

TOWN OF LITCHFIELD BOARD OF SELECTMEN

October 14, 2013

Selectmen's Meeting

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

Absent: Brent Lemire - Excused

Also Present: Jason Hoch, Town Administrator

5:00 p.m. Paperwork review

6:00 p.m. Call to Order

Pledge of Allegiance

Review of Items for Consent:

1. Minutes of September 23, 2013
2. Minutes of September 30, 2013
3. Approval of Payroll (\$44,316.90) & Accounts Payable (\$41,827) manifests

Approval of Consent Items

Selectman J. Brunelle reads aloud the items for consent

Selectman P. Jewett **motioned** for the Board of Selectmen to approve the items for consent

Selectman K. Bourque **seconds** the motion. **Vote carries 3-0-1.**

Request for Items - Other Business

Selectman J. Brunelle would like to clarify some actions that took place during the September 30th Board meeting. He states that the meeting was a non-scheduled meeting which the Board of Selectmen posted; however, they learned after the meeting was conducted that some of the postings were not publicized where expected. So he would like a motion with the Board to reaffirm all the actions taken by the Board that evening, making sure there will be no issues.

Selectman J. Brunelle **motioned** for the Board of Selectmen to reaffirm the actions taken by the Board of Selectmen on September 30, 2013 as documented in the minutes.

Selectman K. Bourque **seconds** the motion. **Vote carries 3-0-1.**

Selectman J. Brunelle also mentions that for clarification, the legal posting sites for the Board of Selectmen's meeting agendas will be the Town Hall and the Town Website under the agenda section. It will continue to be posted in other areas, however this will be the two legal sites.

Requests for Items - Other Business

Selectman F. Byron would like to discuss the billing with the Town's Legal Counsel. Also he would like to discuss the Conservation Commission's Budget.

Selectman J. Brunelle would like to recommend clarification regarding the Board's public input portion of its meeting. He has some language to be posted to the Town's website that should clear up any misunderstandings with this portion of the Board of Selectmen's meetings.

Public Input: No members of the public were present

Administrator Report

New Business

2013 Projections

Administrator J. Hoch states that he has worked through a line by line projection of anticipated spending for 2013. He mentions that based on what he is seeing now, the Town should be close to 96% of Budget by year end.

Selectman F. Byron asks what is the residual dollar amount.

J. Hoch states approximately \$70,000, he states that he tends to err on the side of caution when doing this, so this number may adjust as the year comes to a close. He states that this is also consistent with what he expected. The last 2 years there had been unusual circumstances that boosted the Town's year end balance such as weather related issues, also the first year of moving away from the Incinerator. This year being a default budget things have run pretty much as expected. Jason mentions that unlike those last couple of years where the Town has had those circumstances, the prospect of applying funds from the end of this year toward removing items from next years proposed budget, (which has been able to be done in the past) will be rather limited based on what he see as of now. Also in addition, the Town will not likely be in a position to replenish the Fund Balance in a large chunk from unspent appropriations.

Selectman J. Brunelle asks if this will prohibit applying the anticipated offset amount of \$200,000 that was discussed.

J. Hoch states no, that money is already put aside in the Fund Balance from previous years.

Selectman F. Byron asks if the Board should put a cap on the Department Heads spending of \$3,000

Administrator J. Hoch states no, he feels there is no reason for this, the Departments are all operating reasonably within the Budget.

Selectman J. Brunelle mentions that he feels this is too early, that the Board should have this discussion again in November and see where the numbers are at then.

Selectman F. Byron asks if the Board could have a copy of Jason's projections and analysis to see where trends are and where things are running tighter within the Budget. He would also like to take a look at the projections again at the first meeting in November.

Jason states that he will be updating this each month and will share his information with the Board.

Hawkers & Peddlers Ordinance

Administrator J. Hoch states that the Town has been advised from the State Police that the FBI

needs to see revised language in the background check portions of the Hawkers & Peddlers Ordinances to allow continued Federal background checks. Chief O'Brion has incorporated the recommended language into Section 5-j. Jason Hoch states that it has been reviewed by the State Police and FBI. However, the FBI needed to have an ordinance number attached so it is now #201310-01. He tells the Board he has flagged any changes within the document for them to review.

Selectman J. Brunelle asks if this is just an action the Board needs to take, or should there be a public hearing.

J. Hoch states that the Board needs to post for a Public Hearing due to it being an ordinance.

Selectman F. Byron suggests the Board approve the ordinance this evening and post a date for a hearing in the future, so the public will have access to the documents for review.

