

Town of Litchfield, NH
Board of Selectmen Meeting
June 28, 2021
Litchfield Town Hall

In Attendance:

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

Town Manager: Troy Brown

Also in Attendance: No one else was in attendance.

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. Review and Approval of Consent Items:

- a. A/P Manifest: 6/22/21 - \$231,892.75 and 6/29/21 - \$188,960.47
- b. P/R Manifest: 6/24/21 - \$65,920.81 and 7/1/21 - \$57,315.85
- c. Town Clerk, Tax Collector's and Treasurer's Reconciliation - May
- d. Timber Tax - \$533.65
- e. Tax Abatement, Map 2 - Lot 13 - \$2,822.00

Discussion: No Discussion

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

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

3. Additional Items or Other Business:

- a. No Items Added

4. Business:

a. Meeting Minutes:

- i. June 14, 2021, Minutes

Discussion: No Discussion

Motion: (Selectman R. Lascelles / Selectman K. Queenan) Move to accept.

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

b. Resignation - Sharon A. Harding Reed, Deputy Treasurer:

Town Administrator Troy Brown mentioned that the Town Treasurer and the Board of Selectmen received a letter of resignation from Sharon Harding Reed. She is resigning as the Deputy Treasurer for the Town of Litchfield effective June 15, 2021.

Mr. Brown stated that Ms. Harding Reed has been with the Town of Litchfield for over 33 years. She spent most of her career as a Police Dispatcher, and she took over as the Deputy Treasurer after retiring as a Police Dispatcher.

Mr. Brown added that the staff in Town Hall would have lunch and cake to thank Ms. Harding Reed for her service to the community. The Board thanked Ms. Harding Reed for all her hard work and contributions to the community.

Discussion: No Discussion

Motion: (Selectman R. Leary / Selectman K. Lynch) I move to accept Sharon A. Harding Reed's resignation as Deputy Town Treasurer and ask the Town Administrator to send a letter of appreciation for her years of volunteer service.

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

c. Solid Waste and Recycling Contract:

Town Administrator Troy Brown mentioned that the current solid waste contract is with Waste Management, and the contract is set to expire on December 31, 2021. Dave Mellen reached out to Waste Management and other contractors, who provide the same service, to receive quotes Waste Management informed Mr. Mellen that they were concerned with the future pricing of trucking costs and the cost to dispose of the solid waste. The primary issue was that landfill space is becoming more of a problem. Mr. Brown commented that all the construction debris goes to a landfill in Rochester, and everything else is sent to an incinerator in Penacook.

Mr. Brown stated that the only company to provide a proposal was Waste Management, and they proposed a five-and-a-half-year contract. The contract will start in July 2021, and Waste Management has adjusted the hauling cost and tipping fees for solid waste and C & D (construction, furniture, and demolition) for the first six months of the contract. After six months, there will be an annual increase of 3.5% for the contract's life.

Waste Management will provide a \$1,400 grant for the Park and Recreation Department. The grant will allow the Town of Litchfield to purchase particular trash cans that have a hood. Mr. Brown stated that these trash containers had worked well for LBA, and he would like to use the same trash containers at the other recreation fields. He added that each trash container costs about \$100.

Mr. Brown commented that Waste Management would provide the Town of Litchfield with four-yard dumpsters to be placed at the smaller recreation fields. The four-yard dumpsters will be placed at Corning Field, Jeff Lane, and Sawmill Park. Chairman Webber stated that LBA pays \$232 every time the dumpster is emptied, and Waste Management will only charge \$70 a month per dumpster. Mr. Brown added that the dumpsters would be seasonal.

Mr. Mellen reached out to Casella Waste Systems, but they did not come back with a proposal.

Mr. Brown mentioned that a motion should be made to authorize the Town of Litchfield to sign the contract, and he would come back at the next meeting to talk about the purchase order.

Discussion: Chairman Steve Webber requested a motion to authorize Mr. Brown to enter into a contract agreement with solid waste.

Motion: (Selectman R. Lascelles / Selectman K. Queenan) So moved.

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

d. Recycling Building Siding:

Town Administrator Troy Brown commented that Dave Mellen had gone out and received three quotes for the re-siding of the recycling building. Mr. Brown stated that the roof was just completed, and by re-siding the building with vinyl, the exterior of the building will be maintenance-free. He noted that the Recycling Fund would be used to pay for the project, and the fund currently has a balance of \$31,000.

Mr. Mellen received three quotes:

- i. Brilliant Exteriors - \$11,330
- ii. Brian Smith Carpentry - \$13,850
- iii. IROOF - \$16,900

Mr. Mellen met with all three contractors and came away believing that all three contractors were competent, can do the work, and they were all Litchfield companies. The Board discussed the cost of vinyl siding and questioned if the pandemic did not impact vinyl siding. The Board then discussed the difference in the quotes from Brilliant Exteriors and IROOF. The belief was that IROOF specializes in roofing and has just started to get involved with vinyl siding.

