

Town of Litchfield

Selectmen's Meeting

July 09, 2012

Members present: John R. Brunelle, Chairman
George Lambert
Frank Byron
Brent Lemire
M. Patricia Jewett

Also present: Jason Hoch, Town Administrator

5:00 p.m. Paper work review

6:00 Call to order

Review of items for consent:

1. Minutes of June 25, 2012
2. Approval of Accounts Payable Manifests for payment July 10: ratification of Accounts
3. Payable manifest for payment July 3
4. Approval of Payroll Manifests for payment June 12 and prospective Payroll Manifests for payment July 19
5. Wage classification change
6. Intent to Cut – Map 5, Lot 145

Selectman F. Byron asked to remove from the consent items the minutes of June 25, 2012

Approval of Consent Items

Selectman B. Lemire motioned that the Board approve the remaining items listed under consent. Selectman F. Byron seconded the motion. The motion carried 5-0-0.

Request for Items – Other Business

Frank Byron – update Planning Boards Application for Grant

Treasurer regarding Investments - Sharon Harding-Reed

Administrator Hoch stated that the investment policy has a clause in it stating that the Treasurer shall meet with the Board to discuss investments, banking and to investigate whether or not we are in a position to revisit any part of that and to generally bring the Board up to date. Sharon stated that she just met with Lynn Baxter and George Dow from TD Bank last week and there have been a few things changed so that the Town gets more interest. Everything is going to be on line. Selectman Byron asked Sharon how she got us more interest. Sharon stated that they put \$3 million into a 90 day CD and that gets .35% interest. Sharon stated they opened a new money market which has no money in it right now but is going to be .30%. Selectman Lemire asked where the money will come from for the money market. Jason Hoch explained that what the Town has now is a basic checking account that you have a target balance that in theory offsets the fees. The target is \$950,000 and everything over that goes into a sweep account which gets a slightly higher amount of interest. With this restructured instead of having

the automatic sweep, it is a manual transfer in and out from the cash accounts (the money market) so the money market gets a higher rate of interest. It is what we have from the General Fund coming in and when Sharon mentioned the \$3 mil, this is the time of the year we have the most money right after tax bills are due, so this was moved over for 90 days and then we will probably due the same type of thing in December. Right now the best rates they are offering are the three month CDs. Sharon stated that the impact fees are going to remain in another CD that does not mature until July 2013 and that is at .35% right now. Administrator Hoch also wanted to point out that because we are working through the Government Banking division and they are a bank with a New Hampshire presence and are aware of what our state legal requirements are for what is allowed and the collateralization requirements. When we say we just put \$3 mil in a CD that is collateralized based on the requirements we have to meet under state law. Sharon stated that she has \$10 mil collateralization right now. F. Byron asked what instruments are they using to collateralize. The Treasurer did not have the specifics at hand but stated that yes; all of our deposits at TD Banks are collateralized at \$10 mil right now; she thought it may be via the Bank of Philadelphia. Selectman Byron asked Sharon if she has any delegations in terms of any of her functions; Mr. Hoch said yes the Board approved those, the deposits, transfers; Terri, Claire, Pat and the Deputy Treasurer who are all bonded through our insurance with LGC Property Liability. Those positions are specifically called out in the DRA Administrative rules requiring them to be bonded. Selectman Byron stated that there is a requirement in terms of the investment we have in our policy that says "less 1 year or under is 100%, so the max we can have in terms of age is 1 year, 90 days is 50%." Sharon stated that she had a CD that was longer but could have closed it out at any time without a penalty.

Road Agent regarding Cutler/Page Project and possible truck ban on Cutler Road

Jack Pinciario stated that the road has been completely cut down, there are still 3 ½ feet at the telephone pole that has to come down. When it is finished, the height will be the same as the driveway is. Cable was in today and strung some new lines; we are waiting for Fairpoint to come in and move the telephone pole, the electrical has been already done, the streetlight has been moved over. There has been a lot of good feedback. The culvert was dug out today; Page Road is closed until Friday from Cutler to the end of the guardrail. The box culvert is partially there today, as the week goes on there will be more parts coming in. By Friday, the road will be done and open, not completed, but opened. Jack stated that the project is going very well; they are either at budget or slightly below.

