

TOWN OF LITCHFIELD BOARD OF SELECTMEN
January 12, 2015

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 December 22, 2014
2. Approval of Account Payable Manifests (\$41,879.17) & (\$101,000.82)
3. Approval of Payroll Manifest (42,775.62)
4. Veterans Tax Credit Application Approvals (3)
5. Intent to Cut - Map 15, Lot 2

Approval of Consent Items

Selectman J. Brunelle reads aloud the Items for Consent

Selectman S. Perry **motioned** for the Board of Selectmen to approve the items for consent

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

Request for Items - Other Business - None

Administrator Report

New Business

Agricultural Commission

Administrator J. Hoch mentions to the Board that this was a topic discussed this past summer (it was tabled for a future meeting, but forgotten). Regarding the possibility of an Agricultural Commission being established as authorized by RSA 674:44-e which would include members of the Commission to be appointed by the Board of Selectmen. Jason states that under state law the Commission would be comprised of not less than 3 members and no more than 7 members. The purpose of such a Commission is the proper recognition, promotion, enhancement, encouragement, use, management, and protection of agriculture and

agricultural resources, tangible or intangible, that are valued for their economic, aesthetic, cultural, historic or community significance within their natural, built or cultural contexts. This Commission would be able to advise and advocate but state law does not give them any regulatory authority or enforcement of their own.

Selectman J. Brunelle asks the Board if it would be their intent to establish such a Commission.

Selectman F. Byron states that there was a meeting conducted by the Planning Board which discussed the goal and objectives of the people living in Town, one of those goals was to keep agriculture character within Litchfield. He mentions that the Master Plan for the Town as well as most documents mention the desire to keep agriculture as a priority within the Town. Selectman F. Byron felt the forming of this Commission would be a way of helping with this, as well as being a voice for the farmers and their interests in Litchfield. It would be a little different than the Conservation Commission, however they could possibly work in conjunction with each other. If the Board wishes to move forward they will need to present this to the voters and let them decide. He also feels that the Commission could possibly consist of 3 members to start, and asks J. Hoch if it could include existing Conservation or Planning Board members.

Administrator J. Hoch states that from what he can see, yes they can (they would be advocating not regulating so no conflict). If the the Board decides to proceed he will research it further.

Selectman J. Brunelle asks if the Conservation Commissions Charter could be rewritten or modified to include this, because it is difficult to staff Boards/Commissions now.

Board discusses that they feel the Conservation Commission does a lot of this already and state the CC would probably feel this is part of their jurisdiction already, so is there anything that would prohibit this from being done.

Jason states under State law and the RSA's they are different Commissions, he states that the Conservation Commission's role is preserving natural esthetics and ecological areas within the Town, they do not include agriculture duties/responsibilities. However, the Agricultural Commission has been modeled after the Conservation, with the main difference being the AC can not own land like the CC.

Selectman F. Byron states that if the BOS adopted this Agricultural Commission could the Board appoint the Conservation Commission to it.

J. Hoch tells the Board that they are not in conflict with each other, so it could be possible. He will check with Counsel, and if the Warrant is approved they can decide this issue of responsibility at that time.

Board decides to move forward with the Warrant Article discuss it with the Conservation Commission and present it to the voters and let them decide.

Selectman F. Byron **motioned** that the Board of Selectmen bring a Warrant Article to the voters for the formation of an Agricultural Commission as spelled out in RSA 674:44-e.

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

Jason states that this will also be the recommendation for the Warrant 4-0-0. He will also speak with the Conservation Commission.

Secondhand Dealers & Pawnbrokers

Administrator J. Hoch tells the Board that the question came up regarding the regulations of pawn shops. There were articles in a local paper that stated misconceptions a shop being in Town. He states that no applications have been made for such an operation, but under State law the regulation responsibility is with the Board of Selectmen. Jason and the Police Chief felt it might not be a bad idea to have some regulations on the books in case a need arises in the future. He has tells the Board he put together an ordinance based from one he had written for Plaistow, he would like the Board to review/comment and possibly approve at a future meeting.

Selectman S. Perry states that he has read through the article and feels this will be something that the Police Department will have to keep an active role in, and is wondering if the \$250 fee mentioned would be enough to cover the Departments time spent monitoring this.

Jason states that tracking slips can be intensive, but moving to an electronic system would be much better. He mentions that this was why he shared this draft with the Board for their review and comments.

Selectman F. Byron states that according to the Secretary of State web site an LLC is registered in Litchfield, but it is not in operation.

Jason and the Board state that they will review and research this topic more and discuss it at the next Board of Selectmen's meeting.

Old Business

Default Budget

Administrator J. Hoch states that the total bottom line for the Default Budget is \$5,136,261, which is approximately \$96,217 less than where the Budget Committee's proposed budget stands.

