

# TOWN OF LITCHFIELD BOARD OF SELECTMEN

## January 11, 2016

### Selectmen's Meeting

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

Also Present: Troy Brown, Town Administrator

5:00 p.m. Paperwork review  
6:00 p.m. Call to Order  
9:15 p.m. Non-Public Session - RSA 91-A:3,II(a) -

### Pledge of Allegiance

#### Review of Items for Consent:

1. Minutes of December 28, 2015
2. Approval of Accounts Payable Manifest for 1/05/16 (\$172,508.47) & 01/12/16 (\$5,609.05) & 1/12/16 (\$18,788.47)
3. Approval of Payroll Manifest for 1/07/16 (43,925.16) & 1/14/16 (\$45,213.43)
4. 2016 Holiday Schedule
5. Abatement (1)
6. Veterans Credit (1)
7. Appointment - Fire Chief, Boat Agent

### Approval of Consent Items

Selectman S. Perry reads aloud the Items for Consent

Selectman B. Lemire mentions that there was a word in the Boat Agent agreement that he would like to make sure is correct. Town Administrator T. Brown states that they caught the error and it has been corrected.

Selectman B. Lemire **motioned** for the Board of Selectmen to approve the Items for Consent  
Selectman J. Brunelle **seconds** the motion.

Selectman F. Byron mentions that the NRSWMD lists Patricia Jewett as an alternate member, but she has decided she does not want to serve any longer. Town Administrator T. Brown has expressed an interest in holding the position. So he would not be sure by approving the Board would be appointing Mrs. Jewett or Troy Brown. Board removes the appointment of the NRSWMD alternate from the Consent Items and will discuss under Other Business this evening. Selectman S. Perry calls for a vote on the motion. **Vote carries 5-0-0..**

**Request for Items - Other Business**

Selectman S. Perry would like to discuss the television show airing on the Litchfield cable channel.

**Business**

**John Regan - (Moderator) and Philip Reed - (Assistant Moderator & Terri Briand - Town Clerk/Tax Collector**

John Regan tells the Board that he asked Mr. Reed to join him this evening for a discussion about the Town Deliberative Session being held on January 30, 2016. John mentions that he will be out of the Country and unable to attend, so Mr. Reed will fill in as Moderator. He states that he has not seen any of the Warrant Articles and in preparation for Deliberative Session he would like to discuss who will be speaking to each Article. He will also need a copy of each Warrant Article on a separate page for the binder they read from at the podium.

Selectman S. Perry mentions the State has imposed some changes be implemented at the polls this year, he would like someone to update everyone if they could.

Terri Briand states that if someone shows up at the polls without ID they will have to fill out and sign an affidavit and have their photograph taken by the Moderator. The Moderator will attach that photo to the form. If for religious reasons they cannot have their photo taken, they will have to fill out an additional form stating this and attach it to the affidavit they signed. Terri also mentions that the voter is not to view the photograph, they are to continue on with the voting process.

Mr. Reed would like something placed in the HLN Newspaper and posted in town, informing voters of this change and to bring their ID's to the polls. Terri states that she believes it will also be on local news channels such as WMUR. Terri also mentions that there is a new handicap voting booth, with an iPad that the State supplied for voting (instead of the fax machine). She states that they need to come up with something to make sure it stays secure during the voting process. Terri mentions that the School has instructions for setting up the parking/handicap parking outside, and they are responsible for setting up the voting booths.

Troy asks who coordinates the process with the School. They state that he does, and there is an agreement now with the School as to what the Town and the School requirements are. But mention that Troy should construct a letter outlining all the requirements and a schedule of the election dates. There are 4 Elections and 2 Deliberative Session this year.

Mr. Regan also mentions that the Town's area is the gym and the exit hallway. The "candy hallway" is the School's responsibility, so if someone such as the Girl Scouts what to sell cookies they need approval from the School.

Board discusses who will present each Warrant Article at the Deliberative Session:

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|---|-----------------------------|
| <b>Article 4 - Northeast Energy Direct (gas pipeline)</b>                 | Town Administrator T. Brown |
| <b>Article 5 - 2016 Operating Budget</b>                                  | Selectman F. Byron          |
| <b>Article 6 - Police Contract</b>  | Selectman B. Lemire         |
| <b>Article 7 - Second Year of Town Non Union Wage Plan Implementation</b> | Selectman S. Perry          |
| <b>Article 8 - First Year of Library Non Union Wage</b>                   |                             |

