

TOWN OF LITCHFIELD BOARD OF SELECTMEN

August 11, 2014

Selectmen's Meeting

Members Present: John R. Brunelle, Chairman
Frank A. Byron, Vice Chairman
Kevin C. Bourque
Steven D. Perry

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 July 28, 2014
2. Approval of Accounts Payable Manifest (\$36,762.97)
3. Approval of Payroll Manifest (\$40,303.42)
4. Land Use Change Tax Warrant - Map 18, Lot 64-1

Approval of Consent Items

Selectman J. Brunelle reads aloud the items for consent

Selectman K. Bourque **motioned** for the Board of Selectmen to approve the items for consent

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

Request for Items - Other Business

Selectman F. Byron would like to discuss the Town's website

Selectman J. Brunelle would like to discuss the status of Police cruiser #5.

As well as a request for RSA-91A

Conservation Commission - Land Purchase

Thomas Levesque Chairman of the Conservation Commission, as well as fellow members Michael Croteau and Marion Godzik address the Board regarding the Conservations Commission's request for purchase of land on Route 3A in Litchfield. He has shared the information with the BOS, and asks if the Board has any questions.

Selectman F. Byron would like to know if the CC has had an evaluation of the property from a certified assessor.

Mr. Levesque tells the Board that they do not. The CC felt the property spoke for itself, there is a 1500 ft. frontage from the road, Litchfield only requires 150 ft, and they felt a Developer could build 8-10 lots on the property at \$127,000-130,000 each giving the land a value of over \$700,000-\$800,000. Due to the CC purchasing the property for much less, and there not being any comparable properties they felt it was unnecessary.

Selectman F. Byron states that he brought this issue up at the last BOS meeting, his concern is that the Board make sure that the purchase price of \$610,000, (which is money from the citizens) is spent appropriately. He states that he fully supports the CC and the purchase of farmland in town. But wants to be sure that the BOS does their due diligence in this matter, and feels that an evaluation from an assessor makes the most sense.

Selectman J. Brunelle mentions that Selectman F. Byron made a motion regarding this at the last meeting, however, it failed for lack of a second.

Board discusses how the value of the property was determined, and that it is below what an acre lot is valued at in the town.

Selectman F. Byron would also like to know if on the Purchase and Sales Agreement, was there an examination of the title and who would be doing this.

T. Levesque states that this was done by Town Counsel.

J. Hoch mentions that there was an issue that came up and a release had to be done, and Counsel fixed all issues.

Selectman F. Byron would like to know if the CC is purchasing title insurance.

J. Hoch states that no they were not, because the title was done prior to the Purchase and Sale.

Board discusses if title insurance has ever been purchased on a property in town before. Also that it is a one time purchase and protects the town if anyone ever contests the title.

T. Levesque states that if the Board would like the CC to purchase insurance they have no problem doing so.

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve the Purchase and Sales agreement as presented for the purchase price of \$610,000, and that title insurance be purchased for this property prior to filing signatures.

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

Selectman F. Byron states he is in support of the CC purchasing this property, but feels strongly that a certified appraisal needs to be done, and for this reason only, will be voting against.

Board and CC members discusses this matter, and reasons again for not having an appraisal.

Selectman F. Byron asks if the CC will be writing conservation covenants into the deed.

T. Levesque states that yes the CC will be stating usage as agricultural or open space.

Selectman J. Brunelle asks the Board for a vote on the motion. **Vote carries 3-1-0.**

Board mentions that J. Hoch is to make sure title insurance is purchased.

J. Hoch also wanted to clarify for viewers watching that the funds for this land purchase came from the Conservation Land Fund, they are the funds that have grown over time in the Land Use Change Tax Fund, and Town Meeting deposits. This is not General Fund or Property Tax money. Also that the Conservation Commission has the authority to be able to purchase land with the approval of the Board of Selectmen.

Citizen Noise Ordinance Request

Selectman J. Brunelle states that the Board received two pieces of correspondence pertaining to the noise ordinance conversation at a previous BOS meeting. The first email which was addressed to the Board was after the July 28th meeting, the other was a follow up on August 1, 2014. They were from Chis Pascucci and John reads the letters into the minutes this evening:

July 28, 2014

Good evening,

“To follow up on the point I made at tonight's meeting; My skin crawls when I hear politicians talking about "banning" anything. Fireworks is legal in the State of New Hampshire. It is also a tradition. Maybe a slight inconvenience for a couple nights in July, but again...its legal. I believe it is an overreach by you 5 Selectmen to even think about banning them. Anyway, apparently it takes only one person to e-mail you to get the "banning" ball rolling. I understand you have scheduled a town forum sometime in August. Just so we are all clear how these types of events go; the only people motivated or even know about your potential ban is the one person that complained and the selectmen which seem to also agree with a ban. Of course these same people will let their like-minded friends know of this forum which will give a mainly one sided view leaning towards a ban. The average law abiding Litchfield resident is going about their business not even in their wildest dreams thinking they have to worry about their 5 member BOS banning something they enjoy doing legally a couple nights every summer.