Selectman F. Byron states that the Budget Committee has been given the Default Budget, and are aware there maybe some small adjustments made.

Selectman F. Byron **motioned** for the Board of Selectmen to approve the bottom line Default Budget in the amount of \$5,136,261.

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

Town Meeting Warrant

Administrator J. Hoch states that the would like to review and vote the list of Warrant Articles and record the Board of Selectmen's recommendations. He states that those Articles which included appropriations the Budget Committee voted on at their January 6th meeting and their recommendations are recorded and shown. Jason tells the Board that the Warrants need to be posted by January 26th, which is the Board's next meeting. His intention is to finalize any changes after the Budget Hearing on January 15, 2015

Selectman F. Byron suggests the Board meet directly after the Budget Hearing and vote any changes made then sign the necessary documents at that time. Board agrees to vote this evening on all Warrant Articles, and if any changes need to be made after the Budget Hearing it will be dealt and re-voted on when the Board meets.

Jason states that the Board of Selectmen just voted on a Default Budget of \$5,136,261. The

Budget Committee is recommending an Operating Budget of \$5,232,478.

Selectman F. Byron explains some of the differences that the Budget Committee changed or recommended from the Boards budget recommendations.

- The implementation of the Wage Plan is now a Warrant Article, and not in the Budget.

- The BOS requested a stipend of \$12,000 in the IT Budget, this was removed by the BC, and backfilled by an additional \$54,000 in the IT Maintenance line 630. Bringing the IT Budget to \$60,000 (there was already \$6,000)

- Motion made to cut \$10,153 from 4194.10 General Government Buildings the BC felt due to the lower gas and fuel amount this line could be lowered.

J. Hoch states that the net effect of this is that the Budget the Board of Selectmen recommended was \$5,245,845, so the Budget Committee cut the Budget by \$13,367 on a 5.2 million dollar budget.

Selectman F. Byron **motioned** for the Board of Selectmen to approve Article 5: Operating Budget as presented.

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

Selectman F. Byron states that Article 6: Road Improvement was unanimously voted in favor of by the Budget Committee.

Selectman F. Byron **motioned** for the Board of Selectmen to approve Article 6: Road Improvement as presented.

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

Selectman F. Byron states that Article 7: Fire Department Airpack Replacement anticipates acquiring a Grant for this purchase, if unsuccessful this appropriation would be funded from the Unexpended Fund Balance with zero tax impact to the Town. Budget Committee was unanimously in favor of recommending this article..

Selectman F. Byron **motioned** for the Board of Selectmen to approve Article 7: Fire Department Airpack Replacement as presented.

Selectman S. Perry **seconds** the motion. **Vote carries 3-0-1.**

Selectman F. Byron states that Article 8: Fire Department Utility Vehicle is for the replacement of the current utility vehicle which is unable to handle the weight of the water tank skid needed by the Department. It is to appropriate the sum of \$20,000. Budget Committee was in favor of recommendation by a vote of 7-2-0.

Selectman F. Byron **motioned** for the Board of Selectmen to approve Article 8: Fire Department Utility Vehicle as presented.

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

Selectman F. Byron states that Article 9: Fire Department/Old Town Hall Lot Paving is to reclaim and repave the parking lot, for the amount of \$70,000. Budget Committee was unanimously in favor of recommending this article.

Selectman F. Byron **motioned** for the Board of Selectmen to approve Article 9: Fire Department/Old Town Hall Lot paving as presented.

Selectman S. Perry **seconds** the motion. **Vote carries 3-0-1.**

Selectman F. Byron states that Article 10: Public Works Expendable Trust Fund Deposit this would be appropriate the sum of \$12,970 for deposit back into the fund after money was used in 2014 for the replacement of a baler at the Solid Waste Facility. This fund is used for the repair/replacement of town equipment. Budget Committee was unanimously in favor of recommending this article.

Selectman F. Byron **motioned** for the Board of Selectmen to approve Article 10: Public Works Expendable Trust Fund as presented.

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

Selectman F. Byron states that Article 11: Highway Paint Striping Machine is to appropriate the sum of \$7,500 to purchase a paint stripping machine for the Highway Department. Budget Committee was not in favor of the recommendation by a vote of 3-6-0. F. Byron states that the Board may want to reconsider going forward with this article and see how the Budget goes in 2015. He states that Mr. Pascucci mentioned that he felt the paint costs the BOS discussed were below the market value.

Administrator J. Hoch has had discussions with the Road Agent and he knows all of the numbers quoted and feels it would be a saving to the Town, and is in favor of moving forward with the request of this article.

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve Article 11: Highway Paint Striping Machine as presented.

