

TOWN OF LITCHFIELD

Selectmen's Meeting

March 29, 2010

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

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

5:30 p.m. Review of Paperwork and Communications

Also present for public session: Linda Langille, Office Manager

PLEDGE OF ALLEGIANCE

All rose for the Pledge of Allegiance.

PUBLIC INPUT

There was no public input.

ANY OTHER BUSINESS

1. Reappoint officers. 2. Census request. 3. Resignation. 4. Highway Block Grant money. 5. Comcast rate changes. 6. Awarding boat contract. 7. Accounts receivables.

DEPARTMENT HEAD MEETING

Present: Police Chief Joseph O'Brion; Alison Douglas (Planning Board Chairman); John Harte (Budget Committee Chairman); Vicky Varick (Library Director); Theresa Briand (Town Clerk/Tax Collector); Linda Langille (Officer Manager); John Pinciario (Road Agent); Kevin Lynch (Code Enforcement Officer/Health Officer); Joan McKibben (Conservation Commission Chairman); Dave Mellen (Solid Waste Facility Manager); and Richard Riley (Zoning Board Chairman).

Hiring of Town Administrator - Chairman Byron talked about the process of hiring a Town Administrator as approved by the voters. The Selectmen are working on a job description in order to advertise the position. A team would be formed to review the resumes, etc.

Workforce Housing update - Planning Board Chair Alison Douglas gave an overview of the workforce housing (voters did not approve the ordinance) and the Planning Board's plan for the future.

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Space Needs Committee - The formation of a Space Needs Committee was initiated a while ago but it was dissolved. Mr. Lynch has the list of volunteers and this committee will be reformed and spearheaded by Selectman George Lambert. The first consideration should be the space in Selectmen's area to accommodate the new person.

Budget Year-to-date/Explanation of new budget sheets - Chairman Byron reviewed the handouts **Actual & Anticipated Revenues** and **Miscellaneous Funds**. The MS4 establishes the revenues for the Town and this is what is anticipated revenues coming from each department as indicated in the handout. Talk went on as to impact fee collections and the reason for collecting the fees and release of the fees. Talk shifted to police and fire details. Mr. Byron said that the budgets should be able to be tracked on a weekly basis.

Road Agent John Pinciario explained the overage in the highway department. He said he had a number of incidences with the truck such as a wing plow; the red truck lost a wing, loss a tire part of the cab, etc. a lot of maintenance but he should be in good shape now. He said that he did save a lot of money in equipment hire, salt, etc. Mr. Richard Riley (Zoning Chair) said that the Zoning Board is on track as far as case load.

Inter-departmental Cooperation for Tasks - Mrs. Linda Langille (Office Manager) said this is something Terry Briand and her department has been doing and maybe other departments might want to do it. Mr. Brunelle said that there are other departments already doing it such as highway and incinerator are working together on a project.

Update on Staffing/Volunteers and Needs - The Zoning Board is looking for full members or alternates. The Recreation Commission is in need of members and it is recommended that they attend a couple of Commission meetings.

Albuquerque Avenue Culvert and Road Work - Road Agent Jack Pinciario said the bids will be opened on Monday at 10:00 a.m. at Town Hall. He is in the process of looking at all of the recommended reclaimed areas on Albuquerque. Talk ensued as to the three culverts: Albuquerque Avenue, Cranberry Lane and Page Road. As to road repairs, the plan is to use highway block grant money to repair Albuquerque Avenue.

Recycling at Town Hall - Kevin Lynch talked about recycling at Town Hall.

Muster Field - Mrs. Joan McKibben talked about Town owned property: eight (8) acres across from the old Town Hall. Mr. Kevin Lynch has been clearing it out and the plan is to make a path adjacent to Stage Crossing.

Fishing Derby - The Fishing Derby will be held on May 8, 2010.

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Town Clerk/Tax Collector - Theresa Briand told the Board that she had asked Kevin Lynch to install a drop box for tax payments. She feels there would not be a problem because the police department is opened 7 to 7. This was discussed. Mr. Perry felt the Town is taking on liability. Mr. Lynch then mentioned a drug drop off box for the police department, for prescription drugs, on the police side. This was discussed. The reason is to provide a place to dispose of the medications without having to drive to Nashua, or disposing medications in toilets, landfills, etc.