Jack stated that if you go down Cutler Road coming from 102 and get to the 55 and over community there is roughly 20 feet (width) of the road, as you get down to the second 55 and over community the road width narrows down to 18 feet. The sides of the road are basically gone and broken up from the big trucks and the high traffic volume. Jack mentioned that a trailer came over while they were working on Page and the driver could not make that left hand turn out of Cutler to go down Page Rd. Public Service was all set up to remove the poles; they had to break everything up to get this trailer through. The road needs to be fixed, but we need to get the big trucks off the road. Selectman Brunelle stated that we are talking about just eliminating commercial trucks. Selectman Lemire stated that to his knowledge once you post a road or restrict a road, he believes under RSA, the Road Agent has to be consulted and give permission for a truck to go in to make a delivery. Jack stated he talked to the Police Chief who is in total favor of it. Mr. Brunelle stated that if everyone who needs to be involved in this decision agrees to it, we should move this forward to ban commercial thru trucking. Mr. Hoch will put together a draft for

the next meeting.

Jack also wanted to state that the new truck came in today and is in the garage. Jack has all the paper work at the garage.

Public Hearing – Acceptance of Volunteer Fire Assistance Funds of \$599.90 and \$202.15

Mr. Hoch stated that the Board needs to open public hearing, get the public input and close public hearing and then if the Board is so moved following the public input, accept the grant and appropriate the funds received for the purposes of protective equipment purchases, and authorize the Fire Chief to sign any documents related to the grant. No members of the public are present. Public hearing is closed. Selectman B. Lemire motioned to accept the volunteer fire assistance funds of \$599.90 and \$202.15 and to further authorize the Fire Chief as the agent to expend the funds and sign any documents that need to be signed in relation to this grant. Selectman Lambert seconded the motion. The motion carried 5-0-0.

Approval of Loan Resolution for Dump Truck Lease previously authorized

Mr. Hoch has all the paper work in the folder, Mr. Hoch stated that there are a couple of things on this; there is the actual lease agreement, which has been reviewed by counsel - this is the document that would formalize the vote the Board took earlier this year, there is one page that needs a signature from the Board on that, there are several pages that Mr. Hoch can sign and there is a loan resolution, which is a resolution that the Board needs to authorize and in this case, based on the authorities in it, you are going to be authorizing the Treasurer to do this. That resolution authorizes the Treasurer to enter into the agreement and then if approved, John, as Chair, would sign the bottom reflecting the Board's vote. Selectman B. Lemire motioned to accept the resolution for the loan agreement for the dump truck lease as previously authorized and to authorize the Treasurer to act in appropriate behalf to execute the paperwork. Selectman P. Jewett seconded the motion. The motion carried 5-0-0. Selectman B. Lemire motioned to accept the lease agreement for the dump truck. Selectman F. Byron seconded the motion. Selectman J. Brunelle asked Mr. Hoch to outline the lease for the record. Mr. Hoch stated the it is for \$45,000, with three payments the next three years; the first payment being July 9, 2013. It has an interest rate of 3.66% and each lease payment is \$16,130.21. The lease, as required by law, contains a non-appropriation clause which has been reviewed by Town Counsel. The motion carried 5-0-0.

Administrator Hoch asked the Board to authorize him to sign on the Board's behalf reflecting their vote. Selectman F. Byron motioned that the Board of Selectmen vote to authorize Jason Hoch, Town Administrator to sign on behalf of the Board for the lease of a truck for the Town. Selectman P. Jewett seconded the motion. Selectman G. Lambert motioned to amend the motion to specify this particular lease vehicle (2012 Ford F450) dated July 9, 2012. Selectman F. Byron seconded the amendment. The amendment carried 5-0-0. The amended main motion carried 5-0-0.

