

# Town of Litchfield, New Hampshire

## Board of Selectmen

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Meeting Date: 05/11/20

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  
**Note Taker:** Matthew Sullivan  
**In Attendance:** Troy Brown, Town Administrator  
Theresa Briand, Town Clerk  
Benjamin Sargent, Police Chief

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

**No Selectmen were absent:**

**Memo:** John Brunelle hosted the virtual meeting by using Webex

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

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

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

1. April 27, 2020 Meeting Minutes
2. A/P Manifest: 5/5/2020 - \$1,223,814.02 (School Payment Included) & 5/12/2020 - \$51,833.26
3. P/R Manifest: 5/7/2020 - \$56,654.97 & 5/14/2020 - \$54,662.12
4. Treasurer's Deposit Delegations
5. Timber Tax

**Discussion:** None

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

**Roll Call Vote:**

1. Selectman J. Lascelles - yes
2. Selectman R. Leary - yes
3. Selectman K. Lynch - not available to vote
4. Selectman J. Pinciario - yes
5. Selectman S. Webber - yes

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

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

1. None

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**Agenda Topic:** Items Added to Consent

**Presenter:** Chairman S. Webber

1. None

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**Agenda Topic:** Business

**Presenter:** Chairman S. Webber

1. **HVAC System - Doug Hume:**

- a. Doug Hume is representing Affiliated Services, LLC. Affiliated Services, LLC is the company that installed the new HVAC systems at the police station. The company discovered that the return air ducts were undersized. Doug Hume attended the meeting, per the request of the Board of Selectmen, to discuss the issue with the return air ducts.
- b. Mr. Hume mentioned that for all the years he had performed work for the town, the HVAC systems have been a problem at the police station. The problem with the units is the HVAC systems, either freezing up or overheating during the summer months. The number one cause for a system freezing up is a lack of airflow. Mr. Hume commented that the return air ducts, on the police side, were grossly undersized for the type of unit that was being installed.
- c. Mr. Hume mentioned that the numbers match up on the Town Hall side. The problem is with the numbers on the police station side. The unit four HVAC on the police station side is looking for 1000 CFM (cubic feet per minute of air). The unit also shows 140 CFM of outside air. The return air is 270 CFM. The 140 CFM plus 270 CFM totals 410 CFM. The HVAC unit is looking for 1000 CFM. The difference in CFM is why the unit is freezing up. HVAC unit number five is similar to unit four.
- d. Mr. Hume offered to take a hood bolometer and do some tests on the return air ducts. He made this suggestion instead of spending \$5,000 to fix a problem that may not need to be repaired.
- e. Chairman S. Webber asked Mr. Hume how much the systems will be run down if the return ducts are not corrected. Mr. Hume responded that the HVAC unit's compressor would be wrecked if a solution is not found. Selectman J. Pinciario then asked if the town would be damaging the HVAC units if they chose not to do anything. Mr. Hume confirmed that if the Selectmen did not move forward to correct the problem, the units would become damaged.
- f. Selectman J. Pinciario asked how soon the test could be performed and how much the tests would cost. Mr. Hume stated that the tests could be done right away. The cost for the test may be able to be built into the cost of repairing the return ducts.
- g. Chairman S. Webber mentioned that T.A. T. Brown would reach out to Affiliated Services and schedule a time for the tests to be completed.

2. **Police Cruiser Purchase - Chief B. Sargent:**

- a. T.A. T. Brown commented that Chief B. Sargent was present, and he would discuss the reasons to purchase a police cruiser this year. The Town Administrator mentioned there is a shortage of police cruisers available to buy, and COVID-19 has made the situation worse.
- b. Police Chief B. Sargent agreed with T.A. T. Brown that there is a shortage of police vehicles. He mentioned that four of the five police cruisers are the police package GM Tahoes. The fifth police cruiser is the Ford Explorer that the Litchfield Police Department is looking to replace. The Chief expected the shortage of police cruisers because GM had an employee strike in 2019. The manufacturing plants were impacted significantly, and shortly after the strike ended, COVID-19 struck.
- c. Because of the need for ventilators to help fight COVID-19, GM started manufacturing ventilators. These three events have caused a high demand for 2020 vehicles and a limited supply. The Chief reached out to a sales representative at McMulkin Chevrolet in Nashua. The sales representative was unable to help, so Chief B. Sargent reached out to other dealerships. The two other dealerships were able to provide offers, but the

bids were higher than the State bids. The Chief believed that these dealerships were taking advantage of the situation.

