

TOWN OF LITCHFIELD

Selectmen's Meeting

November 23, 2009

The Board of Selectmen held a meeting at 5:30 p.m. in the Town Hall Conference Room.

Members present: Frank A. Byron, Chairman
Andrew M. Santom, Vice Chairman
M. Patricia Jewett
George A. Lambert

Absent: Steven D. Perry

Also present: Linda Langille, Office Manager

PLEDGE OF ALLEGIANCE

All rose for the Pledge of Allegiance

CONSENT ITEMS/ANY OTHER BUSINESS

Consent: Veterans Credit. **Any Other Business:** Step Increase; Liability insurance; Annual Report submittal; Elderly Exemptions; Accountants; Voice mail update.

PUBLIC INPUT

Mr. John Poulos came forward to inquire as to some type of recourse for over-assessment of an elderly person's property at Stage Crossing (besides paying and then waiting for the abatement). The abatements are due by March 1, 2010, and the deadline to reply is June 1st. He was told to have the person fill out an abatement and that the Selectmen would try to have it reviewed by Avitar as soon as possible.

CEMETERY ASSOCIATIONS

Members of the Pinecrest and Hillcrest Cemetery Associations were present. Att. David LeFevre was also present. Ms. Terry Knowles of the N.H. Attorney General's Office was present to talk about election of Cemetery Trustees. In 1994 there was an RSA mandating that cemetery associations are required to have Trustees. This was discussed.

The cemetery land is owned by the Town and it is operated by two private groups managing public land. Back in 1962 because the Pinecrest Cemetery was in horrible condition, it was taken over by a group of residents. There are by-laws. The Hillcrest Cemetery has been managed by a private group longer than 1962 but the background is now known. The two private groups have corporate status, are registered with the Attorney General and they send in a financial report yearly.

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Ms. Knowles said that what Nashua is doing is electing a board of trustees and under the board would be their two cemeteries...and those would answer to the Cemetery Trustees but nothing else would change. That is an option. Another option is for the Town to have elected cemetery trustees and have both groups dissolve and turn the money over to the trustees. Pinecrest and Hillcrest Associations want to continue to exist the way they operate now.

Ms. Knowles went on to explain what powers the Cemetery Trustees have: a) They prepare the annual budget to get money from the Town. b) They spend all moneys raised and appropriated by the Town. c) They expend income from all trust funds. d) They prepare deeds for cemetery lots for the governing body which is the Selectmen to sign.

Ms. Knowles: If the land belongs to the Town of Litchfield, the only entity that can sign a deed is the Board of Selectmen, no one else?

Att. Lefevre agreed. Ms. Knowles: You are custodians of the cemeteries. The Board of Trustees is allowed to delegate duties to a sexton or a custodian. Perhaps the Trustees could delegate some of the duties to you as custodian; it is a possibility, but the Cemetery Trustees will definitely have the authority over both of these public pieces of land. Under the statutes, every city and town must have a Board of Cemetery Trustees. Ms. Knowles further stated that as associations, they do not have to give up their money because the law allows you to do that. The Town Meeting would have to delegate the Selectmen as Trustees. There would have to be a warrant article to appoint the Board of Selectmen as the Cemetery Trustees if that is the way they want to go. This would have to be discussed with Town Counsel and Selectmen as to their duties. The Cemetery Associations will meet again with the Selectmen on December 7, 2009.

HUNTING

The Board is in receipt of a letter from Police Chief Joseph O'Brien recommending posting the town-owned property (Tanager Way) as a NO HUNTING. Mr. Byron **MOTIONED** that the Board of Selectmen hereby post that property as a NO HUNTING property area. Mrs. Jewett seconded. Mr. Santom **AMENDED MOTION** to post as a multi use recreational area. Mr. Lambert seconded. Vote: Mr. Byron voted no. Mrs. Jewett abstained. Motion carried 2-1-1. Main Amended Motion carried 4-0-0. Mr. Santom suggested directing Kevin to map out the area and see how many signs would be needed. Mr. Santom will call Mr. Kevin Lynch regarding posting.

