

Town of Litchfield, New Hampshire

Board of Selectmen

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Meeting Date: 04/27/20

Call to Order: 6:31 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

In Attendance: Troy Brown, Town Administrator

Memo: John Brunelle hosted the virtual meeting by using Webex

Selectmen in attendance:
1. Steven J. Webber, Chairman
2. F. Robert Leary, Sr., Vice Chairman
3. Richard W. Lascelles
4. John E. Pinciario

No Selectmen were absent:
1. Kevin A. Lynch

Agenda Topic: Call to Order

Presenter: Chairman S. Webber

1. 5:30 pm – Paperwork Review
2. 6:31 pm – Call to Order, followed by the Pledge of Allegiance

Agenda Topic: Review and Approval of Consent Items

Presenter: Chairman S. Webber

1. April 13, 2020 Meeting Minutes
2. A/P Manifest: 4/21/2020 – \$30,513.11 & 4/28/2020 – \$95,151.15
3. P/R Manifest: 4/23/2020 – \$52,799.07 & 4/30/2020 – \$52,674.62
4. (4) Property Tax Abatements
5. (2) Veteran Exemptions
6. John P. Curtin – Conservation Alternate Member (Term Expires 2023)
7. Alan Sandler – Library Trustee Alternate Member

Discussion: None

Motion: (Selectman R. Leary / Selectman J, Pinciario) Motion to accept the Review and Approval of Consent Items.

Roll Call Vote:

1. Selectman R. Leary – yes
2. Selectman J. Lascelles – yes
3. Selectman J. Pinciario – yes
4. Selectman S. Webber – yes

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

Agenda Topic: Items Moved from Consent

Presenter: Chairman S. Webber

1. None

Agenda Topic: Items Added to Consent

Presenter: Chairman S. Webber

1. None

Agenda Topic: Business

Presenter: Chairman S. Webber

1. **John Brunelle - Public Safety Communication System:**

- a. J. Brunelle commented that the current communication system is 22 years old, and the communication system is in a state of failure.
- b. John Brunelle informed the Board that Covid-19 was presenting challenges. J. Brunelle expected the project to be completed six months from the start until the finish. COVID-19 has impacted the completion date. The products needed for the communication system may be delayed. If the products are delayed, the project completion date could be December or January 2020.
- c. T.A. T. Brown requested the Board to appoint the IT Director as the Project Manager and the Town Administrator to execute all financial controls and purchase orders for the said project. He also requested authorization to issue purchase orders to Two-Way Communications and Motorola.

Discussion: Selectman R. Leary mentioned the project must be up and running by the end of the year, and the project needs to move forward. J. Brunelle commented that the school might decide to be part of the project, but they are not required to be part of the project.

Motion (Selectmen J Pinciario / Selectman R. Lascelles) I move to process with the Public Safety Communication System Project as approved on the 2020 ballot (article 7) and to appoint the IT Director as Project Manager and the Town Administrator to execute all financial contracts and purchase orders for the said project; furthermore to issue purchase orders to Two-Way Communications and Motorola as authorized by the town purchasing policy.

Roll Call Vote:

1. Selectman R. Leary - yes
2. Selectman J. Lascelles - yes
3. Selectman J. Pinciario - yes
4. Selectman S. Webber - yes

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

2. **John Brunelle - Technology & Communication Expendable Trust Fund:**

- a. T.A. T. Brown commented that J. Brunelle had informed him that the digital recording system that the police department uses to record all radio and phone communications is in poor condition. The digital recording system is no longer able to be supported. An Expendable Trust Fund was created a couple of years ago for communication and technology purposes. This project would be an excellent candidate to use a portion of the Expendable Trust Fund.
- b. J. Brunelle mentioned that the current digital recording system was installed in 2013. In the last couple of years, the system has not functioned correctly.
- c. J. Brunelle proposed a system that is used around the New England area. The new digital recording system can be added to the new communication system. The system will also allow the town an extension into the fire department phone system.
- d. Extra Commerce provides the same service to the state and many state agencies. The company is giving the town a state bid with a state price.

- e. If the town does not replace the present digital recording system, the current system will continue to be used. The current system will continue not to do the job it is supposed to do.
- f. Extra Commerce quoted a price of \$17,210. J. Brunelle requested the Board to authorize T.A. T. Brown to act on the Board's behalf and not to exceed \$18,000. J. Brunelle asked for the additional \$790 in case he needs to purchase other items to replace the inductors.