The department head meeting ended at 8:37 p.m.

MINUTES

Mrs. Jewett **MOTIONED** to accept the March 15, 2010 minutes as printed. Mr. Lambert seconded. Motion carried 5-0-0.

Mrs. Jewett **MOTIONED** to accept the March 22, 2010, minutes as printed. Mr. Brunelle seconded. Mr. Perry abstained. Motion carried 4-0-1.

RECREATION COMMISSION

Chairman Byron mentioned doing background checks on these applicants. Mrs. Jewett felt it was a waste of money. Mr. Perry felt background checks should be done. Mr. Lambert **MOTIONED** that we hold all of these applications until we have background checks on all of these people. Mr. Perry seconded. The Board discussed whether or not to conduct background checks. Chief O'Brion entered the meeting and was asked about background checks and/or whether he could certify the members. He told the Board that he can only do it locally; that anything outside such as Manchester, he would not be aware of anything that had transpired. A member of the Commission entered the meeting and told the Board that the members as they stand do not work with children. Vote: Mrs. Jewett voted no. Motion carried 4-1-0.

DONATION ACCEPTANCE

Mrs. Jewett **MOTIONED** to accept \$161.44 for the Welfare Department. Mr. Brunelle seconded. Mr. Byron **AMENDED MOTION** that the Town accepts the gift with *thanks to BAE Systems, Catherine Kirby* and the Town will hold the money in a separate account for welfare. Mrs. Jewett seconded. Vote on amendment. Motion carried 5-0-0. Vote on main motion: Motion carried 5-0-0.

COMMITTEE/DISTRICT REPORTS

Bean Supper - Mrs. Jewett reported that the Fire Department contributed food and it was distributed to residents.

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Pepsi - Litchfield did not get chosen for the volunteer program.

PUBLIC INPUT

There was no public input.

ANY OTHER BUSINESS

Appointments - Mr. Byron **MOTIONED** that the Board of Selectmen hereby appoints Gerry Pilon as a part-time Animal Control Officer for the Town of Litchfield. Mr. Lambert seconded. Motion carried 5-0-0.

Mr. Byron **MOTIONED** that the Board of Selectmen hereby appoints Officer Timothy O'Donaghue as a part-time Police Officer for the Town of Litchfield until March 31, 2011. Mrs. Jewett seconded. Motion carried 5-0-0.

Census Bureau - Mr. Byron **MOTIONED** that the Board of Selectmen to authorize the Census to use the conference room on April 12th to 16th, May 4th to 7th, May 11th to 14th and May 18th to 21st. Mrs. Jewett seconded. Motion carried 5-0-0.

Resignation - Mr. Byron **MOTIONED** that the Board of Selectmen accepts with regret the resignation of part-time police Officer Thomas Groulx effective Friday, March 19, 2010. Mrs. Jewett seconded. Motion carried 5-0-0.

Highway Block Grant Funds - Mr. Brunelle spoke with Town Counsel regarding spending highway block funds. Mr. Brunelle: He said that we can definitely expend the dollars coming in this year because they are expected revenues. The caveat was that they had to be in the line item in the highway budget. He did say also that we could not have it there but might have the money be accounted for but be in the negative for some other line item.

Mr. Brunelle asked the Board knowing what we know, why did we not add it to the highway line item. Mr. Byron: On the MS4 the Town lists that as revenues and that means you appropriate that money as part of your budget. So, that money is appropriated and can be spent as part of the budget but on the other hand as Selectmen we are only obligated to expend money on line items that are listed in the budget. So, the \$186,000 coming in this year can only be spent for things in this year's budget. So, it can be spent. In the past, we didn't spend it; we set it aside and put into a fund called highway block grant fund which gets mixed in with the general fund called reserve fund balance and the reserve fund balance means the money is earmarked for a particular purpose. Now, because we are appropriated that money in prior years by listing it on the MS4, and we set it aside, we can spend that now...it is a different category of money this year; that is the problem.

