

TOWN OF LITCHFIELD BOARD OF SELECTMEN

October 28, 2013

Selectmen's Meeting

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

Also Present: Jason Hoch, Town Administrator

5:00 p.m. Paperwork review
6:00 p.m. Call to Order
8:00 p.m. Non-Public Session per RSA 91-A:3 II (c)

Pledge of Allegiance

Review of Items for Consent:

1. Minutes of October 14
2. Approval of Accounts Payable (\$58,538.10) and Payroll Manifests (\$48,064.03)
3. Land Use Change Tax Warrants, Map 9, Lot 1.2 and Lot 1.3

Approval of Consent Items

Selectman J. Brunelle reads aloud the items for consent

Selectman B. Lemire **motioned** for the Board of Selectmen to approve the items for consent

Selectman K. Bourque **seconds** the motion. **Vote carries 5-0-0.**

Request for Items - Other Business

Selectman F. Byron would like Town Administrator J. Hoch to review the week's work done by the County Prisoners. He would also like a report as to why a Highway truck failed inspection. Also discuss the Health Care review. Selectman F. Byron would also like to know how the 5% decrease that the Board of Selectmen asked for as a goal for the 2014 Budget, has worked out.

Administrator Report

New Business

2014 Budget Revenues

Administrator J. Hoch states the projected Revenue for 2014 is \$2,177,840

Increase of \$34,404 over the MS-4 document.

Motor Vehicle Permits - increased by \$43,066

Income from Departments - increased by \$7,775

Administrator J. Hoch states at the start of the Budget he was expecting revenues of \$2,077,000.

However, as the year progressed, figures improved to \$2,143,436, which was the number used at tax setting time on the MS-4 document, which is about a \$65,000 increase in revenue. He hopes revenues increase over \$2,177,840 by tax rate time in 2014.

Selectman F. Byron questions whether this an approvable item for the Budget Committee. It is his understanding that the Committee does not wish to see this.

Selectman J. Brunelle states that is not correct, they want to review this; however, they do not vote on this item, it is only informational.

Selectman B. Lemire **motioned** for the Board of Selectmen to approve and forward to the Budget Committee the 2014 Budget Revenue Projections as submitted by the Town Administrator in the amount of \$2,177,840, which is an increase of \$34,404 over last year.

Selectman K. Bourque **seconds** the motion. **Vote carries 5-0-0.**

Old Business

2014 Budgets

Administrator J. Hoch mentions to the Board that as adjustments have been coming in for the 2014 Budget he has been logging them on a chart which he has shared with the Board. He tells the Board that the Unemployment Compensation Program renewal base rate from Primex has been received and it is decreasing from \$10,987 to \$6,318. J. Hoch states that the Workers Compensation Program renewal base rate is increasing from \$57,295 to \$61,691. He tells the Board that there is no information yet about the Premium Holiday, so the Budget adjustment is not finalized.

Jason mentions he just received information regarding the Health Insurance increases and will be discussing this later with the Board.

Jason also mentions that the second tab on his chart shows the Budget Committee's changes which include adjustments to Parks and Recreation, Emergency, Fire and Ambulance.

The Board discusses the 2014 Budget, comparing the 5% decrease goal with the Default and Proposed Budget figures.

Administrator J. Hoch states the Approved Budget amount so far is \$5,142,522 and the Default Budget is \$4,974,848 which is an increase of the Proposed Budget over the Default Budget of \$167,674. Jason states that the increase over the Proposed Budget of 2013 is \$97,411.

Selectman F. Byron asks if the Proposed Budget is what is presented by the Budget Committee, and J. Hoch states yes.

J. Hoch states that compared against the Proposed 2013, less 5% shows an increase of \$349,666.

Administrator J. Hoch states that approximately \$75,000 of this increase is due to Personnel Administration and Hydrant Fees.

July Health Insurance Renewal

Administrator J. Hoch states that Health Trust has provided their guaranteed maximum rate, it is anticipated to be an increase of 8.5%. Which based on the Town's current enrollments would mean an approximate increase of \$16,000. Jason states that the good news is that the Dental rates will not be changing.

Selectman P. Jewett mentions that she thought the increase was suppose to be 6.3%.

J. Hoch states that was across the entire membership; however within the Town's rating group, it is trending higher. He also states that if the Town was not merged with the School, the rates would be even higher. Jason mentions that the renewal is not until July so there is some time to look at other options. He states that there is an option to adjust the office co-pays from \$5.00 to \$20.00 per visit, which would cut the rate increase by about half.

