

TOWN OF LITCHFIELD BOARD OF SELECTMEN

May 28, 2013

Selectmen's Meeting

Members Present: John R. Brunelle, Chairman
Frank Byron, Vice Chairman
M. Patricia Jewett
Kevin C. Bourque

Members Absent: Brent Lemire (excused)

Also Present: Jason Hoch, Town Administrator

5:00 p.m. Paperwork review
5:45 p.m. Non-Public Session per RSA 91-A:3 II (c)
6:00 p.m. Call to Order

Pledge of Allegiance

Review of Items for Consent:

1. Minutes of May 13
2. Announce approval of property tax warrant in amount of \$7,995,072.50
3. Approval of Accounts Payable and Payroll for week of May 28
4. Prospective Approval of Accounts Payable and Payroll for week of June 3

Approval of Consent Items

Selectman J. Brunelle reads aloud the Items for Consent

Selectman F. Byron **motioned** for the Board of Selectmen to approve items for consent

Selectman P. Jewett **seconds** the motion. **Vote carries 4-0-0.**

6:01 pm Selectman J. Brunelle excuses himself from meeting - Vice Chairman F. Byron continues meeting

Request for Items - Other Business

Selectman F. Byron would like to discuss energy efficiency and internet connections at the Highway garage.

Public Input: No members of the public were present

Administrator Report

New Business

Right Of Way Off Page Road

Administrator Jason Hoch mentions that this topic was brought to his attention by Selectman F. Byron about a week ago. The Town received a request from the new owner of the lot between Cutler and Page Roads (last know as Rolling Acres) regarding the right of way off Page Road that is across from Aaron Way. When this subdivision was first approved in 2003, this area was noted as reserved for the Town for a future road. Right now, two properties are served via a common driveway and a road was never built. Unfortunately, no deed was ever provided to the Town, but the right of way on the approved plan has been consistently referenced. Jason mentions that there also was never actually a road design either. He states that the current issue is that the new property owner would like to build the Town road. Jason is trying to clarify the process for this and has pulled together the relevant documents for Counsel to review and to confirm the process. In response Attorney L. Spector-Morgan states that she reviewed the documents that were provided, as well as the original approved subdivision plan that is recorded at the Hillsborough County Registry as Plan No. 33026. She mentions that the access easement in question “ 50 ft. access and drainage easement (possible future roadway to be know as Weatherstone Road) with 15 ft. easements on either side for construction and slope purposes.” This is believed to be sufficient dedication of the easement for highway purposes, and if the Town can get the new owner of the abutting property to construct the road, the Town may then accept it.

6:06 pm Selectman J. Brunelle returns to meeting

Administrator J. Hoch states that Counsel cleared up the Town’s responsibility. He goes on to state that the request to the Board is to ask the property owner to construct the road with the guidance and review of the Road Agent.

Selectman J. Brunelle makes a **motion** for the road to be constructed as stated.

Selectman K. Bourque **seconds** the motion.

Selectman P. Jewett questions the wetlands on the property and the contour of the land.

Selectman F. Byron states that the houses are already built, there are two spur roads that come off of Page Road and go back about 300 ft. they are on sandy soil with no wetlands.

Homeowners have purchased their homes attached to these spur roads and unfortunately the way these 2 roads were constructed they were not part of phase one, so they do not have an approved road. By constructing a road, the homeowners can put in their driveways off of an approved roadway and allow access to their properties as they should have been. This is a problem that happened back in 2003 with the Planning Board’s approval. Selectman F. Byron requests that he receive a copy of these plans so that he may give them to the new property owner so he can go forward and construct the road.

J. Hoch states that none of the approved plans showed any road design. However, there are a set of plans for a proposed phase that had a road design, but that was never approved.

Selectman F. Bryon urges the Board to accept this road, due to the homeowners in this area having all kinds of problems accessing their homes as they should. Especially due to this being the fault of the Town at the Planning Board level of approval which created the situation.

Vote carries 4-0-0.

Selectman J. Brunelle asks Jason for the Road Agent to make the request on the Board's behalf. Selectman B. Byron states that this is at no cost to the Town, the Developer will be constructing this road.

