

- a. The Rec Commission has been working with the Conservation Commission with getting the River Access renamed.
- b. John Bryant, who was a big supporter of the recreation and one of the main supporters in trying to get the River Access for Litchfield Residents.
- c. The Rec Commission with the support from the Conservation Committee has suggested renaming the River Access facility as John Bryant River Access.

Discussion: None

Motion (Selectman Schaefer / Selectman Lemire) As recommended by the Recreation Commission and supported by the Conservation Commission, I move to name Litchfield River Access area as John Bryant River Access.

Vote: (5-0-0) The motion carried.

5. **Heritage Commission - By-Law Review:**

- a. The Heritage Commission, as a new group, has put together their by-laws and would like to use the Board of Selectmen's legal counsel.
- b. The legal counsel would review the draft and make sure that the document is consistent with all the state statutes.
 - i. Heritage Commission's do have certain authorities granted to them.
 - ii. The town needs to make sure that its rules and procedures don't have conflicts with those state laws.
- c. The Board of Selectmen agreed to allow the Heritage Commission to use the Board of Selectmen's legal counsel.

6. **Policy Review:**

a. **Fund Balance Policy:**

- i. The Board of Selectmen are required to review this policy.
- ii. Government Accounting Standards Board (GASB) - sets a lot of the standards for this policy.
- iii. Five different types of funds:
 1. Non-Spendable Fund Balance - Trust funds, nobody can spend these funds
 2. Restricted Fund Balance - Grants come in for a specific purpose, and are restricted to that purpose.
 3. Committed Fund Balance - Town Meeting where the residents approve funding for a capital project. The funds are restricted for that purpose.
 4. Assigned Fund Balance - Encumbered funds, funds dedicated to a specific project.
 5. Unassigned Fund Balance - Funds used to help fund a one-time capital project expense. (Liquid Cash)
- iv. The town retains unassigned fund balances of anywhere from 8% to 12% of the funds that are the general appropriations for the town, school, and county government.
- v. Last year Litchfield's retainage was 1.9 million dollars. That represented about 8.25%.

b. **Purchasing Policy:**

- i. This policy is also reviewed on an annual basis by the Board of Selectmen.
- ii. Purchasing Policy Thresholds:
 1. Town Administrator - signs off on purchases anywhere from five to twelve thousand dollars.
 2. Board of Selectmen - any amount greater than \$12,000 needs to be approved in advance.
 3. Department Heads - signs off on amounts below \$5,000
 4. Competitive Bidding - any amount greater than \$12,000 requires three competitive bids.
 - a. Pre-Approved Vendors - does not require competitive bidding.
- iii. Troy Brown will contact Department Heads and find out which vendors they want to add or are no longer used.

7. **Ambulance Uncollectible Debt Write-Off:**

- a. Annually the Board of Selectmen reviews the town's Write-Off Policy.
 - i. This is for the Accounts Receivable and Uncollected Bad Debts.
- b. The auditors who just came in and wrapped up the annual financials recommended the Selectmen write-off debt that is aged three years or more.
- c. 2018 was the first year the Board of Selectmen were requested to write-off debts that were aged over three years.
- d. When it comes to the ambulance debt, writing that debt off can be tricky.

- i. There are times that the town will receive an ambulance bill two years after the initial service.
- e. Tonight the Board of Selectmen only have an ambulance write-off in the amount of \$17,921.07.
- f. This write-off only takes the debt off the town books. The amount will no longer show up as a receivable.
 - i. The debt will be turned over the town's debt collection service.
- g. The collection service will try and retrieve the debt. If the debt is received, which is unlikely, the town will receive a portion of the money.

Discussion: None

Motion (Selectman Schaefer / Selectman Leary) Pursuant to the town's accounts receivable write-off policy. I move to write-off \$17,921.07 of bad debt. The said funds have been sent to First Financial Services for collections.

Vote: (5-0-0) The motion carried.

8. **Non-Union Performance Review Process:**

- a. The Board of Selectmen reviewed the evaluation form that the town uses. The Solid Waste Department uses this form during the annual reviews. All non-union employees have the same review form used.
- b. All performance reviews are done before July 1.
- c. The Board of Selectmen annually set the maximum amount that can be awarded for an employees performance.
- d. The Department Heads and supervisors need to get started on the reviews so they will be completed and allow the Personnel Department to enter the information into the payroll system.
- e. The town budgeted \$15,000 in a lump sum. The lump sum represents the cost of the adjustment for six months.
- f. When the budget is set in the fall, the Board of Selectmen will see the full 12-month impact of these adjustments.
- g. Troy Brown, Town Administrator, requested a maximum of 3%. The reason for the request is that Social Security for 2018 is listed at 2.8%. Not all the employees will receive 3%, the range is anywhere from 0% to 3%.

