

Town of Litchfield, New Hampshire

Board of Selectmen

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Meeting Date: 01/27/20

Call to Order: 6:30 pm

Meeting Location: Town Hall

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

Selectmen in attendance:
1. Steven J. Webber, Chairman
2. Kurt D. Schaefer, Vice Chairmen
3. Brent T. Lemire
4. Kevin A. Lynch

Note Taker: Matthew Sullivan

In Attendance: Troy Brown, Town Administrator
Memo:

One Selectman was absent:
1. F. Robert Leary, Sr.

Agenda Topic: Call to Order

Presenter: Selectman S. Webber

1. 5:30 pm - Paperwork Review
 2. 6:30 pm - Call to Order
 3. 6:30 pm - Pledge of Allegiance
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Agenda Topic: Review and Approval of Consent Items

Presenter: Selectman S. Webber

1. Board of Selectmen Meeting Minutes from January 13, 2020
2. Board of Selectmen Meeting Minutes from January 23, 2020
3. Accounts Payable Manifest from January 21, 2020, of \$91,547.25, and January 28, 2020, of \$71,267.78.
4. Payroll Manifest from January 23, 2020, of \$57,844.74, and January 30, 2020, of \$57,237.46.
5. Veteran's Credits - (4)
6. Abatements - (2) approvals and (2) denials
7. Trustees of the Trust Fund Request - \$11,506.20

Discussion: None

Motion (Selectman B. Lemire / Selectman K. Schaefer) I motion to accept the Review and Approval of Consent Items.

Vote: (4-0-0) The motion carried.

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

Agenda Topic: Business

Presenter: Selectman S. Webber

1. **Town Moderator Meeting:**

- a. Frank Byron was in attendance to discuss the Deliberative Session on Saturday, February 1.
- b. Legal Counsel for the Deliberative Session will be Laura Spector-Morgan
- c. The town will not have the color guard at the Deliberative Session.
- d. Mr. Byron requested that TA Troy Brown email him a list of awards to be given out during the Deliberative Session.
- e. Mr. Byron mentioned the need for a backup moderator and possibly a primary moderator.
- f. Mr. Byron mentioned that the town will need additional support for the New Hampshire Primary
 - i. Volunteers to help people register to vote
 - ii. Volunteers to help people change political party
- g. Mr. Byron believes the town will need at least one or two more volunteers for the New Hampshire Primary.
- h. Mr. Byron mentioned that a speech will be given to the residents for the Deliberative Session. The speech will include all the rules and regulations.
- i. Article One - Mr. Regan stated that the moderator will read the article and ask if the residents have any questions. If there are questions the Town Clerk will answer the questions.
- j. Article Two - As soon as TA Troy Brown hears back from the Planning Board, he will know who is speaking on the article.
- k. Article Three - As soon as TA Troy Brown hears back from the Planning Board, he will know who is speaking on the article.
- l. Article Four - As soon as TA Troy Brown hears back from the Planning Board, he will know who is speaking on the article.
- m. 2020 Operating Budget - Chairperson Carrie Douglas will present the 2020 Operating Budget. The Selectmen will be there to answer any specific questions.
- n. Article Six - Selectman Kurt Schaefer will present the article and Road Agent Kevin Brown will provide backup.
- o. Article Seven - IT Director John Brunelle will present the article and Chief Sargent and Chief Fraitzl will be available to provide backup.
- p. Article Eight - TA Troy Brown has not received confirmation, but the Library Trustee typically makes the presentation.
- q. Article Nine - Chairman Steven Webber will present the article and TA Troy Brown will be available for backup.
- r. Article Ten - Selectman Kurt Schaefer will present the article and TA Troy Brown will be available for backup.
- s. Article Eleven - Selectman Robert Leary will present the article and TA Troy Brown will be available for backup.
- t. Article Twelve - Selectman Kurt Schaefer will present the article. Road Agent Kevin Brown and TA Troy Brown will provide backup.
- u. Article Thirteen - Selectman Kevin Lynch will present the article and TA Troy Brown will be available for backup.
- v. Article Fourteen - Chairman Steven Webber will present the article and IT Director John Brunelle will be available for backup.
- w. Article Fifteen - TA Troy Brown has not received a confirmation but expects a Rec Commission member to present the article.
- x. Article Sixteen - Resident Jack Scheiner will likely be presenting the petition article. TA Troy Brown will inform the moderator when he receives confirmation.

- y. Article Seventeen - The veterans are amending their petition article to \$500. Chief Bobby Jacques will be presenting the petition article.