Discussion: No Discussion

Motion: (Selectman R. Lascelles / Selectman K. Lynch) I move to accept the proposal from Brilliant Exteriors, LLC for \$11,330 and authorize Chairman Webber to sign the purchase order.

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

e. Public Hearing - Illicit Discharge Ordinance:

Town Administrator Troy Brown mentioned that he had been working on Litchfield's Municipal Separate Stormwater Sewer System. He stated that the Municipal Separate Storm Sewer System (MS-4) is the catch basins throughout the town collecting stormwater runoff. The stormwater is collected, put in pipes, and sent off to drainage swales. In the end, the stormwater makes its way to the ocean.

Mr. Brown stated that the EPA had identified the catch basins as a potential source of contamination. The Town of Litchfield is required to have an ordinance that will allow the Town to enforce the illegal discharge regulation. Mr. Brown commented that he visited about a third of the Town's outfalls and performed a dry weather outfall inspection. The idea of the inspection is to make sure that the outfall does not have running water. He stated that if running water was found, a sample would need to be taken and sent to a lab. If results came back with a high level of contaminants, the Town would need to research where the contaminants came from.

If the Town found who was causing the illegal discharge, the ordinance would allow the Town to inform the person to stop the illegal discharge into the catch basins. Mr. Brown noted that the ordinance would authorize the Town Administrator to go out and issue notices to stop the discharge. He stated that legal counsel had reviewed the ordinance.

Selectman Kevin Lynch discussed his concerns with the Board regarding the proposed Stormwater Illicit Discharge Ordinance. Selectman Kim Queenan mentioned that she might have Jay Minkarah, Executive Director of the NRPC, review the ordinance, and Mr. Brown added that the ordinance is a template that surrounding towns have used.

Ms. Queenan asked what the process would be after determining who was discharging contaminants into the stormwater sewer system. Mr. Brown mentioned that after it was determined who was discharging contaminants into the stormwater sewer system, the Town of Litchfield would work with the owner to correct the problem.

Mr. Brown noted that the dry water outfall inspection was done at 18 site inspections, and only two had running water. One was Corning Road, and the other was near Rookery.

Mr. Lynch stated that he wanted to review the ordinance and asked to hold off on any decision until the next meeting. The Board came to a consensus and agreed to hold off deciding until the next Board of Selectmen meeting.

Chairman Steve Webber opened the Public Hearing at 7:19 pm. No resident attended the Hearing. The Public Hearing closed at 7:20 pm.

5. **Public Input at 7:20 pm:**

Joe Cabral, 7 Brickyard Drive -

Mr. Cabral stated that he wanted to talk about the yard sale table at the dump. He would like the Town to purchase a 40-foot storage container and place it outside the fence. Mr. Cabral suggested that the yard sale table could be stored

inside the storage container. He noted that solar lights could be attached to the container, and CHS students could place a mural on the container. Mr. Cabral added that the parking for the yard sale table would occur outside the fence, and this would free up parking spaces inside the dump. Town Administrator Troy Brown said he would contact Dave Mellen because this might violate Mr. Mellen's permit with the State.

Mr. Cabral asked how much money the Town of Litchfield receives from the NH State Lottery. Selectman Lascelles stated he would look into it.

Public Input ended at 7:24 pm.

6. **Business (Continued):**

f. Impact Fees:

Town Administrator Troy Brown commented that he had received a request from the library to use Impact Fees to build a 20' x 30' pavilion on the south end of the library lawn. He also received a letter from the School District, and they were requesting to use Impact Fees to help assist them financially with the HVAC improvement project.

Mr. Brown stated that in the past he would present the request to the Board, and the Board would make the decision. He added that he is a little concerned with the request for Impact Fees from the library. He noted that Impact Fees are used to accommodate growth, and the pavilion would be an addition to the library. The School District request is not for growth but for maintenance issues that have been deferred.

Mr. Brown mentioned that Bruce Mayberry wrote the Impact Fee Ordinance, he worked with the Planning Board, and came up with the fee calculation and the methodology. Mr. Brown said he would contact Mr. Mayberry and ask for his professional guidance regarding the library and School District requests. Mr. Brown added that he feared that if the Board authorized the use of Impact Fees and at a later date it was determined the Impact Fees should not have been used, the Town would be responsible for reimbursing the person who paid the Impact Fees.

Mr. Brown stated that there are dedicated types of Impact Fees.

