

Town of Litchfield

Selectmen's Meeting

August 8, 2011

Members present: Steve Perry, Chairman
John R. Brunelle, Vice Chairman
Frank A. Byron
George A. Lambert
Brent T. Lemire

Also present: Jason Hoch, Town Administrator

5:00 p.m. Review of Paperwork and Communications

7:00 Call to Order

PLEDGE OF ALLEGIANCE

All rose for the Pledge of Allegiance.

Review of items for consent

1. Minutes of July 25, 2011
2. Yield Tax assessment on Map 4, Lot 25 and Map 4, Lots 1 & 33
3. Abatement for Map 15, Lot 33
- 4.

Selectman B. Lemire motioned to approve items for consent 1 through 3. Selectman G. Lambert seconded the motion. The motion carried 5-0-0.

Request for items – Other Business

None

Public Input

None

Administrator Report

Old Business

Conference and Meeting Expense Reimbursement Policy

Selectman G. Lambert motioned to the Board of Selectman to adopt the Conference and Meeting Expense Reimbursement Policy as recommended by Town Administrator Jason Hoch. Selectman B. Lemire seconded the motion. The motion carried 5-0-0.

Personnel Policy

Administrator Hoch wanted to chip away at review of the draft policy in parts. Administrator Hoch suggested that we discuss any questions or concerns about Section I – III (pages 1 – top of 11) first. In successive meetings, the TA and Board can go through additional sections until we are complete. The

sections contained in those sections are: The General Provisions, Equal Employment Opportunity, Sexual Harassment, Accommodation for Individual with Disabilities, Business Ethics and Conduct, Employee Classifications, Introductory Period, Compensation hours of work (which includes, payroll, overtime, time, holidays, breaks, meal periods and other reimbursable expenditures).

Administrator Hoch commented that while the Town Policy shows it age in some parts, there are other parts of it that had some good language to incorporate into the model template we received through LGC and the Devine Milmette law firm. Mr. Hoch flagged a few things. Regular Full-Time Employees; definition that he is suggesting is that individuals that are scheduled to work 35 or more hours per week. The 35 hours is the threshold that New Hampshire Retirement uses for full time. In the promotion section and the Introductory period, a segment was added to the bottom stating that all employees who have been promoted to a new positions shall be required to complete a 3 month probation period in the new position before the position is considered to be fully approved. Administrator Hoch stated that 3 months seems more reasonable than 6 months, because this is an employee that is already known and is moving within a position within the organization. There was discussion amongst the members of the Board of Selectmen and they agreed that they would like a probation period of 6 months. Administrator Hoch agreed to change the policy back to 6 months. Administrator Hoch stated that what is labeled as page ten of the document that he added a section for discussion for compensatory time; with compensatory time having the ability granted by the department head in lieu of overtime. If the various legal tests for comp. time are passed it is something that we are allowed to offer, the employer and employee must agree on how it is going to accrue and be used. It offers the possibility in some cases of not having to pay overtime. This is an overall personnel policy that applies to our non-union employees our biggest use of overtime is covered by our bargaining union contract, so our exposure and use of this is probably pretty minimal in the rest of the organization. Administrator Hoch stated that comp. time is at the agreement of the department head. Administrator Hoch will look in to see if there is a limit as to how long this can be carried and how much you can carry it.

Storage Container

Administrator Hoch and the Board had previously discussed some alternatives for the storage container by the Police Department. The case for which we were storing items was finally heard last week, with sentencing in 60 days. Assuming an additional window of time for disposition of the items stored, our best info at this point would lead is to think that the container should be able to go away in 90 days.

New Business

Appointment of Police Lieutenant

Chief O'Brion has recommended Sergeant David Donnelly be promoted to the position of Lieutenant. Administrator Hoch has passed along his letter of request. Mr. Hoch agrees with the Chief's recommendation. Administrator Hoch has included a second note from the Chief with a recommendation to place the Lieutenant at Grade 14, 20+ years which is consistent with the promotion policy, His memo also recommends keeping the vacation accrual time consistent with the current level Donnelly is at in the union contract (25 days) rather than have the promotion cause a loss of benefits. There is a difference from our policy and the Bargaining union contract so his promotion will cause him to lose 5 vacation days. Selectman Lemire stated that the only problem being is that this could cause a problem with other employees that are non-bargained for. Sometimes a risk of promotion is that you loose benefits that you had. Is this fair to the other employees to do this? Administrator Hoch stated that one suggestion may be to defer a change in vacation accrual level for a period of time. Selectman Lemire stated that he does not agree with holding up the promotion but he does believe we need to hold