Raffle Permits

Administrator J. Hoch mentions to the Board that the Town does not have a structured process in place for approving charitable raffles which the Town should based on RSA 287-A. He tells the Board that the RSA states that any charitable organization desiring to conduct a raffle under the provisions shall first obtain a permit therefor from the Selectmen or designee of the Town. Jason mentions that it appears to have been done sporadically over the years, but would recommend that the Town implement a simple form for approvals. He also, would suggest that since the law allows for the Selectmen or designee to issue the permits, that the Board designate the Police Chief and the Town Administrator to be the designees. These forms and approvals should be fairly straightforward and can be handled administratively.

Selectman P. Jewett asks if there will be a fee attached to these permits and does this rule include all organizations.

Jason states that there will be no fee charged for a permit. Also that this is a law that already exists; he is just putting the process into effect for the Town to follow.

Selectman F. Byron states that he would like to make the Board aware the RSA for Charitable Organizations reads that it only applies to a 501-C Organization that has been in effect for 2 years. So if the organization is in operation for less than 2 years it does not need a permit.

Selectman J. Brunelle states that most organizations are 503-c(3)'s that should have permits. He also asks Jason what brought this item up for discussion.

Jason states that someone from Town asked if a permit was needed for a raffle, he knew it was a law and felt the Town should have a process to proceed with this in the future.

Selectman J. Brunelle asks how will it be enforced and if it can't why create the process.

To which Jason replies because it is a State Law and the Town needs to comply. Jason mentions that the law does not require the enforcement of penalties or fines, so there is no need to police the issue. However, there should be a policy in place for the Town to follow.

The Board discusses some ideas for notifying Organizations of the permit process, such as putting it on the Town Website, mailings etc.

Selectman J. Brunelle makes a **motion** to approve the permit application as provided effective July 1, 2013, with no fee being required.

Selectman K. Bourque **seconds** the motion. **Vote carries 4-0-0.**

Administrator J. Hoch asks the Board who they would like to have as designee.

Selectman J. Brunelle makes a **motion** to have the Police Chief and Town Administrator as the designee for the permits, as long as it is in the Board of Selectmen's correspondence that it has taken place and approved.

Selectman P. Jewett **seconds** the motion. **Vote carries 4-0-0.**

Public Input

Selectman F. Byron asks if the Board could take a moment due to the fact that a member of the public Tyler Matthews just joined the meeting. Selectman F. Byron states that Mr. Matthews lives off Page Road in the right of way area that was discussed earlier in the meeting. He notifies Mr. Matthews that the Board approved the construction of the road. That the Road Agent will be the manager and the property owner will be doing the construction. He mentions that he has asked for the plans to be given to him so that he may forward them to the property owner, and the road construction will go forward from there.

Tyler Matthews asks the Board if there is a plan for this road to be recognized by the Town as soon as there is asphalt, because he is concerned if the road is not completed by Winter.

Selectman F. Byron states probably not until it is designated and approved by the Town. But that it will be plowed and maintained by the Developer until approved and accepted by the Town.

Selectman P. Jewett asks if the Developer will be required to put up a bond for the road.

Selectman J. Brunelle states that it is policy, but it will be up to the Planning Board to approve requirements and procedures for the road to be accepted by the Town.

Road Repair

Administrator J. Hoch discusses that over the past 2 weeks, the Highway Department has been doing extensive shoulder and patching work. They have dealt with a number of problems in the north end of Town. The Department has been trying to stretch pavement life longer and protecting from further edge damage. Also, they have cut and filled some lingering potholes in the area (rather than just applying more patch). Jack rented a roller for 2 weeks to have the proper equipment to complete this job correctly. Jason mentions that Jack and he discussed renting the roller equipment again later this year to devote more time to this, trying to get as much bang for the buck from the Towns pavement maintenance budget. Also working through the encumbrance and current year budget for gravel.

Old Business

FEMA Reimbursement

Administrator J. Hoch tells the Board that the paperwork for the February snow storm has been finalized and approved with \$32,740.11 as eligible costs. Stating this should return approximately \$26,000 in reimbursements to the Town, (with the 80% split taken into consideration). He states that the majority of the funds will be going to the Highway Department to cover the large amount that was paid out from their budget, remainder will go into the General Fund to offset taxes.

