

TOWN OF LITCHFIELD BOARD OF SELECTMEN

May 22, 2017

Selectmen's Meeting

Members Present: Brent T. Lemire, Chairman
 Steven D. Perry, Vice Chairman
 John R. Brunelle
 Kurt Schaefer

Absent: Kevin C. Bourque - Excused

Also Present: Troy Brown, Town Administrator

5:00 p.m. Paperwork review
6:00 p.m. Call to Order
7:35 p.m. Non-Public Session - RSA 91-A:3,II(a) - Personnel/Compensation

Pledge of Allegiance

Review of Items for Consent:

1. Approval of the May 8, 2017 Board of Selectmen Meeting Minutes
2. Approval of Account Payable Manifest for 5/16/17 (\$155,157.50) and 5/23/2017 (\$14,221.79)
3. Approval of Payroll Account Manifest for 5/18/17 (\$50,885.60) and 5/25/17 (49,560.00)
4. 2017 Tax Warrant - First Billing
5. Elderly Exemption - (1)
6. Treasurer Reconciliation - April
7. Veteran's Tax Credit (1)

Approval of Consent Items

Selectman B. Lemire reads aloud the Items for Consent

Selectman S. Perry **motioned** for the Board of Selectmen to approve the Items for Consent

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

Request for Additional Items/Other Business - None

Business

Appointment of Joshua Flynn, Probationary Police Officer (term expires 5/22/18)

Police Chief O'Brion swears in Officer Joshua Flynn, followed by his badge being pinned on his uniform by a family member. Board of Selectmen congratulate Officer Joshua Flynn and thank

him for his service to the Community.

Appointment of Eric Cushing to Zoning Board - Alternate Member (term expires 3/31/20)

Selectman B. Lemire states the Board of Selectmen and Town Administrator T. Brown received a letter from the Chairman of the Zoning Board about appointing Eric Cushing as an Alternate Member to the Zoning Board with a term to expire on 3/31/2020.

Selectman S. Perry **motioned** for the Board of Selectmen to approve the appointment of Eric Cushing as an Alternate Member to the Zoning Board with a term to expire on 3/31/2020.

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

Hazardous & Dilapidated Building - Kevin Lynch Building/Health Officer

Code Enforcement Officer/Building Inspector Kevin Lynch comes before the Board of Selectmen to update them on the hazardous and dilapidated building in town that was discussed at the last BOS meeting.

Kevin Lynch states he has been in contact with the owner of the property, who he will be meeting with on the property site tomorrow. There has been a medical situation with this individual (which he cannot discuss with the Board at this time) for the past 2½ years. Things are getting better, and the owner is willing to work with the Town to resolve this matter. He has owned the property since 1986, but has been living there these past few years. However, he is looking into contractors to help with work on the property such as fencing to secure the property better and moving things into storage containers. Kevin mentions most all of the cars on the property are registered. He is hoping to know more after his meeting with the property owner tomorrow.

Selectman J. Brunelle would like a date/time attached to this matter, he feels the medical issue is not a reason for this to continue where the building is condemned and is not secured and safe.

Kevin argues that the medical issue would be a concern from a legal standpoint, he has dealt with this type of issue before.

Board mentions their biggest concern is the safety aspect of the property and the home where it is in such a hazardous and dilapidated state. They would like the situation on site more secure and cleaned up in a timely manner and for Kevin to keep the Board updated after his meeting with the property owner.

2014 Leins/Tax Deeding

Town Clerk/Tax Collector Terri Briand comes before the Board to discuss the 2014 Leins/Tax Deeding. Terri states Kevin Lynch the Building Inspector has done the inspections on the properties she is here to discuss with the Board. She mentions there are properties to tax deed this year if that is how the Board wishes to proceed.

Terri mentions 3 of the 5 properties are trailers. One of the trailers is abandoned (which has been confirmed), another the two individuals listed on the deed are in nursing homes, the daughter has been contacted and she does not want the trailer. However there is someone living in the trailer, Terri has spoken with him and he was the caretaker but this has not been confirmed. The park owner states the individual is not paying rent or taxes. The third trailer there

has been no response from the owner, he has signed for all documents, and may come and pay on the last day. But if not Terri tells the Board the park owner expressed that he would like to purchase the two trailers from the Town. He has done so in the past, which helps the Town with not having to deal with moving the trailers in question.

Other two properties are located at 549 and 551 Charles Bancroft Highway. Notices have been sent and signed for, with no response. However, they can come in to pay on the last day also. Terri mentions to the Board the owner also has been noticed by the Town because they have Impact Fees to be returned, but there has been no response.

Selectman B. Lemire asks Terri if there is any action the Board needs to do this evening. Terri states no, if the Board wishes not to deed any of the properties and let them go without paying.