Mr Brunelle; you said you would consider banning fireworks a BOS warrant. I don't even think that should be done by you. If this one citizen is so intent and passionate about banning this otherwise legal practice, then you should advise her to petition a warrant. If there is a huge outcry for this ban, then she should have no problem gathering 25 signatures.

To be perfectly clear, I do not like fireworks. I do not light them, I don't even like to watch them, the noise is annoying, and every July 5th, I have to go around my property picking up pieces of cardboard and chalky pieces of something that dropped from the sky from the neighborhood fireworks. As much of an annoyance that is for me, I believe in freedom and liberty and limited government. I do not believe in the idea that you 5 are smarter than everyone in the community, or that your job is to "protect" us from every little nuisance and inconvenience. These kinds of government overreach scares me.

Having said all that; consider this a formal request to add a few topics to your town forum in August. I am confident that my requests are at least equal of a concern compared to the fireworks discussion, if not even more important. Remember, the reasons given by the community member for a fireworks ban included noise which prevented sleep, loud sounds which scared pets and the same loud sounds which stressed the wildlife.

My requests include;

1. Ban outdoor parties including excessive noise after 9PM during the Spring, Summer and Autumn seasons (the times of year when windows are open)
2. Ban the use of power tools, including lawn mowers, tractors and weed wackers before 9AM during the week and before 11AM on weekends when people are sleeping later.
3. Ban loud motorcycle exhaust (make that one a permanent ban, as it is ear piercing)

4. Ban dogs that bark for more than 15 consecutive minutes

5. Ban loud gunfire, especially the machine gun shoots from the gun range, and ban outdoor shooting during hunting season. It is extremely loud, hunting takes place very early in the morning and it affects people, pets and especially the wildlife.

If any of you think my requests seem silly, I agree with you.....in my opinion, and in the opinion of every freedom and liberty loving conservative believer in the Constitution agrees, my requests are as silly as your desire to even think about banning fireworks is.

But if that's the direction you are willing to head towards, then my requests deserve equal time and equal discussion from concerned members of this community.

Please get these items on the agenda for your forum and if you could be so kind, e-mail with the time, day and date of this forum so I can be sure to attend.”

Sincerely,

Chris Pascucci

Selectman J. Brunelle mentions that he responded to Mr. Pascucci's email stating that the Board would discuss the five items he mentioned at a future meeting. He did not want to mix the fireworks public forum discussions, with Chris's five items because he considered these to be a noise ordinance issue. Which the BOS had discussions on at previous meetings last year, and took no action. Selectman J. Brunelle states that Mr. Pascucci wrote again to the Board, and he reads that letter into the minutes:

August 1

Mr Brunelle,

“I just had a chance to read the minutes from the 7/14 BOS meeting, and I realized the person that wrote that "fireworks" letter is different from the person that spoke to it. To be perfectly clear, I agree with the complaint and sympathize with both those ladies. The sound of those constant fireworks on July 4th, is enough to annoy the heck out of anyone. For me, the loud voices from the parties on my block on the evening of July 4th went much further into the evening than the last boom of any fireworks. The complaints are real, its just your remedy where I have a problem. Our liberty and freedoms are slowly being taken away from us by politicians at all levels of government. The further away from "local", the harder it is for the average citizen to regain control of our liberties. However, locally, it is somewhat easier. And this issue, in my opinion, is something the Litchfield Board of Selectmen should either stay away from, or should go all the way and ban everything that is an inconvenience. The person that wrote to you was very clear, NOT only about the sound of fireworks on TWO NIGHTS per year, she also complained about "loud barking dogs at early hours, waking us from sound sleep", "loud cars, trucks and motorcycles driving by at all hours, also waking us at times", "parties with loud music for hours". Yet, the five of you chose to focus solely on fireworks. Why is that? Is it some personal bias you are trying

Litchfield Board of Selectmen August 11, 2014

to govern? Is there some personal agenda you are trying to achieve?