J. Hoch tells the Board that he has invited Scott DeRoche, the Benefits Advisor from HealthTrust to the November 18th BOS meeting to discuss options and answer any questions.

Ambulance Collections

J. Hoch states that he spoke to Comstar about some background information on ambulance billing. He mentions that Litchfield receives the bills after they have gone through multiple bill and collection notice processes from Hudson. Comstar does have a company they work with that is a bill collector (they hand off unpaid bills to this company). Jason states that they estimate that less than half of their municipal clients use the full collection agency services. They will be forwarding him additional contact information for follow up.

Jason states the Comstar estimates that they are collecting about 20% of payments owed by the uninsured on the full Hudson account and note that the average client is collecting between 9 and 10% of bills from uninsured. Jason states that they are breaking down some more specific Litchfield data for him to take a look at. He will continue to review options and hopes to put together a plan on how to collect and handle some of these write offs.

Administrator J. Hoch states that Karen has been working on what Litchfield's experience has been so far. He states that in three years \$44,925.53 has been billed to the Town, of which about 25% has been collected totaling \$11,313.73. Jason tells the Board that \$16,680.94 is classified as open, and \$13,400.96 as abatements needed, which he feels will be uncollectible due to bad addresses, deceased etc. The Board discusses options such as going after the estate of a deceased individual, or paying an outside party to pursue uncollectible funds. Jason states that once he gets more information back from Hudson and Comstar about their services, he should be able to make a more informed recommendation to the Board.

Water District Refund

Administrator J. Hoch states that the dividend of \$500,000 that was being held by Pennichuck Corporation, and paid to the City of Nashua. It has been voted on by the Nashua Board of Aldermen to have Pennichuck Corporation return \$250,000 to the Merrimack Valley Regional Water District for distribution to eight communities that spent significant amounts of money on legal fees during the acquisition process about two years ago.

The Board and Jason discuss \$20,000-\$25,000 as the amounts owed, from dues paid in 2008 to 2011. This amount is an estimate due to problems with previous accounting records. The Board will have Jason forward a notice to Mr. Peebles advising him of the amount due.

Public Input

Chris Pascucci 12 Colonial Drive, Litchfield mentions to the Board that he liked the potential warrant article that was discussed at last week's meeting, regarding asking the public about their

input on cutting possible services within the Town.

He also mentions that as far as the Ambulance use in Litchfield, his feeling is if someone uses this service they need to pay for it. He states that the Town needs to be aggressive in trying to collect any outstanding balance, even if that means involving a collection agency.

Mr. Pascucci discusses with the Board a concern with the Nightmare New England traffic safety issue, he feels there are areas for concern. However, states that it is a commercial property and with this type of business it brings benefits along with an impact to services for the Town. He asks the Board to keep this in mind when and if adding additional commercial business along 3A in Litchfield.

Next Mr. Pascucci wanted to discuss the public input that takes place at the Board of Selectmen's meeting. He understands that Chairman J. Brunelle stated last week that the Public Input section of the meeting would not take place before 6:30pm, however, if someone from the public was present and wanted to speak they would be allowed to at the end of the BOS meeting. No one would be refused a chance to address the Board. Mr. Pascucci feels the Board should post on the agenda a session to be held at the beginning as well as at the end of each meeting. He feels the Chairman of the Board alone, should not be awarded the power to decide who speaks where and when at a meeting. In the Chairman's absence would the public be allowed to speak or would there be an objection to this. He feels the Board works for the citizens of this Town and should clearly post on the agenda a before and after public input for the community. He would like a member of the Board (other than the Chairman) to make a motion for the Board to vote on this matter of putting 2 public inputs on the agenda.

Potential Warrant Articles

J. Hoch tells the Board that he has been making a list of the potential warrant articles and breaking this list into monetary and non-monetary items, and would like to get any input regarding items on this list.

Open monetary items include:

Talent Hall Roof - the Board discusses the amount of \$43,120, asking if this is an accurate figure from the provider if the work would not completed until next summer, also if this was the only bid or were there several. Jason states the bid was given this year and he will check to ensure the amount is good when the construction takes place next year. Also, the bid was from one company due to the fact that this is a membrane roof (not a standard roof) and there are not that many companies doing this type of work. He states that if this is approved he will solicit more proposals.

