

TOWN OF LITCHFIELD

Selectmen's Meeting

May 3, 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. Paperwork & correspondence review

6:00 p.m. Consultation with Town Counsel Steve Buckley

PLEDGE OF ALLEGIANCE

All rose for the Pledge of Allegiance.

CONSENT ITEMS/ANY OTHER BUSINESS

Consent Items: No items. **Any other business:** 1. Status on Part-time position. 2. Storm water permit. 3. Wage/Salary survey. 4. Highway Block Grant fund. 5. Spending Year-to-date. 6. Town Administrator update.

PUBLIC INPUT

There was no public input.

POLICE MATTERS

Lease Vehicles - Police Chief Joseph O'Brion was present. Mr. Lambert talked about the proposal to lease four (4) new vehicles from Ford Company. At the end of the lease, the Town would purchase the vehicles at \$1.00 each.

Chief O'Brion spoke to say that currently the Code Enforcement's car and the Fire Chief's car are leased vehicles. One of the requirements in the lease is to have an opt out period if the budget does not go through and Ford does have that. Chief: This takes all of our vehicles that have over 100,000 miles and trades them in and gives us front line cruisers with zero miles. At the end of the three year, the vehicles would have 90,000 miles. The Crown Victoria is going away in 2011 and it might be the Chevy Caprice or Ford Interceptor but right now because they are new we do not know which is going to be the right fit for Litchfield. It gives us a three year window to look and see which one is going to work for Litchfield. This will allow us not to have to double up officers in cruisers and also gives us a 75,000 mile warranty and cuts the cost for maintenance.

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Last year we spent \$11,000 in maintenance so if we saved 20 to 30% a year, you have a savings of that. At the end of three years you save about \$40,000 in cruiser purchase costs by not having to retrofit all the vehicles to the new cruisers coming up next year and the year after. It gives us a stable cost for our budget over the next three years and it is roughly the cost of one cruiser. It is a lease option to purchase. If the vehicles are under 100,000 miles, you get a better trade-in. Instead of \$300 a vehicle you can get \$2,800".

Talk continued. Mr. Lambert: We end up with 4 cars replaced instead of buying one new car a year with two in the middle every other year. We end up paying for one new, one new, one new car so we eliminate the doubling up of two cars one year.

Chief O'Brion said it is \$1,000 per car to transfer the equipment and he does not foresee any further expenditures. It is \$24,270 to purchase one cruiser. He said that the parts should all fit in the new cruisers unless something cracks or breaks. The interest rate is 6.6%. Mr. Brunelle added it is a \$40,000 savings in 3 years.

Mr. Perry: It really is not. If you look it is \$25,000 a vehicle so it is about \$104,000 to purchase them...\$95,000 to lease you save \$4,000 but the real advantage is that you get new cars now.

Mr. Byron: What you are doing is mixing apples and oranges...doing it this way is no different than if you purchased one car at a time...your analysis to purchase the cruisers now does not include the \$8,000 vehicle change over costs that you are going to accrue in 2012. So, what you are doing is ignoring that cost of 2012 to the tune of \$32,000 but you are including that costs in when you calculate the \$140,000 that you are going to purchase cars now. If you were to purchase 4 cars, you are deferring the conversion cost but you are not avoiding it...we still have to pay that \$32,000. When you get to 2012...you are going to have to buy more equipment to fit out new cars in 2012 then you would by doing something different over the course of those years. The reason I say that is you are going to have the \$8,000 conversion costs plus the additional equipment to fit new cars which won't be built because all the equipment is for Crown Victoria. All the equipment you will have to purchase in 2012 is going to be for some other car which is yet to be determined.

Mr. Lambert: We do not know what cars will be offered...if there is any change over during the first couple of years, you will have to reinvest in some equipment anyways...this proposal gives us a longer life cycle on our existing equipment and defers it when we know we are buying it all together as a block. So, you say this is the model we are choosing, roll it all in and then you have all of them together. So, you defer the money...

Mr. Byron: You can't say that you have a \$40,000 savings because the \$40,000 is not there. You are excluding from this consideration any of the costs associated with the conversion. It is going to be a huge bump in 2012.