up the accrual increase, until we straighten it out because he is going into the non-affiliated unit, which right now that's what the accrual is. Selectman Byron stated that he believes we should bring this individual in for an interview, we have a promotion that is for an individual who is leaving a bargaining unit and going into a supervisory management unit. It is incumbent upon this board to make sure that it understands exactly why this individual would be fit to fill this role, and one of the ways to do that is to have this individual come in for an interview. Selectman Byron also stated that the Chief's proposal is to promote him up to \$36.00 per hour. That would make him at least the second or third highest lieutenant in the state of NH for population of 5,000 to 9,999, for a person who is going into a lieutenant's role. The Salary is way out of line. TA Hoch explained this is an 8% increase which is in the policy, He is currently at \$33.27 with 8% would bring him to \$35.93; the closest spot in our scale was \$36.00. The Administrator stated that the responsibility of the Chief is read the policy and make that recommendation and follow the policy. The numbers that you are seeing are coming from the Chief based on the existing policy. Selectman G. Lambert motioned to the Board of Selectmen to interview Sergeant David Donnelly for a position with the Town as Lieutenant and that we post a notice that we will also interview other candidates who believe they are qualified at the discretion of the Chief. Motion fails for lack of a second. Selectman F. Byron motioned to the Board of Selectmen request an interview with Sergeant Donnelly at the earliest convenience. Selectman Brunelle seconded the motion. The motion carried 5-0-0. Administrator Hoch will contact the Chief and hold a non public session.

457(b) Voluntary Retirement/Deferred Compensation Program

As agreed to in the union contract, Administrator Hoch will have the necessary paperwork for the Town to provide a 457(b) deferred compensation plan (like a private sector 401(k)). Entirely voluntary for the employee to participate, this program comes at no cost to the Town (other than administrative processing of one more payroll deduction). Mr. Hoch will have a participation resolution for Monday Night. Selectman Byron stated that with 401k usually an employer has to start a management/employee committee that would select planned administrators; do we have to do anything like this? Administrator Hoch replied no, in this case we can offer different management options to our employees. Selectman Byron also asked if the Board acts as trustee of the funds in that we end up in a situation guaranteeing the funds to the employees. Mr. Hoch stated that we do not guarantee funds to the employee. The Town will need a plan administrator to interface with what ever the company the employer is working with. Selectman Lambert stated that this provides a substantial benefit to our employees who wish to save for retirement and the cost is administrative only. The implementation of this is straight forward. Selectman Lambert motioned to the Board of selectman to have Mr. Hoch move forward with this. The Motion was withdrawn. Selectman F. Byron made a motion that **Whereas**, the individuals signing below have the legal authority to take the action set forth herein on behalf of the Town of Litchfield, NH, hereinafter referred to as Participating Employer; and **Whereas**, the participating Employer has considered the establishment of a Deferred Compensation Plan, as governed by Section 457 of the Internal Revenue Code to be made available to all eligible employees and elected officials pursuant to Federal legislation permitting such plans; and **Whereas**, such benefits will act as incentives to employees to voluntarily set aside and invest portions of the current income to meet future financial requirements and to supplement their NH Retirement and Social Security (if applicable), at no cost to the Participating Employer; and **Now Therefore**, Be It Resolved, that the participating Employer adopts the Plan effective September 1, 2011. Further Resolved, that the participation of the Participating Employer's employees in the Plan shall be managed by the Plan Service Provider, who is authorized to execute for the Participating Employer, individual participation agreements with each eligible employee and to execute such agreements and contract as are necessary to implement the program. It is

understood that other than the incidental expenses of collection and disbursing the employee's deferrals and other minor administrative matters, there shall be no cost to the Participating Employer for the Program. **Further Resolved**, that the Participating Employer agrees that no employee shall be allowed to contribute more than the maximum annual contribution into the Plan. If the employer offers one or more other 457 plans, the employer shall coordinate the maximum annual contribution among all of the plans and agrees that any excess deferrals resulting from participation in multiple plans be attributable to and distributed from one of the other 457 plans, not the Plan. **Further Resolved**, that the Participating Employer will facilitate educational programs developed for use with the Plan as requested by the Plan service provider to the extent possible. Selectman J. Brunelle seconded the motion. The motion carried 5-0-0.