Human Services Agencies - J. Hoch discusses a chart he shared with the Board which gives a breakdown of services, hoping this will give the voters at deliberative a better understanding of where money was added or taken away.

Town Hall/Police HVAC - Jason tells the Board this is the first of three phases in the amount of \$15,140.

Pavement Improvement Program - Jason reads the article as the Town will vote to raise and appropriate the sum of \$170,000 for the purpose of road pavement improvement projects. This amount matches the sum expected to be received by the Town through the NHDOT Highway Block Grant. It is anticipated these funds will be used toward the cost of repairs to Stark Lane

and Cutler Road. Jason tells the Board if they open another tab on their computers it will show a breakdown of the Road Plan that the Highway Department and he put together. This shows if only the \$170,000 is collected what roads can be repaired and how long things will take, or if the Highway Block Grant is matched what roads can be completed and when. Board goes on to discuss the roads projected to be repaired and how the scoring system decides this. Also there was a discussion on if the Budget Committee has seen this chart showing the breakdown as well as the comparisons, if the funds are matched and what road projects could be completed. Board agrees to make sure this is presented and discussed with the Budget Committee so they are familiar with this warrant article.

Selectman F. Byron states that the warrant is for a dollar match of \$170,000, and the chart shows roads being completed until the year 2018 with this amount being matched each year. He feels this is unclear for the voter. He asks if this warrant article should be presented each year, in order to have a better chance of this passing. Selectman F. Byron feels this could be voted down altogether if bundled as having to be matched over the next 4-5 years. Board discusses this matter and ideas on how to improve the wording to make it clearer and if it should be a recurring warrant.

Warrant to hire MRI - (or similar firm) to conduct a study on the Police Department's overtime system and make recommendations to minimize overtime and increase efficiency. Administrator J. Hoch states that he is waiting for a price quote from MRI. Selectman J. Brunelle discusses with the Board that the previous 2008 MRI report and its recommendations have not been completed as of yet, and feels a new study is unnecessary at this point. He states that according to the report and its calculations the Police Department is still short 2 full-time and 4 part-time officers. He tells the Board that the overtime being paid is due to this void. He states that spending money for another study when the Town has not been able to fill the staffing suggestions that have already been made, would not be a good value. Selectman J. Brunelle says he is not advocating hiring new officers at this time, he feels the Department is running well considering the staffing issues.

The Board goes on to discuss the issues and challenges surrounding hiring part-time officers. Selectman F. Byron states he is not looking to duplicate the MRI report. He feels the two shift schedules used within the Department should be looked at to see if any changes can be made from how they are currently running and to see if one is possibly more efficient than the other. Also can part-time officers be found to fill in any voids within the schedules. He feels he has not gotten answers to his questions and was looking for another party to look into the matter regarding the money spent on overtime to see if there is anyway of decreasing this amount. Members of the Board state that money has to be spent on training any part-time officers and would not necessarily be a savings. Also they mention that the call volume has increased within the Department.

Selectman J. Brunelle tells the Board that before money is spent on a new review. He would like all the members to read and look at the MRI Report first and see if there are any suggestions they may have.

The Board agrees to review the MRI Report and wait until Administrator J. Hoch has all the needed figures and information to discuss this further before taking action.

Non-monetary items include:

See if the Town will vote to allow on premise licenses for liquor sales to sell until 2:00am as authorized by RSA 179:17 11(b).- J. Hoch tells the Board that the RSA allows this under conditions authorized by the legislative body of the City/Town in which the premise is located, if the legislative body adopts an ordinance authorizing such sales. Jason asks the Board for their thoughts, and states he can handle the ordinance aspect with Counsel if the Board would like to pursue this as a warrant. He mentions that he did check to see if Chief O'Brien had any concerns, which he did not.

Budget cap - per RSA 32-5b (fixed to allow use of fund balance without penalty).

Cap Conservation Land Acquisition Fund - at \$1,000,000 with LUCT Fund.

Non-Binding - to determine the public sentiment for a reduction of Town Services (except Police/Fire) in order to decrease government costs.

J. Hoch tells the Board that he is still working on the wording of these warrant articles, he addressed the warrants that needed to be given to the Budget Committee first. He will follow up with the Board at a future meeting with these and others.