Discussion: Selectman R. Lascelles asked the Board where the money to pay for the digital recording system was coming. T. Brown responded that the funds would come from the Expendable Trust Fund set up for communication and technology purposes. The Expendable Trust Fund has approximately \$50,000. Selectman R. Lascelles asked J. Brunelle what the expected lifespan of the system was. John informed Selectman R. Lascelles the system's lifespan should be ten years. The town received a life span of seven years from the system. The Police Chief is in full support of getting a new system that will be reliable.

Motion (Selectman J. Pinciario / Selectmen R Leary) Motion to authorize John Brunelle to act on the Board's behalf and to execute all financial contracts and purchase orders for said project. The sum is not to exceed \$18,000

Roll Call Vote:

1. Selectman R. Leary - yes
2. Selectman J. Lascelles - yes
3. Selectman J. Pinciario - yes
4. Selectman S. Webber - yes

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

3. **Building Systems Expendable Trust Fund - HVAC System:**

- a. T.A. T. Brown explained that at the last Board of Selectmen's meeting, he informed the Board that scope of work for upgrading the Police Station and Town Hall HVAC system was 100% complete. The town still has two units left to replace on the Town Hall side.
- b. T.A. T. Brown will receive quotes for the replacement of the two HVAC units.
- c. During the installation of the HVAC on the police station side, it was discovered that the return air duct was undersized. The small air duct explained why there would be calls that the units would freeze up. During the winter, there would be complaints that the building was cold even with the heat on.
- d. T.A. T. Brown noted that the town does not have the money in the Operating Budget to make the repairs needed. He mentioned that the town does have the Building Expendable Trust Fund. He looked at the situation as an emergency repair because the funds would be used on new equipment, and if the work is not performed, the new HVAC units could be damaged.
- e. T.A. T. Brown requested the use of \$5,000 from the Building Expendable Trust Fund.
- f. Selectman J. Pinciario asked how much money the town has in the Building Expendable Trust Fund. T.A. T. Brown mentioned that the town has approximately \$50,000 in the fund. \$6,000 was authorized by the Selectmen to repair the Clearspan building down at the Highway Department.
- g. Selectman R. Lascelles was concerned that the town might get into a financial crisis during the fall or in 2021. He wanted to know if the fund could be used for any other purpose. T.A. T. Brown informed the Board that the funds could only be used for what they were intended to be used.
- h. T.A. T. Brown commented that the town could write a Warrant Article. The Warrant Article that would ask the residents to allow the town repurpose the use of the funds. Chairman S. Webber mentioned that the town would likely spend more money on service calls and the degradation of the new equipment. Is paying \$5,000 now going to save the town money in the long run.
- i. Selectman R. Leary wanted to know if the HVAC would attend the next meeting and answer questions that the Board of Selectmen may have. Selectmen R. Leary would also like to hear what Selectman K. Lynch has to say on the subject.
- j. The Board of Selectmen agreed to table the vote until they can listen to Affiliated and Selectman K. Lynch.

4. **Corporal Gott - Appreciation Letter:**

- a. Selectman R. Leary commented that he recently spoke with Chief B. Sargent. Chief B. Sargent informed Selectman R. Leary that Corporal G. Gott responded to a residence, on April 13, because of an untimely death. Corporal G. Gott performed a death investigation and, at the same time, providing comfort to the family of the deceased. Corporal G. Gott was able to gather pertinent information about the deceased and information needed for the Medical Examiner's Office.
- b. The family requested the services of the Dumont-Sullivan Funeral Home of Hudson. Corporal G. Gott contacted the funeral home and provided the funeral director with information about the deceased, the layout of the residence, and the options of how to remove the deceased from the residence respectfully. Corporal G. Gott assisted in the removal of the deceased from the second-floor residence.
- c. Leo Dumont contacted Chief B. Sargent and informed him of Corporal G. Gott's conduct.
- d. The Board of Selectmen asked T.A. T. Brown to write an appreciation letter to Corporal G. Gott, and to make sure the letter finds its way into his work file.

5. **Soil Away Donation - Fire Trucks / Police Cruisers Disinfecting:**

- a. A company located in Hooksett, NH, reached out to local police and fire departments. Soil-Away, located at 5E Point Drive, Hooksett, offered for no charge to disinfect Litchfield's safety vehicles.
- b. The town was able to send up five fire engines, and we drove them up to Soil-Away. The company has a process where they hook equipment up to the vehicle's heating ventilation system. This equipment disinfects and sanitizes the vehicles.
- c. Chris Pascucci, a resident of Litchfield, informed the Board of Soil-Away's offer.
- d. The Board of Selectmen asked T.A. T. Brown to write a thank-you letter from the Board of Selectmen to Soil-Away.

