

Town of Litchfield, NH
Board of Selectmen Meeting
January 25, 2021
Litchfield Town Hall
6:30 pm

In Attendance:

Selectmen: Steven J. Webber, Chairman, F. Robert Leary, Sr., Vice Chairman, Richard W. Lascelles, Kevin A. Lynch and Kimberly M. Queenan

Town Administrator: Troy Brown

Also in Attendance: Chief Benjamin Sargent, Captain Thomas Scotti, Jayson Brennan, Robert Terry, Andrew Ruggles, Joan McKibben and Jay Minkarah

Absent: None

Memo: None

1. Call to Order:

- a. 5:30 pm - Paperwork Review
- b. 6:30 pm - Chairman Steven Webber called the meeting to order, followed by the Pledge of Allegiance.

2. Oath of Office:

Town Clerk / Tax Collector Terri Briand swore Kimberly M. Queenan in as Selectman.

3. Review and Approval of Consent Items:

- a. A/P Manifest: 01/19/2021 - \$55,835.80, and 01/26/2021 - \$75,064.35
- b. P/R Manifest: 01/21/2021 - \$56,716.49, and 01/28/2021 - \$59,467.83
- c. Veterans' Credit (7)
- d. Purchase Order M-21-02 to Paint Old Town Hall - \$25,000
- e. Tax Collector Reconciliation - December 2020

Discussion: Chairman S. Webber requested a motion to approve the Review and Approval of Consent Items.

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

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

4. Items Added to Consent:

- a. None

5. Approval of Meeting Minutes:

- a. January 11, 2021, Board of Selectmen Meeting Minutes
- b. January 18, 2021, Special Board of Selectmen Meeting Minutes

Discussion: Chairman S. Webber requested a motion to approve the Meeting Minutes from January 11 and 18, 2021.

Motion: (Selectman R. Leary / Selectman K. Lynch) So moved.

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

6. Business:

a. **Captain Scotti - Mobile Command Vehicle Grant Application:**

Town Administrator Troy Brown mentioned that Captain Thomas Scotti had requested permission to speak to the Board about applying for a grant to pay for a Mobile Command Vehicle. Captain Scotti commented that he is applying for the 2021 Homeland Security Grant through the State. He stated that he and the Police Chief thought applying for the grant would allow the Town to purchase a Command Vehicle that would generally be cost-prohibitive. Captain Scotti described the vehicle as a mobile office with five workstations, all-band channel radio, and allows for a unified command.

Captain Scotti explained that the vehicle would be used in cases of a mass tragedy. The vehicle would allow for a more organized and efficient unified command in dispersing resources to areas of need. He mentioned that the size of the project required that he add in other agencies. Captain Scotti tied in with Londonderry, Merrimack, Pelham, Hudson, Manchester, and Derry. The vehicle would be accessible to all of the tied in communities.

Captain Scotti stated that the Town could use the vehicle in car crashes, crime scenes, or a house fire. The Town of Derry has a mechanic who works on their Mobile Command Vehicle and would be willing to work on this vehicle. Captain Scotti found out that the most expensive repairs that the Town of Derry has made with their Command Vehicle are replacing of tires.

Chairman Steve Webber asked if the Mobile Command Vehicle would tie into the new communication system that Litchfield is installing. IT Director John Brunell stated that the Command Vehicle communication system would be operational with the Town's new communication system and with the tied-in communities' communication systems. Captain Scotti said that the Town would be informed if they received the grant in April or May 2021.

Selectman Kevin Lynch asked what the make and model of the Command Vehicle was. Captain Scotti said that the vehicle is a Freightliner MT-55 forward control chassis. 26,000-lb. GVWR with air ride rear suspension and hydraulic brakes. The Freightliner is a 20-foot walk-in van. Captain Scotti added that applying for the grant requires that the application be tied into a horrific event. He listed Spooky World and the Litchfield School Buildings as places where something awful could happen, and the vehicle would be needed.

Captain Scotti was asked what the annual cost for maintenance would be on a Command Vehicle. He stated that he had spoken to Derry Police Captain George Feole, and Captain Feole could not give a number. The number is so low that Derry does not have a budget line for maintenance of the vehicle. The towns tied into Litchfield's application of the grant have supplied letters of support but have not explicitly spoken about how the maintenance costs would be shared.

