

## TOWN OF LITCHFIELD

**Selectmen's Meeting**

**December 7, 2009**

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

Members present: Frank A. Byron, Chairman  
M. Patricia Jewett  
George A. Lambert  
Steven D. Perry

Absent: Andrew M. Santom, Vice Chairman

6:00 p.m. Nonpublic with Town Counsel.

6:45 p.m. Nonpublic per RSA91-A:3:II(a) the dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, etc.

### **PLEDGE OF ALLEGIANCE**

All rose for the Pledge of Allegiance.

### **ANY OTHER BUSINESS**

1. Keys. 2. Girl Scout Cookie sale. 3. Budget Review. 4. Payroll system. 5. Chairman absent.

### **PUBLIC INPUT**

Mr. Leonard Stanhope, Jeff Lane, came forward to talk about the sidewalk on Pinecrest by the Middle School that has not been plowed. It especially "irked" him he told the Board because of the money spent on a piece of equipment to plow the bike path so he felt the priority should have been that sidewalk where children are walking. He was told that the Road Agent would be notified.

### **CEMETERY ASSOCIATIONS**

The Pinecrest and Hillcrest Cemetery Association representatives were present to discuss the matter of electing trustees in March. Also present David Lefevre (Town Counsel). Both associations said they are in agreement to go with three elected trustees who would be the overseers of the cemeteries. Names would be put on the ballot to elect three Trustees. They will be contacting Terry Knowles, AG's office, to make sure it is being done right. The plan is to have one Trustee that would do the finance and right of interment and the Trustees would do the budget. Another trustee would act as a sexton for the maintenance of the cemeteries. Town Counsel said that the Trustees could appoint someone who is not a Trustee to act in that capacity,

## TOWN OF LITCHFIELD

Selectmen's Meeting

December 7, 2009

or one of the Trustees could do it. The first order of business would be to put together some rules but the Trustees would act as a group similar to the Board of Selectmen. Two positions are required to be created: one is a Chairman and another one is a Bookkeeper.

### DEFAULT BUDGET

Town Counsel informed the Selectmen that according to DRA when you are on a default and preparing your default for next year, you use this year's default budget as your baseline. That is the way the statute is written although it is susceptible to interpretation. Also, the conversion costs can be added to the default because it is mandated.

### EKK CONTRACT

Mr. John Brunelle, Technology Committee, came forward to discuss the contract with EKK. At the moment, there is no contract but EKK has been providing the services requested by the town to date. There are some unpaid invoices that need to be paid. There is still some work to be completed. Mr. Byron **MOTIONED** that the Board of Selectmen hereby agrees to pay two monthly fees of \$619 to EKK Computers for services rendered to date. Mr. Perry seconded. Motion carried 4-0-0.

**Contract** - Mr. Byron **MOTIONED** that the Board of Selectmen hereby approves the contract with EKK. Mr. Lambert seconded. Motion carried 4-0-0.

### STREET LIGHTING CONTRACT

Chairman Byron explained there are still items to be cleared up with PSNH. They said in 2006 they added 19 street lights because those were lights added in multiple years and they did not realize they existed. Mr. Byron: So, because we ended up paying the depreciated cost of street lights those lights are older than what they are charging us as if they were installed in 2006 and depreciated from 2006 forward, some of them could have been installed way back in the 90's or prior, so we will be getting a rebate. Secondly, there is one light that belongs to Hudson and one that is in Manchester that they are looking for and there is one belonging to an adult community. Based on that, the contract is not going forward at this time because we do not know what the contract will actually be until it is resolved.

### DEFAULT BUDGET

The Board reviewed the draft 2010 Default Budget line by line.

Mr. Perry **MOTIONED** line 4130.10-341 cell phone charges to \$440. Mrs. Jewett seconded. Motion carried 4-0-0.

## TOWN OF LITCHFIELD

Selectmen's Meeting

December 7, 2009

Mr. Lambert **MOTIONED** line 4130.30-438 voting booth setup to \$0. It was seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** line 4130.10-680 copier charges to \$0. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** line 4140.10-740 equipment purchases from \$675 to \$665. Mrs. Jewett seconded. Mr. Lambert voted no. Motion carried 3-1-0.

Mr. Byron **MOTIONED** line 4140.20-810 mileage and tolls to reduce from \$1,500 to \$1,250. Mrs. Jewett seconded. Messrs. Perry and Lambert voted no. Motion failed 2-2-0.

Mr. Perry **MOTIONED** 4140.20-810 Mileage and Tolls to change to \$70.00. Mr. Lambert seconded. Mr. Byron voted no. Motion carried 3-1-0.