6. **Solve Manufacturing Donation - Hand Sanitizer:**

- a. Solve Manufacturing's primary business is making salon products. When COVID-19 struck New Hampshire, Solve Manufacturing switched from manufacturing salon products to manufacturing sanitizer,
- b. The company has been manufacturing sanitizer for public safety departments and donating the sanitizer to those departments.
- c. Litchfield was able to get four gallons of sanitizer for the fire department. T.A. T. Brown believes the sanitizer that the Fire Chief received is being shared with the Police Chief.
- d. Chairman S. Webber thanked the local companies that are going above and beyond to help during the crisis.
- e. The Board of Selectmen asked T.A. T. Brown to write a thank-you letter from the Board of Selectmen to Solve Manufacturing.

7. **Draft Road Agent - Job Posting & Description:**

- a. T.A. T. Brown commented that, per the request of the Board of Selectmen, he created a job notice posting for a Road Agent. The job notice posting gives a general description and summary of what the Road Agent does, the responsibilities, and job description. The job notice posting will allow the town to post the notice in the newspaper and on the town's website.
- b. The idea is to break away the Road Agent from the manager of the Highway Department. The Road Agent is an appointed position by the Board of Selectmen. At the last meeting, the Selectmen decided to separate the two jobs.
- c. T.A. T. Brown asked the Selectmen if they had any questions or if they had suggestions on how the Selectmen wanted to proceed with the advertising. He mentioned that he wrote the job description so that the job is administrative. The position would receive an annual stipend of \$1,000 and be responsible for the operation of the department administratively.
- d. The Road Agent position will be responsible for reviewing and issuing all the contracts, scheduling all the paving work that needs to be done, securing all the plow contractors that the town uses, and the line

- striping on the roads. The Road Agent would also do all the management of the infrastructure. The job would need to be performed within budget constraints, and while working with the Board of Selectmen.
- e. The Road Agent is not a working position. The position does not require a Commercial Driver's License (CDL).
 - f. Chairman S. Webber informed the Selectmen, who were present for the meeting, that this was not something that he would support. Chairman S. Webber reminded the other Selectmen that at the last Board of Selectmen's meeting, the Board agreed not to do any non-essential spending. Yet the Board will spend at least \$500 to advertise the job, similar to the advertising used for the Building Inspector.
 - g. Chairman S. Webber commented that the Road Agent was doing an excellent job, and none of the Department Heads have made a complaint. They all are providing positive feedback. The town can not afford to be fiscally irresponsible at this time. The Road Agent will need to start preparing for the winter months soon; this includes hiring contractors to plow the roads. If the Selectmen vote to proceed with hiring a new Road Agent, the Selectmen will be hiring someone who will likely already be behind in preparing for the winter months.
 - h. Chairman S, Webber mentioned that he would do whatever the will of the Board is. Selectman R. Leary disagreed and said the Board should do what they said they were going to do rather than changing course. He added that this was nothing against Kevin Brown, but he does not like going back on what he says he is going to do.
 - i. Selectman J. Pinciario was concerned with the \$49,000 over expenditures between the two Road Agent's last year.
 - j. Selectman R. Lascelles added that as a new Selectman, he did not feel comfortable with making a decision with regards to the Road Agent position. He agreed that Kevin Brown was doing a good job.

Motion (Selectman R. Leary / Selectmen J. Pinciario) I authorize the Town Administrator to post the position of Road Agent in a newspaper and the town's website, as written.

Roll Call Vote:

1. Selectman R. Leary - yes
2. Selectman J. Lascelles - yes
3. Selectman J. Pinciario - yes
4. Selectman S. Webber - no

Vote: (3-1-0) The motion carried

Agenda Topic: Public Input @ 7:26 pm

Presenter: Chairman S. Webber

1. **Ken Krebs - 22 Campbell Drive:**

- a. Mr. Krebs called in to discuss a couple of topics. The first topic was a fence built on his property by a neighbor. The second topic was a cease and desist order he received, from the same neighbor, about the shed he had built.
- b. Mr. Krebs mentioned that members of the Board and the Building Inspector have come to his property and viewed the fence. Mr. Krebs went to court, and the court gave him three things to do before he could bring it up as a civil matter:
 - i. Try to speak with the neighbor - she will not talk
 - ii. Mail a letter to the neighbor - she threw one letter away and the other she would not accept
 - iii. Speak with the Litchfield Board of Selectmen
- c. 22 Campbell Drive has been surveyed three times. Each survey shows that the fence is on his property.
- d. The first complaint to the Litchfield Police Department was on April 10, 2019. He went back and filed another complaint on April 16, 2020. He was told to stop sending her harassing letters.
- e. Mr. Krebs requested the Board of Selectmen to instruct the neighbor to remove the fence from his property.

