

# TOWN OF LITCHFIELD BOARD OF SELECTMEN

## April 27, 2015

### Selectmen's Meeting

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

Absent: Brent T. Lemire - Excused  
Kevin C. Bourque- Excused

Also Present: Jason Hoch, Town Administrator

5:00 p.m. Paperwork review  
6:00 p.m. Call to Order  
7:20 p.m. Non-Public Session - RSA 91-A:3,II(a) - Compensation

### **Pledge of Allegiance**

#### **Review of Items for Consent:**

1. Minutes of April 13, 2015
2. Approval of Account Payable Manifest (\$49,940.18)
3. Approval of Payroll Manifest (\$43,078.99)
4. Elderly Exemption Approval
5. Veterans Tax Credit Approval
6. Timber Tax Warrant - Map 5, Lot 195
7. Intent To Cut - Map 20, Lot 24
8. Gravel Tax Warrant - Map 21, Lot 18

### **Approval of Consent Items**

Selectman S. Perry reads aloud the Items for Consent

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve the items for consent

Selectman F. Byron **seconds** the motion. **Vote carries 3-0-0.**

### **Request for Items - Other Business - None**

### **Administrator Report**

#### **New Business**

#### **Year To Date Budget & Expectations**

Administrator J. Hoch tells the Board that he has completed his first projection of spending vs. budget for the year, and states right on target with Approved Budget. He mentions that the first projection of the year is usually the most pessimistic, so actual spending has a great likelihood

of being lower. Jason states that there has been nothing overly alarming as of yet, there are some utilities that are running higher than the Budget Committee re-budgeted lower. He tells the Board that the Police Departments employment mix between regular and overtime is trending well jointly. That two larger fire incidents pushed wage expenses for the Fire Department above average. Winter maintenance costs are well above expected. J. Hoch states that he has not included any FEMA reimbursement in his projections, so if those were included the winter maintenance costs definitely would be trending better in the big picture. He tells the Board that the FEMA reimbursements (estimate of \$20,000-\$25,000) have been approved/finalized and he is waiting to meet with the State Emergency Management person and FEMA sometime in the next week. He also mentions that he has not included any winter reimbursement from the Trust Fund, which is for this purpose. He states that he likes to see if the Town can live within the Budget first, before looking at other options.

Jason also wanted input from the Board regarding their plans on reverting to the Board of Selectmen's original plan for IT support, which was to pay \$12,000 annually to John Brunelle for his services. He reminds the Board that the Budget Committee budgeted a higher amount that would cover more independent contracting. So before he finalized something for the Board to review, he wanted to ensure that this is still the approach that they wish to take. His preference would be an agreement with specific responsibilities and tasks, and an honorarium paid by the Board in support of that work. Jason mentions that the Board is aware of what John does, but he did supply a list of tasks and responsibilities that he does.

Selectman S. Perry states that he feels it has to be a contract, due to it being the town's assets. He mentions that the Board figured that the amount the Budget Committee allowed would not of covered an outside vendor to do the job done by Mr. Brunelle.

J. Hoch states that it would cover the basics but not any incidents.

Selectman F. Byron states that all of this was discussed and stated clearly to the Budget Committee at the time.

Jason will have something available for the Board to review at their next meeting.

J. Hoch asks if the Board has any other questions regarding the year to date budget.

Selectman F. Byron would like to know if there are any police cruisers that have not been purchased or are in the pipeline.

Jason states that they have all been ordered, 2 are in the pipeline. One is due in sometime this month to be fit up, other is due sometime later. He mentions that Chief O'Brien did get two other bids from companies in the area that are capable of handling the fit ups on the police vehicles.

J. Hoch states that the Chief has been frustrated with the time and turnaround by the current company, and is checking into other options. Board discusses that fit ups needed on the new vehicles as well as what is needed regarding the old fleet vehicles. Also that one of the current vehicles will be shifting down to a "detail vehicle" which was part of the budget discussions, because it has over 100,000 miles.

## **Old Business**

### **Pipeline - Regional Letter**

Administrator J. Hoch tells the Board that the letter discussed and authorized at the last meeting has been sent. He has also shared a Regional Letter with the Board. Jason states that he

continues to meet with a coalition of Managers, Administrators and Selectman from other Communities impacted by the pipeline. He mentions that in a collaborative effort they have put together a letter fairly consistent with the logic of Litchfield's BOS letter, which they will be sending to engage Governors, State Senators, Congressional Delegations and State Representatives. J. Hoch tells the Board the intention is to have as many of the Town's members sign the letter, they feel a group letter such as this will garner more attention than some of the individual letters. So he would like the Board's authorization for him to sign this letter on Litchfield's behalf.