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve as reviewed the Hawkers & Peddlers Ordinance #201310-01, with a Public Hearing set for the second meeting in November.

Selectman K. Bourque **seconds** the motion

Selectman P. Jewett mentions to the Board she feels the fee should be increased.

Board discusses the fee section and decides it should be separated from the Ordinance and placed in the fee section. Also Jason tells Selectman Jewett that he believes the States may cap the amount the Town can charge, he will check into this.

Selectman F. Byron makes a motion to **amend** section 4 referring to the list of Town fees so the Ordinance will not have to be changed in the future if the fees are changed.

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

Selectman J. Brunelle asks the Board to vote on the original motion called. **Vote carries 4-0-0.**

Health Trust Rate Hearings

Administrator J. Hoch tells the Board that he has attached and shared slides from the Health Trust's rate hearing which was held last Thursday October 10th. He states that they are projecting a rate increase of around 6.3% for health and 0% for dental, across the whole trust. Jason mentions these are aggregate numbers and the Towns numbers will likely be slightly different, and expects to receive these numbers in the next few weeks.

Darrah Pond Wells

Administrator J. Hoch states that the Board received a letter from a Litchfield resident that had been sent to the Town of Hudson, it regarded the draws from wells at Darrah Pond. He mentions that the Town has just received copies of these documents and is not involved in this matter. Hudson's Legal Counsel has responded to the resident and copied the Board. The resident responded again by email and forwarded copies to the Board again as well. Jason states again that Litchfield is not involved and the Conservation Commission chair has advised that at this point they are not involved in this matter as a Commission either. However, the resident is a member of the Conservation Commission.

Selectman J. Brunelle asks how does someone separate themselves from the fact that they sit on the Conservation Commission, and the reason you sit on that Commission is because you have conservation desires. The Board states that he sent this correspondence as a resident.

Selectman J. Brunelle states he understands, but by copying everyone it appears as it is coming from the Town and Conservation Commission.

J. Hoch states that he forwarded a package of all the correspondence to Town Counsel to make them aware of the matter.

Selectman F. Byron states that if the Conservation Commission decides to get involved in this matter they should be instructed to notify the Board of Selectmen. Because this has potential legal attachments, due to the resident has threaten to sue the Town of Hudson regarding this matter. The Board requests that Jason send a letter to the Conservation Commission and copy it to everyone about notifying the Board of Selectmen before moving forward in anyway regarding this matter.

Fire Danger Sign

Jason Hoch tells the Board that Fire Chief Fraitzl would like to build and install a new Smokey Bear sign that would show the daily fire danger. This would replace the aging tree shaped sign that is presently on the building. However, they have discussed installing the new sign on the river side of Charles Bancroft Highway just south of the Fire Station on Town property so it can be more visible. Jason has shared a picture with the Board showing the proposed sign. He states there may be some slight variation to include the Fire Departments logo. This sign will be built in-house with the only costs being for material. The Board discusses the sign, and the monument that is currently is this area showing it as a Town Historical site.

Selectman F. Byrons states that there is a requirement for RSA 675:54 which is for Government use of property, the Planning Board should review this and check into the placement of the sign. Also due to the Historical nature of that property he feels the Fire Department should consult with the Historical Society.

J. Hoch states that he believes that some land is owned by the Conservation Commission. Also that there are site lines and visibility issues that have to be considered in this area as well. He states that all parties involved will be brought into any conversations as well as all zoning and land use issues will be checked into before proceeding.

November Meeting Schedule

Administrator J. Hoch suggests adjusting the November BOS meeting schedule to the first and third Mondays of the month rather than the second and fourth. This would be due to the second Monday is Veteran's Day and the Town is closed, and the fourth Monday is right after Thanksgiving. This would put the meetings for the month on November 4th and November 18th. Selectman F. Byron **motioned** for the Board of Selectmen to adjust its meetings for the month of November to the 4th and 18th.

Selectman J. Brunelle **seconds** the motion. **Vote carries 4-0-0.**

Selectman F. Byron asks the Chairman that the meeting on November 4th he would like to have a non-public meeting of the Board to discuss negotiations of the Union Contract with the Police Department. They agree to begin at 5:00pm and would like Police Chief O'Brion to attend.

Prosecutor Contract Renewal

Administrator J. Hoch states that he has shared with the Board, the Police Prosecutor renewal

contract for the period ending September 30, 2014. He states that the price is unchanged from the previous year. Only change was the revision to indemnification (Section 6) after review with Property and Liability Trust. Jason also mentions that he shared a letter from Chief O'Brien recommending the continued appointment of Mr. McCaffrey.