Mr. Byron **MOTIONED** 4140.20-840 equipment purchases to \$0. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** 4150.10-812 auditing services from \$18,000 to \$18,500. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Lambert **MOTIONED** 4150.10-396 to \$5,200. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Perry **MOTIONED** 4150.40-680 copier charges change from \$265 to \$0. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** 4150.90-344 secretarial/steno services from \$1,700 to \$1,500. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** to amend line 4191.10-393 special projects (digital mapping) to \$0. Mrs. Jewett seconded. Mr. Byron and Mrs. Jewett voted yes. Motion failed 2-2-0.

Mr. Byron **MOTIONED** to amend line 4194.30-328 Public Notices and Ads from \$660 to \$600. Mrs. Jewett seconded. Mrs. Jewett and Mr. Byron voted yes. Motion failed 2-2-0.

Mr. Byron **MOTIONED** to amend line 4191.30-344 Secretarial Services to \$580. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Lambert **MOTIONED** 4194.10-640 custodial maintenance supplies to \$1,900. Mr. Perry seconded. Motion carried 4-0-0.

## TOWN OF LITCHFIELD

Selectmen's Meeting

December 7, 2009

Mr. Byron **MOTIONED** that the Board of Selectmen hereby sets 4199.10-840 contingency fund to \$35,000. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** to adjust 4199.10-999 default surplus from \$16,252 to \$0. Mr. Lambert seconded. Motion carried 4-0-0.

Mr. Perry **MOTIONED** 4210.10-210 health insurance amend from \$20,071 to \$2,071. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** to adjust line 4210.10-328 public notices and ads from \$300 to \$250. Mr. Perry seconded. Mr. Byron voted yes. Motion failed 1-3-0.

Mr. Byron **MOTIONED** 4210.20-191 uniform allowance from \$0 to \$800. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Perry **MOTIONED** line 4210.20-291 uniforms and accessories from \$0 to \$800. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Perry **MOTIONED** 4210.30-660 vehicle repairs & maintenance to adjust from \$7,500 to \$6,400. Mr. Lambert seconded. Motion carried 4-0-0.

Mr. Lambert **MOTIONED** to reduce line 4210.80-331 police grants from \$5,000 to \$1.00. Mrs. Jewett seconded. Mr. Perry and Mrs. Jewett voted no. Motion failed 2-2-0.

Mr. Byron **MOTIONED** to adjust default line 4220.10-130 from \$3,000 to \$1,866. Mrs. Jewett seconded. Mr. Byron and Mrs. Jewett voted yes. Motion failed 2-2-0.

Mr. Lambert **MOTIONED** to reduce line 4220.10-560 dues and subscriptions to \$1,000. Mrs. Jewett seconded. Mr. Perry voted no. Motion carried 3-1-0.

Mr. Byron **MOTIONED** to amend line 4220.10-680 copier charges from \$870 to \$800. Mr. Perry seconded. Mrs. Jewett abstained. Motion carried 3-0-1.

Mr. Byron **MOTIONED** to amend line item 4220.60-660 vehicle repairs & maintenance from \$40,000 to \$30,000. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Lambert **MOTIONED** to reduce line 4220.60-110 equipment repair wages to \$1,600. Mrs. Jewett seconded. Mr. Perry voted no. Motion carried 3-1-0.

Mr. Perry **MOTIONED** to change line 4220.80-411 heating oil from \$5,000 to \$6,250. It was seconded. Mr. Byron voted no. Motion carried 3-1-0.

## TOWN OF LITCHFIELD

Selectmen's Meeting

December 7, 2009

Mr. Byron **MOTIONED** to amend line 4241.20-433 communication equipment maintenance from \$100 to \$0. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Perry **MOTIONED** to change line 4241.20-341 telephone from \$800 to \$850. Mr. Lambert seconded. Motion carried 4-0-0.

Mr. Perry **MOTIONED** to change line 4311.10-130 salary for road agent to change from \$750 to \$900. Mr. Lambert seconded. Mr. Byron voted no. Motion carried 3-1-0.

Mr. Lambert **MOTIONED** 4311.20-310 consulting engineer to \$12,000. Mrs. Jewett seconded. Mr. Perry abstained. Motion carried 3-0-1.

Mr. Byron **MOTIONED** to amend line 4312.50-687 sand purchases from \$10,000 to \$7,500. Mr. Perry seconded. Motion carried 4-0-0.

Mr. Perry **MOTIONED** line 4324.30-641 septic cleaning to \$300 from \$0. Mr. Lambert seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** line 4324.30-693 minor tools and supplies from \$942 to \$972. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** to amend 4415.10-397 Big Brothers/Big Sisters from \$500 to \$220. Mr. Perry seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** line 4415.20-349 Child Advocacy Center change from \$2,000 to \$1,100. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** line 4415.20-353 Nashua Area Health Center change from \$0 to \$82. Mrs. Jewett seconded. Mr. Byron and Mrs. Jewett voted yes. Motion failed 2-2-0.

