

**Enfield Board of Selectmen
Whitney Hall
Enfield, New Hampshire**

MINUTES of January 7, 2013

Board of Selectmen: Donald J. Crate, Sr., Chairman John W. Kluge; Fred Cummings

Administrative Staff: Steven Schneider, Town Manager; Alisa D. Bonnette, Executive Assistant; Jim Taylor, Director of Public Works; Richard A. Crate, Jr., Chief of Police; Will Shoemaker, Grounds Department

Others: Dan Kiley

BUSINESS MEETING

I. CALL TO ORDER

Mr. Crate called the meeting to order at 6:00 PM.

II. APPROVAL OF MINUTES

Mr. Kluge moved to approve the minutes of December 17, 2012 as printed, Mr. Cummings seconded, vote unanimous in favor of the motion.

III. COMMUNICATIONS

Tax Collector's Report – December 2012:

94% collected on second issue 2012 property taxes.

Town Clerk's Report – December 2012:

Budgeted \$735,000 in Town Clerk revenues; actual revenues were \$761,000 from all Town Clerk sources. We should be fine for motor vehicle revenues.

Shoreland Impact Permit 2009-00892: 37 Graham Road/Spectacle Pond:

This is an older issue. They've come to an agreement. Some portion of construction that was done needs to be removed.

Enfield-Lebanon I-89 Rehab Project: Notice of project suspension 1/3/2013:

This is just notification that they are done with this project for the construction season.

IV. BOARD REPORTS

Planning Board:

The Planning Board has been busy. They have an information meeting on Wednesday, January 9th regarding the proposed Route 4 District changes. A public hearing is scheduled for January 16th. Flyers went out in the mail to all property owners in Enfield.

V. TOWN MANAGER'S REPORT

Personnel Policy Amendment Update:

Mr. Schneider spoke to the Board about updating the Personnel Policy to define earnable compensation for retirement benefits. An RSA does a good job of defining it so the Personnel Policy will refer to the RSA.

DPW Trucks:

The trucks will be here next week and the week after. If we need one in the meantime for a storm we can get a loaner.

Shaker Bridge Lights:

Defiance Electric is hoping to install the bridge lights in the next couple of weeks.

VI. PUBLIC COMMENTS

Dan Kiley – Transportation Advisory Committee Meeting:

NHDOT Commissioner Clement will be at the Upper Valley Lake Sunapee Regional Planning Commission Transportation Advisory Committee meeting. If there are any projects the Selectmen would like to see addressed they should let Mr. Kiley know.

Mr. Cummings would like Mr. Kiley to ask Commission Clement about the Rail Trail letter. Mr. Cummings doesn't understand why the Rail Trail crossing is a big deal when it wasn't a big deal when they were going to build a million dollar bridge. None of the currently expressed concerns were voiced when the State was going to build the bridge which would have removed more from the site.

Mr. Kiley believes the road for authorized vehicles only is what's caused the problem. That's what they're hanging their hat on.

VII. BUSINESS

2013 Budget:

Mr. Schneider will be meeting with the Budget Committee on Thursday. It's a fairly normal budget year with requests that exceed what we're comfortable with. About \$300,000 needs changing. More than half of that amount will come from personnel administration. This is where we account for health insurance, State retirement, etc. We initially put in the worst case

scenario then amend it closer to actual expenditures at the end of the year. We'll bring it closer to historic actuals, which will be close to \$165,000.

Discussion ensued regarding Employer Paid Retirement. This is State retirement. Actuals are closer to \$167,000 vs. the budget amount of \$240,000.

The Public Works Department and Police Department do not have large areas of places to cut. If the goal is to have the budget within 2% - the equivalent of about \$15,000, a nickel of which is the CIP – we will look at reducing budget items in these departments or will say this year we have deferred maintenance items we need to address. Mr. Schneider will speak with the Budget Committee and then again with the Board of Selectmen.

Mr. Cummings noted that some cuts were made to parking lot paving. Paving of the Ambulance lot was removed. The Fire Department lot might need regarding.