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Mr. Byron had questions on the contract...it states to "keep the equipment in good working order and repair and furnish all parts, mechanisms, and devices required". Mr. Byron: We have to maintain those cars the same as any other car; we will still have the maintenance.

Chief O'Brion responded that the warranty will cover the majority of that. Mr. Byron: In 2012 we will have four cars with all the same mileage 90,000 so we are going to be in the situation having to do something.

Talk ensued. Mr. Perry: I look at it we are maximizing the equipment we already have by purchasing 4 vehicles now. You will put all of this stuff in these vehicles so we are saying this stuff is going to last 4 years. Under your plan, if we go buy a new car next year, we are taking one car's worth of equipment and throwing it in the dumpster. Mr. Byron: I am not suggesting that we go and buy a car next year, all I am suggesting is the numbers you are throwing out there which is you are saving the Town \$40,000 are bogus.

Mr. Byron then suggested leasing only two cars and then cycling it through. It was also suggested leasing only 3 cars. This was discussed.

Back to the contract - Mr. Byron pointed out the contract states we assume all damages to the vehicle...also there is a requirement that we repair the damage so we may not be able to leave the damage; it would have to be repaired. Mr. Brunelle believes that pertains only if the vehicle is going to be returned. All in all, the contract would be reviewed by Town Counsel.

Chief O'Brion said he needs about \$3,000 to make this proposal work and there is \$18,000 in the detail fund which could be refunded to gas and maintenance lines in the budget. This was discussed. There is money in the maintenance line and tire line. Mr. Brunelle suggested if the Board approves this, that the Chief finds the money in his budget.

Mr. Lambert **MOTIONED** that we authorize the Chief to move forward with the lease purchase of four (4) vehicles based on his proposal. Mr. Perry seconded. Mr. Byron: You are deferring a big chunk of the cost out four years; you are making an assumption which may or may not come to be true that four years we are going to be in better condition than we are today. Mr. Lambert: My assumption is we have to retrofit cars and we can extend the life of our current equipment and infrastructure for 3 years for these cars. So, we can defer that so we get new equipment in 3 years instead of replacing it now and wearing off the life of it. Talk continued. Mr. Byron voted no. Motion carried 4-1-0.

Police & Fire Details - The Board discussed invoicing for detail work. Mr. Lambert had met with both department heads and neither of them is establishing a set of sequenced invoices to send out to be tracked by the Selectmen's Office. He looked at methods of invoicing which is a request for invoicing from each department requesting an invoice with an invoice number generated by the Town and tracked. Mr. Lambert had not discussed this matter with the Office

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Manager but she told the Board she is now numbering and tracking the invoices. The Fire Chief is agreeable to whatever is recommended by the Selectmen.

Chairman Byron said there were questions about the police and fire detail rates. One was whether or not to charge more for a fire truck than a police cruiser. Also, there was an issue that overtime was being charged after eight hours of detail. To this, Mr. Lambert said it is in the union contract approved by the voters. Chief O'Brion went on to explain it further. Also, there was thought about charging interest on money owed the Town. There is an outstanding bill of \$22,000 for Fire department detail and Police department for about \$3,900. The Board is trying to put in place penalties or interest for late payments. Mr. Lambert will work on these issues and get back to the Board.

TAX WARRANTS

Mr. Byron **MOTIONED** that the Litchfield 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 the property taxes in the list herewith committed to you amounting to the sum of \$7,563,733.50 and with interest at 12% per annum from July 1, 2010, thereafter on all sums not paid on or before that day and we further order you to pay all moneys 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. Mrs. Jewett seconded. Motion carried 5-0-0.