Bring a plan forward to study costs and implications of the installation of a stop light at the intersection of Page Road/102 - Administrator J. Hoch states that it was his understanding after the last discussion that this item was to see if the Town wanted to pursue a study and that there was to be no money attached to this warrant article.

The Board discusses why this is still a warrant, due to it being a State road and it is in another Town other than Litchfield.

Selectman F. Byron states that the discussion was about finding other possible options for this intersection, such as extending Albuquerque out to 102. He feels the Town needs to try and minimize the impact of this dangerous intersection for the citizens of Litchfield.

Selectman B. Lemire agrees a light is needed , but feels this is an issue and expense for the State.

Selectman F. Byron mentions that the State, NH-DOT, along with the Town of Hudson, after numerous studies still will not take any action with this intersection. So he states that Litchfield is stuck with trying to find a possible solution, and feels the voter should be asked if they want the Board to move forward with trying to seek options, such as other exits onto 102 rather than Page Road. So the Board and J. Hoch decide to work on the wording of this warrant and address this at a future Board meeting

Board decided to table discussing each warrant until Administrator J. Hoch has more information for further discussion at a later meeting.

J. Hoch would like to address one more article to receive feedback from the Board as to how they would like to precede.

TBD (to be discussed) Item:

Elderly Exemption - Jason states that the Board had asked for updated information and data. He shares with the Board a chart comparing Litchfield's Elderly Exemption qualifications with other Towns. He tells the Board Litchfield's exemption amount for ages 65-74 is at \$50,000 (median \$60,000), 75-79 Litchfield \$80,000 (median \$80,000), 80+ Litchfield \$125,000 (median \$125,000). Under income limits amounts for Litchfield single \$30,000 (median \$30,000),

Litchfield married \$45,000 (median \$43,500). Jason states that Litchfield is within the average range with most Towns except when it comes to Assets for single and married, Litchfield is at \$300,000 (median \$90,000). Jason tells the Board that when this was presented as a petition article in 2009, it was not known that an individual's primary home value was excluded from this calculation. Board discusses changing this amount to possibly \$100,000-\$150,000, which includes assets other than the primary home. They agree to re-write the warrant making it clear to the voters how this calculation works and addressing the primary home aspect. This item will be continued for discussion at a future meeting.

Facility Study

Administrator J. Hoch states that he shared with the Board a reference proposal the Town received last year regarding a facility study to update previous work on a Fire Station replacement. This proposal was for \$21,650 plus expenses. Jason states this came up as a result of a conversation at last year's NHMA conference with this engineer, and a follow-up visit with both the Fire/Police Chiefs and himself. It is not intended to replace the Town's bidding process, but rather to give a better sense of the cost of work within the scope that the Chiefs and he felt were appropriate. He expects to revisit this at a later date, and to discuss possibly putting aside some available Impact Fees. J. Hoch tells the Board that Town Counsel is looking into this matter to see if a contract needs to be in hand. He will report to the Board his findings as soon as these questions are cleared up by Counsel.

Impact Fee Unclaimed Refunds

J. Hoch tells the Board he and Karen are down to only one unclaimed Impact Fee refund. Karen did some tracking through online searches and registry transfers to track down one of the persons that was owed multiple Impact Fees refunds. Jason states that they have a few clues on the one that remains. If it does not turn up the right responsible party, they will send the documentation to Counsel for court disbursement.

Impact Fee Update

Administrator J. Hoch states that a letter was received from the Planning Board, which he has shared with the Board of Selectmen. Jason tells the Board they held a public hearing on September 17, 2013 to review the updates to the various impact fees. They presented Public Capital Facilities and Public Schools Capital Facilities Impact Fee Schedules for 2013-2014 and a 2013 Public Road System Impact Fee Schedules. These schedules have been updated by the cost escalator factors as they have been in the past.

Jason states that they propose no changes to school and road schedules and updating the Town Hall/Administration, Police, Recreation and Library base fees as shown on the table. Jason tells the Board the letter also notes that the second phase of the impact fee update will not be completed till 2014. This will be able to reset the rates for Town Hall/Administration, Roads and School.

Additionally, they are drafting changes to the Zoning Ordinance for 2014 Town Meeting to update the impact fee ordinances so that they are within one single ordinance, rather than the two they are now.

Selectman J. Brunells asks if the Town is not growing why would impact fees for the School continue to be collected.

J. Hoch states that it has been discussed to suspend this in the past, but it has been the Board of Selectmen wish to continue collection of fees.