Mr. Taylor said the price provided was only for re-topping, if the lot needs to be dug up and regarded that's another ballgame. He hopes the grade can be fixed with pavement only.

Mr. Schneider said we're not anticipating any major changes such as reducing personnel or putting off major maintenance. We're in good shape.

The Board discussed its goal to maintain an increase of not more than 2% and if that must be exceeded, the need to explain to the voters why the increase exceeded the goal.

Route 4 District Update:

The Planning Board will have a meeting on Wednesday and a public hearing next week.

Route 4 Water/Sewer Update:

Mr. Schneider spoke with the engineer. There's a skeleton crew doing some sign issues. They're still working on some manhole work and the pump station.

Mr. Crate inquired about the paving on Baltic Street. He was informed by Mr. Taylor that the engineer was going to check his notes and get back to us. Mr. Schneider will bring this up at the next monthly meeting.

Mr. Taylor informed the Board that an overlay of Baltic Street would be done by the Town. The contract with the construction firm didn't call for another overlay.

Water/Sewer Rates:

The Town received official notice from Lebanon that sewer rates would be going up 9% each year for three years. Enfield is a user of the Lebanon sewer system. When the rates in Lebanon go up we can either try to absorb it or pass it on to Enfield sewer users. Twenty-seven percent over 3 years will be difficult to absorb. A lot of Lebanon increases are due to EPA directives about separating storm water from sewage. Enfield shifts some of these costs to the Town as a whole. Rates can be reviewed by the Selectmen, as Water/Sewer Commissioners, at their next meeting. Mr. Schneider will show the Board what the 9% will look like.

Mr. Kluge asked when rates would need to be adjusted. He was informed by Mr. Taylor they need to be adjusted at least for the next bill in April.

Water Department Cross Connection Ordinance:

This ordinance is for the water system to prevent backflow of water that is not potable from going back into the water system. Regular meters have this built in, but that doesn't work for larger users. This addresses the larger users and is modeled on what the State recommends. A public hearing will need to be held with adoption of the ordinance by the Board of Selectmen acting as Water/Sewer Commissioners. The Selectmen can set a public hearing date at their next meeting.

Six of 30 devices tested needed work, either rebuilt or replaced. Thereafter, testing of the devices will be done once a year.

Ambulance Billing Update:

Mr. Schneider showed the Board all of the paperwork provided by Comstar. To date the Town has collected about \$3,600, about 10% of the billed amount. Mr. Schneider needs have a talk with Comstar about how to correct that. We need to determine why collections are so low. Are claims being rejected? Maybe there's a greater backlog than anticipated.

Mr. Kluge pointed out that the Selectmen are building a program based on anticipated revenues.

Mr. Schneider thinks we're OK with the on-call program. It's the actual hiring of people that we need to figure out before we take the next step.

Dan Kiley asked if we're getting a copy of EOB's (Explanation of Benefits). He was informed by Mr. Schneider that we are not. We're getting checks directly from insurance companies that are supposed to be submitted to Comstar for processing.

Mr. Kiley wonders if the EOB's say the bills are being rejected for lack of information or lack of coverage. If they're still in the system it's OK, but if they've been rejected the reason why needs to be determined.

Ambulance Billing Write-off:

The Board reviewed a request for a write-off of an uncollected ambulance bill.

Mr. Cummings moved to write off the bill as requested, Mr. Kluge seconded, vote unanimous in favor of the motion.

Mr. Crate feels the individual billed for ambulance service should at least respond if they can't pay – the request should come from the individual, not Comstar.

Rail Trail Bridge:

The Town has received a response from Alex Vogt to our Right-to-Know request. He emailed a few letters that we've already gotten. We can go down to NHDOT to go through their files. Mr. Schneider or Ms. Bonnette will go to Concord to review the files.

FastRoads Update:

A FastRoads Board meeting was held last Friday. The PUC has made no specific decision but is asking for more information. The company that has been the issue has filed a suit against the State of NH and the installer. The suit was filed December 26, 2012 against the whole of Network NH Now. They are opposed to what UNH is trying to do.