ETHICS FORMATION COMMITTEE

Mrs. Janice Raccio, Chairman Ethics Formation Committee, came in to discuss the warrant article. The article reads: To see if the town will vote to raise and appropriate the amount of \$1,395 for the formation and initial budget of an Ethics Committee and to rescind the existing Conflict of Interest Law, and adopt in lieu thereof a new Code of Ethics as written by the

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Litchfield Code of Ethics Formation Committee. Copies of the proposed Code of Ethics may be obtained at Town Clerk's Office, and at the Aaron Cutler Memorial Library.

Mr. Byron **MOTIONED** that the Board of Selectmen goes forward with a warrant article to form an Ethics Committee including \$1,395. Mr. Lambert seconded. Mr. Santom voted no. Motion carried 3-1-0.

STREET LIGHTING

Mr. John Poulos was present. Mrs. Langille is waiting for the contract from Pennichuck for the EOL Rate program to be initiated. As to eliminating lights, Mr. Poulos said that there are two that need to be modified and the Police Chief recommended installing street lights at two locations - Jeff Lane and Innes Field. Mr. Poulos: The issue is the sooner the Town goes with the EOL program, the quicker it can start saving money and those two lights get fixed as part of the program.

MOSQUITO CONTROL

The MCD spent \$26,620 in expenses but the Town is eligible to receive \$6,655 reimbursement from the State. Mr. Byron **MOTIONED** that the Board of Selectmen hereby approves the submission for funding request from the State of N.H. for compensation of mosquito control expenses to the amount of \$6,655. Mr. Santom seconded. Motion carried 4-0-0.

275TH ANNIVERSARY

Town Counsel says that it is possible that the Town could use the funds to build a bandstand if the Board so desires. The money must be unanticipated revenue and accepted and expended the same pursuant to RSA31:95b following a public hearing after seven days notice.

Mr. Santom **MOTIONED** that we are in favor of building a bandstand. Mrs. Jewett seconded. Mrs. Jewett pointed out that a bandstand should be well constructed because of the vandalism at Darrah Park. Mr. Byron voted no. Motion carried 3-1-0.

Talk ensued as to a hearing to use the 275th funds to build the bandstand. Mr. Byron **MOTIONED** that the Board of Selectmen hold a date for a public hearing on December 7, 2009, at 7:00 p.m. at Litchfield Town Hall. Mr. Santom seconded. Talk went on as to having time to publish in a newspaper. Mr. Santom **AMENDED MOTION** to say December 14, 2009 at 7:00 p.m. Mrs. Jewett seconded. Motion carried 4-0-0. Main amended motion carried 4-0-0.

TOWN HALL CLOSURE

Mr. Santom **MOTIONED** to close Town Hall for the whole day. Mr. Lambert seconded. Mr.

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Lambert **AMENDED MOTION** to say for now and future years that we are closed on the day before Thanksgiving. No second. Mrs. Jewett **AMENDED MOTION** to say closing at noon. No second. Vote on main motion: Messrs. Lambert and Santom voted yes. Motion failed 2-2-0. Mrs. Jewett **MOTIONED** that the Town Hall closes at noon time on Wednesday. Mr. Lambert seconded. Vote: Mr. Byron voted no. Motion carried 3-1-0.

WARRANT ARTICLES

The Selectmen reviewed proposed warrant articles. It was agreed regarding asking for two police officers that only one is put on the warrant article. The Budget Committee removed the additional officer that was included in the 2010 budget.