<p style="text-align: center;"><b>Plan Implementation</b></p> <p><b>Article 9 - 2016 Road Improvement Projects</b></p> <p><b>Article 10 - Fire Station Exhaust Removal System</b></p> <p><b>Article 11 - Building Systems Trust Fund</b></p> <p><b>Article 12 - Earned Time Accrual Expendable Trust</b></p> <p><b>Article 13 - Public Works Expendable Trust Fund Appropriation</b></p> <p><b>Article 14 - Public Works Expendable Trust Fund Amendment</b></p> <p><b>Article 15 - Library Earned Time Expendable Trust Fund</b></p> <p><b>Article 16 - Conservation Commission</b></p> <p><b>Article 17 - Tax Cap</b></p> <p><b>Article 18 - Recycling Revolving Fund</b></p> <p><b>Article 19 - FireFighter Paramedic Training</b></p> <p><b>Article 20 - Human Services and Health Agencies</b></p> <p><b>Article 21 - By Petition</b></p>	<p>Library Representative Selectman K. Bourque Chief Fraitzl/Selectman K. Bourque Town Administrator T. Brown Town Administrator T. Brown</p> <p>Selectman F. Byron</p> <p>Selectman F. Byron</p> <p>Library Representative Selectman B. Lemire Selectman F. Byron Town Administrator T. Brown Chief Fraitzl/Selectman K. Bourque</p>
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Board of Selectmen thank everyone for coming in this evening

**Public Hearing - Police Special Detail Rate**

Selectman S. Perry reads aloud the Public Hearing Notice -

The Litchfield Board of Selectmen will hold a public hearing on Monday, January 11, 2016 at 6:30 p.m. in the meeting room at the Town Office located at 2 Liberty Way, Litchfield, NH. The purpose of the hearing is to discuss changing the Police Department Special Detail hourly rate from \$59.75 to \$70.00 without cruiser and \$74.75 to \$85.00 with cruiser. Those individuals who are not able to attend the hearing may send comments to: [Tbrown@Litchfieldnh.gov](mailto:Tbrown@Litchfieldnh.gov) or Town of Litchfield, Troy Brown, Town Administrator, 2 Liberty Way, Litchfield, NH 03052.

Police Chief O’Brion tells the Board of Selectmen the intended increase of \$70 to the Special Detail rate, he feels will knock Litchfield out of the running to get Special Detail work. The Department just started working with Manchester last November and they have been informed that the increase will discontinue this arrangement. Chief O’Brion states that he would hate to lose these extra funds for the Department, since the new police contract has the match for the 457 of a second \$1,000 (first \$1,000 is matched by the Town) and these funds come from the Special Detail Fund first. He states that if the detail work and extra funds are lost with Manchester, this first \$1,000 may need to come from the taxpayers. So he would like the Board to do whatever is necessary to keep the hourly rate as low as possible so the Department can fund what is necessary and continue as they are working now.

Selectman S. Perry states that the Chief feels the calculations used for the new rate were to low, and these extra detail hours they are receiving from Manchester when

calculated in would allow the rate to remain on the lower side. This would keep them competitive with other Departments, and continue to work with Manchester.

Chief O'Brion has a spreadsheet of calculations he prepared and has shared with the Board. He states that one of the issues seems to be with the cruiser revenue, which is based on a \$15.00 hour rate, and which the Board of Selectmen did not include in their calculations of the new Special Detail Rate. He tells the Board his calculations are based on \$24,000 to \$25,000 a year (including the \$15.00 hr. cruiser rate). Chief O'Brion mentions that he spoke with the Town Administrator and understands that the cruiser detail funds (\$15.00hr.) go into a separate account. But he states that with just the Departments hourly detail rate they would have to raise the rates so high they would never be able to afford to do anything. He feels once all the Departments contractual obligations costs are met, if there is any money left over it could be used to purchase things for the Department or use to repair equipment or vehicles. He mentions that when Selectman B. Lemire and he negotiated the Union Contract the main priority was to pay that second \$1,000 out of the 457 plan (but that is not guaranteed) only the first \$1,000 is guaranteed. Chief states that the fund where the cruiser money (\$15 hr.) went did well for a number of years. When Jason Hoch became Town Administrator they realized this money could be used to fund the first \$1,000 of the 457 obligation, as well as fund laptop computers for the cruisers. He would like to continue funding this in the same manner as they have.

Selectman S. Perry asks the Chief what is the projected figures needed to meet all costs.

Chief O'Brion states his calculations show it should be about 2,000 detail hours, at the current rate of \$59.75, leaving a balance of \$15,046.68 (this does not include the 2nd \$12,000) with that removed it would leave a balance of about \$3,000.

Selectman S. Perry states that these calculations are based on including the cruiser cost of \$15 an hour. Chief answers yes.

Selectman S. Perry mentions that he feels it is a good idea for the cruiser funds to stay separate to offset the fuel, maintenance etc. for the vehicles.