Selectman J. Brunelle asks the Board if everyone has had a chance to review the contract and the letter Jason shared, and are there any concerns.

Selectman F. Byron **motioned** for the Board of Selectmen to approve and renew the contract for Prosecutor McCaffrey for a period of one year.

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

Tax Rate Setting

J. Hoch states that the Department of Revenue announced last week initially, that the way Adequacy Aid is being calculated under State Law, that the Department of Education would not be able to finalize Adequacy Aid numbers until November 7, which meant that no tax rates would be able to be finalized until that date. This would create a severe delay in getting out tax bills and may potentially require the Town to take out a tax anticipation note. Jason states that after this announcement there was a deluge of concerns passed from Municipal Officials to their State Representatives, Senators and Executive Councilors, including Litchfield's own Reps and Senator as well as NHMA, DOE and DRA. However, within a day they found a way to finalize the number without delaying the tax rate setting. Jason tells the Board the State should have this information sometime in the beginning of November. Jason is asked if this affects the due date for tax bills. Jason states they are due December 1st or 30 days after they are mailed, whichever comes first.

Request For Stop Sign At End Of Darrah Pond Driveway Onto Woodhawk

Selectman F. Byron tells the Board that he lives off Woodhawk Way and when he is driving west towards Albuquerque on Woodhawk Way he has had cars leaving the park at Darrah and pulling out right in front of him without stopping. He has seen and been apart of many near misses, as well as many people from that area witnessing the same thing. So he would like to recommend installing a stop sign where the exit from the Park meets Woodhawk way.

Selectman J. Brunelle has no objection to the installation of a stop sign but he is wondering if it is enforceable.

J. Hoch states that there are certain times and conditions when it is viewed as a public way, but because it is coming out of a driveway it is not always enforceable. He mentions that he had a conversation with Chief O'Brien regarding this and it was agreed that most people will respond and stop for a stop sign, and regardless of the times or conditions being right if you ignore a stop sign and cause an accident you would be ticketed for unsafe operation. Jason states that the concern they came up with was the placement of the sign and where to mount it, due to the flair in the road. The Board discusses this, and agrees it should be installed and the Road Agent along with the Police Department will figure out the proper placement of the sign.

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve the installation of a stop sign at the end of Darrah Pond driveway onto Woodhawk Way.

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

Old Business

2014 Budgets

J. Hoch tells the Board that he started logging revisions to approved budgets as they come in to him, he has shared this log called Budget 2014 Adjustments. He explains the first sheet shows his recommended changes to the budget. Second sheet is showing the Budget Committees changes. Which Jason states will have to be revisited by the Board at a later date to see if the Budget Committee's changes will be recommended by the BOS or keep the figures as they suggested, because he has to report both figures to DRA.

Selectman F. Byron and Jason have a discussion about the Board having to agree with the Budget Committee's changes. Selectman F. Byron states the Boards do not have to agree, the BOS only propose a budget and have it documented on the MS7 paperwork, and the BC has the final say as to what the Budget will be. He states that the numbers can be different and do not have to be adjusted.

J. Hoch states they do not have to be adjusted to match, however, in prior years the Board has considered the changes the Budget Committee has made and incorporated those agreed upon changes into the proposed budget, or disagreed and kept the figures as they were.

Selectman Byron states that this complicates and goes against what the recommendation of the MS7 is about. He states the two budgets should stand as presented showing the differences. He states that if it is regarding challenging certain information that the Budget Committee has recommended on a particular item then he has no problem with that discussion.

The Board discusses how this has been done in prior years, with pulling items out of the budget and placing them on a warrant article, or funding items with end of year funds, or agreeing with the the BC at the end of the year and lowering amounts in the Budget.

Jason states the third sheet has the open items logged.

Administrator J. Hoch tells the Board that he has spoken to the Executive Director regarding NHMA dues and it is anticipated that there will be a rate increase of about 10%. He states that the organization is still under transition and due to having to fund things on their own there is unfortunately added costs to this which will reflect in a rate increase.

Selectman J. Brunelle asks Jason what are the benefits the Town receives from paying dues to NHMA

J. Hoch states that the Town has a stronger voice within the Legislature due to having the backing of NHMA who speak on our and its 200 other Towns memberships behalf. They supply the Town with Webinar training, Legislative bulletins, court updates, Town and City archives, which he states he uses extensively rather than contact Legal Counsel at a rate of \$170. Also they do have a legal service which has been used from time to time. He states that it is a tool that the Town and he rely on, some years the use probably justifies the dues paid, other years not. But states this is an organization in transition and feels the Board was used to a certain level of service to the Town prior with LGC. However, with the unbundling and moving into three organizations which include Health Trust, Property and Liability Trust as well as the Municipal Association takes time. He feels the Town should continue for another year and see what they will have to offer in benefits and services as well as fees, then this time next year make a

decision regarding this.