Selectman J. Brunelle ask how much has been refunded by the School. Jason states that \$222,990.05 has been refunded in Elementary Impact Fees

Selectman B. Lemire leaves meeting

Selectman F. Byron **motioned** for the Board of Selectmen to adopt the recommended Impact Fees from the Planning Board contained in the letter as of October 4, 2013.

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

Other Items - None

Selectman Reports

Nightmare New England Traffic Safety Concern

Selectman J. Brunelle states that each member of the Board of Selectmen received a phone call from a citizen regarding traffic safety concerns, which include the bright lights in the parking lots and the Police cruiser lights, causing night blindness. Also the speed limit and lack of posting on 3A to slow down for the event. There were concerns with the entering and exiting from the pop up parking along 3A.

Selectman B. Lemire returns to meeting

This person also had issues with the person doing traffic control. Selectman J. Brunelle states that this individual is a certified traffic controller.

Selectman J. Brunelle states that upon discussing this with Chief O'Brien and Town Administrator J. Hoch, the events owners have addressed these issues and are in compliance with the State. They have made great efforts to maintain safety and to be in compliance within the Town of Litchfield. Chief O'Brien stated that the police cruisers do not have variable lights. Due to it being dark in the area the lighting is necessary to accommodate traffic and to see pedestrians. They also made adjustments to the parking, by putting in a drop off and turn around area. Selectman J. Brunelle feels there is not much the Town can do, but states regarding the unofficial pop up parking possibly implementing an ordinance of some kind for next year, he asks the Board for their opinions.

The Board discusses possibly posting some signs to try and slow traffic in the area, but the speed limit cannot be changed the Town has no authority.

Selectman B. Lemire feels the owners have gone out of their way to be accommodating, and they are of value and a good provider of services for the Town. He does not wish to inhibit Commercial Business within the Town, and states this occurs only a few weeks out of the year and most citizens are aware of the issues in the area and know they have to exercise extreme caution. The Board discusses the pop up parking and feels that it is Chief O'Brien's decision to draft an ordinance if he feels it necessary. Otherwise possibly have the Code Enforcement Officer speak to the homeowners who allow parking on their properties, and discuss the complaints to make them more aware.

Selectman K. Bourque states he attended a meeting of the Recreation Committee and the WinterFest will be a three day event held Friday thru Sunday in February and he will provide any updates as they come in.

Selectman J. Brunelle states that Halloween for the Town will be held on Thursday, October 31st from 6-8pm.

Items moved from consent - None

Other Business

Administrator J. Hoch tells the Board the work release prisoners were here for a week, and because the weather cooperated they were able to spend the week cleaning up the grounds and facility at Darrah Park. They also were able to do some exterior painting on the back side of the facility, as well as going underneath Talent Hall and hanging some much needed insulation under the floor. Jason mentions that they will be coming back in November and will be working with the Road Agent doing some brush clearing outside or depending on weather doing some inside painting at Talent Hall.

Selectman F. Byron asks how many people does the \$1,000 provide to the Town. Jason states that it is a flat rate and it depends on who the State has available for a crew at the time. This time there were 6-8 individuals. He tells the Board that the price is mainly for the guard.

J. Hoch discusses with the Board the inspection failure that happened with the Highway Departments international truck. It was a tie-rod that needed to be replaced, as well as a rear light. Jason states the repairs are complete, they had an estimate of about \$1,700 but Les and Jack did the work for \$500.

Jason mentions that a staff member from Senator Ayottes office will be at the Town Hall on October 29, 2013 from 1-2 pm.

Also a staff member from Representative Kusters office will be at the Town Hall on November 1, 2013 from 2-4 pm

Selectman B. Lemire **motioned** for the Board of Selectmen to adjourn the public portion of the meeting to go into a non-public session for discussion of matter of 91-A III, 2(c). matter which if discussed in public would likely affect adversely the reputation of any person or other member of the public body itself, unless such person requests a public meeting.

Selectman P. Jewett **seconds** the motion. **Roll Call Vote:** Selectman K. Bourque - yes, Selectman B. Lemire - yes, Selectman F. Byron - yes, Selectman P. Jewett - yes, Selectman J. Brunelle - yes. The public portion of the meeting ended at 8:00 pm.

The next Board of Selectmen's meeting will be on November 4, 2013 at 6:00pm at Town Hall

Approved November 4, 2013