Mr. Perry **MOTIONED** to change line 4445.20-692 groceries, household from \$4,000 to \$2,000. Mrs. Jewett seconded. Mr. Byron voted no. Mr. Lambert abstained. Motion carried 2-1-1.

Mr. Perry **MOTIONED** 4445.20-814 housing from \$1,500 to \$1,700. Mrs. Jewett seconded. Mr. Lambert abstained. Mr. Byron voted no. Motion carried 2-1-1.

Mr. Byron **MOTIONED** 4520.10-344 minute taking from \$1,500 to \$0. No second.

Mr. Lambert **MOTIONED** to amend line 4550.20-210 Health insurance to \$1,655. No second.

Mr. Lambert **MOTIONED** to amend line 4550.20-211 Dental to \$109. No. second.

## TOWN OF LITCHFIELD

Selectmen's Meeting

December 7, 2009

Mr. Byron **MOTIONED** line 4583.10-550 printing change to \$70.00. Mr. Perry seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** to adjust 4583.10-676 wreaths from \$280 to \$225. Mr. Perry seconded. Motion carried 4-0-0.

Mr. Lambert **MOTIONED** to change line 4589.10-302 PEG services to \$8,000. Mr. Byron seconded. Mr. Byron voted no. Motion carried 3-1-0.

Mr. Perry **MOTIONED** to change line 4611.20-330 property management from \$1,000 to \$1,438. Mr. Lambert seconded. Mr. Byron voted no. Mrs. Jewett abstained. Motion carried 2-1-1.

Mr. Lambert **MOTIONED** line 4723.10-981 to \$0. No second.

The revised draft Default Budget will be distributed to department heads and committee heads for their review. Feedback to be provided to the Selectmen by next Monday and Chairman stated that if there is no feedback, it will be an indication of their acquiescence.

### WARRANT ARTICLES

Chairman Byron provided an up-to-date revised copy of the articles.

The article for the 250<sup>th</sup>/275<sup>th</sup> Reserved to read: To see if the Town will vote to raise and appropriate an amount up to [insert amount] to be placed in the [insert name of trust fund] Trust fund previously established pursuant to RSA31:19-a at the March 15, 1985 Annual Town Meeting, with such amounts to be funded from revenues raised by the Town during its 275<sup>th</sup> Anniversary Celebration. The trust fund principal and accumulated interest may be expended for organizational and actual expenses for Town sponsored fairs and celebrations upon a majority vote of the Board of Selectmen after a public hearing.

There is a warrant for the police union contract. The elderly exemption was omitted and will be added to the list.

### CREDIT CARD POLICY

Mr. Byron **MOTIONED** to amend the policy to insert the Board of Selectmen's Office Manager, or designee, to review the bills. Mrs. Jewett seconded. Motion carried 4-0-0.

Mr. Byron **MOTIONED** that the Litchfield Board of Selectmen hereby accepts and approves for implementation the Credit Card Policy for the Town of Litchfield. Mrs. Jewett seconded. Motion carried 4-0-0.

## TOWN OF LITCHFIELD

Selectmen's Meeting

December 7, 2009

### TWO YEAR MAINTENANCE BOND

Mr. Byron **MOTIONED** that the Litchfield Board of Selectmen hereby adjusts the amount of the maintenance bond for Stage Road (Old Stage Road/Concord Coach Lane) housing for older persons to \$86,000 effective 12/1/2009. Mrs. Jewett seconded. Motion carried 4-0-0.

### IRWIN MARINE

Mr. Byron **MOTIONED** that the Board of Selectmen hereby appoints Irwin Marine as a Deputy Tax Collector for the purpose of registering boats for the Year 2010. Mrs. Jewett seconded. Motion carried 4-0-0.

### BIKE PATH

The Board is in receipt of a Change Order #1 from the D.O.T. on Project #14838 Albuquerque Avenue Trail Completion, American Recovery and Reinvestment Act and Transportation Enhancement Program, approved by the DOT, for the Roland E. Bergeron Bike Path. Change Order: Increase item 203.1 common excavation quantity due to larger than expected volume of unsuitable materials. Cost \$9,975.00. Mr. Lambert **MOTIONED** that we approve the change order. Mrs. Jewett seconded. Motion carried 4-0-0.

### SUPPLEMENTAL WARRANT

Mr. Byron **MOTIONED** that the Board of Selectmen hereby directs Theresa L. Briand collector of taxes for Litchfield N.H. In the name of the State you are hereby directed to collect property taxes and committed to you to the sum of \$3,987 and with interest at 12% per annum on all sums not yet paid in thirty (30) days after the bills are mailed and we further order you to pay all monies collected to the Treasurer of said town at least on a weekly basis when receipts exceed \$500 or more often when directed by the Commission of Revenue Administration. Mr. Lambert seconded. Motion carried 4-0-0.