Fireworks Concerns

J. Hoch states that it appears the the permitting of fireworks under the RSA that was talked about at the last meeting does not apply. He states that there is a class of fireworks called "Permissible Fireworks" which is kind of everyday fireworks thought of in backyard celebrations. These types of permissible fireworks are not subject to the issuance of permits at all. Jason shared an article from Town and City magazine from 2008 stating that if there is no regulation regarding fireworks within a municipality does that mean anyone can use this type of

fireworks. The article states no, only those 21 years of age or older may possess or display “permissible fireworks” on private property with the written consent of the owner of the property or if the owner’s present. J. Hoch mentions he did send a note to the Municipal Association asking if anything has changed since 2008 when this article was written, that would not make this still applicable. The Associations response was that there has been no change to the RSA. Administrator J. Hoch also discusses that he shared information about how Londonderry is contemplating handling Class C (permissible fireworks) by tying it into a time limit for use that will be in accordance with the Town’s noise ordinance.

Selectman P. Jewett asks if Londonderry has received complaints regarding this matter like Litchfield has. To which Jason states that yes in their article they mentioned they received 200 calls from neighbors.

Selectman F. Byron mentions he would like to state that the Londonderry fireworks display that Litchfield had complaints about was not consumer fireworks it was a commercial display. He goes on to mention that he downloaded the States Fireworks Enforcement Guide and read through that as well as calling the State Fire Marshal’s Office. He states that any firecracker is not an approved firework for any consumer to have, that includes bottle rockets as well. These are considered illegal fireworks not permissible fireworks.

Selectman J. Brunelle states that if they are not consumer grade fireworks then why are they sold in New Hampshire stores.

Selectman F. Byron mentions that according to the State documents that he reviewed it states on page 11, that non-permissible fireworks (firecrackers and bottle rockets) cannot be in the possession of any individual and if set off on property they are violating the law, and believes that this is considered a misdemeanor. Selectman F. Byron states that the Fire Marshal’s Office believes that what neighbors are hearing are a type of fireworks that are “launched from a box” and those are permissible under RSA 160-C. He states that he spoke to the Office regarding enforcement and they stated the Town can do what it chooses as a Municipality. F. Byron received a list of what all the Municipalities in the State permit or may prohibit within their area. For example a Town can regulate time of day, month or a special occasion (Red Sox’s winning the World Series), some Towns are attaching a noise ordinance with this as well. Selectman F. Byron’s recommendation to the Board after his discussions and research are that the Town enforce that an individual is not allowed to set off “permissible fireworks” anytime before 10 a.m. and no later than say 10 p.m. because a firecracker’s are banned by law.

Selectman J. Brunelle states then what is the definition of a firecracker

Selectman F. Byron answers by stating that he also has the 2001 APA Standards 871 which is the approval and transportation of fireworks and pyrotechnics which states that a firework is a small paper wrapped or cardboard tube containing not more than 50 milligrams of explosive compositions and those used in aerial devices can not contain more than 130 milligrams of explosive composition.

Selectman J. Brunelle states he is fine with creating a noise ordinance but is not comfortable with creating a permit process. He feels it is unnecessary.

Selectman F. Byron is for implementing a noise ordinance not exceeding 75 decibels at the property line. The Board members ask how will the Town police such an ordinance. Selectman F. Byron states that the Town already has a zoning noise ordinance on the books.

Discussion continues regarding time of day to implement, how to enforce, are the few complaints reason enough to move forward with regulations. The final decision is for Administrator J. Hoch to seek out other Towns and see how they regulate and enforce a noise ordinance or permit process in their Community, and report back to the Board the results by the first meeting in July.

Pay Plan

Administrator J. Hoch mentions that he received some feedback from Board members as requested. He states that they are getting a little closer to having answers for a few concerns, such as more flexibility with merit, rather than just rewarding for another year of service. Jason feels they can still implement a program with ranges, and at each review interval the individual would be eligible for an adjustment (example 0-5%) that would be based on that person's merit. He states that the ideas still need some work, but they are getting closer. He still needs answers and would like the Board to think about there being an administrative factor in the decision to do a review for merit. There has to be an evaluation and assignment of that evaluation and how will these duties get divided amongst the administration. He states that the Board would not want to evaluate every employee of the Town.

Selectman J. Brunelle states that the Board does not see every Town employee so would not be able to evaluate and make such merit decisions. Feels this should be done by the Department Heads/ Managers that work with these individuals on a daily basis. But the Board will have final approval on these decisions.