Selectman F. Byron states to make it clear, there is no extra money that will be leftover based on these calculations. He has confirmed this with the Financial Director Karen White and the Town Administrator that the \$15 hourly rate just covers the cost of the cruiser and all fees associated with that vehicle. He states that the cruiser money in the fund that was sitting there and then used for purchases when Jason was here, was due to the Town not taking the appropriate money out of this fund to cover all expenses.

Selectman F. Byron states that combining the cruiser costs with the cost of Details has never been done, and is currently not being done, which again he has confirmed with the Financial Director and the Town Administrator. He states that if the cost of Details is kept at the current rate of \$59.75 the Department will lose money (approximately

\$10,000) and the taxpayers may be picking up that burden. He mentions the calculations on the spreadsheet he prepared and has shared, which show the comparisons by the current detail rate of \$59.75 to \$80.00 and hours from 850 to 2000. He states that the concern of pricing the Department out of Detail work is a concern, but if you are going to raise the salaries and benefits that are accrued to this, the money needs to come from somewhere to pay for it. Which will not be done without increasing the current rate. Selectman F. Byron states that the BOS can discuss and make a decision that the Departments 457 costs should come out of the Detail rate, but that is a decision the Board has to make (it has not been done this way before). If the Board chooses to do this it would have to be supported through the Budget. It is not his belief that the citizens of Litchfield should be paying for Police Detail Rates. So the Board's decision is to raise the detail rate to cover all the costs associated with it, or breakout the Departments 457 costs and accrue those in the Budget. This would keep the detail rates low.

Selectman J. Brunelle asks Troy how much is currently in the Cruiser Fund now.

Troy states the amount is about \$4,500 (once all receivables are in and reconciled).

Selectman J. Brunelle mentions why not continue to use this fund to purchase extras or offset Department Costs.

T. Brown states that this fund grew over a few years due to the Town not transferring funds to offset expenses such as NH Retirement, Workers Comp, Unemployment Taxes and vehicle expenses. When TA Jason Hoch came to the Town it was realized this money that had been accumulating could be used to purchase and offset expenses in the police department. However, Troy mentions now that the fund is used properly and according to State law there is not that "extra" money available. So this year there is not money available to offset expenses for the Department, and without an increase to the rate there will be a deficit in 2016. He continues to discuss with the Chief and Board the spreadsheet that he and Selectman F. Byron prepared showing the comparisons in rates as well as detail hours. The discussion at the last meeting was based around detail hours of 850 to 1500 for year end. Troy mentions that with the detail work in Manchester for the months of November and December the hours for year end are about 1300. He states this was good news, and until a year of data is in no one can truly calculate, but if you base next year's calculations on 1500 to 2500. Troy mentions that in calculating at the rate of \$59.75 and 1500 hrs with all the expenses (NH Retirement, Medicare, Administrative, only funding the first \$12,000 for the 457 etc.) there will be a \$9,000 shortage for 2016. This is even without the second 457 match of \$12,000 which is a contractual agreement (not voted on yet) so he did not include.

Selectman J. Brunelle discusses the additional cruiser rate of \$15 hr at 1500 gives an additional \$22,500 in income, and what is the cost to maintain the vehicle fleet.

Selectman F. Byron states that there is not a one to one correlation (some details are

without a cruiser) between detail hours and cruisers, and if you tie the two together you will have a worse possible situation.

Selectman J. Brunelle discusses the cost of maintaining the vehicles, and what would be available to offset costs.

Selectman F. Byron reminds that combining the detail rate and the cruiser fee are two separate issues.

Town Administrator T. Brown states that the whole purpose of the cruiser rate (\$15) is because the Town is providing an asset to a private company on an hourly basis, which should not be a liability to the taxpayer or the Town. The rate is to make sure all the expenses associated with this usage are captured and collected so there is no cost to the taxpayer. This rate to break even currently comes out to \$15 as an hourly rate. A Special Detail Officer is separate from this expense.

Board continues to have a conversation regarding the Police detail rates and the cruiser fee and if they can or should be added together or calculated separate.

Troy mentions that there are two issues 1) what is the correct detail rate to break even, he feels the added detail work with Manchester will increase hours and \$68 would cover all costs, 2) is the \$15 cruiser fee too high, he states it has been calculated that this amount is a break even amount. This fee should be separate to the contractor wanting a service, and should just cover the cost of ownership, insurance and maintenance of that vehicle. It should not be for any profit or benefit.

Chief O'Brion tells the Board that in 2007 a Warrant Article to establish a Police Special Detail Fund was brought to the voters and passed. He states that it reads that all fees, charges and other income derived from police special detail or other activities and services outside of the ordinary police details shall be deposited in the Fund. Chief O'Brion states that he feels the Town should take into effect the obligations it negotiated with the Union (the Retirement, Workers Compensation etc.) meet those obligations. Once that is covered and if there is money left over it can be used to purchase items needed by the Department.