My last letter, I had requested you consider these EXACT SAME other noise issues written in the "ban fireworks" letter, yet Mr Brunelle, you declined my request. Can you please give me a logical reason as to why these other noise generating issues (issues that go on throughout the entire year, rather than only 2 nights per year), cannot be discussed at the same public forum?

Gentlemen, unfortunately for us, unfortunately for the sake of freedom and liberty, local boards of selectmen have great power and (legally) can do many things. Please stop doing things. Please find some reasonable boundaries for stuff you want to do, stuff you want to ban, stuff you want to take away from us, stuff you want to protect us from.

This is how this issue should have been handled when this letter made it to your office; The following statement; The use of fireworks is indeed legal in the State of New Hampshire. If a Litchfield resident is being careless, reckless, or otherwise exceeding of breaking current State or local law, our police force will investigate and take care of the issue as the current law allows. If this is not satisfactory for you, you have the following options; Petition your State Legislature to begin the process to make the purchase and use of fireworks illegal in the State of New Hampshire. And of course, as a citizen of Litchfield, under current law, you have the right to petition a warrant to get this "ban" on the ballot. All it takes is 25 Litchfield residents to sign such petition, then you can speak to your issue at deliberative, as well as campaign throughout the community to convince others to vote for your issue. As Selectmen, although we have the "legal" right to ban fireworks and even create our own warrant, we feel this is outside the boundary of what we "should" be doing.

Gentlemen, referencing your 5 - 0 vote, clearly you believe you are here to protect us from every little disturbance. Following that logic, then please protect us from all the other issues expressed in that letter you read on 7/14, as well as the same concerns I expressed to you via e-mail last week. Or, please re-think where your boundaries lie, and dismiss this issue. After all, its August 1st and we will not have this fireworks issue arise again for another 11 months, BUT we will continue to have to suffer through all the other noises and inconveniences each and every day of the year. What is the real goal??????????

Sincerely,

Chris Pascucci

Selectman J. Brunelle again states that he feels this goes back to a noise ordinance issue, which the Board discussed were adequate enough, and decided to take no action. Where as the Board felt the fireworks was a separate issue and should proceed with a public forum to see what the citizens thought regarding the matter. Selectman J. Brunelle requested that Chris Pascucci attend the meeting this evening, and would like to know if the Board would like to pursue this matter further, and address a noise ordinance.

Administrator J. Hoch mentions that fireworks are not specifically addressed within the Town's noise ordinance, they are in accordance with NH RSA 160 under permissible fireworks.

Due to Chief O'Brion being present Selectmen S. Perry asks him if the Police Department gets a call at 11:00 pm regarding a residence making too much noise, how would they handle it.

Chief O'Brion states that an Officer would ask the resident to quiet down. If it continues they can be arrested for disorderly conduct or breach of peace, regardless of the Town having a noise ordinance in place.

The Board continues to discuss different noise scenarios with the Chief. Chief O'Brion tells the Board that fireworks are not a large problem within the town, and that they would not be a top priority call if something such as a DUI or other disturbance was taking place.

Board agrees that they felt the State statute was sufficient when this topic was addressed before.

Chris Pascucci is asked to come up and speak to the Board regarding his comments and opinions.

Selectman J. Brunelle would like to make sure that the two issues (noise and fireworks are not viewed as the same) he feels Mr. Pascucci is raising the "silly" regarding the noise issue to have the Board rethink the fireworks. Also, that his examples for limiting noise in town are ridiculous.

Chris Pascucci states that he felt some people would think his comments were "silly", and Selectman J. Brunelle may, but he would like the Board to know that he is serious. He feels that this is the BOS overstepping their bounds. He states that fireworks are legal in New Hampshire and that a ban on fireworks should go in front of the State and be their issue, that the State should then stop the sale and use of fireworks. Mr. Pascucci feels a ban on fireworks is silly, and bought up his 5 "silly" noise issues to compare the two as silly. He would like consistency regarding noise of any kind throughout the year, not just on July 4th with fireworks. He states that he enjoys his personal freedoms and is tired of politicians trying to take them away. Also he reminds the Board that the Police Chief stated that they can enforce any necessary noise issue within the Town.

Selectman S. Perry states that the Board decided at the last meeting not to take any action and bring it to the public for discussion, and possibly put forward as a Warrant Article. He agreed to move forward and see what others in Town had to say.

Selectman J. Brunelle agrees and states that he is not in favor of a ban of any kind in Town, he feels the State statute is adequate, and that neighbors should be good neighbors.

Chris Pascucci and the Board continue to discuss their views on these topics being a noise issue, and not seeing it as two separate things. As well as, continuing forward with a public forum regarding fireworks only or combining the two.