Selectman F. Byron abstains from the discussion due to the same conflicts mentioned at the last Board meeting. Remaining Board members have no problem with Administrator J. Hoch signing the groups letter.

### **Pipeline - Shared Legal Counsel**

J. Hoch tells the Board that the Coalition is meeting with attorneys at their next meeting to continue discussion on retaining a shared legal approach to the Kinder Morgan Pipeline. He mentions that some Town's may decide to jointly share in the retaining of counsel (some have budgeted). Jason thinks there may be some advantage to continuing collaboration, there is a powerful statement when multiple towns are represented together as well as a cost savings. However, Litchfield has not budgeted for this, and he is wary of over committing dollars where they may not be necessary. In his opinion money spent on engaging with the PUC & SEC is relatively pointless when it will be a Federal review. Administrator J. Hoch states that if this ends up being a half million dollar proposition, and its divided between 10 towns, that is still \$50,000 dollars that is no where in the Budget. So he asks if there is a level the Board is willing to put forward, he will use \$20,000 as an example.

Selectman S. Perry states that he wishes there were a few more members of the Board to engage in this conversation.

Selectman J. Brunelle states that he feels if the Board does nothing than they will be letting the citizens of Litchfield down. He asks if there is a way to go back to the community and ask for money to fight this.

Administrator J. Hoch states that the Board can request a special town meeting. He states that due to it being a raise and appropriate the Board will need court approval for a special town meeting. He tells the Board that the case could be made easily, however it would still be a 3 to 4 month turn around time with the courts. SB2 approach still has to be adhered to, then there can be a Deliberative Session and one month later a vote. If all went well it could probably be done by August.

Board discusses if the funds would have to be paid all in this current budget year. Jason states no it will all depend on timing. He mentions if the Board wants to commit they could possibly find \$20,000 to \$25,000 in Unanticipated funds from this years Budget. Jason feels there is a strong value in the message of hiring counsel, and having counsel on retainer representing 10 towns. Board states that due to Selectman F. Byron abstaining from a vote on this issue, they will wait and discuss this issue again when there is a full Board.

Selectman S. Perry mentions that with additional tree harvesting on town property maybe some extra funds could be found.

Selectman J. Brunelle asks Selectman F. Byron if as a State Representative has he heard any feedback from the State level.

Selectman F. Byron mentions that as of now there is no discussion. He tells the Board he has made contact with the Congressional Delegation, US Congress and US Senate regarding this issue. He has also made contact with two of the three State Representatives for Litchfield (one is uncontactable), his intention is to also contact other State Representatives.

## **Policy Review**

### **Background Check**

J. Hoch states this policy was overhauled last year, and he has no further changes for this year. Selectman F. Byron mentions that the section regarding "Recreation Commission sponsored activities with coaches and staff who work with minors" is still included, he thought the Board removed them from background checks, and they were to do this on their own.

Jason states that in most cases the leagues already have them.

Selectman F. Byron states that at some point the Recreation Commission had asked for money to be put into their budget for this purpose, and the Selectmen said they would include it in theirs. So he is wondering if they are still doing this or is this something that can be deleted from this policy.

Selectman S. Perry states that he believes they ask the leagues to do background checks on the coaches.

Jason feels it should be retained in the policy in case the RC would ever like to start up any programs of their own.

Selectman F. Byron also mentions the section stating Police Departments Dispatchers and Officers (upon initial hire), but further down in a chart it is mentioned to "consider adding in their next contract".

J. Hoch states no this should not be changed, because where it is mentioned in the chart it is for required background checks after the initial appointment. Plus it serves as a reminder during contract renewal.

Selectman F. Byron **motioned** for the Board of Selectmen to approve the Town of Litchfields policy on Background Checks as written and revised effective April 27, 2015 for a one year period.

Selectman J. Brunelle **seconds** the motion. **Vote carries 3-0-0.**

### **Cash Receipts**

J. Hoch mentions that a statement was added to the section regular deposits "that all checks accepted for payment, fees and services shall include the phone number of the payor.

He mentions that a section was added for the Recreation Commissions Winterfest who collect electronic payments "for individuals that the Recreation Commission may use an alternate form of electronic payment for trial purposes. Accounting for such systems will be provided by Town Administrator or Finance Manager. If trial is determined to be effective provisions will be added to this policy to define its use." Jason mentions that two years ago the Commission tried to use the system the Town uses, this year they tried Square, both had advantages/disadvantages.