J. Hoch mentions that he would like the Board to look at the market adjustment part, numbers need to be based somewhere within the market as discussed prior. He agrees that none of the models discussed were great. But he has based his data on New Hampshire Municipal Association (NHMA) information, has found it to have flaws but to be the best source at this point. However, the only problem with this is that the Annual Wage Update will be done every 2 years instead of annually.

Selectman J. Brunelle agrees and feels it will probably be the best source and would work. So he wants to clarify that Jason would like the Board to start thinking about the evaluation process and return feedback on their ideas, so a better framework can be put together.

Administrator J. Hoch states he has enough information to start working on the chart and constructing some ideas for a program.

Selectman J. Brunelle mentions that this step process has been a work in progress for 5 years, and the evaluation framework has always been where they get hung up. So he would like the Board to do some homework and really think about ideas as to what they feel will work or not. Would like to have members take a look at private sectors or ask LGC for comparisons to existing programs.

J. Hoch states that they need to find a balance also with delegation between the Board, Administration and himself. Previously in his other assignments he handled everything, everyone worked for him so he was the only person needing to make decisions. So finding a balance as to the Boards involvement and when to handoff duties to others is something that also needs to be decided upon. Decision was made for the Board to do some more homework on their opinions and what they would like to implement and to get those ideas back to Jason.

Records Retention Policy

Selectman J. Brunelle asks the Board if after reviewing does anyone have a problem with the records retention policy as it is written.

Selectman J. Brunelle makes a **motion** to approve the records retention policy as presented effective July 1, 2013.

Selectman F. Byron **seconds** the motion. **Vote carries 4-0-0.**

TA Contract Amendment

Selectman J. Brunelle reminds the Board this is Administrator J. Hoch deferring his contracted salary increase. He is presenting two amendment options for the paperwork to be completed in June.

J. Hoch states that the calculated contract increase till the end of the year amounts to \$1,875, he rounded it down to \$1,000. He mentions that Alternate B is standard language, doing the math with this change and states that he is doing this voluntarily and the wage from April 1, 2013 through December 31, 2013 will be at the adjusted rate. Effective January 1, 2014 the wage goes back to the original language stated in his contract. Alternate A has the weekly pay unchanged thru the end of this calendar year, returning to the contracted amount January 1, 2014. However, the \$1,000 rather than being paid weekly will be paid in a one lump sum payment, to be deposited into his Deferred Retirement Plan. Both options achieve the same end result, but Alternate A ia a little bit cheaper because the payment is Federal Tax free for both the Town and himself.

Selectman J. Brunelle makes a **motion** to approve Alternate A deferring J. Hoch contracted pay raise as discussed.

Selectman K. Bourque **seconds** the motion.

Selectman F. Byron asks if J. Hoch is legally able to defer his contracted raise and deposit it in his Retirement Plan

Administrator J. Hoch states yes. He completes a form first authorizing the Town to deposit the one time funds into his account before the check is drawn, then its deposited into his Plan pre-taxed. Many Town employees take advantage of this voluntary retirement plan. **Vote carries 4-0-0.**

Other Items

J. Hoch states that he will be having a discussion soon with the Board regarding a Reconciliation Policy which is on the books but has somehow never been incorporated with the Annual Policy Reviews.

He would also like to mention that the Town Clerk passed along some slides and a video from a NHMA hosted Webinar on Tax Deeding. It is well worth the Boards time to take a look at the material, he learned a few things himself.

Administrator J. Hoch mentions he met with Kevin at the beginning of the month to discuss the Ambulance Contract and how the Town gets billed. Stating that the Town should not be paying

“list” price on the unpaid bills that get returned to the Town due to the fact that we are the guarantor. Jason tells the Board that what was sent to Hudson was a proposal for a Medicare reimbursement rate. He is currently waiting on a response.

Selectman J. Brunelle tells the Board that they did get an opinion again from Counsel regarding 91-A and suggests that everyone read it.

Selectman F. Byron states that as part of an email that was sent to Selectman J. Brunelle (which was not copied to F. Byron), by the chairman of the Budget Committee Mr. Cutter. It states that “He (Mr. Cutter) is increasingly concerned as Selectman Byron was quick to react in stating that just because an email thread was added to the minutes it does not rectify what transpired as being against the RSA. Please advise what specifically Selectman F. Byron or other Board Members would like to request of the Budget Committee to rectify the communication that occurred”.