Captain Scotti said that he spoke with Chief Frank Fraitzl and Chief Fraitzl informed him that the Command Vehicle would fit in the old Fire Station. Captain Scotti noted that he did not believe that a CDL would be required to drive the vehicle, but he would look into it. He added that he would need Chairman Webber and Karen White to sign the application,

Discussion: Chairman S. Webber requested a motion to approve a filing for the grant.

Motion: (Selectman R. Leary / Selectman K. Lynch) So moved.

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

b. **Trail Crew / State Forest**

Town Administrator Troy Brown mentioned that Jayson Brennan requested to make a presentation to the Board of Selectmen. Mr. Brown noted that Mr. Brennan is working with a group of residents to start a new group. The new group would be called the Litchfield Trail Crew and would not be part of the Town of Litchfield. Mr. Brennan stated that he would make the presentation as quickly as possible. He added that Andrew Ruggles and Rob Terry would also be online for the presentation.

Mr. Brennan mentioned that the idea of the Trail Crew is:

- a. Citizens looking for more passive recreational opportunities in Town.
- b. Increasing the number of citizens using the trail systems.
- c. Citizens took interest and wanted to help out.
- d. Came up with the trail group concept to help maintain, build, and promote the trails' responsible use in Litchfield.
- e. Talked to Town Boards, Commissions, researched other trail groups, engaged citizens, and formed the Litchfield Trail Crew.

Mr. Brennen commented that they put out the Litchfield Trail Crew idea on social media, and within a day, 35 residents signed up. The 35 citizens were then broken up into three groups:

- a. Team Think Tank - consists of 12 organizers.
- b. Team Trail Crew - consists of residents who are willing to go out and maintain the trails.
- c. Team Behind-the-Scenes - consists of residents who are eager to make signs and other non-maintenance skills.

The Litchfield Trail Crew Mission Statement is:

The Litchfield Trail Crew is an independent group of volunteers dedicated to working with Town, State, and private land managers to maintain and improve existing trails and create new trails within Litchfield. This group comprises volunteers with diverse interests, including walkers, runners, hikers, bicyclists, photographers, bird watchers, snowshoers, and other outdoor enthusiasts who work together to improve passive, outdoor recreational opportunities for Litchfield citizens of all ages.

Mr. Brennen then changed subjects and started to talk about the trails' closure within the Litchfield State Forest. He noted that the Litchfield State Forests is made up of 346 acres, right in the middle of Litchfield. He added that besides the Litchfield State Forest, seven properties are either managed by the Town of Litchfield or the Conservation Commission. The seven properties makeup 237 acres of Townland. Mr. Brennan added an eighth property, owned by the Lynch family, that is landlocked. He stated that Londonderry has 1,000 acres of land connected to the Litchfield State Forest, and within the 1,000 acres are 20 miles of trails.

Recently, Mr. Brennan mentioned that the New Hampshire Department of Natural and Cultural Resources (DNCR) came in and closed a few trails within the Litchfield State Forest. The first trail that was closed was Calvin Loop Trail (.89 miles) and the Twin Bridges Trail (.58 miles). The Calvin Loop Trail is longstanding, and the Twin Bridges Trail is a recently created 'rogue' trail. As of now, no one knows who built the Twin Bridges Trail.

Mr. Brennan commented how ironic it was that the Litchfield State Forest has two entrances. Instead of placing gates that closed off the entrances, the DNCR chose to cut down 152 trees along the Calvin Loop Trail section. He noted that the DNCR did not cut down small saplings but large trees. The Litchfield State Forest was decimated to close down the Calvin Loop Trail. Mr. Brennan included photos of the trees cut down by the NH Department of Natural and Cultural Resources.

Rob Terry, a member of the Litchfield Trail Crew, spoke with the State and the State said the trails were closed because of:

- a. 'Buckle-Down' on illegal trail building
- b. Improper Wetland Crossing
- c. Impact to Wildlife
- d. Improper Signage & Trail Markings

Mr. Brennan said that the Litchfield Trail Crew is looking at filing for a Special Use Permit to see if the State will reopen the Calvin Loop Trail. The Litchfield Trail Crew will:

- a. Work with the State to ensure no sensitive areas are encroached upon.
- b. Bring the trail up to 'Code.'
- c. Build a proper bridge for the one small wet area crossing.
- d. Include proper signage.

- e. Request to be part of Trail Volunteer / Steward Program.
- f. Maintain trails going forward.