- d. McMulkin Chevrolet informed the Chief today that they had a vehicle with the specifications for what town needs, and still be in compliance with the State bid. The Litchfield Police Budget is \$48,000, and this would include the purchase of the GM Tahoe and outfit the vehicle with emergency equipment. If the town purchased Tahoe from McMulkin Chevrolet, traded in the Ford Explorer for \$6,500, and outfitted the GM Tahoe based on last year's specifications, the cost would be \$42,478. The purchase price is under budget by \$5,522.
- e. Chief B. Sargent added that the Ford Explorer would last two and a half to three years as a frontline vehicle. The town can expect that the Chevrolet Tahoe to run as a frontline vehicle for four years, and potentially five years.
- f. Chairman S. Webber asked Chief B. Sargent what the years were of the Litchfield Police Department's Tahoes. The Chief stated that one is 2018, and the other three are 2019. Selectman R. Lascelles asked why the Chief thought the Tahoe was better than the Explorer. The Chief mentioned that the maintenance costs are better, the Tahoe is larger, and the vehicle handles better than the Ford Explorer.
- g. The Board of Selectmen discussed whether or not to take a vote to approve the purchase of the Chevrolet Tahoe. Selectman R. Leary mentioned that the Police Department was provided the money to purchase the vehicle in their budget. Chairman S. Webber noted that the board should vote if only to show that the board authorizes and supports Chief B. Sargent. The board agreed to have a vote.

**Discussion:** None

**Motion** ( Selectman J. Pinciario / Selectmen R. Lascelles ) Motion to give the authorization to the Chief.

**Roll Call Vote:**

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

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

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**Agenda Topic:** Public Input @ 7:07 pm

**Presenter:** Chairman S. Webber

1. None

Public Input Closed at 7:08 pm.

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**Agenda Topic:** Business (Continued)

**Presenter:** Chairman S. Webber

3. **Coronavirus Relief Fund Grant Agreement (CARES):**

- a. T.A. T. Brown mentioned Governor C. Sununu made an announcement last week there is \$32,000,000 for COVID-19 relief. One of the options that will come out of the fund is for town's to offer Hazard Pay to their first responders. T.A. T. Brown has spoken to the Chief of Police and the Chief of the Fire Department. They have put together information that the grant program requires, and they submitted the report.

- b. The plan is for the Hazard Pay to be paid every week. T.A. T. Brown mentioned that if approved, the Hazard Pay would begin next week. The town of Litchfield received over \$200,000, not all of the money is to be used for Hazard Pay. The funds will also be used to help pay the extra expenses that COVID-19 has created for Litchfield.
- c. The first deadline for the CARES (Coronavirus Aid, Relief, and Economic Security) Act is June 1st. The March and April expenses are due by June 1, 2020. If the town does not supply the necessary information, then the town loses out on the funding. The next deadline date is July 15.
- d. T.A. T. Brown noted that neither FEMA (Federal Emergency Management Agency) or the CARES Act would cover the cost of lost revenue.
- e. Chairman S. Webber said the timeframe for the CARES Act covers anything COVID related from March 1 through August 31.
- f. T.A. T. Brown suggested a motion that read “Motion to accept \$203,760 from the CARES Act, in accordance with RSA 21-P:43 for eligible COVID-19 related expenses that occurred from March 1, 2020, through August 31, 2020, up to and including Hazard Pay for First Responders, and authorizes the Town Administrator to apply for any COVID-19 related expenses.”
- g. Selectman J. Pinciario asked if the employees at the Public Works and Solid Waste Departments are not eligible for this program. The NHMA and NH Public Works Association are monitoring the situation. T.A. T. Brown is hoping that the State will expand the list of who qualifies.
- h. Selectman J. Pinciario requested, if it was possible, T.A. T. Brown writes a letter to Governor C. Sununu requesting that Public Works and Solid Waste Department employees become eligible for Hazard Pay.
- i. Selectman R. Lascelles said he would speak, by teleconference, to the Governor on Wednesday, May 13.