Selectman F. Byron states that he disagrees and feels the services provided do not justify the dues paid. Legal services are not used, courses can still be taken online for a fee. Also three large towns Manchester, Salem and Somersworth are not members of NHMA and have not suffered.

Selectman F. Byron **motioned** for the Board of Selectman not to have the Town of Litchfield renew with NHMA.

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

Selectman P. Jewett feels that legal fees add up quickly and for the benefits of legal services provided with NHMA she would hate to leave and not have access to their service benefits. Also the other Towns that do not have membership with NHMA are quite larger municipalities than Litchfield.

Board and Jason discuss the use of services, and Jason states it would impact him and how he conducts and manages his job on a daily basis, by not renewing these services with NHMA. He feels it is part of being in local government within the State.

Selectman J. Brunelle calls the motion to a vote. **Vote fails 2-2-0.**

Ambulance Collections

Selectman F. Byron would like to know if the Town is pursuing any legal action, such as small claims court for collecting funds from those who have not paid their bills for the use of ambulance services which are contracted and billed to Litchfield from Hudson.

Administrator J. Hoch states that when the Town changed Finance Directors this item was shelved due to a backlog of paperwork and staffing time. He states that after looking into the Municipal Managers website it appears no one has taken this matter into their own hands. Most are using a third party billing and collection service. J. Hoch states that with a 5% collection rate and court fees and appearances, as well as paying staff for the time that would be involved to collect the necessary paperwork, he feels it may not be cost effective. Jason tells the Board that he has asked Selectman B. Lemire to refer him to the Comstar representative he is working with in Northwood, to get a proposal and compare cost effectiveness and see what direction to take with this matter.

Board discusses the collection procedures of these agencies and how much of the balance collected would the Town actually receive. Jason also mentions that there should be a Town policy regarding expectations for billing and collecting for residents, non-insured, write-offs etc.

Selectman F. Byron states that for 2013 there is a collection balance of open invoices totalling just over \$7,000. He asks what is the total for prior years.

J. Hoch states that the Town has not had any returned bill since May, however he will have to gather a breakdown of the figures and further information and report back to the Board at a future meeting.

Compilation of Potential Warrant Articles

Administrator J. Hoch tells the Board that he needs input on his list of potential warrant articles so he can possibly eliminate some, research and edit others . After a brief discussion on a few articles individually, the Board and Jason decided to have a quick overview of each article to

discuss any concerns and how each warrant article might be handled.

1. Shall the Town adopt the provision of RSA 41:14a which grants the Selectmen the authority to acquire or sell land, buildings, or both; provided they first any such proposed acquisition of sale to the Planning Board and Conservation Commission.

Board of Selectmen discussed this and feels it is not needed at this time and decided to put on **HOLD**.

2. Revolving fund for “maintaining recycling”. Possibly move recycling revenues and related cost to Revolving Fund.

J. Hoch states there is new authority this year allowing the use of Revolving Funds, if a balance were to accumulate, it could be applied toward future Capital Purchases.

Board of Selectmen said **No** on this as a warrant article.

3. Two year Budget.

The Board mentions that the School is moving forward with putting this to the voters this year as a warrant article. So the Town can follow through next year if they choose to pursue this matter.

Board of Selectmen said **No** on this as a warrant article.

4. Health and Dental Insurance Expendable Trust Fund - put all surplus checks received from Health Trust into Trust Fund with employee and retiree reimbursements paid from Trust Fund and balance to be applied to offset Town cost of insurance in future years.

J. Hoch states that rather than this money going into the General Fund it could go into a Trust Fund to offset future health insurance costs.

Board of Selectmen said **No** on this as a warrant article.

5. Extend liquor license hours until 2am.

Selectman F. Byron tells the Board that a Bill was passed allowing Municipalities by a vote of its Citizens, to allow liquor to be served until 2am instead of the current 1am. This includes establishments that serve liquor (restaurants, bars and liquor stores) to serve until 2am, if they wish to.

Board discussed and felt the voters should decide if they wished to allow this in Litchfield. But would like to know Chief O’Briens opinion.

Board of Selectmen said **Yes** to this warrant article.