Selectman F. Byron mentions that the only thing he disagrees with the Chief on is that the purpose of the Fund is under State law, and this does not allow for the add on of his and wants. The Fund is set up to accumulate the costs that are paid back to the Town, so the money can be given to the Officers who are working those details. This money is moved into the Town's General Fund as a Revenue to offset that expense. He mentions next the separate collection of fees for the cruiser is to pay for the use and expense (fuel, ownership cost, insurance etc.) of that vehicle during a detail. This is not tied into the bargain that was agreed upon with the Union. He states that the \$1,000 was calculated into the detail rate currently of \$59.75 under Union negotiations. What's not built into the cost is the increase now accumulated by the Department's new Union contract which has increases in Officer's rates and benefits such as the NH Retirement

System rate which has increased. He states that all of the additional costs and increases have to be accounted for somehow. He states that if the Department wants to add an additional \$2,000 there just won't be enough money.

Chief O'Brion goes back to the discussion regarding the charge for the cruisers and a breakdown of expenses that are less than the income generated by the hours and fees calculated. Which would leave a balance in this fund and the money should then be used to pay back the second 457 funding. Chief would like the Board to keep the rate at \$59.75 and review in 6 months, does not wish to out price themselves out in the marketplace.

Selectman F. Byron and the Board state they do not wish to price the Department out of the marketplace, but there has to be an increase to cover expenses somehow.

Board and the Chief continue to discuss the calculations and what is included, as well as what the surrounding Towns are charging for Detail rates (which varied from zero to \$78 with an average rate of \$67.24). They also continued to discuss the funding of the 457, Officer's salary increases, and NH Retirement increases. As well as, if the cruiser fees should be separate or included in the special detail rate which can only be changed by the Board of Selectmen's authorization.

The Officers and the Chief mention that they just do not want to be like the State Police and price themselves out of the market with a large rate increase. Ideally they would like to keep the rate the same and review in 6 months.

Selectman S. Perry feels it jeopardizes the Town to not increase the rate now, and feels they should have an increase now of around \$64.00 and re-evaluate this as the process moves along during the year. This would cover all necessary costs they currently see and modify it in the future if necessary.

Selectman S. Perry opens the floor for public comment

Sergeant Tim O'Donaghue asks if the \$70.00 rate increase is now off the table.

Selectman B. Lemire states this is the purpose of the hearing for the public to be able to discuss and express their opinions on the matter of the rate increase.

The Sergeant would like to know who came up with the \$70.00 figure.

Selectman F. Byron explains that at the time of the rate discussion the figures and hours of detail work that were presented, made it appear that \$70 was the break even point to cover all necessary costs so there would be no burden on the taxpayers in 2016.

Sergeant O'Donaghue states that the Union negotiations and the idea of matching the 457 was to give the Officers and extra incentive for their work, not to have the taxpayers bear any costs. But due to the uncertainty of the NH Retirement System it has been difficult, this plan was to help with the stability of retirement within the Department. So this was very important to the Union. He states that he feels after the discussions this evening they are close to finding the appropriate number they all will feel comfortable

with.

Selectman B. Lemire agrees and feels they are all on the same page, and looking to fund this in a way that is good business for the Town and the taxpayers.

Sergeant Ben Sargent mentions the rates that the surrounding Towns currently charge, and that the State Police are no longer used in Manchester for detail work due to the high rates they charge. He feels it is a great opportunity for the Department to work in Manchester, and feels that receiving the extra detail hours from Manchester will allow the Department to cover the additional monies needed for the new Union Contracts increases. He agrees with the possibility of a small increase and review in a few months. He feels Manchester is a great opportunity for the Department and would hate to see the Board outprice them from being able to receive additional detail work.

Selectman F. Byron states that no one on this Board is trying to take any overtime or detail work away for the Police Department. What the Board is trying to do is to make sure the money that funds this comes from the utility companies alone. He mentions that anytime you negotiate a new contract there are adjustments that will need to be made, and that is all the Board is trying to do now, without the taxpayer's bearing any costs. He mentions that the Department should look at getting the 457 plan out of the detail rate, this would mean it gets placed in the Town's Budget. But is something that would decrease the Departments Detail Rate, and make it more attractive for agencies to utilize Litchfield. But then this would make the 457 plan a taxpayers financed issue. Which Sergeant O'Donaghue states the Department wanted to avoid at this time.