Public Input

No members of the public present.

Administrator Report

New Business

Simunitions Training

Administrator Hoch attended the simunitions training that LGC put on for members of our Police Department. It was a group of scenarios that all involved use of force; LGC had three instructors, a safety officer and other staff as actors in the different scripted scenarios. They are all drawn from actual incidents in NH, so there is a reasonable expectation that our officers could encounter something like that. They ran each item, debriefed and ran a second time and the reviews had certain key lessons as well as tactical training as well as risk mitigation. All of the officers who participated spoke very highly of the value of the training. Officer Sargent said it was the best training he had done. Selectman J. Brunelle mentioned that he heard back from approximately half of the officers who attended the training and they were all ecstatic, to the point they would like to see it happen more on a regular basis.

Workers Comp Premium Holiday 2012-2013

Administrator Hoch stated that Primex has agreed to return part of their surplus in the form of what they call a premium holiday; basically we are getting a credit of \$24,000 towards our workers comp insurance. We pay monthly so we will no longer be making payments in 2012. We had about \$11,000 to pay towards this year's premium, so next year we will start with a credit of about \$13,000. This year our overall cost was \$44,000. We are not getting a check, we are getting a reduced cost for next year.

Pistol Permit order

We have a pistol permit and normally the process on this is that the Chief will review, those that are recommended for approval are part of the paper work the Board will review and if no issues occur the Chair will sign. We had an issue where the Chief did not recommend issuance of a permit. The applicant appealed that to District Court, the Chairman of the Board went to District Court, and the end result is that the District Court has ordered the issuance of the permit. There is no further appeal, so whether the Board agrees or disagrees, the court's order is what it is. There is no appeal. Selectman F. Byron motioned that based upon the order issued by the Judge, dated June 11, 2002 against the wishes of the Board of Selectmen, the Board of Selectmen will hereby issue a permit to individual permit number R477878 effective immediately. Selectman G. Lambert stated that this does not need to be seconded, The Board of Selectmen has been issued an order by a Judge to actually comply with the issuing of this concealed carry permit, if the Chairman does not wish to sign this permit, Mr. Lambert stated that he would happily sign this concealed carry permit because under the law as written, it is the right thing to do. Selectman J. Brunelle stated that it has already been signed. The motion failed due to lack of a second. Selectman Lambert motioned that the Board of Selectmen supports the Chairman signing this particular document under court order and is happy to suggest that the House of Representatives reviews the policy by which our Chairman is being forced to sign a document contrary to the wishes of our Police Chief. Selectman B. Lemire seconded the motion. The motion carried 5-0-0.

Selectman B. Lemire expressed concern that there is no appeals process. Selectman Brunelle questioned why the Judge isn't signing it; it is his authority that is doing it based on going against all of the recommendations of law enforcement.

Old Business

Revised Chart of Accounts

Mr. Hoch completed revising the Chart of Accounts and has shared with the Board. It is more streamlined. The object codes have been reviewed for consistency between all departments. There is

a reworking of revenue account numbers, which are pretty much internal benefit more than external reporting.

Other Items

Tax Bills Paid from escrow

Mr. Hoch stated that one of the things that he has discussed with the Tax Collector and never tracked at the right time is the number of tax bills that are paid from escrow accounts. This year they reviewed the data and there are 1,400 bills of around 3,000 that are paid through escrow. The interesting part is that this means around ½ of our tax payers will see a lag whenever we have taxes go up or down since there is an additional lag time until their escrow account catches up to it. Selectman J. Brunelle asked what the current pay percentage right now, he thought it was about 95% – 96%. Mr. Hoch stated that he believes that is around what it is.

Prison Community Service Program

Mr. Hoch stated that with the changes in the County Corrections budget it looks as if the Prison Community Service Program will not be available to us this fall.