Discussion: None

Motion (Selectman Lemire / Selectman Schaefer) I move that we concur with the recommendation for the maximum 3% for the non-union wage pool.

Vote: (5-0-0) The motion carried.

9. **Police Chief Recruitment Process:**

- a. The Board of Selectmen are at the point where Chief O'Brion will retire in March 2020. The Board of Selectmen will need to start the process of how they want to move forward.
- b. Chairman Webber, Town Administrator Troy Brown, and Chief O'Brion need to sit down and decide how they will go about finding the next Police Chief.
- c. The Board of Selectmen will be informed, once the decision on how to proceed is made.
- d. The Board of Selectmen agreed they need to start looking for a replacement before they start working on next year's budget.

Agenda Topic: Other Business

Presenter: Town Admin, Troy Brown

- 1. None
-

1. 155 Hillcrest Road:
 - a. Last week the town officially closed on the 155 Hillcrest Road property.
 - b. The title work and closing costs have been completed.
 - c. Northpoint Engineering does a lot of the road design work for the Road Agent.
 - d. Troy Brown requested if Northpoint Engineering was ever in the area to look at the property and create a proposal to do some engineering plans.
2. Saint Gobain Issues - Perfluorooctanoic Acid (PFOA):
 - a. The Board of Selectmen have been kept up to date with the issues with the grass not growing.
3. Annual Financial Audit:
 - a. The audit was completed last week.
 - b. The auditors will not report back until late August or September.
4. Department of Labor:
 - a. There was an error with the recordkeeping. The town transposed information and the error made it appear a minor worked more hours than is legally allowed.
 - b. The town reported the error to the Department of Labor and is no longer an issue.
5. Fourth of July:
 - a. The Fourth of July is on Thursday and the town office is closed.
 - b. The Town Hall employees have requested to use an earned day, and take Friday off.
 - c. The Board of Selectmen agreed to allow the employees to use an earned day, and take Friday, the fifth of July off.
6. Storm Water Management Permit:
 - a. Over the next four weeks, Troy Brown will work on a long list of items that need to be completed before July 1.
 - 1.
 - b. The Board of Selectmen will start seeing the projects appear on their agenda.
 - c. May 17, Troy Brown will attend a Code Enforcement Training seminar.
7. 8 Bixby Road:
 - a. Two hearing dates are set:
 - i. Tuesday, May 28
 - ii. Tuesday, June 4
 - b. The hearings are for two separate issues:
 - i. Hazardous Building
 - ii. Junkyard
8. Authorization for a Credit Card:
 - a. Troy Brown requested the Board of Selectmen authorize him to issue a credit card to Gerry Pilon, Animal Control Officer, and Building Custodian.

Discussion: None

Motion (Selectman Lynch / Selectman Leary) I move to authorize the Town Administrator to issue a town credit card, with a maximum credit of \$500, to Gerry Pilon, the Animal Control Officer and Building Custodian.

Vote: (5-0-0) The motion carried.

Agenda topic: Selectman Reports

Presenter: Selectman S. Webber

Selectman B. Lemire - Heritage Commission:

1. Heritage Commission meets May 14, and Selectman Lemire will be unable to attend.

Selectman R. Leary - Budget Committee:

1. The Budget Committee will not meet until June 27.

Selectman K. Lynch - Planning Board:

1. Selectman Lynch attended the Planning Board meeting last week. The meeting went well.
2. The Planning Board discussed the extension of Albuquerque.

Selectman K. Schaefer - Recreation Commission:

1. The last Rec Meeting the commission discussed the renaming the River Access.

Selectman S. Webber - Conservation Commission:

1. Nothing to report

Agenda Topic: Adjourn the Public Portion of Meeting

Presenter: Selectman S. Webber

Discussion: Following the adjournment of the meeting, the Board of Selectmen will meet with Attorney David B. Van Slyke of Preti Flaherty to discuss the Saint Gobain PFOA groundwater contamination issue.

Motion (Selectman Lemire / Selectman Schaefer) I move to adjourn the meeting.

Vote: (5-0-0) The motion carried.

The meeting adjourned at 7:23 pm

The next regular meeting will occur on June 10, 2019, at 6 pm.

Approved by the Board of Selectmen:

Steven J. Webber, Chairman

Kurt D. Schaefer, Vice Chairman

F. Robert Leary, Sr.

Brent T. Lemire

Kevin A. Lynch