Other Items

As part of NRPC's regional energy purchasing planning, we compiled electric usage by bill for past 24 months. As a result of having this spreadsheet, it gave us a chance to look at comparison at Talent Hall for before and after installing energy efficient fixtures. When we went into the project, the expected annual savings was approximately \$1,300. Comparing six months of Dec 09 – June 10 and Dec 10 – Jun 11; savings is already approximately \$1,100 or 31%. The efficiency projects are fresh in mind because Administrator Hoch pulled out the estimates for other buildings and he his having Lightec update them. It may make sense to reallocate some funds for a few other projects. Administrator Hoch is thinking incinerator and Fire Department – incinerator because we're trending well in final conversion costs and waste disposal costs and Fire Department because we should be able to get ceiling repairs done for less than insurance estimate and some lighting needs to be addressed anyway. (In terms of the Fire Department Administrator Hoch expects to have a full developed plan for heat, ceiling, etc. by next meeting. Kevin has been chasing prices and alternatives. Want to review our strategy with Chief Schofield as well). Selectman S. Perry stressed that he would like to see the Fire Department heating done prior to September.

Administrator Hoch has forwarded a letter from LGC Executive Director about the issues that have been in the news over the past week. Mr. Hoch has shared his thoughts on the whole scenario previously and he stands by that line of thinking. It's disappointing to see that this is now a topic for a special session of the Legislature. The surplus in LGC Health Trust has been used to smooth over dramatic rate increases in insurance premiums over the years. If the initiative to force them to "give back" money succeeds, Mr. Hoch will likely be advising the Board to consider setting up a local reserve fund to hold that money to use to offset future insurance rate hikes which will probably be more volatile.

Administrator Hoch has passed along an article from last weeks Union Leader regarding the state's plan to cut back on some snowplowing this winter. Not clear what standard they are going to use. Mr. Hoch wanted to remind people that 3A is not plowed and maintained by the Town. Deterioration in service can be a problem since schools and fire department are located on it. We'll continue to monitor as the situation evolves.

On Thursday, Tim Kearns passed along information about Litchfield Cable TV on demand streaming site that is operating as a demo at the moment. It takes a little while to get the files uploaded. Once it has content available, we can activate a link on Town website. The rate is \$250 per month.

Selectman S. Perry temporarily left the meeting.

Selectman G. Lambert stated that he presently owns the website Litchfield NH TV and if he gave the Board ownership to it if the Board would accept the donation and linked it to the Towns website you could log all request going to it.

Selectman J. Brunelle motioned to the Board of Selectmen to accept the donation of Litchfield NH TV to the Town. Selectman B. Lemire seconded the motion. The motion carried 2-1-1.

Administrator Hoch stated that NH Retirement sent out new rates effective Aug. 1st. The rates for employers have changed. The Police rate went from 16.62% to 19.95% (the employer) went from 20.8% to 22.89%, the employee went from 11.09 down to 8.8%. A few went up and a few went down. The net impact to us is going to be about \$8,000 to \$9,000 in increase costs. There is some variability in there for police staffing and overtime. Fire would be up about \$1,100 and general employees would be down about \$5,600. However, two things; as part of the legislation, the legislator gave \$3.5 mil to Towns to offset the loss of subsidy. The Town will receive a check by October to offset the increase of rates from now through the end of the year.

Selectman S. Perry is back in the meeting.

Budget Reviews Board of Selectmen

Approved budget for 2011 is \$16,219, the changes are a decrease in public notices and adds to \$192 an increase in the clerical support line (overtime in the financial administration line) 30 meetings, 4 ½ hours (meetings plus transcription) \$15 per hour. The net change is a bottom line increase of \$1,777.

Selectman F. Byron motioned that the Board of Selectmen adjust 4130.10 - 130 (Salaries of Selectmen) from \$8,709 to \$6,000. Selectman Lambert seconded the motion. The motion carried 5-0-0. The bottom line is now \$15,287.

Selectman F. Byron motioned to the Board of Selectmen to adjust 4130 10 -190 from \$200 down to \$100. Selectman S. Perry seconded the motion. The motion carried 5-0-0.

Selectman F. Byron motioned to the Board of Selectman to adjust line 4130 10 – 899 (Background checks) from \$650 down to \$500. Selectman S. Perry seconded the motion. The motion carried 4-1-0. Selectman Byron asked Mr. Hoch to explain that the clerical expense is not a new expense but just a transfer from an item that had been budgeted at \$4193 in the Financial Administration line previously. The new bottom line is \$15,037 for a decrease of \$1,182.

Selectman B. Lemire motioned to the Board of Selectmen to approve this number. Selectman F. Byron seconded the motion. The motion carried 5-0-0.

The Budget review is now on hold.