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Mr. Byron said the Selectmen did put it into the budget but the Budget Committee cut it out. It is irrelevant because the money, \$186,000, could be spread out over multiple line items within the highway fund. Talk ensued. Mr. Brunelle: Town Lawyer said it has to be associated with maintenance of the roads. Mr. Byron: What you could theoretically do is take that money you are getting this year and roll it into the budget, replace that money and take the money that is appropriated in the road budget, use highway block grant to fund it, and take that money and apply it to road maintenance.

It was said transfer to another budget. Mr. Byron: The easiest way to do this...just say the \$186,000 is not considered part of that. We still have sufficient money to do everything we want to do...you can take money out of reserve fund balance and apply it to this year's budget.

Mr. Brunelle: I was confused because one of the things that Dave (lawyer) said to me we cannot exceed the bottom line of the highway budget; he didn't say the whole budget. Mr. Byron: Reserve fund balance right now has highway block grant money; I can expend that for roadwork anywhere as long as it is maintenance. I can have him do his roadwork with highway block grant and then money not spent in his budget, use that...but that still does not give me the \$186,000 coming in from this year. Mr. Perry: Or, you could take money from the highway block grant and apply it to line items, put that money back into the unreserved fund balance so there is more unreserved fund balance.

Comcast Rate Change - Mr. Lambert announced that Comcast rates are going up and wanted residents to be aware of it effective April 24, 2010. Talk went on as to Comcast contract renewal.

Awarding of Bids (Purchase Policy) - Discussions went on as to the Fire Department's purchase of a boat (\$18,000) approved by the voters. Mr. Lambert wanted to know if the Selectmen are supposed to award the bid for the boat, and all bids. The Fire Department did receive three quotes and they awarded the contract without Selectmen approval. Mr. Byron was told that the bid company was the only approved source to use in the U.S. and the only provider. The Fire personnel picked up the boat in Alabama to save money. The delivery charge for the boat was going to be \$2,000.

Mr. Lambert: I would like to understand the policy of this Board to allow our department heads to award contracts.

Mr. Brunelle mentioned a project at the Incinerator where bids were received and they have been working with the lowest bidder. He questioned if Dave Mellen, as the department head, has done something wrong. This was discussed. Mr. Perry felt asking the department heads to come to the Board for approval is micromanaging. Mr. Lambert: Capital purchases, \$7,500 or more, needs to go out to bid regardless if there would be three bidders or not.

Mr. Brunelle said he was told by the Board that for service contracts it is up to the department

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head and pointed out that the costs were provided and approved during the budget process. Mr. Byron mentioned there is no purchasing policy; the policy is unclear and procedures should be spelled out in the purchase policy. Mr. Lambert explained that he is not picking on the Fire department but the purchasing procedure. Again, it was stated that the money is in the budget to purchase items approved by the Selectmen and the Budget Committee and the voters so why do the department heads have to ask permission again. Mr. Byron stated that the Selectmen need to establish a written policy and continue on a case by case basis. The boat and the conversion money were in the default and regular budget so it was already approved. Mr. Byron: My philosophy - do not micromanage.

Mr. Brunelle **MOTIONED** that we continue the policy of allowing our department heads to manage their budget to the bottom line. Mr. Perry seconded. Mr. Lambert voted no. Motion carried 4-1-0.

Mr. Lambert: I was concerned that we did not bring the bids before the Board of Selectmen but apparently if the Board feels the department head can make those decisions and that the liaisons will be the people who approve those, then certainly there is no problem.

Mr. Brunelle: I did not say that the liaisons approve it; I said liaisons be aware of it.

Mr. Lambert: I am not trying to point a finger at Tom. I am trying to point the finger at the first purchase I have seen this year that looks like this.

Mr. Perry: There is a good chance he has other bids.

Mr. Lambert: They are there; there are three of them. Three retail outlets for the same company. I do not have a problem with that. My issue was about did this Board put a stamp on it and say these bids are good and we picked one because when I got here, this is my third year, I only understand the behavior I have experienced while sitting here but...in the first year I was here, if this behavior had happened, that department head would be sitting in this chair on television explaining their behavior if I understand what happened in my first year correctly? Is that right?

Mr. Perry: Maybe not that one.

Mr. Lambert: Well, it is true. Absolutely correct. All...achieved. Please put that in the minutes. He never would have been called in here for that.