6. Stormwater permit compliance, non lapsing fund, \$50,000 - \$70,000.

Board and Jason discuss the legality of this, as well as other options such as setting up Expenditure Funds that would be non lapsing. Jason states this is an item that has to be dealt with. He tells the Board that once the permit is issued by EPA the Town will have to file a Notice of Intent, within he believes 90 days of the permit being issued. The Board asks what this dollar amount covers. J. Hoch states it covers engineering and technical services to comply with filing a NLI. He tells the Board that the necessary paperwork that needs to be completed is not something the Town can do in house in order to comply with this issue.

Board discussed that this is non-negotiable, the EPA will force the Town to do this regardless if a warrant article passes or not. They discuss that if the warrant article fails how is the “no means no” rule going to be handled. Jason states it would be contingent upon the structure and how the wording for the funding is in the warrant article. It is also discussed to add this to the Budget and if by chance a Default Budget happens, then there will have to be cuts made. Or allow EPA to take the Town to court and then it could be paid out of the Fund Balance at an expense to the Town. The Board decides to have Jason draft a warrant article and they will put thought into all avenues of funding this issue and discuss it at a future meeting.

Board of Selectmen said **Yes** to this warrant article.

7. To see if the Town will vote to raise and appropriate the sum of \$20,000 for repainting of the Old Town Hall. This price includes legally required abatement of lead paint.

Administrator J. Hoch states that this item is a work in progress as far as the dollar amount. Due to the Historical Society believes they have some shutters, which is the biggest problem as far as the lead paint and the pricing, if they have the shutters it would reduce this figure.

Board of Selectmen said **Yes** to this warrant article.

8. Capital projects - purchase of airpacks, other? (new authorization for multi-year appropriations - see Town & City, Sept/Oct. p.21)

J. Hoch and the Board state they are trying to allocate some funds for Capital projects that occur each year with no funding available. Jason tells the Board that the State is allowing a Capital Appropriation for multi-years for a specific item or purchase.

Board of Selectmen said **Yes** to this warrant

9. Elderly Exemptions

Board discusses the figures for Elderly Exemptions which are classified by their age and evaluation of their property. Since the evaluations have decreased the Board is wondering if these figures should be adjusted. Jason states that this data is from 2010, but feels it will not change all that much. Except for the asset area of the calculations. Jason states that this price when it was petitioned as a warrant article, believes they thought it included the home in the asset calculation, but it does not. Allowing more people to qualify for this exemption. Board would like Jason to update this data, keeping the item as a warrant to discuss later

Board of Selectmen said **Yes** to this warrant.

10. Budget cap per RSA 32-5b (fixed to allow for use of Fund Balance without penalty)

Board discusses this was a warrant article last year, however the Board decided not to go forward with it due to an issue with the State law. The law was, if you used Fund Balance as a Municipality it created problems and penalties, however, this law has been corrected this year. The Budget Cap now allows the Town to set a maximum Budget increase going forward applying a certain percentage rate. Citizens can during Deliberative Sessions however, override a Budget Cap if they wish. Board decides to construct the warrant article and discuss further

Board of Selectmen said **Yes** to this warrant.

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

Selectman F. Byron tells the Board that a few years ago a previous BOS requested from the voters their opinion to see if the Board should stop funds from going into the Land Acquisition Fund, which is collected from the Town thru the Land Use Change Tax. Out of this warrant the citizens decided to continue the Land Use Change Tax, going to the Conservation Commission, but changed the percentages to 80/20 (80 to Conservation & 20 to Town). The Board discusses that the Conservation Land Acquisition Fund has a balance of \$956,845.93, property is not being purchased. So it was suggested to put a maximum dollar amount in this Fund, and allow any extra money to roll over into another Fund that would be released by the Citizens of this Town for the purchase of property. Also discussed is RSA 36a:5 which states that if you set up a Conservation Land Fund they can use the monies for anything they would like within the RSA, not just land. ~~This would prevent this.~~ Also Selectman F. Byron states that he feels the Conservation Commission should fund the \$7,000 and future money that was requested to their Budget for the project at Darrah Pond. J. Hoch states that Counsel suggested to do a clarifying warrant article this year to change the way deposits were made previously, after that all funds would be subject to the RSA. Board decides to go forward with two warrant articles one to clarify previous deposits, other to set a limit on the maximum amount deposited in the Land Acquisition Fund.

Board of Selectmen said **Yes** to these warrants.

12. Non-binding: to determine the public sentiment for a reduction of Town Hall services (except Police) in order to decrease government costs.