Selectman S. Perry closes the public hearing comments

Selectman S. Perry **motioned** for the Board of Selectmen to set the Special Detail hourly rate at \$64.00 without the cruiser fee, and \$79.00 with the cruiser fee.

Selectman B. Lemire **seconds** the motion. **Vote carries 5-0-0.**

Selectman S. Perry asks Troy to set May 1, 2016 as a date to review this matter.

Selectman B. Lemire left the meeting 7:34

### **Pat Jewett Volunteer Appreciation Award**

Laura Gandia 3 Chamberlain Drive, she states that last year she was actively involved in setting up the first annual Pat Jewett Appreciation Day. She states that last year it was decided that each year moving forward they would pick an individual to be the Volunteer of the Year. She has made up a nomination form for the Board to review and see if it is acceptable. She felt the form could be placed on the Town website, and social media, as well as various places throughout the Town for the public to fill out to nominate candidates. She set a deadline of February 12th for the forms to be handed in and accepted. She is here this evening to have the Board decide who is going to help pick the nominations. She felt a Committee could be set up consisting of member so the Board, Town Employees and Citizens of Litchfield.

Selectman B. Lemire returns to the meeting 7:36

Selectman J. Brunelle agrees with Laura's vision

Laura also mentions that she would like Pat Jewett to present the award if the Board approves. She states that she did put 2 requirements on the nomination form, and they were that an individual was 18 years or older, and a resident of Litchfield.

Troy Brown mentions that the nominations are not just for Municipal Volunteers, it is open to anyone who volunteers or serves on a Committee, fund raises etc.

Laura states that it should be someone who exemplifies the characteristics of Pat Jewett, service to self, service to others, civic duty or volunteer work of any kind.

She states she is looking for a decision from the Board sooner rather than later, she set a deadline for the nomination forms of February 12th, and Pat Jewett Appreciation Day is March 1st, she would like the award to be given around that date. She also would like the Board to decide how they wish for the event to be celebrated, just at the Town Hall with light refreshments or something else.

Board of Selectmen agree that the form Laura has presented is fine, and she can post it on the Town website, as well as social media and locations throughout the Town.

Selectman F. Byron mentions that he feels a nomination should be someone who is compensated for their service.

Laura disagrees she states that many individuals who volunteer and get compensated, by no means get compensated for the time and service most give back to the Community, and if someone wanted to recognize an Elected Official they should be able to submit a nomination. Board agrees.

Selectman F. Byron **motioned** for the Board of Selectmen to accept the nomination form for the Pat Jewett nomination award, presented by Laura Gandia.

Selectman B. Lemire **seconds** the motion. **Vote carries 5-0-0.**

They also agree that the committee to choose a candidate should be a mix of Town Employees, Selectmen, and Citizens.

Selectman F. Byron **motioned** to authorize Laura Gandia to distribute nomination forms, and for a Committee consisting of Laura Gandia, Town Administrator T. Brown, Selectmen B. Lemire, Terri Briand Town Clerk/Tax Collector, Kevin Lynch, and two Citizens Troy and Laura wish to appoint, as well as Pat Jewett. Then they meet and layout a plan to decide on a nominee for the first Pat Jewett Volunteer Appreciation Award.

Selectman B. Lemire **seconds** the motion. **Vote 5-0-0.**

## **Public Input - None**

## **Public Hearing - Tax Cap**

Selectman S. Perry reads aloud the Public Hearing Notice

The Litchfield Board of Selectmen will hold a public hearing on Monday, January 11, 2016 at 6:45 p.m. in the meeting room at the Town Office located at 2 Liberty Way, Litchfield, NH. The purpose of the hearing is to discuss the adoption of the provisions of RSA 32:5b, and implement a tax cap whereby the budget committee shall not submit a recommended budget that increases the amount to be raised by taxes, based on the prior fiscal year's actual amount of local taxes

raised, by more than 5.5%. Those individuals who are not able to attend the hearing may send comments to: [Tbrown@Litchfieldnh.gov](mailto:Tbrown@Litchfieldnh.gov) or Town of Litchfield, Troy Brown, Town Administrator, 2 Liberty Way, Litchfield, NH 03052.

Town Administrator T. Brown mentions that last year the a Warrant Article was presented to the voters asking if they would like the BOS to implement a tax cap, the Article passed. So this year he and the Board did research on how a tax cap is calculated, which is by looking at all the Appropriations submitted by the Budget Committee, all the Warrant Articles that raise money and then less any Revenues (this dollar amount is subject to a tax cap). Troy and the Board took a look a 5 year and a 10 year average of tax increases, the 5 year average was an increase of 6.24% and the 10 year average was 8.64%. He states that the Board felt this was a high percentage, and they decided and voted on a 5.5% tax cap. By law the Town has to hold a Public Hearing before this can go to the voters. Troy Brown states that there will be another Public Hearing following the Town Deliberative Session, so if the percentage is changed it would be discussed before the voters go to the polls. T. Brown states that he has received a lot comments from Citizens concerned about the Board taking a right away from them, and they would not be allowed at Deliberative Session and increase the Budget if they felt necessary. He states that Citizens can still go to a Town Meeting and increase the Budget even if it exceeds the Tax Cap. The Budget Committee would be the only ones limited to the Tax Cap, voters can still exercise their rights to change the Town Budget.

