

# Town of Litchfield, New Hampshire

## Board of Selectmen

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Meeting Date: 8/12/19

Call to Order: 6:41 pm

Meeting Location: Town Hall

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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

Selectmen 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:

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Agenda Topic: Adjourn the Public Portion of Meeting

Presenter: Selectman S. Webber

### **Motion To Enter Non-Public Session (Roll Call Vote)**

(Selectman Lemire / Selectman Schaefer ) motioned to enter non-public session per RSA cited below:

- A. RSA 91-A:3, II(b) - The hiring of an employee.

### **Roll Call Vote:**

- a. Selectman R. Leary - yes
  - b. Selectman B. Lemire - yes
  - c. Selectman K. Lynch - yes
  - d. Selectman K. Schaefer - yes
  - e. Selectman S. Webber - yes
- (5-0-0) Motion passed

### **Entered Non-Public Session:**

6:20 pm. All Selectmen, Town Administrator, Police Chief and Police Captain

### **Reconvene Public Session:**

6:41pm

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Agenda Topic: Call to Order

Presenter: Selectman S. Webber

- 1. 5:30 pm - Paperwork Review
- 2. 6:20 pm - RSA 91-A:3 II(b) - The hiring of any public employee
- 3. 6:41 pm - Call to Order
- 4. 6:41 pm - Pledge of Allegiance
- 5. 6:42 pm - Moment of Silence for Thomas F. Iverson Jr, former Police Chief. Thomas Iverson, Jr. passed away on August 6, 2019.
- 6. 6:43 pm - Police Chief O'Brion swore in Brian Morgan as a Litchfield Probationary Police Officer.

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Agenda Topic: Review and Approval of Consent Items

Presenter: Selectman S. Webber

1. Board of Selectmen Meeting Minutes from July 22, 2019
2. Accounts Payable Manifest from July 30, 2019, of \$152,565.55, August 6, 2019, of \$35,846.26, and August 13, 2019, of 16,619.76
3. Payroll Manifest from July 18, 2019, of \$54,485.30, August 8, 2019, of \$55,006.27, and August 15, 2019, of 53,324.04
4. Land Use Change Tax (1)
5. School Payment Schedule
6. MS-5

**Discussion:** None

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

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

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

1. None

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

1. None

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**Agenda Topic:** Business | **Presenter:** Selectman S. Webber

1. **Ronald Stevens - Planning Board Member (Term Expires 3-31-2022):**
  - a. Mr. Stevens lives at 16 Shirley Way.
  - b. Mr. Stevens has a Master's Degree in Industrial Relations and is a Veteran of the Armed Forces.
  - c. Mr. Stevens provided his work history to the Board of Selectmen.
  - d. T.A. Troy Brown mentioned that Mr. Stevens would be an Alternate Member for the Planning Board. He believes the Planning Board needs one to two more Alternate Members.

**Discussion:** None

**Motion** ( Selectman Lemire / Selectman Schaefer ) To approve Mr. Stevens as an Alternate Member of the Planning Board.

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

2. **Chase Brook - Water Level:**
  - a. Bob Barry - 56 Pilgrim Drive
    - i. Mr. Barry moved to Litchfield in 1996
    - ii. Mr. Barry received permission from the town and state to use the water from Chase Brook to water his lawn.
    - iii. The cost to connect to town water would have been \$500 a month.
    - iv. Mr. Barry started pumping water out of Chase Brook in 2000.
    - v. One summer, the water level went down to less than two feet of available water. The water level caused Mr. Barry's sprinkler heads to jam.
    - vi. Mr. Barry spent \$2,000 for a plumber and electrician to move his pump house further upstream, and on the other side of the beaver dam.
      1. In 2016, he had access to six feet of water.
    - vii. The beaver abandoned his original dam move upstream, on the other side of Pilgrim Drive, and built a new lodge. During this time, the beaver jammed up both of the culverts.

