

**Town of Litchfield, NH**  
**Board of Selectmen Meeting**  
**February 28, 2022**

**In Attendance:**

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

**Town Administrator:** Troy Brown

**In Attendance:** Superintendent Michael Jette and Business Administrator Cory Izbicki

**Absent:** Steven J. Webber, Chairman

**Note:** No Select Board meeting on February 14, and this meeting took place during February school vacation week.

**1. Call to Order:**

a. 6:35 pm - Vice-Chairman Robert Leary called the meeting to order, followed by the Pledge of Allegiance.

**2. Review and Approval of Consent Items:**

a. A/P Manifest: 02/22/22 - \$56,336.88; 03/01/22 - \$2,145,386.02

b. P/R Manifest: 02/24/22 - \$56,536.58; 03/03/22 - \$61,846.33

c. Elderly Exemptions ( 1 denial / 1 granted )

d. Veterans Credit (4)

e. Timber Tax, Map 16 Lot 43 - \$11,866.03

f. Town Clerk / Tax Reconciliation for January 2022

g. Treasurer Reconciliation for December 2021 and January 2022

h. Purchase Order M-22-03 - \$83,300.24 for Alliance Landscaping

i. Purchase Order M-22-04 - \$34,004.00 for Fences Unlimited

j. Grant agreement signatures

**Motion:** (Selectman R. Lascelles / Selectman K. Lynch) Motion to accept the Review and Approval of Consent Items.

**Discussion:** None

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

**3. Request for Additional Items / Other Business:**

a. None

**4. Business:**

**a. Meeting Minutes:**

i. January 24 and February 5, 2022, Meeting Minutes

**Motion:** (Selectman K. Queenan / Selectman R. Lascelles) Motion to accept the January 24 and February 5, 2022, Meeting Minutes.

**Discussion:** None

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

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**b. School Impact Fees:**

Business Administrator Cory Izbicki stated that the School District sent the Select Board a letter requesting the use of Impact Fees last year. The initial request for Impact Fees was to be used on the HVAC project, and state funds were used for the CHS HVAC system. He noted that they came to the meeting to request the usage of the Impacts Fees to be expanded.

The School District has a significant lighting project going on; they have also learned that the water pressure at CHS is inadequate because of the wrong size piping. Mr. Izbicki informed the Select Board that the School District needs to purchase a booster pump and new intake piping to increase the water pressure.

Vice Chair Leary commented that the School District is looking for \$40,000 to \$50,000 for the booster pump and new piping. Mr. Izbicki acknowledged that they are still waiting on estimates to find out the actual cost for the project. Mr. Leary then mentioned that the School District was also looking for \$320,000 to purchase new LED fixtures. Mr. Izbicki said that the School District received a grant from the State because of the energy-efficiency initiative, and the grant was for \$80,000.

Town Administrator Brown noted that back on July 26, 2021, the Select Board authorized the use of \$279,800 in Impact Fees for HVAC expenses. He mentioned that the School District wants to increase the scope of the work to include a water booster pump, intake piping, and energy-efficient LED lighting costs.

Mr. Izbicki commented that the School District completed the conversion of the external LED lights, and the District used the EverSource rebate and spent \$3,000 on a \$22,000 project. He added that the District would provide the Town with the receipts then be reimbursed.

**Motion:** (Selectman R. Lascelles / Selectman K. Lynch) I move to expand the authorized July 26, 2021 purpose and amount of High School Impact Fees from \$279,800 for HVAC expenses only to \$315,000 for HVAC, water booster pump/intake piping and energy-efficient LED lighting costs.

**Discussion:** None

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

**c. School Compensation and Health Insurance Request:**

Town Administrator Troy Brown mentioned that he placed this item on the agenda because the School Board would be at the meeting to discuss the Impact Fees. He noted that Executive Assistant Michele Flynn had emailed him requesting the Town salary schedules. She also asked to know the percentage of salary increase for the Town employees and what percentage of contribution the employees were required to make to their health plan.

Mr. Brown noted that the information requested is public information and can be requested by any individual. He asked if the School District was looking for individual salary information or salary ranges for union employees or non-union employees' wage scale. Dr. Jette stated that the School District was looking for a comprehensive package. He pointed out that the Budget Committee had requested that the District provide information on the wages that the School District is giving and make sure that the health care costs are in line with what the Town is seeing.