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

Selectman S. Perry tells the Board that he support the Road Agent but is not in favor of purchasing this equipment, he feels it will create a burden on a Department that currently has a lot on their plate. He would like to see it continue to be contracted out. Also the machine as very difficult and troublesome they are hard to clean and maintain. **Vote carries 3-1-0.**

Selectman F. Byron states that Article 12: Route 102 Intersection/Albuquerque Ave Extension is to appropriate the sum of \$160,000 for design, engineering and permitting for the extension of Albuquerque Avenue to a new intersection along NH Route 102. This was asked for by the voters in 2014 (Article 19: 993 yes votes 536 no) for the BOS to study alternatives to access Route 102. Budget Committee is not in favor of this recommendation by a vote of 2-7-0, due to the cost. BOS feels an obligation to let the voters decide where they voted and requested this information.

Selectman F. Byron **motioned** for the Board of Selectmen to approve Article 12: Route 102 Intersection/Albuquerque Ave Extension as presented.

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

Selectman F. Byron states that Article 13: Human Services Agencies is to appropriate \$11,250 to support the requests of Human Service Agencies such as Big Brothers/Big Sisters, Home Health & Hospice Care etc. for the Town of Litchfield.

J. Hoch states that the amount was adjusted by the Budget Committee, but this total includes

the agencies the Town has supported in the past. He mentions all the agencies that have requested donations will be listed for the Deliberative Session and the voters can decide if they would like any changes. Numerous Budget Committee members felt they should abstain from voting on this article so they were not in favor of this recommendation by a vote of 3-0-6. Selectman F. Byron **motioned** for the Board of Selectmen to approve Article 13: Human Services Agencies as presented.

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

Selectman F. Byron states that Article 14: Non Union Wage Plan Implementation this is to appropriate \$30,000 to implement the first phase of a revised employee wage plan that was approved by the BOS in 2013. Budget Committee unanimously recommended this Article by a vote of 9-0-0.

Selectman F. Byron **motioned** for the Board of Selectmen to approve Article 14: Non Union Wage Plan Implementation as presented.

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

Selectman F. Byron states that Article 15: Capital Reserve Fund Management RSA 35:9-a-II is to authorize the Trustees of Trust Funds to pay for Capital Reserve Fund investment management services and other expenses incurred, from Capital Reserve Funds income. This is a change required under new State Law.

Selectman F. Byron **motioned** for the Board of Selectmen to approve Article 15: Capital Reserve Fund Management RSA 35:9-a-II as presented

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

Selectman F. Byron states that Article 16: Tax Cap is not a tax cap. It is an article asking the voters if they wish to adopt the provisions of RSA 32:5-b which could implement a tax cap next year. .

Selectman F. Byron **motioned** for the Board of Selectmen to approve Article 16:Tax Cap as presented.

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

Selectman F. Byron states that Article 18: Agricultural Commission was discussed and voted on earlier in this meeting. It passed by a vote of 4-0-0.

Selectman F. Byron states that Article 19: By Petition is to see if the Town will vote to hire a part-time cable coordinator to be paid through the Cable Revolving Fund. This position would be approximately 20 hours a week at a total cost not to exceed \$17,000.

Board has a discussion regarding this needing to be voted on by the Board as a Petition Article, the Cable Committee has the funds and is allowed to use them as they see fit.

Jason reads RSA 325:5a. requirements under State Law.

Selectman J. Brunelle states that last year the Town had 3 Petition Articles, and wonders if the BOS was required to vote on them.

Jason states they did vote and had recommendations last year and should regardless of

money or no money being attached to an Article.

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve Article 19 as presented.

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

Board discusses that by recommending this, if the Article fails under the “no means no” then the Cable Committee will not be able to hire.

Administrator J. Hoch states that “no means no” only applies to Appropriations and this Article has no Appropriation, it is informational. He states that it would be confusing to the public if they vote this Article down. But by law the Cable Committee could still ask the Board of Selectmen if they could hire, but the Board would probably not allow them to use the Revolving Fund for this.

Board agrees to allow the Citizens to decide. **Vote carries 3-1-0.**

Board discusses that this might possibly help with the frustration the public has with the Cable Committee regarding the old programming (or lack there of) that is viewed on television.

J. Hoch states that the Budget Committee Representative has suggested that the Board of Selectmen add another Article to address the Budgets Committees concern over excluding any first year lease payments in Budgets. He states that his recommended language for the Article would be “ Shall the Budget Committee be directed to incorporate into their calculation of Budgets, all related appropriations for equipment lease/purchases as proposed by the governing body consistent with RSA 33:7-e”.

Selectman F. Byron states that this would be a non-binding warrant, that just gives direction to the Budget Committee. The BC has stated they do not wish to see lease payment in the Budgets.

Selectman J. Brunelle states that their reason was they felt it was going against their interpretation of the RSA.