**Discussion:** None

**Motion** ( Selectman R. Lascelles / Selectmen J. Pinciario ) moved to accept \$203,760 from the CARES Act Flex Funds in accordance with RSA 21 - P:43 to cover eligible COVID-19 related expenses incurred from March 1, 2020 to August 31, 2020 up to and including hazard pay for first responders and to authorize the Town Administrator to apply for and accept any COVID-19 related grants in the future.

**Roll Call Vote:**

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

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

4. **Town Seal & Town Flag Policy:**

- a. T.A. T. Brown commented that at the last Board of Selectmen’s meeting, the board had discussed the request made by the veterans. The request was to use the town seal. T.A. T. Brown mentioned that the town does have a policy for the town seal. The purpose of the policy is to make sure that no one uses the seal without prior approval from the Board of Selectmen. The policy limits the use of the town seal to letterheads, envelopes, business cards, town publications, official ballots, town signs, and the checks that the town issues payment.
- b. The purpose of the seal is to show a symbol of the official business of the town. When people see the town seal, they know the symbol indicates the official town business.
- c. T.A. T. Brown commented that once the Board of Selectmen allows one group to use the seal, then the board would have to allow other groups to use the seal. Chairman S. Webber added that he reviewed the email from legal counsel. The email read that if the Board of Selectmen allows one group to use the seal, then they have to allow all groups to use the seal.

- d. Selectman R. Lascelles asked if the Board of Selectmen could offer the town flag as an alternative. Chairman S. Webber said that the town does not have a policy on the town flag.
- e. Selectman R. Leary mentioned that if one group were allowed to use the seal, it would be the veterans. Chairman S. Webber agreed but added that the board could find itself in conflict, at a later date.
- f. Selectmen R. Lascelles questioned what the difference was between him having a town flag at his house and a group using the town flag seal.
- g. Chairman S. Webber suggested that T.A. T. Brown speak with legal counsel and create a flag policy. The idea is to get legal counsel's opinion on a flag policy, and what the policies of the town flag should be.
- h. Selectman R. Leary was concerned that a flag policy might have copyright issues. He questioned whether Matthew Lepore still owned the copyrights to the town flag. The board agreed to ask T.A.

5. **Highway Dept. ClearSpan Building:**

- a. T.A. T. Brown mentioned that on April 13 the Board of Selectmen discussed the issues the Highway Department was having with the ClearSpan buildings. Iron Horse came out and provided a \$6,000 assessment. Iron Horse Structures replaced the torn material, tightened up the ratchets, and added some supports.
- b. Iron Horse representatives suggested that the larger structure should be cut down from 20 feet to ten feet. The representative put together a proposal and came back with a figure of \$46,000.
- c. Selectman J. Pinciario commented that he did some research on these types of structures. Paying \$46,000 to put in four trusses. He believes the only thing that needs to be done is the structure needs tightening every six months. He added that a 42 feet x 63 feet structure, made of steel, is only \$22,950, and a 55 feet x 75 feet is \$30,895.
- d. Selectman R. Leary agreed that at \$46,000, the town should look at a new structure.
- e. Selectman K. Lynch said that the structures are not meant to hold heavy amounts of snow. The outside edge of the structure needs to be maintained. He suggested that the town keep and maintain the current structure.
- f. Chairman S. Webber questioned if the larger structure was built for the amount of snow that New England receives. If something happens with the building, will the insurance cover the cost of damaged machinery and injured personnel? If the answer is 'no,' he does not believe equipment or personnel should be in the building.
- g. Selectman K. Lynch will look at the specifications and check to see if Iron Horse has maintenance instructions for the buildings.