Selectman F. Byron states that the Board decided on 5.5%, why does the Board feel that is the right number.

Selectman S. Perry and Selectman B. Lemire mention it was what the Board felt was a fair average based on the information they reviewed from the Town Administrators calculations of the Town's actual Expenditures. Selectman S. Perry states that he made the motion, based on the 5 year average, it felt it was a high so adjusted it. He felt the voters intent by wanting this tax cap, was to have some restraint on the Budget.

Bill Spencer Cranberry Lane, asks the Board if they ran test figures with the 5.5% cap on the proposed budget for this year. Board answers no. Mr. Spencer states that the Board may want to do that, because they will find the budget has only about a 1% increase (including the Warrants). He states that this is not a budget number the Board is talking about it is a net number, so the Revenues change. You have to add back into the Revenue Requirements from the prior year any money that was taken out of the Fund Balance, which this analysis does not do. He tells the Board that if they do the calculations they will see, the Budget is not near 5%, it is more like 1-2%. He states that a 1% tax cap will meet everything proposed in total for Operating Budget and Warrant Articles. He did not come to argue this he just wanted to state that the numbers they based their research on are ridiculously high.

Selectman F. Byron states that Mr. Spencer brought up a good point. The spreadsheet Troy prepared needs to roll back in the offset to taxes.

Town Administrator T. Brown states that his calculations have the Revenues and Appropriations for the Warrant Articles calculated in. He took his figures from the DRA documents filed by the Town of Litchfield.

Board and Mr. Spencer discuss that you have to take into consideration what the dollar amounts are for the Warrant Articles, and the last few years the approved Warrants have been between \$300,000 and \$400,000 (mostly due to road repairs). Prior to this they were usually around \$100,000 to \$200,000, so the figures over a 10 year margin are distorted.

He has shared his calculations with Selectmen F. Byron.

Kevin Lynch 312 Charles Bancroft Highway, states he has an issue with the merit of this issue based on the historical facts, and would like to know why the Board is doing this. He states that they have always kept below the percentage, and it is always suggested to put things on a Warrant Article. His problem is what does someone have to do now to put something on a Warrant, and this will not allow anyone to place an Article over the 5.5%. He feels this does take away from the voters.

Selectman S. Perry mentions that it is State Law, and they require a tax cap be calculated in such a way.

Selectman F. Byron states that it takes nothing away from the voters. The Budget Committee is limited as to what it can recommend for a Budget, it does not say there cannot be more on the ballot than what is recommended by the Budget Committee. Anyone can still put a Warrant Article on the Ballot to go to the voters.

Selectman B. Lemire states that he was the one Board member who voted against the tax cap, and he feels the Board of Selectmen and the Budget Committee should manage and produce a Budget for the Citizens without restrictions. Otherwise why even have a Budget Committee.

Board states that the voters have asked for this by passing the Warrant Article last year, and now the Board is required to place a tax cap figure on the ballot in the form of a Warrant Article for the voters to decide on.

Kevin expresses his opinion on the Article to the Board

Selectman F. Byron tells Mr. Lynch he believes he has until 5:00pm tomorrow to put in a Petition Warrant Article if he wishes.

Selectman J. Brunelle asks Troy why are his figures so high if Mr. Spencer's calculations come out to a 1-2% tax increase. Is he not calculating the same way as Mr. Spencer.

Mr. Spencer explains how he calculated his figures once again, and that a tax cap is applied to the Net not the Gross.

T. Brown explains that he is restricted by State law, and can not take out certain figures

like Mr. Spencer mentioned. By State law the formula for calculating a tax cap is defined, and his figures are based on that formula. He and the Board discuss that a tax cap is very confusing and the voters surely will have questions and need clarification.

Selectman S. Perry closes the public hearing comments  
Board of Selectmen decide to review Mr. Spencer's data and make a decision at a later meeting about the possibility of changing or leaving the 5.5% tax cap currently voted on by the Board.

### **Review of Warrant Articles**

Selectman F. Byron states that the Board needs to vote on the Warrant for the Firefighter/Paramedic and the last Warrant added for the Human Services/Health Agencies, due to the Budget Committee removing all funds for this from the Budget, leaving this line item at zero. He states that last year the Board put the funding for the Health Agencies into a Warrant Article and it passed with the voters. This year they put it in the 2016 Budget and the Budget Committee removed all of it.