Selectman F. Byron asks the Chief if he could answer a few questions. He mentions that Chief O'Brion stated that Officers can take action on a Disorderly Conduct or Breach of Peace complaint. He would like to know what the penalty would be for these offenses.

Chief O'Brion states they are Class B Misdemeanor, which would be a fine of up to \$2,000.

He mentions that it has to be a citizens complaint, not an Officers, otherwise it would have to be done by a warrant.

Selectman F. Byron is wondering if an ordinance would give the Police Department more options other than just a misdemeanor offense.

Chief O'Brion states they would issue a hand summons to appear in court, in violation of an ordinance. It would then be up to the BOS to determine what the fine amount would be, it would be handled the same as a parking violation in Town is handled now. The fines may range from \$20-\$100, the amount would be set by the Board, usually scaled for first, second and third offenses. While a misdemeanor the individual has to appear in court.

Selectman F. Byron also asks the Chief if they need a device to measure sound decibels in order to enforce the law. Chief O'Brion states no.

Selectman K. Bourques asks the Chief if he feels this is an issue in Town

Chief O'Brion feels that they are able to enforce the law with adequate penalties at this time.

Board continues to discuss options

Administrator J. Hoch states that there is a class of fireworks designated as "unregulated novelty fireworks", this would not be regulating sparklers. He states that he has shared with the Board a list from the State this year outlining what other Towns do regarding fireworks. Many Towns choose not to respond, but there are some that regulate in a variety of ways.

Jason states that another way of approaching this would be from a public safety/fire issue and permit consumer fireworks as you regulate burn permits. Another option would be to limit consumer fireworks between the hours of 12 noon to 11 pm on Memorial Day weekend, July 4th and Labor Day weekend otherwise they are banned entirely.

Selectman K. Bourque mentioned that the State does not permit and feels they should not either. Board is not in favor of any of the actions at this time.

Selectman J. Brunelle **motioned** to table the discussion on a noise ordinance or fireworks/permitting system at this time.

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

Selectman F. Byron **amended** the motion to include that the Chairman of the Board of Selectmen get in touch with the people who submitted complaints and emails to notify them of the actions taken by the Board.

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

Selectman J. Brunelle takes a vote on the original motion. **Vote carries 4-0-0.**

Selectman J. Brunelle also mentions that any individual from the public can still move forward with a petition article.

Public Input:

Chris Pascucci 12 Colonial Drive, states that he encourages anyone from the public who wishes to ban fireworks to start a petition (they only need 25 signatures), and he will gladly sign. He will

support this to go to discussion, and will make his opinions known, but feels others should be allowed to express their opinions as well. Mr. Pascucci discusses his view and opinions on allowing him his freedoms and liberties. He understands that at times things get loud and noisy, but what makes this Country and some States great is the freedom to choose "live free or die". He enjoys Litchfield because it is self governing, with wonderful people who are respectful, with a terrific police force that can handle any disturbance and get it under control.

Administrator Report

New Business

Police Officer Vacancy

Selectman F. Byron states that the Police Department currently has a vacancy, due to the internal promotion last month of Sgt. Sargent. In 2008 the BOS had an analysis of the Police Department done by Municipal Resources Incorporated, who generated a large report known as the MRI Report. It included what they felt was the appropriate staffing for the Police Department, so he is asking if this Officer vacancy should or should not be filled at this time.

Administrator J. Hoch states that currently the Department is behind in the overall staffing recommendations of the MRI report by 2 fewer full-time officers and 5 fewer part-time officers, they suggest (9 FT and 8 PT). J. Hoch states that he referenced the chart used previously during the budget cycles, showing 2 officers 24 hrs/day throughout 365 days which then looks at the total officer hours and adjusts for earned time. This takes into consideration, vacation time, military leave, those who participate in the Special Operation Unit, as well as sick time. Jason states that this shows at the current level of staffing, and not considering any non-routine factors such as injury or extended calls, a deficit of 138-264 shifts. He mentions that the gap of 1100-2100 hours is generally covered by the 3 part-time Officers (not 8 recommended), and by rotating some shifts with less coverage. So by removing one Officer (or not filling vacancy) it makes the deficit in shifts go to 374-489, or approximately the equivalent of 1.5 to 2 full-time Officers. J. Hoch reminds the Board that this is not bringing on a new Officer it is replacing an existing positions already approved by the voters.

Selectman F. Byron reads from the MRI report stating how the staffing of Officers is based upon population, and he does not necessarily feel that recommendation holds true. He mentions that in 2008 the MRI report based their report on Litchfields population of 8,307. Since that time he tells the Board that the Town has only grown at most by about 200, there has not been a strong growth within the community. He states that his understanding is that there are 2 Patrol Officers and a Sergeant on each shift.