6. **Tax Bill / Tax Warrant:**

- a. T.A. T. Brown commented Avitar Associates, Inc. contacted the town and said that they were behind on their work because of COVID-19. The employees are not stepping out of their car.
- b. The ability to produce the first tax warrant and deliver it to the tax collector will be delayed this year.
- c. T.A. T. Brown believes that the town should allow Avitar to complete their work, then update the database.
- d. Town Clerk Theresa Briand agreed with T.A. T. Brown. She does not believe in mailing out an incomplete tax bill. The town is better off waiting and receiving the tax bills in the second week of July. The tax bills will only be delayed by two weeks.
- e. Chairman S. Webber suggested that a notice be placed on the town's website. The message would inform the residents of the delayed tax bill.

1. John Brunelle and T.A. T. Brown have been working daily. John and Troy have been working with Motorola, Two-Way Communications, and the finance company.
2. The finance company is requiring that the Board of Selectmen vote to authorize Chairman S. Webber, T.A. T. Brown, and Finance Manager Karen White to sign a Master Lease Agreement. The Board of Selectmen's approval will set out the authority for T.A. T. Brown, and Finance Manager Karen White and to sign the documents. Chairman S. Webber would sign the documents on behalf of the Board of Selectmen.
3. The interest rate is around 2 ½ percent. The annual lease payments will be a little less than initially thought.
4. T.A. T. Brown read the following motion into the record. "I move to adopt the radio communication project master lease- purchase agreement resolution and to authorize Troy Brown, Karen White, to sign documents listed in the master lease agreement and to authorize Chairman Webber, on behalf of the Board of Selectmen, to sign the master lease agreement resolution."
5. Selectman R. Lascelles asked the board who the manufacturer of the project was. T.A. T. Brown responded by saying that Motorola is supplying all the equipment, and Two-Way Communications is the company that Motorola goes through to set everything up.

**Discussion:** Selectman R. Lascelles asked if the project had been put out to bid. T.A. T. Brown mentioned that at the last meeting, IT Director J. Brunelle mentioned that the equipment was proprietary, and the Board of Selectmen waived the bidding process. Selectman R. Leary commented that Selectman R. Lascelles was not on the board in 2019, when the project monetary figures were significantly higher. Selectman R. Lascelles then asked if the project received a State price. IT Director J. Brunelle responded by saying that the project received a State price or bid. Most of the equipment the town uses is Motorola, which is one reason the town stayed with Motorola. Selectman R. Leary asked that the Board of Selectmen be kept up to date with the project.

**Motion:** ( Selectman R. Leary / Selectman R. Lascelles ) So moved.

**Roll Call Vote:**

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

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

1. **Memorial Day:**

1. A resident contacted the Board of Selectmen with an idea to still have the Memorial Day Parade. The Emergency Operations Committee and responded by denying the idea. The State still has two Emergency Orders. The first Order is no Parade through May 31, and the second Order is no gathering of ten or more people.
2. The Historical Society is still going to place flags by the gravestones and have the wreath ceremony. Selectman R. Leary confirmed these events would occur.

2. **Reopening of the town:**

1. T.A. T. Brown mentioned that he had been involved in discussions about the reopening of the town. The debate has been about opening the town in very small steps.
2. Town Clerk Theresa Briand and Town Administrator have a plan for her staff. On Monday, May 18, all the employees would be back at Town Hall. The doors would remain closed and require an appointment for a

resident to meet with the staff. If a resident were outside the front door, the staff would still try to assist the residents,