2. **NHDES PFOA Update:**

- a. Assistant Commissioner Clark Freise and Jeffrey Marks represented the NH-DES.
- b. Mr. Freise is a resident of Litchfield.
- c. Mr. Freise stated the DES is in an odd time period. Normally, the DES would give a presentation on what was done in 2019, and what will get started in 2020. The NH-DES has set new standards for drinking water and groundwater. However, 3M and the Plymouth Water District sued the NH-DES in Superior Court. The judge stayed the standards. This means the DES is back to the old standards, even though other places have tested to the new standards.
- d. The reason for the stay is the judge believed the DES did not do a sufficient job of a cost-benefit analysis.
- e. **St. Gobain:**
 - i. They were ready for the new standards. They mailed invitations to homeowners for additional testing. They also informed some that bottled water was going to be delivered.
 - ii. St. Gobain will now only follow through on their written commitments.
 - iii. The state requirement is back to 70 parts per trillion. St. Gobain will not take on any further commitments beyond what the state standards are.
- f. The areas in New Hampshire which are above 'the enacted, but stayed, lower more protective health standards.' are currently in limbo.
- g. The legislature is in session. There is a bill that passed 5 - 0 to take the health-based standards of the DES.
- h. There are a couple of other bills that would help with the implementation of those standards. These bills would likely include private homeowners. The DES standards do not include private homeowners.
- i. Mr. Freise mentioned that some Litchfield residents appear to be potentially impacted by the Hudson landfill.
- j. The NH-DES has applied to be authorized to go to the Supreme Court, to have it adjudicated by the Supreme Court to the Superior Court.
- k. Chairman S. Webber asked where St. Gobain was, in regards to cleaning up. Mr. Reise stated the DES is in the midst of doing their air permit. The public was able to comment on the draft permit. Kathy Beam is going through all the comments. The Air-Director of the DES will make his decision on St. Gobain's air permit by the end of February.
- l. Selectman K. Lynch asked Mr. Reise if other cities and towns were going the same thing. Mr. Reise discussed the scrubber that is used in the factories. He mentioned that New York is happy with the results of the scrubber, but the NH-DES does not like the results. Mr. Reise mentioned that he believes New York does not have an enforceable limit.
- m. Mr. Reise mentioned that TCI, out of Londonderry, has some control technology in their stacks. TCI refuses to do air-testing. The NH-DES is in court proceedings to make TCI perform air-testing. People in northern Londonderry and Manchester may have issues as far as stack emissions.
- n. Mr. Reise confirmed the pollutants in Litchfield are stack pollutants.
- o. TA Troy Brown asked Mr. Marks if there is going to be one last segment of water line extension constructed. Mr. Marks confirmed the one additional water line extension would be constructed. Mr. Marks mentioned the change in the federal tax law was the reason for the delay. St. Gobain was going to essentially provide pipe to Pennichuck Water Utility. They had to go in front of the Utilities Commission to receive permission. They expect the issue to get resolved and they will put the work out for bid.
- p. Mr. Reise believes the town and the DES should hold off having a public meeting. He believes once the legislature decides what they are going to do, then the town can have a public meeting.
- q. Chairman S. Webber asked if either Mr. Reise or Mr. Marks knew if there had been an investigation on what is causing the issue over on Pilgrim Drive and Mayflower Drive. Mr. Marks stated that in December the DES sent a letter to the town of Hudson requesting additional investigation work to determine if PFAS

contamination from the landfill is moving beyond the groundwater management zone. The letter gave the town of Hudson 60 days to come up with a work plan. The work plan is expected to include either additional monitoring wells or the valuation of wells that they may not use for their typical monitoring program.

- r. Selectman K. Schaefer mentioned that Pilgrim Drive and Mayflower Drive is a mess. The neighborhood has six cancer patients in five houses. He also mentioned that all the residents are on wells.
- s. Selectman K. Schaefer mentioned that he is concerned that the neighborhood has a construction company next door shaking the ground daily. There is also a sealed up area, hopefully, that is potentially leaching into the ground. Selectman K. Schaefer asked 'what the end game with that?'. Mr. Marks responded by saying the goal of the DES is to find the responsible party or parties. The DES would also like to find an alternative water option.
- t. Selectman K. Lynch asked, "If you have a sealed landfill with a vibrating ground, is there any way to see what is going on?" Mr. Marks responded by saying "My understanding of the landfill is that part of the refuse was placed on bedrock, so potentially there is a pathway into the underlying bedrock."
- u. Selectman K. Schaefer added that he does not blame the construction company.
- v. The Board of Selectmen thanked Assistant Commissioner Clark Freise and Jeffrey Marks for speaking to the Selectmen.