Recreation Commission request for Impact fees for New Fields

Mr. Keith Buxton from the Recreation Commission came to the Board with the updated and finalized plans for soccer fields. One of the main things was that Mr. Buxton depicted all of the parking to show the capacity of each parking area. The parking allows us for a total of approximately 211 vehicles. The main parking area works pretty well for the 139 vehicles and next to the Tennis Courts on either side there is an overflow of parking, combined is 72 spaces for vehicles. We added all future amenities (things that we would like to include in the project that we are not necessarily focusing on right now) those are all listed on the second page of the itemized sheet. The main focus is to get the fields in place

and to do that we need the drainage and the parking. All the fencing has been depicted, for the most part as it will be once it is all installed. There will be a perimeter fence around the field area which is just a low guardrail type fence to keep vehicles off the field area. Chain link fencing along the west side at the Highway Department property line and along the south side as well up to the from the corner up to the wet lands. We are in agreement with Fallon Estates and Denise Sullivan is here from Fallon as a representative that we will install up to 1,100 feet of minimum 5' chain link fencing along the south property line, the 1,100 ft. takes us up to the wet lands. There is a possibility of a pavilion and play structure and the addition of Tennis Courts and possibly Basketball and a utility shed to house not only the field equipment that would be necessary for the leagues, but also for the possibility of a pump system for the irrigation. The emergency access road as a cost saving measure, we initially had that coming off incinerator road and then as it entered the field area it went up the west and north across the north side of the fields allowing full access around the fields. We eliminated that, it was going to cost somewhere around \$15,000 to \$20,000 just for the material. We put in a turn around area so that if an emergency vehicle had to come in and turn around they could turn around they could back around to get back out to incinerator road. We did receive the DES alteration of terrain permit, so that is complete. We did check on the width of the roads and we are okay with that. The main idea with this is that we wanted to ensure that we had some sort of a turn around for emergency vehicles. Selectman Byron question Keith about gates on the fencing for emergency personnel. Keith stated that coming off on both ends of the Incinerator Road access that will be gated accessible by only emergency personnel and authorized personnel. On the drop off circle there will be a gate there as well. Those are the main changes, and what we wanted to do tonight was do a final review on the overall plan and approval on that as well as the approval of the use of the impact fees to complete the project. The number that we request is the total cost of the project and as it stands now there are not the impact fees sufficient for that but as we go in the future we would like to be able to use impact fees for those items. Right now we are requesting the total amount of available impact fees up to \$295,000. Selectman F. Byron stated that if they were to make a motion they would best be suited to making the motion to approve the full project, phase I phase II with the stipulation that we are dedicating \$295,000 in current impact fees to this with the rest to be taken from impact fees in a later date and time. Selectman F. Byron questioned Mr. Buxton that when he appeared before the Board the last time he had asked for additional funding through impact fees for engineering in terms of the pump, and you were going to study the pumps that were already in place at the highway garage, Mr. Byron's question was that he didn't see anything in here saying that they needed pump for the field irrigation, but are you sufficiently equipped with the highway pump? Mr. Buxton stated that they had a test done today but he was not able to speak to the well company. He is not sure on the details on that. Selectman Byron asked that if he needs a separate pump are the impact fees he is requesting going to be able to cover him on that. Mr. Buxton stated that all those costs are incorporated in that. Administrator Hoch wanted to clarify that Mr. Buxton's \$293,000 number is available impact fees as well as the money that the Board accepted for timber harvest so any commitment that you would make needs to be noted that it is impact fees and previously accepted money for timber harvest. The Rec. Commission has encumbered more than they have use for at this point. Administrator Hoch stated that the impact fees are somewhere around \$233,046.28, however we have previously encumbered for this project \$28,250. Selectman F. Byron motioned to the Board of Selectmen that the plans dated 4/15/2011 for the construction of recreational facility at Tax Map 18, Lot 79, Phase I and Phase II are appropriate for the use of Town impact fees for construction and that the Town will dedicate as partial payment for that program \$233,046.28 of existing impact fees and will dedicate \$34,236.49 in money accrued from the cutting of timber on that site. Selectman

Lemire seconded the motion. The motion carried 5-0-0. Selectman F. Byron congratulated the Recreation Commission as well as the abutters for working together for a job well done and helping the Town out in getting some additional recreational facilities. Selectman Lemire also congratulated everyone on a job well done.