Selectman S. Perry questions if the Board usually handles this non-public.

Terri states no it is handled in public unless payment plan arrangements are discussed.

Selectman S. Perry asks to see the names and deed information, and states he questions giving back Impact Fees if someone owes the Town money.

Terri states she questioned it and the Town has to return the Impact Fees.

Board continued to discuss these properties.

Terri states the owners have until 1:00 on Thursday to come into Town Hall and pay, so nothing would be done by the Town till Friday morning. At that time the Board could do a deed waiver and let the property continue to sit or the property can be deeded. Board will have to take action on Friday, they cannot wait till their next BOS meeting. Board agrees to put all the properties to deed if they do not pay, this has been since 2014 with no contact or attempts to make payment by any of these owners.

Selectman S. Perry **motioned** for the Board of Selectmen to put the following properties to deed for nonpayment of taxes - 40 Horseshoe Drive, 17 Bradford Lane, 2 Lori Lane and 549 & 551 Charles Bancroft Highway in Litchfield.

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

Board mentions this does not go into effect until Friday morning. **Vote carries 4-0-0.**

Corning Road Paving - Binder and Wearing Course

Town Administrator T. Brown tells the Board there was a recommendation from a local business owner/citizen that the Town consider doing the wearing course (final paving) on Corning Road and not just leave the binder coat on the roadway until next year as planned. The concern is with the amount of traffic on this road and the effects of plowing over the winter that the binder course will deteriorate quickly. Troy states he consulted with the Road Agent and Town Engineer and both are in agreement that if the wearing course can be applied this year it should be. He also spoke with Pennichuck Water Works about the concerns from the Board of Selectmen regarding if a problem should occur with the road that they are releasing the Performance Bond and would have no future recourse. Troy states he was told if the wearing course goes down this year, Pennichuck holds a 2% Retention Policy and a one year Performance Bond, and the Town holds a two year Performance Bond. So he is assured there is very little risk to the Town if they move forward and have the final course applied to Corning Road.

Selectman S. Perry states if they keep the binder course down and use it till next year, and the road gets beat up or any issues occur, it is still their responsibility to repair before applying the wearing course. So he sees no reason for concern.

Troy states it is to try and preserve the integrity of the base.

Selectman J. Brunelle **motioned** for the Board of Selectmen to approve the wearing course be applied to Corning Road.

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

Special Detail Revolving Fund Review

Town Administrator T. Brown tells the Board as of May 18, 2017 the Special Detail Fund has a cash balance of \$25,822.55 and an outstanding accounts receivable balance of \$24,888.69 for a current balance of \$47,831.33. He states 80% of the accounts receivable expenses are due to the PFOA issues, and there are no concerns about receiving payment. Troy mentions the only outstanding items at the time of this reconciliation are for NH Retirement, Workers Compensation and Unemployment Taxes which totaled \$2,879.91 due to the General Fund leaving the above stated balance of \$47,831.33.

Selectman S. Perry asked what was the balance at the end of 2016.

Troy states after all Officer salaries and 457 matches were made the balance in the fund as of 12/31/2016 was \$33,168.88. He mentions he has not transferred any funds from this account as of yet for all of last year. Karen has moved Administrative Fees and Payroll related items such as Workers Compensation etc.

So he states there are a few ways money can be transferred, depending on the Boards wishes. There was a spreadsheet calculated of what the Town's hourly costs were he believes it was around \$4.05 per hour. So he can go add up all the hours in 2016 and apply this hourly rate and get a dollar amount (Karen did roughly today and it is around \$10,000). Or the other thought is the \$33,168.88 can be applied towards the cruiser purchases this year in 2017.

Selectman J. Brunelle mentions keeping \$20,000 of the money for the 2017 Officer 457 matches, and use the remaining funds to offset the cruiser purchases. He states there are unexpected expenses with the new cruisers due to the equipment fit outs, because these expenses were not captured in the tax rate.

Selectman B. Lemire asks what does he mean there are expenses not captured in the tax rate. Selectman J. Brunelle states when the new 5th front line cruiser was purchased last year, it was just the cruiser, the fit up costs were not captured and the electronics alone were \$12,000. Board discusses this matter of Administrations Fees and offsetting cruiser expenses (fuel, funds associated with Special Detail etc.). They decide it is too early and will continue to track expenses and bring this up at a future Board of Selectmen's meeting.

