

## **TOWN OF LITCHFIELD**

**Selectmen's Meeting**

**March 8, 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  
Andrew M. Santom, Vice Chairman  
George A. Lambert  
Steven D. Perry

Absent: M. Patricia Jewett

Also present for public session: Linda Langille, Office Manager

### **PLEDGE OF ALLEGIANCE**

All rose for the Pledge of Allegiance.

### **PUBLIC INPUT**

Laura Gandia, State Representative, came forward to talk about some legislation. She had been approached by Chief O'Brion and Terry Briand regarding Hawkers and Peddlers going door to door selling their goods and wares. There is great concern as to how they would know who these people are; the only way is to do a background check. The problem is people coming from another state; the Town would have no way of knowing if they had a criminal background. So, Chief O'Brion has worked diligently with her to get a piece of legislation introduced to be able to do a federal background check. The Bill went before the Committee and was sent to the House with a 15-0 vote in favor and now it will go to the Senate. Mrs. Gandia further stated that they were also able to defeat a bill that would have allowed Hawkers and Peddlers to peddle their wares that they were going to peddle under 14 days. That bill would have exempted Hawkers and Peddlers from any type of permit process but thanks to Chief O'Brion who testified and worked very hard on this, it was defeated.

Also, she was asked to introduce legislation on zoning board fees; that legislation came out of Committee with a vote 14-3 and that will be debated on Wednesday. The legislation would allow ZBA's to collect fees that are needed to do studies that need to be done. "The debate is some feel that is too much power to give ZBA's but ZBA's actually have limited power to begin with so you are not opening up broad authority for Zoning Board's to assess fees in any way it seems fit. They have to do it within the confines of the statutes". Mrs. Gandia will keep the Board up-to-date on the legislation.

### **MOSQUITO CONTROL DISTRICT**

Alfred Raccio, MCD Chairman, came forward to talk about the final status on the actions

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recommended in the Plan. Mr. Raccio told the Board that he had met with the Recreation Commission regarding their concerns about the Plan. Their questions were answered regarding the process of notification and procedures and no additional follow-up is required. The ideas expressed were accepted. The Selectmen discussed the recommended actions as listed in the Plan.

Mr. Lambert asked if by approving the actions, is this granting the MCD authority to spray without having some sort of hearing. Recommendation #3 - *the Board of Selectmen consider making MCD the authority to apply the appropriate measures as recommended by its contractor.* Mr. Raccio pointed out it says *as recommended by its contracted experts...* the MCD would not execute spraying without a validation process.

Mr. Lambert: If our contractor says we should apply certain measures from our contractor who does not receive power or authority from anyone other than the State...if they say we should do this, if we approve this measure without a public hearing, that could be done?

Mr. Raccio: Yes, it could.

Talk continued. Mr. Raccio pointed out that once it is a Risk Level 4 emergency then the State gets involved and the general public has no say in what the State does. Mr. Raccio further stated that the MCD is obligated to inform the Board and Health Officer of its action. He went on to talk about what procedures were taken last year.

Selectman Santom arrived at 7:23 p.m.

Mr. Raccio indicated that the MCD could not barrier spray because the MCD has no funds to cover spraying even if it was authorized. They would have to come to the Selectmen for the money.

Mr. Byron **MOTIONED** that the Board of Selectmen hereby approves the recommendations of the MCD to include the granting of all departments, the inter-department utilization of manpower in response to public safety for West Nile what used to be Equine Encephalitis and the application of barrier spraying to Town-owned properties with the exception of the schools provided that the Mosquito Control District holds a public meeting to adequately insure that the community is aware that spraying will occur and that they bring forward to the Board of Selectmen any expenses that would be accrued to accomplish that. Mr. Santom seconded. Motion carried 4-0-0.

### ABATEMENT

Chairman Byron stated that the property is in line with the assessment. Mr. Byron

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**MOTIONED** that the Board of Selectmen adopts the recommendation of Avitar (O'Donnell). Mr. Lambert seconded. Motion carried 4-0-0.

### EAGLE SCOUT

The Scout leaders and members of the committee for Boy Scout Troop 11 take great pleasure in announcing that Christopher M. Dudley has completed the requirements for and has been examined by the Eagle Scout Review Board and is found worthy of Eagle Scout as of December 30, 2009. There will be an Eagle Scout Court of Honor on Friday, April 9, 2010 at 6:00 p.m. in Litchfield. A Letter of Recognition will be presented at the ceremony. Mr. Byron **MOTIONED** to accept the Certificate of Recognition. Mr. Perry seconded. Motion carried 4-0-0.