The Litchfield Trail Crew is requesting the following:

- a. Support from the Town:
 - i. Board of Selectmen
 - ii. Conservation Commission
 - iii. Recreation Commission
- b. Support from State Representatives.
- c. Support from the citizens of Litchfield.
- d. The Litchfield Trail Crew will apply for consideration.

Mr. Terry and Mr. Ruggles agreed with a presentation made by Mr. Brennan. Selectman Lascelles asked if there was a warning from the State that they would close the trails. Mr. Terry said that he spoke with the Forester for the Litchfield State Forest.

Conservation Commission Chair Joan McKibben stated that she had also been in touch with the Forester. She noted that she had a list of ten reasons why the trail was closed but did not disclose the ten items. Ms. McKibben acknowledged that she was not aware that the trails would be closed and that 152 trees would be cut down. Ms. McKibben stated that the State manages the property, and the one member of the Conservation Commission should not be accused of doing something.

Mr. Terry added that 152 trees were cut down on the Calvin Loop Trail, and he estimated that the same amount of trees were cut down on the Bridge Trail by the DNCR.

Chairman Webber requested Mr. Brown draft a letter of support for creating the Litchfield Trail Crew from the Board of Selectmen and a letter of support from the Recreation Commission and Conservation Commission.

Discussion: Ms. McKibben asked the Board to repeat the motion. Chairman Webber stated that the motion was to support the creation of the Litchfield Trail Crew.

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

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

c. **Pinecrest Road Sidewalk Grant Application:**

Town Administrator Troy Brown mentioned that Town Planner Jay Minkarah communicated with him that there were Federal Grants available to fund Transportation Alternative Programs (TAP). Mr. Minkarah works with the Planning Board, and the Planning Board put out a survey to the residents this summer. The residents let the Planning Board know that they were interested in a sidewalk or bike path along Pinecrest to Albuquerque. Mr. Brown stated that the plan is to fill out an application and plan funds to look into the project.

Mr. Minkarah described how about a year ago, the Town completed the Transportation Section of the Master Plan. One of the Transportation Section's key recommendations was to have a sidewalk or bike bath from 3A down to Albuquerque. He noted that the main transportation is a multi-use path along Albuquerque. The multi-use trail connects Town Hall, the Litchfield State Forest, Darrah Pond, and Campbell High School.

If the TAP grant were approved, the three schools would be connected by a sidewalk. Mr. Minkarah noted that the DOT mentioned that there would be a new round of TAP grants. He added that the grants are competitive, and they are Federal Grants. The TAP Grants pay for all types of alternative transportation options, except for motorized transportation. Mr. Minkarah mentioned that 80% of the funds come from the Federal Government. The Town is required to put in a 20% match. The minimum project size is \$400,000 (\$320,000 Federal Gov't and \$80,000 Town Gov't).

Mr. Minkarah stated that step one is a 'letter of interest' due by February 5, 2021. The application is not available at this time, but he expects it to be available soon. The TAP grant will have about \$5,200,000 available. He expects that if the Town were to receive funds, the funds would be available after March 2022.

Mr. Minkarah mentioned that the grant funding would include planning, design, and construction. The Town would apply for the 'whole ball of wax' at once, and there is no cost to apply. Mr. Brown commented that the Town would only need to move a few mailboxes and a utility pole.

Discussion: None

Motion: (Selectman K. Lynch / Selectman R. Leary) I move to apply for the grant.

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

d. **Petition to Intervene - Pennichuck East Utility, Inc.:**

Town Administrator Troy Brown mentioned that Londonderry, Litchfield, Pelham, and Hooksett have agreed to seek intervention into the rate case to oppose Pennichuck East Utility, Inc. Mr. Brown stated that there is a PUC Hearing this Wednesday. Both sides will present their preliminary information.

e. **Legal Counsel Agreement - Pennichuck East Utility, Inc. Rate Case:**

Town Administrator Troy Brown mentioned that the four towns have agreed to retain Sheehan, Phinney, Bass, & Green, PA as legal counsel. SPBG has decided to charge no more than \$350./hr and Associate fees at \$260./hr. The Towns agreed to cover the cost based on population. Each municipality agreed to pay a proportional payment for each invoice within 15 days of the invoice. The proportionate amount is based on the following percentages:

- a. Londonderry - 40%
- b. Hooksett - 24%
- c. Litchfield - 14%
- d. Pelham - 23%