Chief O'Brion states no, that is not the case. The Sergeant is staggered and at times there will be a Patrol Officer and Sergeant (not always a second Officer).

Selectman F. Byron states that if this Officer (vacancy) is filled will this place 2 Patrol Officers and a Sergeant on each shift.

Chief O'Brion states no it will not. There are times due to the way the rotation works that during the day for a few hours there may be 2 Officers and a Sergeant, but that is not the norm. He states that a Sergeant covers 7 days a week from 3 in the afternoon to 1 in the morning.

Administrator J. Hoch states he appreciates Selectman Byrons view regarding benchmarks for

the number of Officers based on the MRI report. However, in terms of scheduling, the report shows 1 School Officer, 1 Sergeant and Patrol Officer in one section, but the chart on page 75 shows a very different layout of shifts - Shift one (2 Officers, 1 Sergeant) - Shift two (1 School Officer, 2 Officers) - Shift three (1 Sergeant, 2 Officers). He feels a blend of this report as well as the Chief's professional knowledge is needed to provide adequate coverage of police staffing for the Town.

Selectman J. Brunelle states that it has been the view of the Board in the past to keep 2 Officers on patrol at all times, and that Sergeants would be used in the mix of covering patrols as well as their administrative duties.

Board discuss with the Chief the duties of the Lieutenant and the Sergeants, which include all administrative work, handling of all reports generated, review all arrests and use of force, review and handle training, any legal issues that may occur, complaints, budgeting items, scheduling, overseeing the duties and responsibilities of each department.

Police Cruiser

Administrator J. Hoch tells the Board that the 2010 Crown Vic (#5) police cruiser is out of service once again. In order to make the vehicle patrol worthy Londonderry Ford has given an estimate for the following repairs - due to overheating issues the engine needs to be replaced at a cost of \$4,000-\$5,000 (radiator and associated hoses, water pump etc. extremely expensive), transmission \$2,800, brake line and hoses \$1,400, rear end \$1,200 and finally the suspension quote of \$4,342. Total repairs will be roughly \$14,000. They have not looked at the structural integrity of the vehicle to see if that needs any attention. Jason reminds the Board that they have already put in a total of \$12,000 in repairs to this vehicle since January 1013.

Selectman S. Perry asks what is wrong with the suspension.

Chief O'Brien tells the Board that Union President who drives this car told him it was running terrible and it did not feel safe, so he rode along with him. They drove 60 mph along 3A and it did not handle the road well, when the brakes were applied there was a very loud chatter and you could feel the clunking underneath the vehicle. He mentions that the vehicle has 110,000 miles. Selectman S. Perry states the Board just had this discussion a month ago and it was decided to wait later in the year (September) to see what happens with the Budget, because there were no funds.

Board discusses the repairs and suggestions as to where the money can be found for a new cruiser at this time. They state that 4 cars need to be available in the fleet, and the older vehicles (5 & 6) continually being out for repairs are placing excessive wear and mileage on the two new cruisers.

J. Hoch tells the Board that later in the year depending on how the Budget plays out, they may find the cash to buy a vehicle outright. He states that last time he looked at the numbers and they had this discussion, there was about 100,000 buffer, nothing has happened as of yet to change that. He also states that he knows it is not favorable but a lease purchase is always an option, put \$10,000 down and push the rest off to a future year. It appears to be the same situation the Board keeps finding themselves in.

Selectman J. Brunelle states that he feels the Board needs to make a motion allowing Jason and the Chief to go and purchase a vehicle and find the money (\$40,000) somehow. He mentions

that there is still a 6-8 week wait to get that vehicle into service.

Board discusses how their inappropriate planning has continued to get them into this situation regarding Police Cruisers.

Selectman S. Perry states that if there are no funds, and the vehicles they have need to be driven and there is undue burden placed on the newer vehicles, than so be it. You go to the voters and allow them to decide. He asks Jason if he and the Chief have looked at any State auctions for purchasing a used cruiser. S. Perry also states the if the money (\$40,000) was found that the BOS should pay-off the older leased cruisers and release two new vehicles. Jason tells the Board that he has not seen any on the State auction sites, but on the Municipal website a Town near has upgraded their fleet and are selling two Crown Vic's with 70,000 miles, and that they are purchased through sealed bids.

Board continues to discuss options and the budget.

Selectman J. Brunelle **motioned** for the Board of Selectmen to authorize Administrator J. Hoch and Chief O'Brion to find the funding, not to exceed \$40,000 and order a new vehicle for the Police Department.