PURCHASING POLICY

Chairman Byron said that the department heads responding to the draft purchasing policy were Linda Langille, Kevin Lynch, Tony Schaffer, John Pinciario, Theresa Briand and Richard Riley and Chief Schofield. The elected officials have indicated that they feel that they do not come under this policy. Talk went on as to the dollar amount indicated in the policy which would require Selectmen approval of purchases. Mr. Brunelle felt that if items were already approved in the budget and by the voters, that the items could be purchased without Selectmen approval. Mr. Perry agreed with Mr. Brunelle. Mr. Byron: So, you would only have the \$7,500 limit. Mr. Lambert did not agree with Mr. Brunelle. He feels the budget is the Selectmen's budget not the department heads budget and he wants a central point for invoices. Mr. Brunelle said that he agrees with the policy but not the approval process. Mr. Brunelle mentioned that if there is an emergency, the Police or Fire are not going to come and do a purchase order and they don't have to because it is an emergency. All in all, he feels that the department heads are going to do what is right for the community.

Mr. Brunelle **MOTIONED** that we collapse Section A & B as previously described. Chairman Byron suggested he withdraw his motion in order to discuss the matter further. Mr. Brunelle withdrew his motion. It was agreed that Section A & B are collapsed into one section, with Section C states department heads would have to solicit bids and Section D stays the same. Mrs.

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Langille asked for enough time to get this policy in place. It was agreed the policy would be effective July 1, 2010. This policy will be modified and voted on at the next meeting. Mrs. Langille will check on purchasing a module for about \$1,300 which links with the fund accounting program. The money is in the 2010 budget.

STEP INCREASE

Mr. Lambert **MOTIONED** that we give a grade increase as Corporal to Heath Savage at \$28.86. His new grade is in accordance with Article 14 Salaries Part II Page 6 of the Agreement between the Town of Litchfield and the Police Department Union and as recommended by the Police Chief. Mrs. Jewett seconded. Motion carried 5-0-0.

COLA/NONBARGAINING

The Board discussed the issuance of a COLA for the non-bargaining employees. Mr. Byron said that the Budget Committee had said that if we could substantiate a COLA, that would be amendable to them to put it in the budget. Mr. Lambert: That is my recollection and we went back with numerous proposals and justification and through the process I went back and asked for the COLA to the point I could not get a second.

Mr. Byron: The Budget Committee wanted the COLA in a separate warrant article and the Selectmen took exception to that.

Mr. Lambert felt that if it was put on a warrant article the voters would have approved it the way they voted at the polls. He mentioned putting it on a warrant article would not allow any adjustments because of the no means no rule. Mr. Brunelle stated that he realizes the situation with the economy. Mr. Brunelle: The Town has a requirement to take care of our employees which in my mind are our most valuable asset. We do not have that many employees in Town, we do not have that many nonunion, so why would the Budget Committee asks us to bring it as a warrant article with that whole closet about no means no and not be able to ever address a cost of living increase for our employees who have already maxed out on the step program. The other issue is our employees are not getting step increases as other employees are because they have maxed out because they have been here 25 years plus serving this community and we are going into Year 2 without a COLA.

Talk continued. Mr. Lambert explained the Budget Committee's thoughts on the COLAs which is they want the COLAs on a warrant article for both the Town and School because it allows the taxpayers to decide. It was said that in 2008 when the Town employees did not receive a COLA the nonbargaining employees at the School did receive an increase and they received one this year. Mr. Brunelle questioned why the school's COLA was not put on a warrant article and the Budget Committee took the Town's increase out of the budget. Mr. Brunelle mentioned the Town employees have incurred costs in the health insurance and prescription deductibles.

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Mr. Brunelle **MOTIONED** that we grant a 1.5% COLA to all nonunion employees. Mrs. Jewett seconded. Mrs. Jewett **AMENDED MOTION** that the Selectmen do without their increase. Mr. Brunelle seconded. Mrs. Jewett talked about her amended motion. Vote on amended motion. Mr. Lambert and Mrs. Jewett voted yes. Motion failed 2-3-0. Talk went on as to where in the budget to apply the COLA. Mr. Perry **AMENDED MOTION** that the funding of approximately \$13,500 comes out of the individual salary lines. Mrs. Jewett seconded. Mr. Lambert voted no. Motion carried 4-1-0. Main motion: Mr. Lambert voted no. Motion carried 4-1-0.