Selectman F. Byron states that three independent legal opinions have been given regarding this matter, stating that RSA 33:7-e is fine. He states it would give the BC direction to follow is they desire. He feels it would be better for the taxpayers, an example is that there is currently \$80,000 in the budget for cruisers that could be put into a lease. The payments would be approximately \$25,000, which would save on appropriations in years where the budget is tight (it gives the Board options). He states that this is just one item within the budget.

Board agrees to let the voters decide. Jason will run the wording by legal counsel.

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve Article 17: Budgeting for Lease/Purchases as presented.

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

Public Input - None

Other Items

Future Pipeline Information Meeting

Administrator J. Hoch tells the Board that he is still in contract with the representatives for the future pipeline, but has been unable to set a date for them to come to Litchfield. They have

shared their plans to host open houses in January and February, the nearest two will be in Londonderry at the High School, 295 Mammoth Road on February 18, 2015
Hudson, at the White Birch Banquet Hall, 222 Central Street on February 19, 2015
Jason states that both open houses are from 6pm-8pm. Landowners will receive notification of the open houses via mail, and ads will be placed in local newspapers to inform the general public.

Selectman J. Brunelle states that all information can be found on the Town's website, but would like the Cable Committee to run a banner on the Town television channels.

J. Hoch states that he has also share numerous links for information on the Town website, he states that one is from the National Regional Planning Commission that has a lot of information.

Selectman F. Byron asks if Hudson or Londonderry are aware that citizens from Litchfield may attend these open houses.

Jason tells the Board that they are aware and there will be other surrounding towns such as Pelham and Windham. He also mentions that NRPC will be hosting an educational training about the New Hampshire Site Evaluation Committee, it will be held Wednesday evening at 7:00pm at the Milford Town Hall. Jason will continue to work on getting a representative to Litchfield.

Wastewater Study

Selectman F. Byron mentions that he and Jason have met and chose several companies to work with, but they have been made aware of some changes to the organizational structure of one of the companies. So they will be meeting to discuss this and choose another company and have a meeting on January 23, 2015 so will report back to the Board at a future meeting. Selectman F. Byron tells the Board that his schedule has changed in Concord and he may have a difficult time making some meetings and focusing his time as he would on wished on this. So he suggests that Jason run the study or possibly another member could be involved. Selectman S. Perry mentions that he would be more than happy to help, he has not problems with meeting, however morning meetings would be difficult for him. But he has knowledge of the information shared and can review any necessary information needed and willing to help in any way possible.

Selectman Reports

Selectman S. Perry states there have not been any Recreation Commission meetings for the last 3-4 weeks. There will be one tomorrow evening that he will not be able to attend, and it is still unclear if there will be enough member to hold a meeting. He mentions that WinterFest is planned for this year and they are looking at holding it on the weekend of February 14th as they have in the past. He will keep the Board informed on this.

Selectman F. Byron states that the Budget Committee is pretty much done with the Budgets for the Town and the School. He mentions that on Thursday January 15th at 7:00pm there is the Budget Hearing being held at Campbell High School. He mentions that the Board of Selectmen are usually present, but there is no presentation to be done by the Board.

Selectman J. Brunelle mentions that they will post that a Board of Selectmen's meeting will be held directly after the close of the Budget Hearing in order to vote and approve any changes that occur at the Hearing.

Selectman K. Bourque mentions there will be a Planning Board meeting on January 22, 2015.

Selectman J. Brunelle mentions that there was a Conservation Commission meeting last week that he attended. Where the Commission stated they will be requesting to increase their Budget at the Deliberative Session by \$1,400. He states that the Board of Selectman withdrew this money from their Budget because they could use the Conservation Funds. Selectman J. Brunelle mentions that Mr. Pascucci as a citizen sent an email requesting that the Board mention to the Commission the appropriate way to ask for this money to be added back to their Budget, and not to do it at the Deliberative Session. J. Brunelle responded stating that the Chairman of the Commission has been involved in Town Government for a very long time and is very aware of how the process works.

Selectman F. Byron states that they could attend the Budget Hearing and request that it be put back in.

Selectman J. Brunelle states that Laura Gandia has been in touch with J. Hoch and himself regarding the Day of Recognition for Volunteers as well as Pat Jewett for all her volunteering efforts. I will be held on March 1, 2015 at Campbell High School. She would like to know if any member would like to speak at the session.

J. Hoch states this is to recognize Community Volunteers, under the spirit and model that Pat Jewett has created. Jason mentions that it will be to recognize and speak to members of the Community who have volunteered over the past year, as well as recognize and acknowledge all the volunteer efforts that Pat Jewett did and continues to do for Litchfield.

Items moved from consent - None

Other Business - None

Selectman F. Byron **motioned** for the Board of Selectmen to adjourn.

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

The next Board of Selectmen's meeting will be on January 15, 2015 at 6:00pm at Town Hall

Approved February 18, 2015