Selectman J. Brunelle stated that as a result of recent NH Retirement announcement, our Fire Chief began to get e-mails in regards to his tenure ending in this Town. Basically he is getting copies of the new policy saying that he will have to leave Litchfield. It came from an anonymous AOL account and the service provider has been contacted and that account has been identified to be shut down. We believe it has been shut down; there have been no further notices. Mr. Brunelle stated that the only reason he brought this up is because he believes the new Fire Chief has been doing an excellent job and he has spoken to a bunch of the officers and some of the firefighters over the weekend and the morale is upbeat and they are excited about the changes coming down. Mr. Lemire also stated that he has been hearing a lot of positive feedback from the firefighters and non-fire fighters who have interaction with the Chief.

Selectman G. Lambert motioned to the Board of Selectmen thank the Chief for all of his hard work and the unification of the department that we have seen so far, and would like to express the Board's wishes that he continues to do such a fantastic job. Selectman B. Lemire seconded Selectmen Lambert's motion of support. The motion carried 5-0-0. Mr. Hoch will draft up a letter.

Selectmen Reports

Selectman J. Brunelle mentioned that he attended the last Budget Committee meeting and there was a lot of discussion about the upcoming budget season and process, also regarding the pending changes of their account tables; there has been a lot of discussion about Town Meeting and how that is going to get organized and presented. Mr. Brunelle stated that the Budget Committee has taken position where they would like to present the Town Budget. Their position is that it is their budget and they would like to present it. Mr. Byron stated that he is okay with it provided that the Board of Selectmen are able to speak to explain or clarify. Mr. Brunelle stated that their position was that they would get up and talk about the article (the dollars and cents). The Budget Committee wants to make it more of a neutral position. Mr. Byron stated that the situation he believes that is going to develop is that Mr. Harte is going to get up there and is going to present, probably pretty much the same format as before; there is going to be a bunch of questions that Mr. Harte is not going to be able to answer, and the Board of

Selectmen will have to go up there and address the questions. Mr. Brunelle thinks the issue from a process prospective is when we present ,we cover the questions that we anticipate that are going to come up. Mr. Brunelle stated that the other thing that came up was during the budget review process, Mr. Spencer was very adamant that he didn't want our Town Administrator presenting the Department budgets, he want the Department heads presenting the department budgets. Mr. Lemire does not believe the Budget Committee should be able to dictate who is presenting. Mr. Byron stated that they can request information from any department, so his point is Mr. Hoch is capable or more so than some department heads, what he want to make sure is that the department head that is there gets their say so. It is up to us to decide who we want to present the Town's budget. Mr. Brunelle stated that his comment to them was that we want our Town Administrator to present the dollars and cents; the Department Heads are there to support and answer any questions in regards to their budget. The way we have been doing it has been consistent. Selectman G. Lambert motioned that the BOS take a position to support our Chairman that says that our Town Administrator will present the budgets with the assistance of the Department Heads. Selectman P. Jewett seconded the motion. The motion carried 5-0-0.

Selectman P. Jewett stated that she will be attending the Conservation Commission meeting tomorrow night, Tuesday, July 10th.

Items moved from consent

Minutes of June 25, 2012. Selectman G. Lambert motioned to approve the minutes of June 26, 2012. Selectman B. Lemire seconded the motion. The motion carried 4-0-1.

Other Business

Planning Grant

Selectman Byron stated that there was a letter that came into the Town dated July 2nd about the NH Community Planning Grant round one application that the Board of Selectmen approved on behalf of the Planning Board to submit which was a request to fund a total revision of the business, commercial and industrial, transitional and residential districts in town. The Grant committee reviewed that and denied our request, so we are out of the running for that grant.

Selectman B. Lemire motioned that the Board goes into non-public session per RSA 91:A:3II(C). Selectman P. Jewett seconded the motion. Roll call vote: Mrs. Jewett – yes, Mr. Byron – yes, Mr. Lemire – yes, Mr. Lambert – yes and Mr. Brunelle – yes. The public portion of the meeting adjourned at 7:45 pm.

Approved July 23, 2012