Mr. Perry: I am just saying four years ago.

Mr. Lambert: I am just asking about the procedure so we can be clear.

Mr. Byron: It is not going to be clear until we have a purchasing policy.

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Mr. Brunelle: You knew there was \$18,000 in the budget for that line item...so that is when the time should have been to talk about it...he was authorized to spend \$18,000.

Mr. Lambert: No, someone should have told this Board before he went off and signed this purchase and spent this money.

Mr. Brunelle: He was authorized to spend \$18,000.

Mr. Lambert: I do not wish to have issue with Chief Schofield who I believe is out doing what he believes is within his authority...I wish to have a discussion with the Board so we have a consistent position...

Mr. Lambert: I voted against the motion because I believed it is a change in policy but now the Board has spoken...if you want to vote again, it would be 5 to 0.

Accounts Receivables (Fire Department) - Mr. Lambert expressed concern with the Town's accounts receivables not being through the Selectmen's office. Mr. Lambert: This is not explicitly about the Fire department; this is about the Town's receipts not being tracked so we can see them on a regular basis and it fell off the table between December and March as my conversation with our assistant today. It was invoiced but she does not have copies. Why is it that our office is not keeping track?

Mrs. Linda Langille replied that from October, November and December she requested the invoices every week and then she got busy with the budgets, etc. It was said that the Fire department sends out the invoices but some members felt that it should not be the Fire department but the Selectmen's office. It was also felt that the Police department should not be invoicing either. Mrs. Langille told the Board that there has been a change in the office as to how invoices are done since January and it is put into the system. She does not have a copy of the invoices to Nightmare New England. She was told by Chief Schofield he would supply the invoices. The Fire department just established a revolving fund but there are no funds as yet. Mr. Perry was told by Chief Schofield that he had expected it to be billed out from the time sheets. Talk went on regarding the billing system and personnel available to do the invoicing for the police and fire departments through the Selectmen's office. Mr. Perry stated that the Fire Chief needs more help in the office. He further stated that there is a commitment from Mel's that they are going to pay in April. It was said there is money in the budget for part-time help in the Selectmen's office and Mr. Perry said to bring someone in. Mr. Lambert mentioned he had asked at a meeting back in September that he wanted to see the bill for Nightmare New England and how the Fire department was charging for vehicles, how many people were to be employed, etc. This was not provided to him.

Mr. Byron **MOTIONED** that the Board of Selectmen hereby request Chief Schofield provide the

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billing to Nightmare New England from the 2009 details by April 10, 2010. Mrs. Jewett seconded. Motion carried 5-0-0.

Mr. Lambert agreed to take charge of overhauling the billing system. Mr. Byron **MOTIONED** that Selectmen George Lambert will take the lead for the Board of Selectmen in resolving the discrepancies and the problems with the detail rate for both police and fire. Mr. Perry seconded. Mr. Byron **AMENDED MOTION** that the Board gets a status report of activities to the Board of Selectmen every week from Selectman Lambert. Mr. Brunelle seconded. It was said this does not need to be on the agenda every week. Mr. Byron **withdrew his motion to amend**. Vote on motion: Mr. Lambert abstained. Motion carried 4-0-1.

Interim Town Administrator - The Board is in receipt of a resume for an interim Town Administrator who is willing to work for free. This was discussed. The Board is not interested in hiring an interim Town Administrator.

Nightmare New England - Mr. Perry told the Board that he would be handing over to Linda the actual invoice from the Fire Department. The invoice is actually the time sheets. Mr. Perry said that Chief Schofield told him the invoices were already in Selectmen's Office.

Work Session - The Board will hold a work session tomorrow to generate a job description for a Town Administrator. Chairman Byron asked members to compare the Office Manager's role versus Town Administrator's role.

There being no further business, Mrs. Jewett **MOTIONED** to adjourn the meeting. Mr. Lambert seconded. Motion carried 5-0-0. The meeting adjourned at 10:15 p.m.

Frank A. Byron, Chairman

Steven D. Perry, V. Chairman

M. Patricia Jewett

George A. Lambert

John R. Brunelle

Lorraine Dogopoulos
Selectmen's Secretary