Selectman F. Byron would also like to include Dave Mellen from the Recycling Center, this

would allow him to accept another form of payment as well.

J. Hoch states that he would like to make this work with the Recreation Commission first, by finding a form of electronic payment that works (such as Square). Then write a policy and implement it for Town usage next year.

Selectman F. Byron asks if Square costs money, and will RC be making up the cost. Right now the Town makes up the fee that is charged when accepting payments by credit card.

Jason states they will or they will be baking it into their fees, which is how they believe it was handled it this year. He states the RC has some flexibility because this goes through their Revolving Fund, unlike the Town where it would go to General Fund which will have restrictions. He hopes they can find a way to accept everything by electronic payment soon, and do away with paper checks.

Selectman F. Byron feels there should be an expiration date added to the statement.

Jason reads "if the trial is determined to be effective, provisions will be added to this policy to define its use within twelve months".

Board discusses the merchant fee and convenience fee issues associated with accepting credit card payments.

Administrator J. Hoch tells the Board that he added a section "emergency operations cash draw will held by Town Clerk for use by emergency management directors or designee during emergency events only. Log will be maintained during the event of cash usage and receipts are subject to documentation that will be provided to the Finance Director at the end of event."

Jason mentions this was set up in 2013 after a few incidents where there was a loss of power, however last year the Board did away with petty cash and this became an issue.

Selectman F. Byron asks who is doing the quarterly audit on the cash draws, the Finance Director or the Treasurer and when was the last one done.

Jason states both, but more frequently the Treasurer and the last one was done on April 7, 2015.

Selectman F. Byron **motioned** for the Board of Selectmen to approve the Town of Litchfields policy on Cash Receipts as written and revised effective April 27, 2015 for a one year period..

Selectman J. Brunelle **seconds** the motion. **Vote carries 3-0-0.**

### **Conference & Meeting**

J. Hoch states that he has no recommended changes to this policy

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve the Town of Litchfields policy on Conference & Meetings as written effective April 27, 2015 for a one year period.

Selectman F. Byron **seconds** the motions. **Vote carries 3-0-0.**

### **Credit Card**

Administrator J. Hoch states that he has no recommended changes to this policy. The current credit card holders are:

Chief Joseph O'Brien - \$2,500

Chief Frank Fraitzl - \$2,500

Jack Pinciaro - \$2,500

Terri Briand - \$2,500

Jason Hoch - \$2,500

John Brunelle - \$8,500

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve the Town of Litchfields

policy on Credit Cards as written effective April 27, 2015 for a one year period.

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

Selectman F. Byron **amends** the motion to read that the card holders mentioned above are appropriated and reviewed as required every two years.

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

Selectman S. Perry ask the Board of Selectmen to vote on the amended main motion.

**Vote carries 3-0-0.**

### **Financial Reconciliation Policy**

J. Hoch states that he has no recommended changes to this policy

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve the Town of Litchfields policy on Financial Reconciliation as written effective April 27, 2015 for a one year period.

Selectman F. Byron **seconds** the motion. **Vote carries 3-0-0.**

### **Public Input - None**

### **Other Items**

#### **Department of Labor**

Administrator J. Hoch states that he shared a letter from Town Counsel to the Department of Labor regarding a reduction of the civil fine issued of \$2,500 to the Town. Jason states that they just received a response from the Department of Labor that Counsel is reviewing to decide if there is any further recourse on the matter.

#### **Property-Liability Trust Closing**

J. Hoch tells the Board that Property-Liability Trust (PLT) will be closing in June 30, 2016. Due the present regulatory environment in New Hampshire it is impossible for PLT to continue to operate and provide property liability, workers compensation and unemployment compensation coverage to the New Hampshire public sector. Jason states that the Town of Litchfield is fully covered till June 30, 2016. Jason mentions that this may mean that there is only one property liability insurer serving as a trust for schools and municipalities that will be serving the market come next year. Right now there have been two Property Liability Trust and Primex, this will leave only one. Jason mentions that currently the Town purchases workers compensation and unemployment from Primex so he is not expecting it to change greatly with the discount to bundle everything and expects it to be in the ballpark of what the Town pays with PLT.

#### **Road Improvements**

Administrator J. Hoch tells the Board that the road projects are complete for Blue Jay Way, Nesenkeag Drive, Stark Lane and Pinecrest Road. He mentions that a contract has been awarded to DLB Paving in the amount of \$12,500 for the repairs on Page Road, he states that no other bidders were interested. He expects this project to be completed within the next few weeks. J. Hoch also states that the paving of the driveway to Talent Hall was donated when paving was occurring nearby at Stark Lane.