Board agrees to include Fire and Police, being exempt. Also that this includes all Town services not just at the Town Hall. Board agrees to change wording to this warrant article and to include examples for the public (ex. Recycling Centers service hours, Town Clerks service hours).

Board of Selectmen said **Yes** to this warrant

13. Talent Hall Roof - \$43,120

Board of Selectmen said **Yes** to this warrant

14. Health Agencies

Board discusses this was a warrant last year, and states that they thought if it passed it was just continued in future years and there was no need to ask voter again. Board tells Jason to take a look at the wording this year and construct the warrant.

Board of Selectmen said **Yes** to this warrant.

15. HVAC Town Hall - \$15,140 year 1 of 3 (total \$38,713) Board discusses the failures of the system, that it was too small of a unit for the job it was expected to do. It was installed improperly. There is a problem with dampness and mildew within the building. Numerous issues. Board of Selectmen said **Yes** to this warrant.

16. Pavement Improvement program, match Highway Block Grant at \$170,000

This is to supplement the Highway Block Grant money with a matching contribution.

Board of Selectmen said **Yes** to this warrant.

17. Warrant to hire MRI (or similar firm) to conduct a study on the Police Department overtime system and make recommendations to minimize overtime, increase efficiency, etc. Board discusses previous recommendations from MRI and if those have been completed. Selectman F. Byron feels that his questions have not been answered and he would like a third party to take a look at the overtime structure and see if there is a way to change the cost attached to overtime within the Department. Not the whole Department, just the overtime cost issue. Board decides to go forward with getting a price for this and discuss it at a future meeting. Board of Selectmen said **Yes** to this warrant.

18. Warrant article to fund the installation of (or ask the citizens if they wish the BOS to pursue the installation of) a stop light at the intersection of Route 102 and Page Road; bring a plan forward to study costs and implications. Board discusses the alternatives that have been looked at to improve and prevent accidents at this intersection that have been pursued by the Town. From the State putting a sign or light which they have said no to. Also trying to have a speed study done to have the speed limit changed in this area and that was a no. Board mentions that this intersection is not in Litchfield, it is in Hudson. So this is a recommendation because the citizens keep asking what can be done. The Board has no idea of cost, or even if a light could be placed at this intersection if funds were available, it has to be looked into. Also mentioned was not changing Page Road, and looking into changing Albuquerque and extending it out to 102 somewhere in Litchfield. Board decides to word the warrant to have the Board study alternatives of this plan and report back with another warrant next year. Board of Selectmen said **Yes** to this warrant.

19. Reclass Conservation Land Acquisition Fund to allow balance to be used for all purposes of RSA 36-A
Board of Selectmen said **Yes** to this warrant.

20. Warrant requesting “the legislative body may authorize the governing body of a Municipality to appoint a Capital Improvement Program Committee, which shall include at least one member of the Planning Board and may include but not be limited to other members of the Planning Board, Budget Committee, or the Town or City governing body, to prepare and amend a recommended program of Municipal Capital Improvement projects over a period of at least 6 years”. Per RSA 674:5
Board discusses that this would separate the CPI from the Planning Board and place its responsibility with the governing body to make appointments and to add a Committee to structure what the Capital Improvement Plan should be. And the Board of Selectmen with the aid of the governing body would construct this Committee and manage that operation. Board of Selectmen said **Yes** to this warrant.

Pay Plan Update

Selectman J. Brunelle states that this discussion has been on hold since summer, but needs to be addressed and a decision has to be made by the Board as to a direction.

J. Hoch states that he would like to keep moving on this and would like feedback from the Board as to what action if any the Board would like to take. He states if this is to go forward for 2014 he needs to have some sort of budget number.

The Board decides to go over all of Administrator Hoch's information and documents and have a discussion at the November 4th Board of Selectmen's meeting.

Other Items

Building Committee

Selectman J. Brunelle states that the Board of Selectmen authorized a panel to look into the Public Safety Buildings and Public asset needs of the Town. He states it has been discussed that in order to continue with the process it will need to be funded. So there has been a recommendation from the office to encumber Impact Fees from the Police and Fire Departments. Selectman J. Brunelle states that if the funds are encumbered before they expire but not used for this project they will be returned to where they came from. But by doing this the Board and Panel will have the funds available for use to be able to move forward with whatever may be needed.

Jason states that most of the documentation and designs are Fire based and not Town wide, there are a lot of issues that still need to be discussed, but to explore any plans funding will be needed.

Selectman J. Brunelle tells the Board the recommendation was to encumber a total of \$25,000 from the Impact fees, \$12,500 from each the Fire and Police Departments, and allocate this for the Panel to use as necessary.