Selectman F. Byron states he would like to be very clear that there is nothing that can be done to rectify what happened. So he is not suggesting that the Budget Committee has to do anything to rectify what happened in the past. What he is concerned about and would like to see the Budget Committee do is to recognize that having non-public discussions thru email is not appropriate and cannot happen as per RSA 91-A. He has as of yet to hear the Budget Committee state in anyway that they will not continue to conduct business out of the public purview by email. He would like to see the Budget Committee acknowledge that it is inappropriate and against 91-A. Selectman J. Brunelle states that there were two concerns initially, one was an email conversation that focused on documentation around the Police Cruisers and that dialog turned into this question and answer session. This was then transcribed and put into the minutes and also presented at the BC meeting. He believes this is what Mr. Cutter is referring to. Selectman J. Brunelle feels that what Selectman F. Byron is referring to is member A sending an email to member B and member B responding and this continuing into a discussion.

Selectman F. Byron states no he was referring to the first choice, and that you cannot have an open freewheeling discussion of the members of the Budget Committee or any Committee including this Board of Selectman. He is stating that he is looking for recognition on the part of the Budget Committee that they understand this is not appropriate and will not be done moving forward.

Selectman J. Brunelle states that the Budget Chair did state so at a meeting and it is in the minutes. Plus the communications to the Budget Committee in response to Counsel’s opinion has reiterated that also. The practice that the Budget Committee will be doing going forward are, that when the Chair sends communications to the members it will be a blind copy so the “reply all” button is not an issue. He does not feel it will occur again going forward. States that Chairman Cutter is very meticulous about the communications aspect of this and does not see him allowing this in the future. Selectman J. Brunelle also states that what is said by a member of a Committee or Board on a public forum has also been discussed, because you are never speaking as a citizen you are always speaking as a member, as stated by Counsel.

Selectman F. Bryon agrees. He states that the only issue he has with the Budget Committee is the acknowledgement and recognition that this type of activity going forward is not appropriate. What was done in the past is done, and what was done to correct the issue made things more

transparent to the public, and he has no problem with that aspect.

Selectman J. Brunelle wanted to inform the Board that he did get an opinion by Town Counsel regarding the Shared Roles. Where he would be doing Town and Selectman B. Lemire would be handling the School. Town Counsel's opinion was that it made perfect sense and was fine. There is nothing in the RSA's that bar them from doing this.

Selectman J. Brunelle also mentions to the Board that Administrator J. Hoch will be going on vacation in two weeks.

Selectman P. Jewett would like to know if there will be a meeting with all the Department Heads and the Board along with the Budget Committee. So that they can discuss ahead of time what may be up and coming in the projected budgets. She states especially where there will be a Police Contract as well as a Teacher Contract next year.

Selectman J. Brunelle states that there has not been a Town wide Department Head meeting in a while, and not with the Selectman. He suggests some time in August to bring all the Department Heads in for a meeting with the BOS and hear any concerns or question there may be.

J. Hoch mentions he would like to have a Saturday Workshop like they held last year. He found it to be very productive and informative and would like to get this on the calendar as soon as possible.

Selectman J. Brunelle mentions he does not feel there is a need for the Budget Committee to be present for this meeting. It should be the Department Heads and the BOS and when things are finalized then it would be the Budget Committees time. He feels that September is a great time to have the workshop and include everyone and August for the Department Head meeting.

J. Hoch suggests Saturday, September 14, 2013 for a workshop with the Department Heads, Police and Fire Chief as well the Incinerator and Budget Committee if they can fit it in their schedule. Jason states that last year this was a very productive meeting, probably 2-1/2 to 3 million of a 5 million dollar budget was discussed.

Jason mentions August 26th for the Department Head meeting the can begin at 5:00 and then have the BOS meeting when finished sometime around 6:00.

Selectman J. Brunelle states that this part of the meeting will not be recorded.

Selectman F. Byron asks why would he not want to record it.

Selectman J. Brunelle states that he goes back and forth but feels that there are certain Department Heads who do not want to be recorded and he would like everyone to be able to speak freely and attend. He does not feel it has to be recorded, but if the Board wishes it he will abide by it.