Water Hydrant - The cost to the voters is about \$269,677.80 and presently that is being paid by 58% of the townspeople. Mr. Byron **MOTIONED** that the Board of Selectmen does *not send* to the voters a warrant article for fire hydrant charges. Mr. Santom seconded. Mr. Santom felt that the problem is not with the Town but with Pennichuck. Mr. Poulos talked about the proposed warrant article. The charge for hydrants per the agreement in 1991 would only be applied to those people who had a water meter irrespective of their proximity to a hydrant. Mr. Byron: If someone is not a subscriber to Pennichuck and the water from the system is used, a bill is supposed to be generated for \$800 to offset the cost. The \$800, once collected by Pennichuck, is supposed to be distributed back to each of the ratepayers. Talk ensued. What this means is instead of paying \$12.59 a month, people would get assessed .28 per thousand. Mr. Poulos suggested negotiating with Pennichuck to bring the total to perhaps \$250,000 instead of \$269,000; this would be an agreement with Pennichuck. It was also pointed out that maybe this would not even be allowed by the PUC. Mrs. Jewett said she feels that the voters should make the decision. Vote: Mrs. Jewett voted no. Motion carried 3-1-0 *to not put forth* the article.

KEYS

This will be discussed next week.

MINUTES

Mrs. Jewett **MOTIONED** to approve the November 9, 2009, minutes as printed. Mr. Santom seconded. Motion carried 3-0-1.

Mrs. Jewett **MOTIONED** to approve the November 16, 2009, minutes. Mr. Lambert seconded as amended. Mr. Byron abstained. Motion carried 3-0-1.

2010 BUDGET

Liability Insurance

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Account 01-4196

The liability insurance increase is 13%. Mr. Santom **MOTIONED** 01-4196 Insurance Not Otherwise Allocated \$59,353. Mrs. Jewett seconded. Motion carried 4-0-0.

Health Insurance

Mr. Byron **MOTIONED** that the Board of Selectmen hereby sets the bottom line Health Insurance cost as detailed by the Selectmen's Office to \$220,832. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** that the Selectmen hereby sets the bottom line Dental Insurance as detailed by the Selectmen's Office \$22,590. Mrs. Jewett seconded. Motion carried 4-0-0.

COLA - Mr. Lambert reported that the Budget Committee again reiterated and asked to pass along to the Selectmen that they really want the COLA on the warrant. The Selectmen last week had agreed to keep it in the budget and again agreed to keep it in the budget.

COMMITTEE/DISTRICT REPORTS

Community Council - Mrs. Jewett attended a dinner at the Center.

Churches - Mrs. Jewett talked about the churches donated turkeys and gave out 50 baskets to the needy.

PUBLIC INPUT

There was no public input.

CONSENT ITEMS

Mr. Santom **MOTIONED** to approve a Veterans Tax Credit for \$300...Pilgrim Drive. Mrs. Jewett seconded. Motion carried 4-0-0.

ANY OTHER BUSINESS

Step Increase - Mr. Byron **MOTIONED** that the Board of Selectmen hereby approves a step increase effective December 8, 2009, from Grade 13 Step 4 to Step 5 for Linda Langille. Mrs. Jewett seconded. Motion carried 4-0-0.

Annual Report - Chairman Byron asked members to forward their comments as to what they would like to put into the Selectmen's report for the Annual Report.

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Elderly Exemptions - Chairman Byron asked Mrs. Langille to check on the elderly exemptions being provided to make certain it is the correct amounts and age. There is a discrepancy with State requirements.

Accountants - Mrs. Langille reported that the cash portion has been done and the accountants still have to do the details and escrow accounts. The 2009 should be completed in two to three weeks.

Voicemail - Mr. John Brunelle reported that they will start to get the police officers on the mailboxes the week of November 30th.

There being no further business, Mr. Byron **MOTIONED** to adjourn the meeting. It was seconded. Motion carried 4-0-0. Meeting adjourned at 9:25 p.m.

Frank A. Byron, Chairman

Andrew M. Santom, V.Chairman

M. Patricia Jewett

George A. Lambert

Lorraine Dogopoulos
Selectmen's Secretary