Administrator J. Hoch states this has been a discussion during the summer and in order to proceed forward with a plan funds will be needed. Some of these Impact Fees will be expiring, so they could be allocated now and used for future use by the Panel.

Selectman F. Byron would like to know if anyone has checked with Town Counsel to see if Impact Fees can be encumbered for this use. He states that he understood that a plan had to be in place with an invoice in hand in order to encumber funds.

J. Hoch states that he has a proposal in hand from November 2012 for the amount of \$21,650 for the needs assessments and preliminary design for both facilities.

The Board would like to get an opinion from Town Counsel and to also understand exactly what the proposal includes and the price attached.

No action will be taken by the Board at this time, they will wait for recommendations from Counsel and continue the discussion at a future meeting.

911 Recording System

Selectman J. Brunelle would also like to discuss with the Board the 911 Recording System at the Police Department. He states that at a previous Board meeting he discussed that the 911 recording and audio systems at the Police Department were failing and would be no longer be able to be repaired or serviced due to their age. He tells the Board that they have failed, the audio

portion which records in the interrogation room cannot be repaired. He is asking the Board to authorize the purchase of the new system now. He states that \$30,000 was put into the IT Budget for the purchase of this equipment; however the Police Department can not wait until March to fix this problem.

Selectman F. Byron asks why is it considered failing now and asks J. Hoch if the \$70,000 he mentioned would be left at the end of the year, does this include the \$30,000 or not.

Selectman J. Brunelle tells the Board that \$24,000 was put aside from the 2010 Surplus, this system will cost \$30,000 with installation, leaving \$6,000 to be funded from the year end balance. Administrator J. Hoch states that he is comfortable with using \$6,000, along with the \$24,000 that was set aside earlier.

The Board discusses that the system is from 1998 and the audio portion is even older. This system is no longer being made and no longer able to be serviced. Selectman J. Brunelle tells the Board that the 911 phone system has a few dead channels and is down 1 line, the video system that is in the interrogation room no longer has any audio, and the jail lost audio, however, that was reestablished. He states that the Officer's do not know when they bring in a suspect if the audio is working until they check the tape for evidence, which could be a problem with their litigation proceedings. Software, parts and equipment are no longer available.

Jason states that he would take the \$6,000 in funds from Legal Services, this budget has a balance of \$41,053.

Selectman F. Byron **motioned** for the Board of Selectmen to appropriate approximately \$24,000 plus interest from the Health Trust Surplus of 2010, as well as \$6,500 from Legal Services-4153.10-320 to be combined for the purchase of a new 911 Next Generation Recording Platform for the Police Department.

Selectman K. Bourque **seconds** the motion. **Vote carries 3-0-1.**

J. Hoch mentions that prior to setting the funds aside from Health Trust Surplus there was a balance of \$24,708.24 in the account.

Selectman J. Brunelle **motioned** for the Board of Selectmen to reopen Information Technology-4150.20 Budget line 740.

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

Selectman J. Brunelle **motioned** for the Board of Selectmen to reduce line 740 in the Information Technology-4150.20 Budget by \$35,000 which brings this line to \$6,050.

Selectman K. Bourque **seconds** the motion. **Vote carries 3-0-1.**

Selectman K. Bourque **motioned** for the Board of Selectmen to approve and forward to the Budget Committee a new bottom line budget for Information Technology-4150.20 in the amount of \$48,844.

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

Selectman Reports

Selectman P. Jewett states that she attended a meeting with the Conservation Committee last Thursday where there was discussion on the milfoil issues at Darrah Pond.

Selectman F. Byron states there is a Planning Board meeting Tuesday October 15, 2013 at the Town Hall at 7:00pm.

Selectman K. Bourque states that the Recreation Department is meeting October 21, 2013 at the Town Hall at 6:30pm. This will be their first Winterfest meeting and they are looking for volunteers. Also on Thanksgiving Day they are looking to have a Town wide flag football game it will be the North vs South, he will be reporting more details as they become available.

Selectman J. Brunelle states that there is a Budget Committee meeting Thursday October 17, 2013 at Campbell High School at 7:00pm.

Open House for the Fire Department will be held on Saturday October 19, 2013 from 1-4, it is open for the public to come and enjoy the event, further details are posted online

Items moved from consent- None

Other Business

Selectman F. Byron asks when will the change of funds for the Conservation Committee would go into effect - this year's budget or 2015 budget.

J. Hoch states that the funds would need to be reclassified by Town Meeting so could not be effective until the 2015 Budget.