3. **Continuation of Certified Officer Hiring Bonus:**

- a. TA Troy Brown reminded the Selectmen that about a year ago former Police Chief O'Brien approached the board about offering certified and working police officers a bonus to work in Litchfield.
- b. The board agreed to allow the police department to interview and make an offer of a \$5,000 signing bonus.
- c. The officer would receive the \$5,000 signing bonus after completing a six-month probationary period.
- d. TA Troy Brown mentioned the town was able to do this with the last two hires. The savings for the town was huge.
- e. The savings came from:
 - i. Paying OT for the vacant position
 - ii. Field training
 - iii. Not paying for the 12-week course
 - iv. Timing - the class is only offered twice a year.
- f. Police Chief Sargent wanted to know that the signing bonus was still in effect.
- g. TA Troy Brown confirmed the signing bonus came out of the police department's budget.

Discussion: Selectman K. Lynch questioned why the police department is offering the signing if the police officer wants to work in Litchfield. TA Troy Brown mentioned the police department is using the signing bonus as a recruitment tool. TA Troy Brown also mentioned that the practice of a signing bonus is being used by other towns.

Motion (Selectman B. Lemire / Selectman K. Schaefer) I move to continue offering a \$5,000 hiring bonus after completion of a six-month probationary period for all full-time certified officers.

Vote: (4-0-0) The motion carried.

4. **Deliberative Session Slides:**

- a. TA Troy Brown will work on completing the slides before the Deliberative Session. He asked the Selectmen to review the slides and if they have any questions feel free to contact him.
- b. TA Troy Brown mentioned that the slides should be completed by the end of business on Wednesday.

Agenda Topic: Public Input - started at 7:23 pm

Presenter: Selectman S. Webber

- 1. None

Public Input closed at 7:23 pm.

Agenda Topic: Other Business

Presenter: Town Admin. Troy Brown

1. None

Agenda Topic: Administrator Report

Presenter: Town Admin. Troy Brown

1. **Deliberative Session:**
 - a. TA Troy Brown mentioned that he will be working on getting ready for the Deliberative Session.
2. **Meetings:**
 - a. TA Troy Brown will have a meeting with the Town Moderator, Town Clerk, and Supervisors of the Checklist to start planning for the NH Primary Election.
3. **Capital Improvement :**
 - a. The Capital Improvements Committee will meet on Thursday, January 30 at 7 pm.
4. **Next Meeting:**
 - a. February 10, 2020 @ 6:30 pm

Agenda topic: Selectman Reports

Presenter: Selectman S. Webber

Selectman S. Webber - Conservation Commission:

1. Selectman S. Webber had nothing to report.

Selectman K. Schaefer - Rec Commission:

1. Selectman K. Schaefer mentioned the Rec Commission will meet on January 28th.

Selectman Robert Leary, Jr. - Budget Committee:

1. Excused Absence

Selectman Brent T. Lemire - Heritage Committee:

1. Selectman B/ Lemire was unable to attend the last Heritage Committee meeting. The house at 16 Colby Road is about to be demolished. Before the house is demolished, the Heritage Committee has requested to take pictures of the house. A committee member has asked if the house could be moved to the Moore's Falls area.

Selectman Kevin A. Lynch - Planning Board:

1. Selectman K. Lynch mentioned that he attended the last Planning Board meeting. The meeting was quick but the Planning Board did discuss the drainage for the new subdivision off of Hillcrest Rd.

Agenda Topic: Adjourn the Public Portion of Meeting

Presenter: Selectman S. Webber

Motion To Enter Non Public Session (Roll Call Vote)

(Selectman B. Lemire / Selectman K. Schaefer) Motioned to enter non-public session per RSA cited below:

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

Roll Call Vote:

1. Selectman B. Lemire - yes
2. Selectman K. Lynch - yes
3. Selectman K. Schaefer - yes
4. Selectman S. Webber - yes

Vote: (4-0-0) The motion carried.

Entered Non-Public Session:

7:28 pm

Reconvene Public Session:

8:03 pm

Motion Made To Adjourn:

Motion (Selectman B. Lemire/ Selectman K. Lynch) moved to adjourn the meeting.

Vote: (4-0-0) The motion carried.

The meeting adjourned at 8:03 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