- f. The Board of Selectmen and Town Administrator reached out to the town's legal counsel about Mr. Krebs's issue. The legal counsel informed the Board of Selectmen that this was a civil matter between two abutting homeowners. Legal counsel advised that the two parties should try and resolve the issue. If they are unable to resolve the issue, then one party should initiate legal action. Because the town does not own the land, it is not a town issue
- g. Mr. Krebs responded by saying the Hillsborough County Court informed him to bring the issue to the Board of Selectmen to have the issue resolved. There is no boundary dispute because three surveyors agreed the fence is on his property.
- h. T.A. T. Brown advised Mr. Krebs that he should take the letter that came from the town to the Hillsborough County Courthouse. The letter reads that Mr. Krebs approached the town and was informed that the town has no jurisdiction in the matter. He also mentioned that the Town of Litchfield does not have setback requirements.
- i. Mr. Krebs moved on to topic two, which was the cease and desist order about the shed he had built. Mr. Krebs received a permit to build a fence on his property.
- j. The contractor came and was half-way through building the shed, and he received a cease and desist order.
- k. Mr. Krebs requested the town to inform him where he can place his shed. He lives on Mr. Krebs has received three different numbers regarding the setback of the shed from the property line. The first number was ten-foot, the second number was 20-foot, and the final number he received was 50-foot. Mr. Krebs requested a right-of-way link to Talent Road.
- l. Selectman R. Leary commented that Mr. Krebs would need to move the shed to the 50-feet that is stated in the ordinance unless he received a variance from the Zoning Board.
- m. T.A. T. Brown mentioned that Mr. Krebs's property is unique. His front yard is on Campbell Drive and requires a 50-foot setback. The ordinance then reads that all public right-of-ways need a 50-foot setback. Mr. Krebs has a 50-foot setback on both the front and rear property lines. T.A. T. Brown stated that he has been working on finding out what the right-of-way is for Talent Road. He has spoken with one of the surveyors that Mr. Krebs hired to determine what the right-of-way terminates on Mr. Krebs's property. Once that spot is determined, Mr. Krebs would need to measure 50-feet from that spot.
- n. Once the town determines the right-of-way location, Mr. Krebs may then go to the Zoning Board (ZBA) and request a variance.
- o. Mr. Krebs mentioned that he does want Selectman R. Leary involved with this issue.

Public Input Closed at 7:58 pm.

Agenda Topic: Other Business

Presenter: Chairman S. Webber

1. **2nd Review - Conference & Travel Policy:**

- a. TA T. Brown commented that the Board of Selectmen needs to go over the policies and adopt them annually.
- b. The Conference & Travel Policy goes over the procedures that the town employees follow when they are traveling for a conference or a workshop.
- c. The Conference and Travel Policy provide information on the covered costs such as lodging, airfare, spending allowance, and meals.
- d. T.A. T. Brown mentioned that the policy has been in effect for years and works well.

Discussion: Selectman R. Leary wanted to know what is going to happen to the money that was expended for training and conferences, now that most of the events have been canceled. T.A. T. Brown mentioned that he would have to speak to the Department Heads and find out which conferences have already occurred, which have been canceled, and which will still happen because they are considered essential.

Motion: (Selectman R. Leary / Selectman J. Pinciario) Motion to approve the Conference & Travel Policy as written.

Roll Call Vote:

1. Selectman J. Lascelles - yes
2. Selectman R. Leary - yes
3. Selectman J. Pinciario - yes
4. Selectman S. Webber - yes

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

2. **2nd Review - Credit Card Policy:**

- a. TA T. Brown mentioned that several employees had been issued credit cards. The Credit Card Policy are the procedures one must follow when using the credit cards. The town has a combined \$30,000 credit limit. The credit card is through the Peoples Bank.

Discussion: None

Motion: (Selectman R. Leary / Selectman J. Pinciario) Motion to approve the Credit Card Policy as written.