Budget Administration

Administrator Hoch stated that the increase here is his contract increase in the salary line, health insurance is down slightly, and dental insurance is up slightly. Short term disability is something that he would like to shift all to personnel administration. In July we switched carriers. Our billing from them is calculated globally to \$755.00 a month for all covered people. The bottom line is \$97,568 which is an increase of \$1,219.00. Selectman F. Byron made a motion to put a bottom line number for Administration account 4130.20 for 2012 and submit to the Budget Committee an amount of \$87,568. Selectman Lemire seconded the motion. The motion carried 5-0-0.

Town Clerk

The Deputy Clerk, Clerk and Town Clerk lines are three salary lines which all reflect movement in the schedule based on longevity. Health Insurance and dental insurance reflect premium changes. Public notices and ads remain unchanged. Software support is kept the same; we don't expect a huge increase. Office supplies have dropped by \$350.00. Postage (mailing of renewal notices) dropped \$700.00. Election provisions were moved up because 2012 is a four election year. Mileage and tolls reflects the increase in rate. Seminars and conventions capture the annual conference and spring work shop. The bottom line change is an increase of \$1,371.00 and increase from \$90,295 to \$91,666.00. Selectman F. Byron motioned to adjust account 4140.10 120 (Clerk Wages) from \$14,122.00 to \$12,314.00. Selectman Lemire seconded for discussion. Selectman Byron stated that right now the State legislature has taken the option of having registrations done rather than at the Town Clerks office at the car dealerships. He is estimating that approximately 10% of the vehicles that are purchased are new. Mr. Byron's recommendation would be to drop the hours of the Clerk from 32 hours down to 29 hours per week. Administrator Hoch pointed out that while the legislature has approved this it is the first year is a demonstration plan it is not necessarily a done deal yet. We are unclear that we will be participating in their first demonstration year. Selectman Lambert stated that he believes it is really bad policy to say we think 10% of the automobiles are new so this department is going to do 10% less work so let's cut this salary by 10%. Mr. Lambert objects. Selectman Lemire moved the question. The motion fails 1-4-0. Selectman Lambert motioned for the Town Clerk budget for the year 2012 \$91,666.00. Selectman Brunelle seconded the motion. Selectman S. Perry motioned to amend the bottom line to \$91,667.00. Selectman Lambert seconded the motion. The amendment carried 4-1-0. The amended motion carried 4-1-0.

Legal Expenses

What Mr. Hoch has budgeted right now is our contract with Page Hodes, 22 hours a month, the contract is through 2-11-2012, budgeted \$39,600.00. The supplemental services are kept unchanged at \$9,600. The \$5,000.00 for cable franchise negotiation was removed. The Merrimack Valley Regional Water District was retained (legal and operating expenses). Selectman B. Lemire motioned the Board to

approve \$54,200.00 for legal expenses. Selectman Lambert seconded the motion. The motion carried 5-0-0.

Town Insurance

Our premium this year was \$61,645.00, our multi-year agreement with LGC says our increase will not be more than 9%. \$67,193.00 is 9% more than what we paid this year. Selectman B. Lemire motioned to the Board to approve \$67,193.00 for Town Insurance. Selectman S. Perry seconded the motion. The motion carried 5-0-0.

Street Lighting

A decrease of \$700.00, the budget was lowered last year in anticipation of making the conversion changes to the more efficient system. Administrator Hoch is recommending going from \$14,700.00 to \$14,000. Selectman F. Byron motioned to the Board to approve account 4316.30 (street lighting), account 410 for the amount of \$14,000.00. Selectman Lemire seconded the motion. The motion carried 5-0-0.

Welfare

Bottom line unchanged of \$20,000.00. Selectman B. Lemire motioned to approve \$20,000.00 for welfare for the year 2012. Selectman F. Byron seconded the motion. The motion carried 5-0-0.

Debt Service

Selectman F. Byron motioned to the Board account 4723.10, account 981 to set at \$1.00 for debt service. Selectman B. Lemire seconded the motion. The motion carried 5-0-0.

Selectman Committee and Community Reports

Selectman S. Perry has a meeting with the Recreation Commission tomorrow night at Town Hall.

Selectman J. Brunelle stated that they had a Conservation Commission meeting last Thursday and the topic was the water levels at Darrah Pond.

Items Moved from Consent

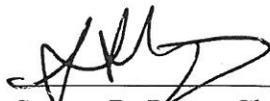
no items moved

Other Business

none

Selectman B. Lemire motioned to the Board to adjourn the public portion of the meeting. Selectman J. Brunelle seconded the motion. The motion carried 5-0-0.

The public portion of the meeting adjourned at 9:18 pm.



Steven D. Perry, Chairman



John R. Brunelle, V. Chairman