Personnel Policy - Health/Dental Insurance Update

Troy mentions he shared changes he is proposing to the Health/Dental Insurance outlined in the Personnel Policy with the Board. The reason for the change is after the last meeting and the Boards approval for a PT Clerk position at 22 hours a week and the related expenses that were calculated for that position. He noticed in reviewing the Town's existing policy that it allows for an individual working 21 hours a week or more to have 50% of their Health/Dental Insurance

paid by the Town, this expense was not calculated in the approval and hiring for this new position. He states the rule of thumb is usually an individual needs to work 30 hours or more to participate in a health insurance program. Troy mentions right now is a perfect time to make this change because no one (including the Union contracts) will be impacted by this change. He mentions this will still allow an individual at 30 hours to participate in the Town's Health Plan at the rate of 50%. He also made some adjustments to the Health Insurance Plan and updated what is currently in the Union contract, these changes also will not impact any current employee. For example any single employee who enrolls in the single health plan currently offered gets 100% of their premium costs covered, he is proposing to change this from 100% to 80% (this represents what they have in the Union contract). This would make the cost savings the same for Union and Non-Union members. Troy mentions the only difference would be if the Board agrees when changed from 21 hours to 30 hours the Union contract is and will remain at 21 hours because that was the Town's policy at the time of their contract negotiations. Troy also mentions there is a provision for flexible spending that was for individuals who wished to buyout or waive health insurance in exchange for receiving a buyout. The provision was for 25% of the buyout had to go into that individual's flexible spending account. This has become a very labor intensive Administration task today, due to the amount allowed to be place into the individual's fund is now \$500, where it use to be up to \$2,500.

Selectman S. Perry states while they are making changes wouldn't this be the time to change the buyout, because he cannot stand how the buyout is currently set. He states because it is currently set for what you are eligible for, and what you are eligible for is not a true representation of what should be paid. If you have a family you are eligible for a family buyout which is till your kids are 26 years old, so if your kids can get their own insurance does the individual still get the buyout..of course it does. Proving his point you still are eligible for something even if you no longer need it, so he feels the buyout is too high and should be the same for everyone. He tells the Board some day someone who is single will fight this and say if they had a family they would be eligible for more of a buyout and that is not fair. Steve also asks why 30 and not 32 hours, he states 32 hours is a standard practice.

Troy states because there is a part-time employee who works 30 hours, and they would have to grandfather current employees and he would like to avoid this. He also mentions he would like to talk with the Union about in the future they go from 21hrs to 30 hrs also.

Selectman K. Schaefer states 32 has always been a standard not 30.

Board continued to discuss this matter and the changes they feel should also be made at this time.

Selectman S. Perry **motioned** for the Board of Selectmen to approve the updates to the Health and Dental Insurance Plan in the Personnel Policy as discussed and recommended by Town Administrator Troy Brown.

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

Annual Policy Review

Town Administrator T. Brown tells the Board there were no recommended changes made to the following Policies, except for Purchasing Policy that he will discuss when they get to it.

Cash Receipt Policy- No changes to policy

Selectman S. Perry **motioned** for the Board of Selectmen to approve the Cash Receipt Policy as written.

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

Credit Card Policy - No changes to policy

Selectman S. Perry **motioned** for the Board of Selectmen to approve the Credit Card Policy as written.

Selectmen K. Schaefer **seconds** the motion. **Vote carries 4-0-0.**

Fund Balance Policy - No changes to policy

Selectman S. Perry **motioned** for the Board of Selectmen to approve the Fund Balance Policy as written.

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

Records Retention Policy - No changes to policy

Selectman S. Perry **motioned** for the Board of Selectmen to approve the Records Retention Policy as written.

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

Financial Reconciliation Policy - No changes to policy

Selectman S. Perry **motioned** for the Board of Selectmen to approve the Financial Reconciliation Policy as written.

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

Fraud Policy - No changes to policy

Selectman S. Perry **motioned** for the Board of Selectmen to approve the Fraud Policy as written.

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

Purchasing Policy -

Town Administrator T. Brown has shared the changes he is proposing to the Policy with the Board. He states there has been confusion as to when a purchase order is required and when one is not. There has also been confusion around vendors (listed in Appendix A) the Town has contracts with or they have a proprietary type of arrangement and are the only one to provide a service or part for the Town.

So he has tried to clarify when a purchase order is required, and a few other clarifications he came across upon reviewing the policy. First in section 1D Troy tells the Board the Town does ask all its Committees, Boards, Commissions, Elected and Appointed Officials to all follow the Purchasing Policy and they do, he has changed some language to reflect this clearer. Under Purchasing Procedures 2C he removed language which talked about the exemption by companies in Appendix A. to require purchase orders, as long as they have a written contract with the Town and are doing normal purchases at PO will not be needed. Troy states an

example of this would be Londonderry Ford where the Police Department sends all their vehicles for tires, oil changes or routine maintenance and throughout the year it could total \$10,000-\$12,000 but the Town would not require a purchase order for each incident. But also if the Police Department is looking for a new cruiser they could not go to Londonderry Ford because they are on the vendor list and purchase one without a purchase order.