3. For the remainder of May, the Town Hall staff will allow one resident in at a time to perform their required transaction. There are no plans for the month of June.
4. T.A. T. Brown commented that the Board of Selectmen would need to have a meeting to decide when to allow residents to attend the Board of Selectmen and other committee meetings.
5. T.A. T. Brown heard that the Governor's Office has been meeting with NHMA to make guidelines for municipalities to follow. Currently, the staff within Town Hall has been at 70%. The staff can perform their jobs and still be able to keep a safe distance from one another.
6. Town Clerk T. Briand mentioned that her staff has been working separate shifts. Pat would come in for the morning shift. She would work from 8 am until 12 pm. Ann would come in and work from 12 pm until 4 pm. Theresa is there all the time but is separated from her staff.
7. Theresa said that she just spoke to Captain Scotti, and the plexiglass is going to be installed. Captain Scotti has ordered the plexiglass for the other side of the window. She believes that until June 1 the current work schedule should remain the same.
8. Theresa added that she does not believe adding a screen to separate the employees would work. The employees still have to share work equipment.
9. Ann and Pat are provided Clorox wipes to wash down their workstations and equipment. The viewing area and the box outside Town Hall are sprayed and wiped down at the end of the day. After each customer, the staff sprays and wipes everything down.

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

- a. May 25, 2020 @ 6:30 pm - ( Canceled / Memorial Day )
- b. June 8, 2020 @ 6:30 pm
- c. June 22, 2020 @ 6:30 pm

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**Agenda topic:** Selectmen Reports

**Presenter:** Chairman S. Webber

**Selectman Steve J. Webber - Rec Commission:**

1. The Rec Commission will meet tomorrow night, May 12, at 7:30 pm. The meeting will again occur on Webex. The Rec Commission will provide two CIP applications, one for paving the Darrah Field parking lot, and the other for adding lights to the Darrah recreation fields.

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

1. The Budget Committee does not meet until May 26.

**Selectman Kevin A. Lynch - Planning Board:**

1. The Planning Board has not met.

**Selectman John E. Pinciario - Conservation Commission:**

1. The Conservation Commission has not met.

**Selectman Richard W. Lascelles - Heritage Commission:**

1. The Heritage Commission has not met.

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**Agenda Topic:** Added Business

**Presenter:** Chairman S. Webber

1. Selectman K. Lynch mentioned a large pine tree fell and broke in two places. The land is owned by the town and not managed by the Rec Commission.
2. The tree fell in Brickyard Brook.
3. T.A. T. Brown was asked if he would contact Road Agent / Highway Department Manager K. Brown about removing the fallen trees. T.A. T. Brown mentioned that the Highway Department tree removal funds, which were cut, are for the removal of dangerous trees.
4. Selectman J. Pinciario commented that the Highway Department has the backhoe and can remove the trees.
5. T.A. T. Brown will contact K. Brown and create a plan to remove the trees.

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

**Presenter:** Chairman S. Webber

1. **Motion To Enter Non-Public Session (Roll Call Vote):** (Selectman R. Leary / Selectman J. Pinciario)  
Motioned to enter non-public session per RSA's cited below:
  - a. RSA 91-A:3, II(a) - Compensation of an Employee
  - b. RSA 91-A:3, II(c) - Reputation
  - c. RSA 91-A:3, II(l) - Legal Advice

**Roll Call Vote:**

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

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

2. **Entered Non-Public Session:**  
8:30 pm
3. **Reconvene Public Session:**  
9:22pm
4. **Motion Made To Adjourn:**

**Discussion:** None

**Motion:** (R. Leary / J. Pinciario ) moved to adjourn the meeting at 9:22pm.

**Roll Call:**

1. Selectman J. Lascelles - yes
2. Selectman R. Leary - yes
3. Selectman K. Lynch - yes
4. Selectman J. Pinciario - yes



5. Selectman S. Webber - yes

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

The meeting adjourned at 9:23pm.

Approved by the Board of Selectmen:

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Steven J. Webber, Chairman

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F. Robert Leary, Sr., Vice Chairman

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Richard W. Lascelles

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Kevin A. Lynch

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John E. Pinciario