Dr. Jette expressed how vital health insurance is for the school staff and how the insurance is used as an incentive to keep teachers in the District. His fear is that the higher the required percentage of contribution is, the more likely teachers will leave the District. Currently, the Town uses HealthTrust, and the School District uses Cigna for insurance. Mr. Brown commented that a few years ago, the Town used another insurance company, and they

were seeing double-digit increases. The Town transferred to HealthTrust and has seen back-to-back decreases. Mr. Brown added that he would share the plan documents from HealthTrust and comparable salary increases.

Dr. Jette informed the Select Board that he allegedly sent the Budget Committee three years of salary lines for all the School District employees. Mr. Brown asked Dr. Jette to send him the salary document for the School District; this will allow him to replicate what the Town has done with the School District's salaries. Mr. Brown and Dr. Jette agreed to create a Google Sheet and fill in the data.

The Select Board thanked Dr. Jette and Mr. Izbicki for coming to the meeting.

**d. Road Drainage Issues:**

Town Administrator Troy Brown commented that the Town is aware of two property owners that have reached out to the Town because they are concerned about the water drainage issues. The two property owners are:

i. **12 Garden Drive - Curtis Sampson**

Mr. Sampson contacted the Town and said that when Pennichuck put the water lines in, they did some paving and altered the drainage. The water is now flowing off the street and is going onto his property. The videos show that the water crosses his front lawn and along his cedar fence. The water has caused damage to the fence, driveway, and the front of his house.

Mr. Brown mentioned that the Town had Lou Caron look at the issue last summer. Mr. Caron informed the Town that the catch-basin was higher than the road, and there was no way for water to enter the catch-basin.

ii. **25 Brook Road - Robert Martineau**

Mr. Martineau recently contacted the Town and informed them that the snow quickly melted after the rain and 60-degree weather. Town Administrator Brown and Road Agent Brown went down to 25 Brook Road and took pictures of the issue. The system was overwhelmed, and the water table was high. Town Administrator Brown commented that the catch-basins do not have an outflow pipe and are a dry sump.

The Select Board agreed that the Town is responsible for correcting the issues, but they will need to wait until the spring. Selectman Leary suggested reaching out to Rick Charboneau and asking for his input.

Selectman Lascelles asked Mr. Brown to reach out to the homeowners and inform them of the Town's plan.

5. **Public Input @ 7:07 pm:**

Public Input closed at 7:08 pm.

6. **Business (cont.):**

e. **Town Election Coverage:**

Mr. Brown stated that the March election would be on March 8 from 7 am until 7 pm. He noted that three Selectmen would need to be present at the polls. Mr. Brown commented that two members of the Select Board are running for office and are uncontested.

Last year Mr. Brown reached out to Municipal Services Council and was informed that ‘the Secretary of State’s guidance has been that all officials who work the polls may perform their lawfully prescribed duties, but, in the case of contested elections, handling of the ballots and counting of the ballots should be done by officials not in contested elections (if possible) to prevent the possibility of vote manipulation.’

Mr. Brown noted that Selectman Webber sent an email to the Board saying that he would be available to cover the entire election.

**f. Pennichuck Rate Case:**

Mr. Brown informed the Select Board that the Town received word from the Town’s legal counsel that the PUC has approved the settlement agreement. He noted that they are looking at two things:

- i. Legal Counsel needs to ensure that the new final rates reflect the settlement agreement.
- ii. Legal Counsel needs to assess the potential credit owed to each Town.

Mr. Brown commented that he expects the Town to receive a credit that will help offset the budget and come in at what the Town had planned.

**g. Code of Ethics Discussion:**

Selectman Queenan passed out handouts to the members of the Select Board. Mr. Brown stated that this was introduced at the last Select Board meeting.

Ms. Queenan stated that they had been looking at Towns with a Code of Ethics. She noted that 26 Towns have a Code of Ethics, and she has read their Code of Ethics. Ms. Queenan said that Litchfield created a Code of Ethics back in 2010, and the Town copied Dunbarton’s rules. Even though the Code of Ethics was completed, the Town withdrew Code of Ethics before the residents could vote on it.

Ms. Queenan commented that the Select Board needs to ask themselves how stringent they want to make the Code of Ethics. Ms. Queenan added that she wants to take the four of the most or least stringent rules and tie them in with an RSA for the State of New Hampshire. She mentioned that the ones with the stars next to them are one’s that the Select Board should review.

Ms. Queenan noted that she would like to create a flowchart that shows the procedures that need to be followed regarding implementing the Code of Ethics.

**h. Sam Terrill – Planning Board:**

Mr. Brown stated that the Chairman of the Planning Board contacted him. Chairman Michael Croteau informed Mr. Brown that on January 18, 2022, the Litchfield Planning Board voted 6-0-1 to recommend Sam Terrill become a Regular Board Member of the Planning Board.