Selectman F. Byron **seconds** the motion.

Selectman S. Perry states why limit the funding to one vehicle, in case they find an exceptional deal or Jason can come up with some creative cost savings, or a possible lease.

Selectman S. Perry **amends** the motion stating that Administrator J. Hoch and Chief O'Brion return to the Board of Selectmen at the next meeting with a plan on funding available and what can be purchased or leased with those funds for police vehicles.

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

Selectman J. Brunelle states that the Board is asking J. Hoch to find the money and to purchase what ever vehicles that money will buy.

Board discusses the \$100,000 buffer in the budget, and would like to try and maintain that buffer and still get a vehicle that is needed. They decide that tough funding decisions will have to be made.

Administrator J. Hoch states that he agrees with not impacting the \$100,000 buffet. He states that he can give the Board \$40,000 now by taking the reimbursement from the Water District of \$16,750, and \$25,000 from the Winter Maintenance Trust Fund.

Selectman J. Brunelle takes a vote on the original motion. **Vote carries 4-0-0.**

Jason and the Chief will report back to the Board at the next meeting on August 25th.

Selectman F. Byron would also like the Chief to forward to the Board a copy of the written repairs for cruiser #5.

91a Request

Administrator J. Hoch states that he received an email request from Jason Guerrette to obtain a copy of any and all records of Litchfields purchase or lease of police vehicles for the past 5 years. Also a copy of the account ledger that the payments were made from. If possible could he have them sent electronically. J. Hoch states that he will respond within the 5 days required by law. He sent this email and some questions he would like clarified to Counsel and is waiting on their response.

Old Business

Gas Price Question

J. Hoch mentions that Selectman S. Perry had asked about the difference in gas prices between what is seen at the pump as a consumer and what the town pays via delivery from Burke. He states that there is a swing between them - gas station prices will likely be lagged from the daily market price as they work through product in their storage tanks. The price that Burke has committed to via state bid is the daily market price. Jason shared a table that shows the difference between the towns rate and the NH consumer market rate for 2013 and 2014. It did vary, there are weeks the town paid below market and some that were above market. He also added a chart that also shows the opportunity cost of Officers going out of town to get fuel. Jason estimated a weekly opportunity cost of the MPO hourly rate, along with a 20 minute trip out of town at 6 fills a day, it would cost \$73.00 a day to fill a vehicle. Having Officers go out of town to fill up greatly exceeds the price variance the town may see in a given week. J. Hoch also mentions that there was a question of the gas tax being included, he states that there is NO tax included in the rate from Burke. The rate is based on the Journal of Commerce - Boston Mass low - reformulated in effect on the date of delivery, at the designated octane level, from "Daily Petroleum Prices" section + the mark-up price of \$0.48/gallon (which includes transportation and all other charges). The delivery charge is based on both the distance from Boston as well as the relative small amount (300-400 gallons) the town uses.

Administrator J. Hoch mentions that they have been corresponding with Burke Fuel trying to lock in a set price, because the town knows what they need to purchase. Which they were able to do, he received a set price of \$3.22/gallon (everything included) effective now til the end of the year. They would renegotiate for 2015.

Selectman S. Perry asks Jason when budgeting last year, what price did he base the gallons of gas on.

J. Hoch states that he budgeted 16,000/gallons at \$3.39

Road Agent Job Description

Administrator J. Hoch states that at a previous meeting, there was a request to draft a job description for the Road Agent based on the requirements of the law. He has shared a rough draft with the Board and is looking for input.

Selectman J. Brunelle mentions that the town has a person who does two jobs, he is the Road Agent as well as the Highway Supervisor. This job description will only cover 10% of his job as Road Agent, which is an elected position; soon to be an appointed one.

Selectman F. Byron states that he does not agree with that because in looking at the drafted job description it lists under knowledge, skills and abilities - the use of computers, ability to respond to emergency situations, and able to understand blueprints, also the ability to use hand tools, and perform manual labor and minor repairs on equipment, ability to perform frequent strenuous physical efforts under adverse weather conditions etc. He feels there is a melding of the two positions here. Jason states that is why he was looking for the Boards input.

Board discusses descriptions that should be under just the Road Agent, such as the planning of roads for the town, repairs and improvement, maintenance schedules and future extension and

expansions etc. As well as an administrator aspect of the job overseeing the workers, but may not be the one to physically swing the shovel or pick themselves.