1. The jammed culverts caused the water to build up on Chase Brook Circle, and the east-side of Pilgrim Drive.
  - viii. 2017 - The Highway Department looked at the culverts to find a solution.
  - ix. 2018 - Former Road Agent Jack Pinciario did some work on the jammed culverts.
  - x. April 3, 2019 - Jack Pinciario said he would complete the culvert project at the end of Spring.
  - xi. Mid-April - Jack Pinciario showed up with a backhoe and tore down 33% of the beaver's dam.
    1. Jack Pinciario was able to release water from upstream, and the water destroyed the remaining 67% of the dam.
    2. Mr. Barry informed Jack Pinciario that if his water went down to two feet, he would reconstruct the dam. And he did rebuild a small portion of the dam.
  - xii. May 28 - Jack Pinciario broke apart the rebuilt portion of the dam with a backhoe.
  - xiii. Mr. Barry now has about two and a half to three feet of available water to pump out.
- b. Mr. Barry's Proposal:
- i. Drive into the ground two rows of metal stakes.
  - ii. Install landscaping timber, one on top of another.
    1. To allow more water out, remove a layer of the landscaping timber.
- c. The Board of Selectmen informed Mr. Barry that they do not have the authority to approve his proposal. The board advised him that the water-ways are controlled by the Department of Environmental Services (DES) and owned by the state. The board also suggested that Mr. Barry does not have the authority to make changes without the consent of the DES. The town is concerned if Mr. Barry were to build a dam below the culverts, then the flow of water would be slowed and cause debris to collect in the culverts.
- d. TA Troy Brown will find out who Mr. Barry needs to contact to receive authority to make changes to the structure of Chase Brook.

**Agenda Topic:** Public Input - started at 7:11 pm

**Presenter:** Selectman S. Webber

1. **Rena Caron** - 144 Pinecrest Road
  - a. Ms. Caron requested the town cutback the tree limbs on the Albuquerque Bike Path and the intersection sightlines.
    - i. The Selectmen agreed with the limbs needing to be cut back.
    - ii. T.A. Troy Brown spoke to the Road Agent, and they are working on a way to keep the shade, and also cutback the limbs.
    - iii. T.A. Troy Brown said the cutback of the limbs would occur this year.
    - iv. The town prefers to perform the cutback in early Spring and late Fall.
    - v. The Town Administrator intends on asking the Budget Committee to increase the tree removal budget.
      1. Tree removal can cost anywhere from \$800 up to \$2,000.
  - b. Build a new Litchfield Elementary School
    - i. Ms. Caron believes the town should trade the parcel of land at 229 Charles Bancroft Highway (Griffin Memorial School) for the plot of land that is diagonal to the new fire station.
      1. Selectman Schaefer stated he would talk to the Capital Planning Committee about the suggestion.
      2. Selectman Schaefer knows who owns the suggested property and does not believe the owner would sell or trade the property.
      3. The Selectmen mentioned there is a parcel of land off of Pinecrest Ave that is for sale, for the right price.
      4. The school also owns the property by the Litchfield Middle School.
      5. Selectman Lemire mentioned the Board of Selectmen does not have the jurisdiction to make the decision. He suggested Ms. Caron contact the School Board.

c. Public Input ended at 7:20 pm.

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**Agenda Topic:** Business (continued)

**Presenter:** Town Admin. Troy Brown

1. **Cash Receipts Policy - Amendment:**

- a. Return Check Policy - Page 3
- b. The final language of the policy is not complete.
  - i. If a phone number or email address is known, the town will attempt to notify the resident of the payment and fees due.
    1. A certified letter would slow the process down.
    2. A resident would have 24 hours to make a payment before the town handed the issue off to the police.
- c. TA Troy Brown will bring in the finalized policy to the Selectmen for their approval.

2. **Purchase of Two Police Cruisers:**

- a. The town purchased two police cruisers. (Chevrolet Tahoes)
  - i. State bid price
  - ii. Town had to make a verbal commitment to order the cruisers, right after the March elections.
    1. We did not receive a fixed price.
    2. We did not know the trade-in value.
  - iii. The purchase of the police cruisers is exempt from the competitive purchasing policy.
  
- b. Selectman Lemire questioned why one Tahoe was \$2,000 more than the second Tahoe.
  - i. TA Troy Brown believed the difference was the trade-in value and the other accessories put on one of the Tahoe's.

**Discussion:** None

**Motion** ( Selectman Schaefer / Selectman Lemire ) I move to approve the purchase of two Chevrolet Tahoes, for the price of \$58,556.