Roll Call Vote:

1. Selectman J. Lascelles - yes
2. Selectman R. Leary - yes
3. Selectman J. Pinciario - yes
4. Selectman S. Webber - yes

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

Agenda Topic: Administrator Report

Presenter: Town Admin. Troy Brown

1. T.A. T. Brown mentioned that a resident in town contacted the office and requested permission to go out and purchase chalk. The intention was to place buckets of chalk along the bike path. The buckets of chalk would allow residents to write positive messages for the community to read. The Emergency Management Committee met and discussed the request. The committee believed that by placing chalk along the bike path, for people to use, was encouraging people to touch the chalk and put it back in the bucket. The Emergency Management Committee believed this could spread COVID-19. The bike path is town property and requires the Board of Selectmen to take action if the Board disagreed with the Emergency Management Committee. The resident was informed of the Emergency Management Committees' decision, and the resident understood. The Board of Selectmen agreed with the Emergency Management Committee. No further action was taken.
2. T.A. T. Brown spoke about hours of the Solid Waste Department. The town stopped accepting leaves, brush and yard waste on Saturdays. This policy was put in place because of COVID-19. The town is trying to manage the amount of traffic that enters the Solid Waste Department. The department accepts the leaves, brush, and yard waste on Thursday from 7 am until 12 pm, and on from 8 am until 12 pm. COVID-19 has caused an increase in waste and recycling. When one goes down to the bottom section, this is where the yard waste, brush, construction debris, scrap metal are located. The department cannot handle the increased demand right now. The department considers the yard waste, and the brush as non-essential. One resident was not happy with the hours of the Solid Waste Department. No other complaints have been received. The town is hoping that the next couple of weeks will see some movement, and services will slowly be reopened. T.A. T. Brown does not believe the policy for the Recycling Department should change at this time. The Solid Waste Department has been the department most affected by the COVID-19. This past weekend, the department was overwhelmed with the amount of activity. The weekend was beautiful, and everyone was cleaning their yards and homes.

3. Jayson Brennen has been working on beautifying the muster site. Jayson and Steve Calawa have been removing trees and the stumps. The Highway Department has helped to level the terrain down by the muster site. Jayson has a new sign that was erected at the Old Town Hall. Jayson and the volunteers will be adding striped parking spots at Moore's Falls.
4. The CDBG grant application for the Litchfield Landing water planning project has gone through its review. One-piece that was missing in the meeting minutes was the authorization for the Town Administrator to sign and submit all the documents that are required for the grant application.

Discussion: None

Motion: (Selectman R. Leary / Selectman R. Lascelles) Motion to authorize the Town Administrator to sign and submit all documents required for the CDBG Litchfield Landing water planning project.

Roll Call Vote:

1. Selectman J. Lascelles - yes
2. Selectman R. Leary - yes
3. Selectman J. Pinciario - abstained
4. Selectman S. Webber - yes

Vote: (3-0-1) The motion carried.

1. **Next Meeting(s):**

- a. May 11, 2020 @ 6:30 pm
- b. May 25, 2020 @ 6:30 pm - (Cancelled / Memorial Day)
- c. June 8, 2020 @ 6:30 pm

Agenda topic: Selectmen Reports

Presenter: Chairman S. Webber

Selectman Steve J. Webber - Rec Commission:

1. The Rec Commission will meet tomorrow night, April 28, at 7:30 pm. The meeting will again occur on Webex.

Selectman Robert Leary Jr. - Budget Committee:

1. The Budget Committee met this month. The Budget Committee meeting was a virtual meeting.
2. Dr. Callawa from the Historical Society requested permission to cancel the Memorial Day events. The Board gave their approval to cancel the Memorial Day events.

Selectman Kevin A. Lynch - Planning Board:

1. Excused Absence

Selectman John E. Pinciario - Conservation Commission:

1. The Conservation Commission has a meeting on May 7.
2. The Veteran's Committee has requested to use the Town of Litchfield seal on their baseball hats. The Board agreed to put the topic on the next agenda.

Selectman Richard W. Lascelles - Heritage Commission:

1. The Heritage Commission has not met

1. **Motion to Adjourn:**

Discussion: None

Motion (Selectman J. Pinciaro / Selectman R. Leary) motion to adjourn the meeting.

Roll Call Vote:

1. Selectman J. Lascelles - yes
2. Selectman R. Leary - yes
3. Selectman J. Pinciaro - yes
4. Selectman S. Webber - yes

Vote: (4-0-0)

The meeting adjourned at 8:28 pm.

Approved by the Board of Selectmen:

Steven J. Webber, Chairman

F. Robert Leary, Sr., Vice Chairman

Richard W. Lascelles

Kevin A. Lynch

John E. Pinciaro