IMPACT FEES

The Board had met in nonpublic session with Town Counsel Steve Buckley earlier this evening to discuss the tracking of impact fees. Mrs. Langille also met with Steve Buckley on Friday and he suggested ways to find out what had been expended from prior years. Her thought was to start tracking when the Town first started collecting fees. The law states first in and first out, start from the earliest and go forward. Mr. Byron said to work from what we have today back. Mrs. Langille referred to RSA674. She went on to explain that there is a lot of data that needs to be put into the computer regarding what has been collected, etc. Mr. Lambert: One possibility which is to evaluate whether or not we go and ask what if there are any limitations, ask the attorneys how far back our limitations on this to make sure we are doing all the right things. I do not think we asked that question.

Chairman Byron replied he asked that question but it would have to be answered in nonpublic session. Mr. Lambert **MOTIONED** to go into nonpublic session to find out the answer to the question. No second. Motion failed. Mrs. Langille will start from today's information and go backwards.

MINUTES

Mr. Brunelle **MOTIONED** to approve the minutes as written for April 19, 2010 and April 21, 2010 minutes. Mrs. Jewett seconded. Mr. Lambert abstained. Motion carried 4-0-1.

COMMITTEE/DISTRICT REPORTS

Community Council - Mrs. Jewett said that she attended a meeting at Community Council in Nashua last week.

Recreation Commission - The Recreation Commission held a meeting last week. The Commission is sponsoring a Senior Spring Fling at Talent Hall on Thursday, May 27, 2010 at 2:00 p.m. A luncheon of chicken parmesan pasta, salad, bread, drinks, etc. will be served. Seating is limited to the first 200 seniors.

Open House - Mrs. Jewett attended an open house at Brook Road celebrating Bob Martineau's

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birthday.

Planning Board - There will be a meeting tomorrow night at Town Hall at 7:00 p.m. T-Mobile (cell tower) is on the agenda.

Work Session - The Board of Selectmen will hold a work session on Wednesday regarding the Town Administrator's position.

Conservation Commission - The Conservation Commission will hold a meeting on Thursday, May 6, 2010, at Town Hall.

COMMUNITY BULLETINS

The annual Fishing Derby will be held on Saturday, May 8, 2010 at 8:00 a.m. at Marc Lane sponsored by the Conservation Commission.

PUBLIC SESSION

There was no public session.

ANY OTHER BUSINESS

Town Administrator - Mr. Lambert reported that he had spoken with LGC (Local Government Center) last week regarding use of their services in hiring a Town Administrator. They said that the Town's list appears to be more work than they had signed up for so it would cost the full amount. The total cost is \$4,500.

Storm Water Management - Mr. Brunelle said that he sent the report to the Government and DES. He will contact them to make sure it was received.

Wage/Salary Survey - The Board reviewed the survey filled out by the Selectmen's office and Police Department. Chairman Byron had a few items to clear up: The Town does have a prosecutor but he is contracted so should he be listed on the form. Also, the Town does have a Deputy Treasurer although she is not paid so should she be listed and put \$0 paid. Lastly, another question as to whether to list that the Town has a paramedic but the paramedic on the fire department is licensed for Hudson. Mrs. Langille will check on the items in question.

Mr. Byron **MOTIONED** that the Board authorizes me to sign as Chairman. Mr. Perry seconded. Motion carried 5-0-0.

Part-time Position - Mrs. Langille reported that she had 28 applicants for the position. She will be interviewing eight applicants she feels is suited for the position.

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Highway Block Grant - The highway block grant money to be received by the Town has been decreased to \$186,859.38 from \$186,917.47.

Year-to-date Spending - There is 70.66% of the budget remaining or \$3,100,049.15.

Workshop - Selectman Lambert will be attending a workshop at New Hampshire Local Government Center on Collective Bargaining: The Basics and Beyond.

There being no further business, Mr. Byron **MOTIONED** to adjourn the meeting. Mr. Brunelle seconded. Messrs. Lambert and Perry voted no. Mr. Lambert wanted to go into nonpublic to get an answer to a question. Motion carried 3-2-0. The meeting adjourned at 9:42 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