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

3. **Department of Justice Grant Acceptance:**

- a. The town received a grant from the Department of Justice for the amount of \$1,562,65.
- b. The grant was applied for a year ago.
- c. The Department of Justice, on an annual basis, have funds to reimburse towns for the purchase of safety vests.
- d. The intention is to accept the grant and place the funds in a separate account for future purchases of safety vests.

**Discussion:** None

**Motion** ( Selectman Schaefer / Selectman Leary ) I move to accept the grant from the DOJ for the amount of \$1,562.65 for the purchase of police safety vests.

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

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**Agenda Topic:** Other Business

**Presenter:** Town Admin. Troy Brown

1. None

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**Agenda Topic:** Administrator Report

**Presenter:** Town Admin. Troy Brown

1. **Certified Public Manager Course:**

- a. TA Troy Brown registered for a two-year Certified Public Manager Course from the State of New Hampshire.
  - i. Two-year program
    1. The class meets twice a month
    2. The class meets once a month during the holidays.

2. **U.S. Representative Annie Kuster:**

- a. Annie Kuster scheduled a listening session on August 13, 2019, in the Community Room.
  - i. Selectman K. Lynch and Selectman B. Lemire will try to attend the session.
  - ii. The discussion will be around lowering the standards of water quality.

3. **Litchfield Building Inspector:**

- a. Fire Chief Frank Fraitzl made a conditional offer, and the candidate accepted the offer.
  - i. The offer is conditional on:
    1. A background check
    2. References
  - ii. If everything works out, the candidate will start in mid-September.
  - iii. The town of Litchfield was using MRI's inspector, but he will not be available for the entire month of August.
  - iv. John Gilchrist, who performed inspections for the town last summer, was set up to perform inspections this summer. Mr. Gilchrist was unable to complete the job because of severe health issues.
  - v. There are ten building permit applications that need to be reviewed and acted on.
  - vi. Four to five inspections are set up for August 13, and six are lined up for August 15.
- vii. TA Troy Brown will reach out to attorney Laura Spector-Morgan and ask if Selectman K. Lynch could act as interim Building Inspector without conflict.

**Discussion:** None

**Motion** ( Selectman Lemire / Selectman Schaefer ) I move to approve Selectman K. Lynch as interim Building Inspector, pending approval from attorney Laura Spector-Morgan

**Vote:** ( 4-0-1 ) The motion carried. (Selectman K. Lynch abstained)

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**Agenda topic:** Selectman Reports

**Presenter:** Selectman S. Webber

**Selectman S. Webber - Conservation Commission:**

1. Nothing to report

**Selectman K. Schaefer - Rec Commission:**

1. Nothing to report
2. Next Rec Commission meeting is 8/13

**Selectman Robert Leary, Jr. - Budget Committee:**

1. Nothing to report

**Selectman B. Lemire - Conservation Commission:**

1. Budget Committee:
  - a. Unofficially, the Budget Committee had a hearing today for the school contract.

- b. The judge has 30 days to make his ruling.
2. Possible Heritage Committee meeting on 8/13

**Selectman K. Lynch - Planning Board**

1. Nothing to report

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**Agenda Topic:** Adjourn the Public Portion of Meeting

**Presenter:** Selectman S. Webber

**Motion To Enter Non-Public Session (Roll Call Vote)**

( Selectman Lemire / Selectman Schaefer ) motioned to enter non-public session per RSA cited below:

- B. RSA 91-A:3, II(a) - The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.

**Roll Call Vote:**

- f. Selectman R. Leary - yes
- g. Selectman B. Lemire - yes
- h. Selectman K. Lynch - yes
- i. Selectman K. Schaefer - yes
- j. Selectman S. Webber - yes

(5-0-0) Motion passed

**Entered Non-Public Session:**

7:42 pm

**Reconvene Public Session:**

8:31 pm

**Motion Made To Adjourn:**

**Discussion:** None

**Motion:** Selectman Lynch motioned and seconded by Selectman Leary to adjourn the meeting.

**Vote:** (5-0-0)

The meeting adjourned at 8:31pm.

The next regular meeting will occur on August 26, 2019, at 6:30 pm.

Selectmen Lynch will not attend the August 26, 2019 meeting because of personal reasons.

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Approved by the Board of Selectmen:

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Steven J. Webber, Chairman

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Kurt D. Schaefer, Vice Chairman

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F. Robert Leary, Sr.

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Brent T. Lemire

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Kevin A. Lynch