Selectman B. Lemire **motioned** for the Board of Selectmen to add a Warrant Article for Human Services and Health Agencies to raise and appropriate the sum of \$15,167 to support the request of Human Services and Health Agencies.

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

Selectman S. Perry would like the Board to take a vote on if they are in favor of the article

Selectman B. Lemire **motioned** for the Board of Selectmen to recommend for approval and move forward with **Article 20 - Human Services and Health Agencies.**

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

Board discusses Article 11- Fire Station/Old Town Hall Parking Lot Improvements

Selectman S. Perry questions if Troy has received any answers regarding the building and the survey that was being done. Which is why this article has been on hold for the Board to vote on. Troy mentions that he had a discussion with the Road Agent and he feels he can do some minor repairs to improve this parking lot, with his 2016 Budget. He states that Fire Chief is focusing on the repairs to the building at this time. Troy tells the Board that the Budget Committee has voted not to support this Warrant Article. He is still waiting on the report from the Architectes.

Board discusses the options and what needs patching, as well as the possibility of having it paved and then needing to rip up a section in order to do improvements to the building. They discuss dropping Article 11 all together.

Selectman F. Byron states that the Road Agent can't take money that the voters passed for road/highway improvements and use it for paving the Fire Station parking lot.

Board discusses ways to fund the patching other than thru the Highway Department.

Selectman F. Byron **motioned** for the Board of Selectmen to remove **Article 11 - Fire Station/Old Town Hall Parking Lot Improvements** from consideration.

Selectman S. Perry **seconds** the motion. **Vote carries 4-0-1.**

Selectman B. Lemire **motioned** for the Board of Selectmen to approve **Article 5 - 2016**

**Operating Budget** as written.

Selectman S. Perry **seconds** the motion.

Selectman F. Byron updates the Board on what has been removed from the Operating Budget

Human Services/Health Agencies	-\$ 5,000
Welfare	- 5,000
Personnel Administration	- 30,000

Budget Committee took out the 30,000 funding for the Wage Plan Adjustment, and placed it as a Warrant Article however, they have chosen not to support that Warrant Article.

Ambulance	- 5,000
Police Administration	- 21,000

Budget Committee cut wages overtime training, the unfilled Detective position and other items Troy mentions that they made adjustments to the calculations the BOS had on diesel and unleaded fuel so throughout the Budget there were changes for this.

Selectman J. Brunelle discusses Article 7 - Second Year of Town Non-Union Wage Plan Implementation, and the Budget Committee removing this from the Budget and placing it as a Warrant Article. He states that the BC recommended it last year and knows this was a 2 year program, he does not understand this and feels it sends a message to the voters that it is not a good thing for the Town. Also that if this is voted down, there is nothing that can be done. He questions pulling the Article and finding the funds somehow within the Budget. Board feels there is no way of funding this within the Budget.

Selectman S. Perry calls the **motion** to a vote. **Vote carries 5-0-0.**

Selectman S. Perry asks the Board to re-vote the Board of Selectmen's recommendations on Warrant Articles. Because of absences some do not show a full Board's view.

Selectman S. Perry **motioned** for the Board of Selectmen to recommend and move forward **Article 6 - Police Contract.**

Selectman B. Lemire **seconds** the motion. **Vote carries 4-1-0.**

Selectman S. Perry **motioned** for the Board of Selectmen to recommend and move forward **Article 10 - Fire Station Exhaust Removal System.**

Selectman B. Lemire **seconds** the motion. **Vote carries 4-0-1.**

Selectman S. Perry **motioned** for the Board of Selectmen to recommend and move forward **Article 11 - Building Systems Trust Fund.**

Selectman B. Lemire **seconds** the motion. **Vote carries 5-0-0.**

Selectman S. Perry **motioned** for the Board of Selectmen to recommend and move forward **Article 12 - Earned Time Accrual Expendable Trust Fund.**

Selectman B. Lemire **seconds** the motion. **Vote carries 5-0-0.**

Selectman S. Perry **motioned** for the Board of Selectmen to recommend and move forward **Article 13 - Public Works Expendable Trust Fund Appropriation.**

Selectman B. Lemire **seconds** the motion. **Vote carries 5-0-0.**

Selectman S. Perry **motioned** for the Board of Selectmen to recommend and move forward **Article 15 - Library Earned Time Expendable Trust Fund**

Selectman B. Lemire **seconds** the motion. **Vote carries 5-0-0.**

Selectman S. Perry discusses Article 20 Firefighter Paramedic Training. He mentions that when

the Chief brought this to the Board they did not have a dollar amount, which he has included now. They discuss that this is if the Chief is unable to find a certified Paramedic for the position and they need to send someone for that certification.