Mr. Brown thanked Londonderry Town Manager Kevin Smith for taking the lead on the issue.

f. **Presentation of 2021 Warrant Articles:**

ARTICLE 1 - ELECTION OF OFFICERS

a. Selectmen	1 Position	Three (3) Year Term
b. Selectmen	1 Position	Two (2) Year Term
c. Budget Committee	3 Positions	Three (3) Year Term
d. Cemetery Trustee	1 Position	Three (3) Year Term
e. Library Trustee	2 Positions	Three (3) Year Term
f. Town Moderator	1 Position	Three (3) Year Term
g. Trustees of Trust Fund	1 Position	Three (3) Year Term

ARTICLE 2 - ZONING AMENDMENTS - Presented by the Planning Board

ARTICLE 3 - ZONING AMENDMENTS - Presented by the Planning Board

ARTICLE 4 - OPERATING BUDGET- Presented by the Budget Committee

Shall the Town vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts outlined in the budget posted with the warrantor as amended by the vote of the first session, for the purposes set forth therein, totaling \$7,195,888
Should this article be defeated, the default budget shall be \$7,356,332 which is the same as last year with certain adjustments required by the previous action of the Town of Litchfield or by Law; or the governing body may

hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. Estimated 2021 tax rate impact: \$0.09.

Recommended by Board of Selectmen (4-0-0)
Recommended by Budget Committee (0-0-0) (Pending)

ARTICLE 5 - POLICE CONTRACT- Presented by Police Chief Ben Sargent

Shall the Town vote to approve the cost items for wage and related costs that have been included in the collective bargaining agreement reached between the Town of Litchfield and Council 93 of the American Federation of State, County and Municipal Employees, which provides for the following increases in wages and benefits at the current staffing level and further to raise and appropriate the sum of \$11,803 for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels. Estimated 2021 tax rate impact: \$0.01.

2021 - \$11,803
2022 - \$59,799
2023 - \$56,163

Recommended by Board of Selectmen (4-0-0)
Recommended by Budget Committee (8-1-0)

ARTICLE 6 - HUMAN SERVICES AND HEALTH AGENCIES- Presented Chairman Steve Webber

Shall the Town vote to raise and appropriate the sum of \$21,255 to support Human Services and Health Agencies providing services to the Town of Litchfield. Estimated 2021 tax rate impact: \$0.02.

Recommended by Board of Selectmen (4-0-0)
Recommended by Budget Committee (8-1-0)

ARTICLE 7 - ROAD IMPROVEMENTS- Presented by Selectman Robert Leary

Shall the Town vote to raise and appropriate the sum of \$100,000 for the purpose of road improvement projects. This sum to come from the unassigned fund balance and no amount to be raised from new taxation. Estimated 2021 tax rate impact: \$0.00.

Recommended by Board of Selectmen (4-0-0)
Recommended by Budget Committee (8-1-0)

ARTICLE 8 - PLOW TRUCK PURCHASE- Presented by T.A. Troy Brown & R.A. Kevin Brown

To see if the Town will vote to raise and appropriate \$100,000 to purchase a plow truck with equipment for the Highway Department. This sum to come from the unassigned fund balance and no amount to be raised from new taxation. Estimated 2021 tax rate impact: \$0.00.

Recommended by Board of Selectmen (4-0-0)
Recommended by Budget Committee (7-2-0)

ARTICLE 9 - PROPERTY REVALUATION EXPENDABLE TRUST FUND- Presented by Selectman Kevin Lynch

Shall the Town vote to establish a Property Revaluation Expendable Trust Fund per RSA 31:19-a for the purpose of funding future property revaluations and to raise and appropriate \$25,000 to put in the fund; further to name the Board of Selectmen as agents to expend from said fund. This sum to come from the unassigned fund balance and no amount to be raised from new taxation. Estimated 2021 tax rate impact: \$0.00

Recommended by Board of Selectmen (4-0-0)
Recommended by Budget Committee (8-1-0)

ARTICLE 10 - PENNICHUCK EAST UTILITY RATE INCREASE- Presented by Selectman Rich Lascelles

Shall the Town vote to raise and appropriate the sum of \$50,000 for legal counsel, consultants, witnesses, technical reviews, and other expenses related to the proposed Pennichuck East Utility water rate increase case filed with the New Hampshire Public Utilities Commission. This special warrant article will be a non-lapsing appropriation per RSA 32:7,VI and will not lapse until said rate case is completed or by December 31, 2023, whichever is sooner. This sum to come from the unassigned fund balance and no amount to be raised from new taxation. Estimated 2021 tax rate impact: **\$0.00**