### DEMONSTRATION PERMIT

Permit for CHS Wrestling - Mr. Lambert **MOTIONED** that we approve the permit. Mr. Perry seconded. Motion carried 4-0-0.

### PSNH AUDIT

Mr. Lambert reported that PSNH has reviewed a number of Town buildings including the old Town Hall. He is waiting for the report and estimates from PSNH.

### RECONCILIATION

Mr. Lambert reported that the Treasurer and Selectmen's Office reconciled the February figures last Thursday at 9:30 a.m. The numbers were good and he signed off on the report.

### KEYS

Mr. Perry said he is still working on getting keys to the vault in Town Clerk's Office.

### YEAR-TO-DATE SPENDING

The year-to-date spending is \$661,396.43. The Selectmen discussed expenses and a bill for the generator hookup at the high school. Mr. Perry expressed concern with the roads falling apart. He also mentioned the Town not getting 2 million dollars next year (school) and suggested freezing the budget or putting a limit on expenditures. Mr. Santom suggested getting an extension on the incinerator conversion thus freeing up \$160,000. Mr. Byron felt that it is too soon to do anything at this point but to continue to watch the budget. As to the road situation, Mr. Byron had sent out a spread sheet listing the available highway block grant money. The section of Albuquerque to be reclaimed is 6200 feet and the overlay is 5590 feet...\$170,000 in culvert replacement which would bring a balance of \$143,000 remaining in the highway block

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funds. Other projects that need to be done are Cranberry culvert at \$100,000; Oak Drive at \$17,000; Robert's Road at \$112,000; Nakomo Drive at \$45,000 and Acorn Way at \$39,000. This will be discussed with the Road Agent in a few weeks.

Mr. Perry **MOTIONED** that any expenditures over the amount of \$3,000 has to come in front of the Board of Selectmen for approval. Mr. Lambert seconded. It would include payroll, etc. Mr. Perry **AMENDED MOTION** to say (not payroll or normal expenditures) no discretionary spending. Mr. Santom seconded. Amendment failed 2-2-0. Mr. Lambert **AMENDED MOTION** to limit discretionary spending in the amount of \$3,750. Mr. Perry seconded. Messrs. Santom and Byron felt the Board should let the department heads manage their budget. Vote on amendment: Mr. Lambert abstained. Motion failed 0-3-1. Vote on main motion: Mr. Lambert abstained. Motion failed 0-3-1.

### **ANY OTHER BUSINESS**

**Election Coverage** - Mrs. Jewett and Mr. Lambert will not be able to be present at the polls. Mr. Perry is available from 12:30 p.m. to end of the elections. Mr. Santom will be available from late afternoon to the end. Mr. Byron is available 7:00 a.m. to the end.

### **MINUTES**

Mr. Santom **MOTIONED** to approve the meeting minutes of March 1, 2010. Mr. Santom seconded. Mr. Perry abstained. Motion carried 3-0-1.

### **COMMITTEE/DISTRICT**

There were no reports.

### **COMMUNITY BULLETIN**

**Elections** - Vote tomorrow 7:00 a.m. to 7:00 p.m. at Campbell High School.

### **PUBLIC INPUT**

There was no public input.

### **ANY OTHER BUSINESS**

**Generator bill** - The Board is in receipt of a bill in the amount of \$8,205 for electrical work done in connection with the generator installed at CHS. Mr. Santom **MOTIONED** to send the bill to the School Board. Mr. Byron seconded. Motion carried 4-0-0. Mrs. Langille will send the bill with a letter to the School District for payment.

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**NONPUBLIC SESSION**

At 7:53 p.m. Mr. Byron **MOTIONED** to go into nonpublic session with Theresa Briand per RSA91-A:3II(c). Mr. Lambert seconded. Roll call: F. Byron, yes; A. Santom, yes; G. Lambert, yes; S. Perry, yes. Motion carried 4-0-0.

On a **MOTION** and a second, the Board came out of nonpublic. Roll call: F. Byron, yes; A. Santom, 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.

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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Andrew M. Santom, V. Chairman

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George A. Lambert

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Steven D. Perry

Lorraine Dogopoulos  
Selectmen's Secretary