Service providers are showing more interest in being involved. It doesn't necessarily get us closer to flipping the switch and going live. UNH says this will be done by June 30th. We hope to be able to flip the switch earlier, but it may be June. An RFQ has been issued for a company that will do the actual connections from pole to the houses.

Fairpoint v. Town of Enfield:

We were notified in October that we were being sued, along with every other Town in the State of NH. Mr. Schneider reached out to Katherine Miller of Donahue, Tucker & Ciandella who handled our franchise negotiations. There's some attorney's advice that can be dealt with in non-public session later in the meeting.

Abatement Application:

The Board received abatement requests from a Route 4 property owner, Robert LaCroix. Mr. Schneider said this is not a cut & dry issue. Essentially he's asking for an abatement because he was impacted by the construction. This isn't a dispute in terms of the value of the property, but is a dispute about what happened to his business during the construction. The abatement requests claim a loss of 25% - 30% in revenue.

It was pointed out by Mr. Crate that he also got a lot of dirt from it and by Mr. Taylor that he also got sewer to his properties.

Mr. Kluge asked, "What is the bottom line?" There's no documentation supporting the request. There's no specific dollar amount requested.

Mr. Crate suggested setting the request aside until the Board sees what the other property owners along this section of Route 4 do.

Chief Crate said the Board may want to come up with a formula. Businesses may not know how to go through this. Take into account price increases that went into effect during the construction – does that hurt your business or help your business?

Construction took place over a 5 month period. Mr. Kluge said the Board should only be looking to abate for those 5 months. We can't replace lost revenue.

The Board discussed abatement requests. It's an effect on business versus property value. The Board has to be careful because we aren't able to replace lost revenue. Mr. Schneider will contact Mr. LaCroix about specifically what he's looking for.

It was pointed out by Mr. Crate that Mr. LaCroix now has land he can further develop.

Mr. Kiley pointed out, of course, if someone says put in an abatement request I will.

Town Report:

The Board discussed the dedication of the Annual Town Report and the In Memory of pages that recognize those who have passed away and have done a lot for the Town.

Administrative Items:

The Board signed the previously approved appointment of Phil Cronenwett to the Board of Library Trustees.

The Board reviewed and approved a Veterans Tax Credit application.

The Board received from Kurt Gotthardt a request for appointment to the Energy Committee as an alternate member. The Board declined to make the appointment at this time as they feel there are enough members and alternates on the Committee.

VIII. OTHER ITEMS

Curbside Rubbish & Recycling Collection:

The majority of responses to the survey put out by Mr. Schneider were positive with 72% being OK with every other week collection out of 75 responses.

Mr. Crate noted that 75 responses is a far cry from 3,000 people.

Mr. Schneider replied that the survey is still open. He will invite more responses.

Mr. Cummings said that before Casella/Northeast Waste commits a discussion of contract language is needed. Mr. Cumming would like to see Mr. Schneider speak to Casella about this so we can get closer to moving forward. Mr. Kluge agreed there was no harm in contract discussions. Mr. Cummings wants Casella to commit to less than 10 years.

There was brief discussion of a Canaan resident dumping trash at the Enfield Transfer Station. This Canaan resident does own rental properties in Enfield so the origin of the rubbish is unclear, though it's believed the rental properties may not currently be occupied.

Mr. Cummings asked that the Casella toter pictures be posted to the What's New section of the Town's website. They are included on the Town Manager's page, but he would like more exposure.

Next Meeting:

Tuesday, January 22, 1013, Whitney Hall Conference Room, 6:00 PM

CONFERENCE

I. NON-PUBLIC SESSION

Mr. Cummings moved to enter non-public session at 7:17 PM, RSA 91-A:3 II (a) & (e), Mr. Kluge seconded. Roll call vote: Mr. Cummings – aye, Mr. Kluge – aye, Mr. Crate – aye, vote unanimous in favor of the motion.

Mr. Kluge moved to come out of non-public session at 7:43 PM, Mr. Cummings seconded, vote unanimous in favor of the motion.

II. ADJOURNMENT

Mr. Kluge moved to adjourn at 7:43 PM, Mr. Cummings seconded, vote unanimous in favor of the motion, meeting adjourned.