He does mention he would like to make it mandatory that all Department Heads are present, but realizes that probably would not sit well. However, he just wants the best possible outcome and participation. He asks if the Board feels a need to record that part of the meeting.

Selectman F. Byron states that yes he feels the public would be interested.

Selectman K. Bourque agrees with J. Brunelle that knowing other Committee Members he feels they will have a problem with it being recorded.

Selectman J. Brunelle states that this is the business side of the Town and does not need to be recorded.

Selectman F. Byron reminds Selectman J. Brunelle that the Board of Selectmen made a decision to record all meetings starting in April of 2014. This would be a Board of Selectmen meeting with all members present.

Selectman J. Brunelle states to Selectman Byron that he will look like a hero if the meeting is recorded. But he feels that that if it is recorded the Board may not get what they want out of the meeting.

Selectman F. Byron states he does not care about certain individuals opinions of him necessarily. His concern is that the public is made aware of what the Board is talking about and that they have access to that. This Board made a decision to broadcast and record the meetings and he feels this would be a Selectmen's meeting and it should be recorded for the public to hear. If Department Heads feel they do not wish to be taped then fine do not show up. He asks Selectman J. Brunelle if he is going to post the meeting. Selectman Brunelle states yes the 6:00 BOS will be posted. Selectman F. Byron then states that he is not going to post the 5:00 part of the meeting but the the Board of Selectmen will be gathering. Selectman J. Brunelle states it is a workshop with the Department Heads not a meeting. No decisions or policies will be made.

Selectman F. Byron states it is still a gathering of the Board and is not in keeping with 91-A.

Selectman J. Brunelle states to go forward with the meeting for August 26, 2013 and he would like to check with Counsel and ask about a workshop with Department Heads and having minutes taken would that still be in violation of 91-A.

J. Hoch states that he is not sure what he needs to ask Counsel, you are having a meeting it is posted, you are keeping minutes, all of those things are consistent with 91-A. If the question is to have it televised or not televised that is a policy that the Town has created.

Selectman J. Brunelle states it is a Board decision and there is no need to ask Counsel. So he asks the Board to take a poll to see what they are thinking regarding the meeting being recorded. The poll was split 2-2. Selectman J. Brunelle states that they will continue this discussion closer to the meeting.

Selectman F. Byron would like to mention that he does not in any way feel that Selectman Brunelle's desire not to record the meeting is in any way to hide things from the public. He believes it is a matter of trying to make people comfortable and he recognizes that.

J. Hoch mentions that maybe Board members can individually meet and discuss with Department Heads and get a feel as to what their thoughts are about the upcoming budget prior to that meeting.

Items moved from consent - None

Selectman Reports

Selectman P. Jewett mentions that the Memorial Day Parade and Service was enjoyed by all. She would like to thank all those who helped clean up.

Selectman J. Brunelle would like to say it was a wonderful Memorial Day Celebration. Hats off to the Historical Society and all that participated including the Fire Department, the Road Agent and

all the Organizations it was a great day.

Selectman F. Byron mentions the lack of sirens during the festivities and asks Selectman J. Brunelle to discuss.

Selectman Brunelle states there was a request to have some silence to pay tribute and in memory of those fallen. So a decision was made to honor that request.

Other Business

Selectman F. Byron would like to discuss Energy Efficiency before Budget season. He would like to take a look at all Town buildings and see how much gas and electricity is used at each, and capture this data to review and see if there is anyway to save in the 2014 Budget.

J. Hoch states that this information has been being documented and there should be no problem having it to review for Budget season.

Selectman F. Byron would like to discuss the internet connection at the Highway Garage. It was brought to his attention that there was a pole that needed to have a connection made underground for internet/tv. Road Agent mentioned he could not get tv for weather.

Selectman J. Brunelle states that he is aware of this problem and it has been taken care of, and the tv is working fine. But there was also an amplifier that needed to be moved and has been taken care of in the last few weeks.

Selectman F. Byron states this request was about a month ago so the request must of crossed with the repair.

Selectman J. Brunelle states that he will check in with the Road Agent to make sure all is taken care of and there are no problems.

Selectman P. Jewett makes a **motion** to adjourn. Selectman K. Bourque **seconds** the motion.

Vote carries 4-0-0.

The next Board of Selectmen's meeting will be on June 10,2013 at 6:00pm at Town Hall

Approved June 10, 2013