Selectman F. Byron suggests that the Board take this money from the Unassigned Fund Balance, it is not appropriated from the citizens but if the Chief does not need the money it will just remain in the Fund Balance. The Budget Committee has already voted on this, so they will have to reconsider their vote.

Troy Brown thinks this would be fine the money comes from the Unassigned Fund Balance and still make it non-lapsing.

Selectman F. Byron **motioned** for the Board of Selectmen to adopt as written and amend Article 20 Firefighter Paramedic Training to include the total amount of \$37,600 taken from the Unassigned Fund Balance with a tax rate impact of zero.

Selectman J. Brunelle **seconds** the motion.

Selectman S. Perry states that if this money is non-lapsing and the Chief does hire a Paramedic and this money is not used, the Chief has these funds available to him for the next 10 years.

Selectman B. Lemire is not sure if a non-lapsing can be done from Unassigned Fund Balance.

Troy feels it can be done, and will check on the wording with legal counsel.

Selectman S. Perry calls the **motion** to a vote. **Vote carries 4-0-1.**

Troy will forward all Warrant Articles to the Budget Committee.

Town Administrator T. Brown tells the Board that they received correspondence Friday from Avitar (Assessing Company) that there was a coding error made to Pennichuck Water Works 2016 Assessment, and unfortunately it was over assessed by \$4,581,300. This means that the Town will have to grant an abatement to Pennichuck Water Works. He states the reason he is bringing this up is that the Budget Committee uses his figure of the 2016 Town wide evaluation, and this will have to be changed and reduced by this amount for the error by Avitar.

Selectman B. Lemire asks if there is any recourse for situations such as this

Troy states it was a coding error, does not think anything can be done.

### **Review of Default Budget**

T. Brown and the Board state the Default Budget is all set.

### **Administrator Report**

Troy mentions that he and Karen White interviewed six candidates on Friday 1/8/16, and have three more remaining for this week. They plan to make a final selection of 2-3 for a second interview by the end of the week. Troy tells the Board they are pleased with the quality of the applicants, and will make it difficult to make a final decision. Which is a great problem to have.

### **Selectman Reports**

Selectman F. Byron states that there is a Budget Hearing being held at 7:00pm Thursday January 14, 2106 at Campbell High School.

John asks if Troy can remind the Cable Committee so someone is available to record the meeting.

Troy mentions he will be posting this as a Selectmen's meeting also, in case the Board has to meet after the Budget Committee to discuss any changes that may of been made.

Selectman S. Perry states that the Planning Board is putting forward two Warrant Articles

1. For a sign ordinance- there was a case that came up and it prompted some major changes to the sign ordinance. Basically the Town can not restrict or tell someone what can be on their sign. Town has rewrote the policy to comply with the law and voters will see this on the ballot.
2. Subdivision Regulations to make it easier for people to understand.

Selectman F. Byron tells the Board and Troy that he has been asked as a State Representative to sign onto a letter dealing with the EPA and DES asking them to utilize new data for their calculation for Stormwater Management. Also to make sure that Town's that should not be on this list are removed. He was asked to have his name associated with the letter from NH State Senator Sanborn. He sent a copy of the letter to Town Administrator Troy Brown. Troy stated that he had no issue with this, but he is looking for the Board's opinion. Board has no issues.

#### **Items moved from consent**

Selectman F. Byron mentioned that Pat Jewett is listed as an alternate member to the NRSWMD. She no longer wishes to serve as an alternate, and Frank mentions that Troy Brown has expressed interest in replacing P. Jewett as alternate to the National Regional Solid Waste Management District.

Selectman F. Byron **motioned** for the Board of Selectmen to nominate Town Administrator Troy Brown as an alternate to the National Regional Solid Waste Management District.

Selectman J. Brunelle **seconds** the motion. **Vote carries 5-0-0.**

#### **Other Business**

Selectman S. Perry tells the Board that John Latsha who does a local TV show asked him to be on his show and discuss the 2016 Warrant Articles. He is asking the Board if they have any issues with this. S. Perry states that the show will be filming on February 12th and air at a later date. Board has no issues.

Selectman S. Perry **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 (c)

Selectman B. Lemire **seconds** the motion.

Roll call vote - Selectman K. Bourque (yes), Selectman B. Lemire (yes), Selectman J. Brunelle (yes), Selectman F. Byron (yes) and Selectman S. Perry (yes). Board will only come out of non-public to adjourn.

The next Board of Selectmen's meeting will be on January 25, 2016 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