- i. Road Impact Fees
- ii. Fire Impact Fees
- iii. Town Hall Impact Fees
- iv. Police Impact Fees
- v. School Impact Fees (based on the square footage of the school building)

Selectman Rich Lascelles mentioned that he noticed that the library has an outside tent. He asked if the library owned, rented, or borrowed the tent. Selectman Robert Leary noted that the tent was used for the outside reading program. Mr. Brown stated that he would find out if the library owns the tent.

g. Administrator Report:

Town Administrator Troy Brown mentioned that the Town Offices Closed Monday, July 5,

Mr. Brown said that he spoke with Dave Mellen about the SWAP table, and Mr. Mellen felt that it was best to leave the SWAP table open during regular business hours. On Sundays, the Transfer Station is open from 9 am until 12:00 pm. and allows for one hour for the SWAP table.

Mr. Brown commented that, as of the previous Board of Selectmen's meeting, The Town of Pelham and the Town of Hooksett have officially dropped out of the Pennichuck PUC Rate Case. Londonderry Town Administrator Kevin Smith has agreed to keep the per capita agreement in place. Londonderry and Litchfield are the remaining two towns in the Pennichuck PUC Rate Case and will split the legal costs based on the population of each town.

h. Selectmen Reports:

i. Selectman S. Webber - EMT, Rec Commission, School Facilities Improvement Comm. & CIP Comm.:

1. EMT -

Chairman Webber mentioned that the EMT has not met in the last two weeks.

2. Rec Commission -

Mr. Webber commented that the Rec Commission is only meeting once a month during the summer. He added that Talent Hall is open but has a number limit. Town Administrator Troy Brown said that Town Hall has a restriction of 17, and the meeting room at the Fire Department is limited to 16 individuals. Mr. Brown commented that he thought that starting in September, things would go back to normal.

3. School Facilities Improvement Committee -

Mr. Webber mentioned that the School Facilities Improvement Committee has not met since the last Selectmen's meeting.

ii. Selectman R. Leary - Budget Committee:

Selectman R. Leary commented that the Budget Committee met last week. The Budget Committee is going to sit down with the School Board and discuss their budget. The Budget Committee will meet with the School Board on Monday, November 8, and Mr. Leary said that he might excuse himself from the Selectmen's meeting to attend the Budget Committee meeting.

iii. **Selectman R. Lascelles - Heritage Commission:**

Selectman R. Lascelles said the Heritage Commission has not met but expects to meet on the second Tuesday of July.

iv. **Selectman K. Lynch - Conservation Commission:**

Selectman K. Lynch stated that the Conversation Commission met for a site walk.

v. **Selectman K. Queenan - Planning Board & NRPC:**

1. **Planning Board-**

Selectman K. Queenan mentioned that the Planning Board meets again on July 6 at 7 pm in the meeting room. She noted that the Town of Litchfield has a second winery coming to town.

2. **NRPC-**

Ms. Queenan stated that the next NRPC meeting is Wednesday, September 15, at 7 pm. She provided some updates from the NRPC:

- a. The NRPC set up a 501(c) (3). The NRPC set one up because they currently receive money from the public, but they also set one up because they want to go after private grants.
- b. Covid-19 funds may provide extra money for grants.
- c. She noted that towns are revisiting the land use laws.
- d. Towns are starting to become fractured because of new versus old residents. The Town of Hudson may change its Planning Board from appointed to elected. The Town of Amherst and the Town of Pelham have already changed from appointed to elected.
- e. **Average home price:**
 - i. Mount Vernon - \$500,000
 - ii. Pelham - \$570,000
- f. **Merrimack news:**
 - i. A 120,000 square foot warehouse and a 100,000 square foot warehouse will be built in the northern part of town.
 - ii. A 170,000 square foot warehouse is being added to an existing facility in the southern part of town.
- g. **Nashua news:**
 - i. Approval of businesses has occurred.
 - ii. Approval of hundreds of housing units has been approved. The strategy is to go to unserved areas and build the housing units up.
- h. **Hudson news:**
 - i. The Commissioner for the Board of Selectmen communicated that two appeals had been filed for the Amazon plant.
 - ii. The DOT has not been helpful.

3. **Strawberry Festival-**

Ms. Queenan stated that the Strawberry Festival was a success for the Historical Society and Presbyterian Church. She noted that all the food was sold, and people have already started their holiday shopping.

i. Other Business:

- i. None

7. Items Removed From Consent:

- a. None

8. Non- Public Session:

Discussion: Chairman Steve Webber requested a motion to enter a Non-Public under RSA-91-A:3 II(a) - Hiring any person as a public employee at 7:52 pm.

Motion: (Selectman K. Lynch / Selectman R. 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

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

9. Reconvene Public Session:

8:39 pm

10. Adjournment:

Discussion: None

Motion: (Selectman Lynch / Selectman Lascelles) motioned to adjourn the public meeting at 8:39 pm.

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

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