Troy mentions section 2F he felt the language was placed in the wrong subsection, he did not change anything just moved it below to section 3D. Otherwise he just cleared up a few words such as the word day to calendar day. He and the Finance Department also updated the Vendor list.

Selectman S. Perry asked if these changes have been reviewed by Legal Counsel. He also mentions he feels as long as Appendix A is in the Policy it is the way around getting a purchase order.

Troy states they have not been reviewed. Board would like Troy to have Legal Counsel review the Policy and report back to the Board at a future meeting.

Public Input - None

Administrator Report

Troy mentions at the last Board meeting it was discussed that the Union requested to postpone the Grievance Hearing until November. However, the Board of Selectmen asked Troy to check with Legal Counsel on the matter because they wished to move forward and have the matter resolved sooner rather than later. Troy contacted the Union and has had no response. He reached out to Counsel and they informed him the Union has the right to actually request the Grievance Hearing be deferred till a later date if they wish. Legal Counsel is reaching out to the Union and will keep Troy updated.

Troy mentions there is a Special Election tomorrow from 7am-7pm at Campbell High School

Troy tells the Board he is holding the fire hydrant rental fee bill for \$23,500. He did reach out to Pennichuck and was informed this bill is for the 17 hydrants installed last fall and were captured for 2017, so the bill cannot be deferred due to regulations by the PUC. All other hydrants being installed this year since January 1, 2017 will not be captured until January 1, 2018 and will be billed accordingly.

Selectman J. Brunelle asks for the bill to be sent to St. Gobain for payment.

Selectman S. Perry does not want St. Gobain to think by paying this bill it would in anyway let them off the hook and satisfies their obligations in any way or have that effect any future negotiations.

Selectman B. Lemire agrees, he states the Board knew it was coming but did not know the amount.

Troy states there should be another face to face meeting

Selectman S. Perry **motioned** for Town Administrator T. Brown to pay the fire hydrant bill received from Pennichuck Water Works.

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

Town Administrator T. Brown tells the Board the IT Room has been having issues with the air conditioning system this past week. Selectman J. Brunelle is notified by an alert when the temperature in the room gets to a certain degree, because the equipment has a point of overheating. Troy mentions Kevin had the service technician come and he believes the motor/fan housing needs to be replaced. But they have not been able to find the part needed, due to the age of the system. So due to the issue of not being able to cool the room and the chance the IT equipment could be damaged, they feel it is best to replace the system.

Troy tells the Board Kevin has received two quotes, they are still deciding what size is needed to efficiently cool the room. Troy states they can tap into the Building Maintenance Trust Fund and the price quoted is between \$5,250 - \$6,800.

Selectman J. Brunelle mentions the current unit has been questionable since they put everything into the room which is 12X8, there has been a secondary unit in the room now for about 2 years. The challenge on hot days the main unit shuts itself off, and the second unit does not cool the room enough by itself (reaches 85-90 degrees). This has been an ongoing issue for a few years now and he mentions the equipment in that room values at over \$100,000. Board discusses this matter.

Selectman S. Perry asks Troy what the balance is in the Building Maintenance Trust Fund. Troy states about \$50,000.

Selectman S. Perry **motioned** for the Board of Selectmen to approve the purchase of a new air conditioning unit for the IT Room at a cost of up to \$7,000 from the Building Maintenance Trust Fund.

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

Other Items - None

Selectman Reports

Selectman J. Brunelle states there is a Budget Committee meeting being held this coming Thursday May 25, 2017

Selectman S. Perry states at the last Planning Board meeting Erickson Foundation Solutions was approved to build a 15,000 sq ft. Building at the south end of Charles Bancroft Highway in Phase I and another 15,000 sq ft. Building in Phase 2

Selectman K. Schaefer states the Recreation Committee is still in discussions with the Pickleball League, but they are donating nets, rackets and balls to the Middle School in order to teach students Pickleball.

Selectman B. Lemire would like to remind everyone about the Memorial Day Parade and festivities which are sponsored by the Historical Society. They are being held on Monday May 29th at 10:00am with the parade starting at the Middle School and ending at the Old Town Hall/Fire Station.

He mentions the Board of Selectmen are invited to participate and hopes everyone will attend.

Items moved from consent - None

Other Business - None

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(a) - Personnel/Compensation
Selectman J. Brunelle **seconds** the motion.

Roll call vote - Selectman J. Brunelle (yes), Selectman S. Perry (yes), Selectman B. Lemire (yes) and Selectman K. Schaefer (yes). **Vote carries 4-0-0.**

Board of Selectmen will only come out of non-public to adjourn.

The next Board of Selectmen's meeting will be on June 12, 2017 at 6:00pm at Town Hall

Brent T. Lemire, Chairman

Steven D. Perry, Vice Chairman

John R. Brunelle

Kevin C. Bourque

Kurt Schaefer