Selectman J. Brunelle asks if this donation needs to be accepted by the Board of Selectmen.

Jason states that it was non-cash and does not need approval by the Board.

Administrator J. Hoch mentions that the road improvements were completed from the \$170,000 of the Block Grant Funds in the Operating Budget and the \$200,000 from the Warrant Article.

Selectman J. Brunelle would like to know if there is a way to get the State to come in and patch Hillcrest and clean up the trees that have fallen over the winter.

Selectman F. Byron and Jason mention that they have been cleaning up trees on Hillcrest this week. Board discusses the condition of Hillcrest and if the State has been made aware of the situation, Jason states that they are indeed aware.

J. Hoch mentions that the Road Agent and Engineers are working on the road projects for next year which include Robyn Avenue and Cutler Road.

Selectman F. Byron would like to know if the Road Agent could come up with an estimate to run Albuquerque directly across to connect to Cutler Road.

Administrator J. Hoch states that they already have an estimate for this section, (Phase III) of the extension of Albuquerque to Cutler which totals \$300,000 to \$360,000. Jason states that Impact Fees and Timber Funds from harvesting trees could be used to offset the price of this. The land is owned by the Town. Board discusses options. Jason states that he will discuss this with the Road Agent and report back to the Board at a future meeting.

## **Selectmen Reports**

### **Brickyard Fields**

Selectman S. Perry states there have been complaints and a continuing problem with parking at the Brickyard fields now that the sports season has begun. He tells the Board that the signs are not working, speeding and littering are also issues. Chief O'Brien has been notified of this and will increase patrols in the area.

Selectman J. Brunelle mentions that the Recreation Commission is also trying to find solutions to these problems. He tells the Board that the League has again sent out letters notifying citizens to pay attention to the posted parking signs, and that tickets will be issued. He also mentions that there is fencing in need of repair from the harsh winter.

J. Hoch states that Penny Fence has been hired and will be repairing the fencing issue.

Selectman F. Byron states this has been an ongoing issue that the public seems to ignore. He feels it is time for the Police Department to stop warning and issue tickets to the people who choose to ignore the signs, and by doing this a few times it may get everyone's attention.

Selectman S. Perry states that he agrees with Selectman F. Byron and that it is a problem at Sawmill as well.

Jason tells the Board that Chief O'Brien has posted to their social media site a message reminding everyone that "Spring sports are now underway please be aware of the parking restrictions around our neighborhood fields. All Officers will be patrolling these areas in the next few weeks. Tickets may be issued to vehicles parked in violation of posted signs."

Selectman S. Perry states that most violators of this parking issue are citizens of this town who know that nothing will happen, they will be asked to move and that's all. He feels tickets even if they are only for one dollar should be issued.

Selectman S. Perry states that he attended the Planning Board meeting last week. The Board

discussed and approved a letter to be drafted opposing the Kinder Morgan Pipeline. Also they motioned to move for a public hearing to discuss some updates to subdivisions and regulations as well as site plans. Hearing will be held on May 19, 2015.

Selectman J. Brunelle states that he attended the Recreation Commission meeting, but the topics have all been discussed here this evening.

Selectman F. Byron states that he attended the last Budget Committee meeting where they discussed the individual escrow accounts of the Town. He mentions to the Board and Jason that after receiving this information they as a Board should consider eliminating or combining some of these escrow accounts (such as Fire and Conservation).

### **County Budget Hearing**

Selectman F. Byron states that the County Budget is put together by the three Commissioners of the County. It is then turned over to the State Representatives who are members of the County Delegation and these State Representatives decide to accept or reject the Commissioners Budget. So the Commissioners will be holding a meeting on May 4, 2015 at 10:00am at the Goffstown Country Complex.

He states that the budget currently going up by 2.48% but there will be not reflective increase in the taxes to the Town. This is because the County Commissioners have decided to use Fund Balance to offset this increase.

### **Items moved from consent - None**

### **Other Business - None**

Selectman J. Brunelle **motioned** for the Board of Selectmen to adjourn the public portion of the meeting to go into a non-public session per RSA 91-A:3, II(a) Compensation  
Roll Call Vote - Selectman F. Byron (yes), Selectman J. Brunelle (yes), Selectman S. Perry (yes). Board will come out of non-public to adjourn.

The next Board of Selectmen's meeting will be on May 11, 2015 at 6:00pm at Town Hall

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Steven D. Perry, Chairman

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John R. Brunelle, Vice Chairman

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Brent T. Lemire

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Frank A. Byron

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Kevin C. Bourque