Recommended by Board of Selectmen (4-0-0)
Recommended by Budget Committee (8-0-0)

ARTICLE 11 - FIRE STATION BOND PROCEEDS- Presented by Town Administrator Troy Brown

Shall the Town vote to raise and appropriate the sum of \$23,582 for the purpose of paying a portion of the 2021 Fire Station Bond payment and to authorize the withdrawal of that amount from the December 31, 2020 fund balance for this purpose. (This amount will represent the interest earned on bond proceeds that was transferred to the general fund on or before December 31, 2020).

Recommended by Board of Selectmen (4-0-0)
Recommended by Budget Committee (9-0-0)

ARTICLE 12 - FIRE FACILITIES FUND- Presented by Town Administrator Troy Brown

Shall the Town vote to discontinue the Fire Facilities Capital Reserve Fund created in 2000. Said funds and accumulated interest to the date of withdrawal shall be transferred to the Building Systems Expendable Trust Fund. The estimated balance is \$622.

Recommended by Board of Selectmen (4-0-0)

ARTICLE 13 - SOLAR EXEMPTION- Presented by Selectman Kim Queenan

Shall the Town adopt the provisions of RSA 72:61-64 inclusively, which provide for an optional property tax exemption from the property's assessed value for persons owning real property, which is equipped with solar energy systems intended for use at the immediate site? Such property tax exemption shall be in the amount of the assessed value of qualifying solar energy system equipment, up to a maximum of \$27,000. This exemption shall only be available to property owners who expend funds for the installation of such systems. Therefore, if the property is sold, the new owner shall not be eligible for the exemption.

Recommended by Board of Selectmen (3-1-0)

7. Public Input @ 7:50 pm:

No Public Input

Public Input closed at 7:51 pm.

8. Other Business:

Chief Ben Sargent thanked the Board for their support while the LPD continues to pursue grants. The grants will allow the LPD to align themselves with their mission statement. Chief Sargent wanted to highlight that the Department is continuing to search for grants that will take the burden off the taxpayers.

9. Items Removed From Consent:

None

10. Administrator's Report:

Town Administrator Troy Brown stated that this is the time of year where he starts to work on the Deliberative Session presentation and the legal notices that need to go out. Mr. Brown noted that he has a meeting tomorrow with the School Board and the Town Moderator at the High School gymnasium to go over the Deliberative Session.

Mr. Brown stated that he had not heard from legal counsel regarding Selectman Kim Queenan acting as Selectman's Representative for the Planning Commission.

11. Selectmen's Report:

a. Selectman Richard W. Lascelles - Heritage Commission:

Nothing to report.

b. Selectman Robert Leary Jr. - Budget Committee:

Selectman Leary mentioned everything is quiet until the Deliberative Session on Saturday, February 6.

c. Selectman Kevin A. Lynch - Conservation Commission:

Nothing to report.

d. Selectman Kimberly M. Queenan - Planning Committee:

Nothing to report

e. Selectman Steve J. Webber - Rec Commission & CIP Committee:

The Rec Commission will meet tomorrow night.

12. Non-Public Session:

Discussion: At 8:07 pm, Chairman S. Webber requested that a motion be made to enter Non-Public Session under RSA 91-A:3, II(b) - Employee Hiring.

Motion: (Selectman Lynch / Selectman Leary) So moved.

Roll-Call:

- a. Selectman S. Webber - Yes
- b. Selectman R. Leary - Yes
- c. Selectman R. Lascelles - Yes
- d. Selectman K. Lynch - Yes
- e. Selectman K. Queenan - Yes

Convened To Non-Public Session:

8:07 pm

Re-Convened To Public Session:

8:29 pm

13. Adjournment:

Discussion: None

Motion: (Selectman R. Leary / Selectman K. Lynch) moved to adjourn the public meeting at 8:20 pm.

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

Respectfully Submitted,
Matthew Sullivan
BOS Recording Secretary

Approved by the Board of Selectmen:

Steven J. Webber, Chairman

F. Robert Leary, Sr., Vice Chairman

Richard W. Lascelles

Kevin A. Lynch

Kimberly M. Queenan