Selectman S. Perry asks what the Road Agent is currently paid. Board states it is a stipend of about \$900. Selectman S. Perry thinks that this needs to be reviewed also, because he states that the Road Agent position would be difficult to fill on its own, it is a stepping stone for the luxury of continuing to do the other work of Highway Supervisor, that the individual gets paid for as well. Selectman J. Brunelle states that the job they are trying to do now is following an RSA statute defining the position of the Road Agent.

Jason states due to the variety of positions from town to town the pay is all over the place. He states that he will continue to adjust and write up a description, and follow up at the next Board meeting.

Tree Cutting

J. Hoch tells the Board that a question came up regarding if there was any town owned land that need any harvesting or tree cutting. Various interests for looking were for property management, road preservation and revenue potential. Kevin, Jack and Joan met with the County Forester to review and receive back a report from the Forester, and passing along the relevant information to property overseers (BOS, Conservation Commission and Cemetery Trustees).

Jason states that the full report has been shared with the Board. In summary he states that several lots would benefit, definitely recommends the Page Road work be done sooner rather than later as some of the trees close to the road are impacting road conditions. They are looking at the timing/market for this. However, there is no major source of untapped revenue here, on the town owned property Jason states they are looking at about \$10,000.

Board discusses some of the locations of the lots of land listed, and potential for harvesting later this year or early next year. Jason will keep the Board updated.

Wage Plan

Selectman J. Brunelle states that this was moved to this meeting in order to discuss this with a full Board, and there is not one this evening. Would the Board like to table or discuss this matter.

J. Hoch states that he will need the information in September for the Budget, but it is up to the Board. He also mentions that some of the things he had in mind to support this may be put aside, with the task of finding \$40,000 for the new police cruiser, there are only so many dollars that can be spent. He mentions that his concern is not really with 2014, but with 2015 budget, he will need additional guidance as to what level of annualized impact in the budget the Board will wish to consider, (or a possible one time payment). Jason tells the Board that they approved \$30,000 for this purpose in the proposed budget for 2014. He states nothing needs to be decided at this time, he was just putting it out there for the Board think about.

Selectman J. Brunelle states that this is an approved plan, with no money to fund it.

Selectman S. Perry feels it should be on a warrant with a dollar amount or percentage added to it for the voters to approve.

Selectman F. Byron mentions that he has been reviewing some numbers from 2000-2014 that Jason shared with him regarding the history of changes to employees salaries, from year to year. Example in 2008 employees received a 3% increase, and earnings went up 3% so they

stayed flat; in 2009 there was no increase, and earnings dropped 1.6%; and from 2011-2014 there was 0% increase, and wages went up each year by 2.2%, 2.0%, 2.3% and 2.0%. This is from the Bureau of Labor statistics.

Board discusses options of a dollar amount and how to fund this plan.

Selectman F. Byron feels it cannot be a percentage it should be a straight dollar amount, then it would be up to the Board to figure out how to allocate and adjust salaries according to the table. Jason states that in addition to the overall transition of the Wage Plan into the new table, the plan also called for longevity payments for certain employees with longer periods of service to the Town. He states that after he runs all his numbers he may come back and ask the Board to revisit just the longevity section (about \$6,275), because it would not compound into next year. Selectman S. Perry asks if the longevity portion is added yearly. Jason states yes.

Selectman S. Perry mentions that an annual longevity is the only part he does not necessarily agree with. He has no problem giving it on an anniversary.

Winter Plowing

Administrator J. Hoch states that they are facing a challenge in winter contract plowing this year. The approach taken is a little unusual and has potential cost risks built into it. He tells the Board that the Town provides the sander and plow equipment and setup onto private contractors trucks. The town installs the hydraulics and drive systems to support the sander and plow. Then the town pays for an operator to run this equipment. When a contractor leaves, it costs the town around \$4,000 to break down the truck to uninstall our equipment. If a new operator can be found with a large truck, the town then pays close to \$10,000 for a full setup to put equipment into another truck. If this occurs, the charges are usually covered through the vehicle repair budget line of the Highway Department. Jason states that the town has lost 2 contractor trucks this year. One has been converted to another truck with the same contractor operator. However, the second one has no truck waiting.

Jason tells the Board that over the past few years Jack and he have discussed gradually moving away from the existing model. They would like as contractors leave, to have the town acquire its own vehicles equipped for plowing and then hire seasonal drivers, the costs would be less and there would not be the uncertainty shock of turnover costs with contractors. He and Jack are looking hard for a used dump style truck that can operate with a plow and sander. Realistically, this kind of vehicle will mainly be for winter use. What they are hoping to do is continue the approach taken with the orange former DOT truck the town purchased a few year ago. Instead of spending the repair money on conversions only, they are hoping to spend the equivalent amount of money on an asset that can last longer.