Selectman F. Byron also mentions to J. Hoch to make sure that Town Counsel's billing does not get into specifics, due to the public being able to view the information in these documents.

Selectman J. Brunelle would like to clarify and discuss the wording regarding Public Input in the Boards meeting details on the website. He would like it to read the- Board of Selectmen meet the second and fourth of each month, unless otherwise specified in advance. All meetings are open to the public and are held in the Litchfield Town Hall at 2 Liberty Way in the conference room at 6:00pm and are broadcast live on LCTV channel 22, as well as LCTV on demand online. The agenda and minutes to the meetings are also posted on the Towns website. He would like to add that members of the public, whether a resident of Litchfield or not are welcome to address the Board during the public input section of the meeting, which will start no earlier than 6:30pm. Guests may speak on any topic, they are asked to limit their comments to no more than 5 minutes and to conduct themselves in a professional manner. Periodically the Board holds public hearings on specific issues. These meetings are usually held later in the evening and if anyone from the public wishes to speak at a hearing, however, could not stay later for the scheduled time, you may address the Board earlier during public input.

Selectman F. Byron states that he would like to mention that during elections, a candidate cannot come during public input and do any type of political speech. Also the issue of having two public input sessions has been brought up to the Board, is this a problem?

Selectman J. Brunelle states that there is no problem regarding this issue no one will be prevented from speaking in front of the Board. He is just trying to clarify and state a time when public input will be held, there has not been a second public input in years, however if someone is here and wishes to speak the floor will be opened.

Public Input

Jason Guerrette, 11 Perry Court in Litchfield thanks the Board for clarification on the posting sites of when the meetings will be held.

Also for clearing up any confusion regarding public input.

Mr. Guerrette states that the School Superintendent has suggested that the Board no longer be a member of the New Hampshire School Board Association because of the increase in the dues; he felt the benefits did not justify the expense and the money could be better used elsewhere. He tells the Board to place as many Warrant Articles on the ballot as they feel are necessary he has no problem reading a list if need be. He would also like to ask if a draft of the Warrant Articles could be posted online so the public could read and address the Board on any questions.

Jason Guerrette mentions that if there is extra money left over in the Budget to go and paint the Town Hall after the voters said no, send the money back to the taxpayers to offset taxes and put it back as a Warrant Article.

Selectman J. Brunelle states the the Board would need to ask the voters for that permission.

Also J. Hoch states that the end of year funds that are unspent in a budget do not go back to the taxpayer to reduce taxes they are placed in the Fund Balance which is different than the General Fund, for future use.

Mr Guerrette comments on the discussion regarding the stormwater issue and the EPA requirements, asks how would this be funded if needed. He states that businesses are forced to make this decision everyday and it forces you as an owner to take a look at your long term costs, and benefits are usually what gets changed or cut. So he asks if the Town qualifies for a luxury tax on health insurance benefits.

J. Hoch and the Board state that the Town does not qualify nor is subject to this.

Mr. Guerrette also discusses the possible hiring of a Facility Management Professional and the Town pays for half and the School pays for the other half. This individual could oversee all the Towns needs, as well as any Capital Improvements. He feels this is something the Town should consider.

J. Guerrette also discusses the overtime within the Police Department, he states that in the small town where he grew up it has 6,500 people and they have a Sergeant and four full time Officers and they can make it work with the same statistics as Litchfield.

He also mentions that the Impact Fees have been frozen for 6 years and have not been used so he feels they should just be returned.

Selectman J. Brunelle states that Impact Fees are returned on a regular basis and more often than not.

Mr. Guerrette states that there was discussion regarding putting up a stop light in another town, he would much rather see the Board go forward with a Warrant Article to proceed with building a new Municipal Building, before spending a dime on a stop sign for another town and feels the Board should ask the voters.

He also asks if there have been any decisions made regarding the Public Safety Panel. Also he feels is it unnecessary to put aside \$25,000 for a project that has not even been set up yet, or approved by the voters.

Selectman J. Brunelle states he received his information to volunteer and has responded,

however, no decision has been made and will not before 2014. Also that money has to be spent to gather information to present to the public, this was a way to fund the project.
Mr. Guerrette thanks the Board for their time

Selectman P. Jewett **motioned** for the Board of Selectmen to adjourn
Selectman K. Bourque **seconds** the motion. **Vote carries 4-0-0.**

The next Board of Selectmen's meeting will be on October 28, 2013 at 6:00pm at Town Hall

Approved 28 October 2013

Meeting packet at <https://sites.google.com/a/litchfieldnh.gov/bos20131014/>