Mr. Terrill already serves as an Alternate Member of the Planning Board, and the Board has met with him.

**Motion:** (Chairman K. Lynch / Selectman R. Lascelles) Motion to appoint Sam Terrill as a regular voting Planning Board member with a term to expire on March 31, 2024.

**Discussion:** None

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

**i. Town Administrator Report:**

Town Administrator Troy Brown mentioned that the Voter's Guide was delivered to the post office and will be in the mail tomorrow. Donna Baril has been working with all the Department Heads, Boards, Committees, and finalizing the Town Report with John Brunelle .

Mr. Brown commented that the street light LED conversion project is now eligible for rebates. He noted that the rebate comes to around \$3,000 in savings. The street light conversion should start shortly.

Mr. Brown stated that the Highway Department had a minor accident during the last snowstorm. He said that the truck tried to come to a stop but kept sliding. The truck hit a vehicle, no damage to the truck, and minor damage to the vehicle. The insurance paperwork has been filed.

Mr. Brown said that Chairman Matt Lepore sent out an email that read that the Conservation Commission has noticed an increase in pet waste at Moore's Falls. Mr. Brown noted that Mr. Lepore was not the only one to mention the problem with the increase of pet waste. The Conservation Commission will have a meeting to discuss the mud season and pet waste at Moore's Falls. The Commission might close Moore's Falls during the mud season, and they will see what can be done about the pet waste.

The Select Board discussed what could be done about the pet waste.

**7. Selectmen Reports:**

**a. Selectman S. Webber:**

**i. Emergency Management Team:**

Nothing to Report

**ii. Recreation Commission:**

Nothing to Report

**iii. School Facilities Improvement Committee:**

Nothing to Report

**iv. Capital Improvement Planning Committee:**

Nothing to Report

**b. Selectman R. Leary - Budget Committee:**

Selectman R. Leary commented that the Budget Committee is losing a vital member. After nine years, Andrew Cutter has decided to step down. Mr. Leary mentioned that Mr. Cutter is one of the most thorough members of the Budget Committee, and he will be missed dearly. The Budget Committee is on hiatus until after the Town election on March 8.

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

Nothing to report.

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

The Conservation Commission meets this week.

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

**i. Planning Board-**

Selectman K. Queenan mentioned that the Planning Board has a meeting on Tuesday, March 1, at 7 pm.

Ms. Queenan mentioned that Dar-Col Farm is still on the table. She noted that there would be a total of 64 townhomes. She added that it is really 64 homes, but the old home will stay on the property, which would be two units. The Planning Board did a site walk of the property. Selectman Queenan mentioned that they are working on traffic study at this time.

**ii. NRPC-**

Ms. Queenan stated that the next Commissioner meeting would be on March 16, at 7 pm. Ms. Queenan noted that she contacted Jay Minkarah from the NRPC. She mentioned that there was a posting on FaceBook about Albuquerque and obnoxious drivers. She noted that in the future the Town might need to put some traffic measures on Albuquerque.

**8. Items Removed From Consent / Other:**

- a. Vice-Chairman Robert Leary mentioned that he wanted to see if the Board of Selectmen wanted to start having meetings at the end of each Selectmen’s meetings like they did when John Panciaro was on the Board. Selectman Lascelles said he did not recall having these meetings and cautioned the Board about such meetings because there are RSA that regulate the way meetings are conducted in accordance with RSA 91a.

**9. Non-Public:**

Vice-Chairman Robert Leary mentioned that the Board would be entering Non-Public Session under RSA §91-A:3. II(a) - Dismissal, Promotion, or Compensation of Any Public Employee, and a second RSA §91-A:3 II(c) - Reputation. He asked for a motion to enter Non-Public at 7:36 pm.

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

**Discussion:** None

**Roll Call:**

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

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

**10. Reconvene:**

**Motion:** Selectman R. Lascelles / K. Queenan motioned to adjourn the Non-Public Session at 8:42pm.

**Discussion:** None

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

**11. Adjournment:**

**Motion:** (Selectman R. Lascelles / K. Queenan) motioned to adjourn the Public Session and seal the Non-Public minutes indefinitely because it was determined that divulgence of the information likely would adversely affect the reputation of any person other than a member of the Board at 8:42pm.

**Discussion:** None

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

Respectfully Submitted,  
Matthew Sullivan  
BOS Recording Secretary

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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Kimberly M. Queenan