Jason mentions to the Board that winter maintenance is designed with 6 neighborhood routes and one float truck circulating through all of the main roads. Over the past few years, two routes have already been dropped with the result being the redesigned plow route map in place now. The Road Agent is concerned that routes cannot be consolidated further and there is no flexibility for truck or equipment failure if the town is not running the 7 routes.

J. Hoch tells the Board that they have a lead on a surplus truck.

Board discusses possibility of contracting out certain parts of the routes.

Jason states that they already do that, each contractor has a route and they are paid by the hour.

During certain storms, the Department will do the plowing in house in order to save a few dollars. Jason states that in the contractors contract includes a fixed minimum price that guarantees a certain dollar amount, in the event of a mild winter season.

J. Hoch tells the Board that the State surplus vehicle purchasing has changed. Municipalities had the first changes to bid on DOT vehicles, however now they have to wait for the regular onsite auction, go through the online bid process just like everyone else. He mentions that there is a truck that the town is interested in that will be included in the online auction. He tells the Board the truck is a 2007-2008 with under 100,000 miles, which is similar to the orange plow truck the town previously purchased. It would be used just for winter plowing.

Board discusses the new process and Jason mentions that it is a shame for Municipalities that the State decided to go this route, and suggests a State Representative may want to look into this further.

Other Items

MS-4

Administrator J. Hoch states that he will be submitting the MS-4 revised Estimate Revenue Report this week, (no BOS signature - it goes out with his signature as preparer). He will also be entering those numbers into BMSI for revenue projections. He shared a summary with the Board. He states that the expectation is an increase of approximately \$9,000 in total revenue. The notable increases are the Land Use Change Tax +\$17,230 (budgeted 0), and the Motor Vehicle Permit Fees +45,793. Notable decreases are the Income From Departments - \$30,685, which comes from processing more recycling & waste disposal through Co-op and has reduced revenue. Also Interest & Penalties on Taxes - \$11,234 (improving economy means less tax penalty revenue).

2015 Budget

J. Hoch tells the Board that he has shared the completed first pass of the budgets with the Board. They are still subject to change once all Departments have been received and revisions are made to reach the targeted bottom line. Jasons tells the Board that he is trying something new. He is trying to link support documents right into the Budget sheet, so they will be able to click on a link and view supporting documents and information attached to that item in the budget.

Pennichuck Rate Change

Jason tells the Board that it has been confirmed that Pennichuck will have a rate change of 11.52%. He mentions that a good portion of this increase is already showing up in your bills, because Pennichuck was already granted a temporary increase (7%) earlier this year. The difference will be added for the new rate being implemented. There will also be a step rate increase, which will be a recapture from the previous increase (temporary increase) to this new permanent rate increase.

Jason states that the hydrant portion for the town is recalculated and hydrants on a different rate basis.

Selectman Reports

Selectman F. Byron states that there was no Budget Committee meeting this month, the next will be in September. He mentions that by then they will be looking for budget information from the BOS. Jason is hoping to be done the Towns reviews by the end of September.

Selectman S. Perry mentioned that the Recreation Committee asked when they needed to have their budget submitted. Jason states as soon as possible, he will send information out to them.

Items moved from consent - None

Other Business

Town Website

Selectman F. Byron states that the Town Website seems to have old material posted to it and items that should be updated, and he would like to see it cleaned up. Selectman J. Brunelle tells the Board to send him a message on any concerns and he will take care of it. He posts information when Committees, or Department Heads send it to him, and tries to stay ahead on posting the minutes as they come in.

Selectman F. Byron states that the Conservation Committee, and Mosquito District are way behind in their minutes. The Recreation Committee posts their minutes to their own website, not the Towns.

Selectman S. Perry mentions to the Board that the RC advised him that they no longer have a person to do their minutes and would like the BOS to find someone for them.

Selectman F. Byron mentions Police Union Contracts, financial reports, audit reports, and town reports all information needs to be updated. He states that a motion was made for all Committees to record and take minutes for their meetings, and would like to know if this is being done by all. Selectman J. Brunelle states that all meetings are being recorded, and posted to Youtube and cross referenced to the other Town Facebook and Twitter sites.

Selectman K. Bourque **motioned** for the Board of Selectmen to adjourn

Selectman S. Perry **seconds** the motion. **Vote carries 4-0-0.**

The next Board of Selectmen's meeting will be on August 25, 2014 at 6:00pm at Town Hall

approved August 25, 2014