### ABATEMENT

Mr. Byron **MOTIONED** that the Board of Selectmen hereby abates the amount of taxes for Map 23 Lot 58, by \$4,032.17. Mrs. Jewett seconded. Motion carried 4-0-0.

### EQUALIZATION RATE

Chairman Byron read a letter from Department of Revenue Administration regarding the new equalization rate for the Town of Litchfield. The new equalization ratio is 122.8%. This was discussed. Mr. Byron **MOTIONED** that the Board of Selectmen hereby approves the 2009

## TOWN OF LITCHFIELD

**Selectmen's Meeting**

**December 7, 2009**

Equalization Municipal Assessment Data Sheet Certificate. Mrs. Jewett seconded. Motion carried 4-0-0.

### MINUTES

Mr. Perry **MOTIONED** to approve the meeting minutes (11/30/2009) as written. Mrs. Jewett seconded. Motion carried 4-0-0.

### COMMITTEE/DISTRICT REPORTS

**School Board** - The School Board held a meeting last Wednesday and again there will be a meeting this Wednesday.

**Recreation Commission** - There will be a meeting tomorrow night.

**Women's Club** - There will be a Pancake Breakfast with Santa on Saturday at LMS from 8:00 a.m. to 11: 00 a.m.

**Donations** - Mrs. Jewett reminded the viewing audience that she is still in need of names of service men and women to send items for Christmas. She is also looking for names of those in the country serving their country.

**WWII Plaque** - Mrs. Jewett is still working on the plaque in the lobby. There are 41 names so she will need to purchase another plaque. Normally, plaques are put up for native sons who lived in that Town during the war.

**Budget Committee** - Mr. Lambert reported that the Budget Committee met twice last week. They had discussed the 3% COLA. "I took the message to the Budget Committee that we would like the 3% COLA and that did not go as we would have hoped. They are working on the school budget". The budget hearing is January 16, 2009.

### ANY OTHER BUSINESS

**Girl Scouts** - Mr. Lambert **MOTIONED** to allow the Girl Scouts to sell cookies at the Incinerator and to coordinate with Dave Mellen. Mrs. Jewett seconded. Motion carried 4-0-0.

**Payroll** - Beginning in January 2010, the Selectmen's office will again be doing payroll in-house. Mrs. Langille said she is waiting on the final paperwork from the bank for direct deposit so there may be a one to two week hold up. It was said to make sure the employees are aware they could have live checks for a couple of weeks.

**Keys** - Steve Perry and Kevin Lynch met with the gentleman from Kamco. One question is

**TOWN OF LITCHFIELD**

**Selectmen’s Meeting**

**December 7, 2009**

whether all the Selectmen would have a master key. Chairman Byron replied that the same level of keys they presently have except for the police department. Talk went on as to access to the Tax Collector’s office. It was said that the only ones to have access would be the Selectmen. It was suggested placing a key in a sealed envelope and have it in the police department.

**Budget Review** - The balance as of 12/4/09 is \$560,925.94 or 12.88% remaining. There were items not included in the budget such as \$9,000 in terms of salary adjustments, \$18,500 for the audit as part of the investigation for Seymour. Also, there may be an additional cost to hook up the generator in the amount of \$6,000. Talk continued as to encumbrances. Mr. Perry mentioned \$7,400 in the Planning Board budget for the impact fee study that was encumbered in 2008. This will have to be checked to see if it can be encumbered again in 2009.

**NONPUBLIC SESSION**

Mr. Byron **MOTIONED** to go into nonpublic session per RSA91-A:3II(a) dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, etc. It was seconded. Roll call: F. Byron, yes; M.P. Jewett, yes; G. Lambert, yes; S. Perry, yes. Motion carried 4-0-0. On a **MOTION** and a second, the Board came out of nonpublic session. It was seconded. Roll call: F. Byron, yes; M.P. Jewett, yes; G. Lambert, yes; S. Perry, yes. Motion carried 4-0-0. A **MOTION** was made to keep the minutes nonpublic. It was seconded. Motion carried 4-0-0. The Selectmen went into another nonpublic session per RSA91-A:2,I(a) strategy or negotiations with respect to collective bargaining.

There being no further business, a **MOTION** was made to adjourn the meeting. It was seconded. Motion carried 4-0-0.

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Frank A. Byron, Chairman

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M. Patricia Jewett

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George A. Lambert

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Steven D. Perry

Lorraine Dogopoulos  
Selectmen’s Secretary

**TOWN OF LITCHFIELD**

**Selectmen's Meeting**

**December 7, 2009**