

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

**MINUTES of March 18, 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

**Others:** Amanda Lewis, Michelle A. Lewis, Meredith & Doug Smith, Dan Kiley, Rick & Leslie Barrows, David Beaufait, Kate McMullen

**BUSINESS MEETING**

**I. CALL TO ORDER**

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

**II. ORGANIZATION OF THE BOARD**

Mr. Cummings moved to appoint John Kluge as Chairman of the Board, Mr. Kluge seconded, vote unanimous in favor of the motion.

The Board discussed Selectmen representation on various Boards and Committees. Mr. Kluge is willing to serve another year on the Planning Board because this Board is moving into a busy season and it would be beneficial to have someone on the Board who is experienced. He also spoke with the Enfield Village Association and while he cannot attend all EVA meetings he will stay in communication.

Mr. Crate moved the following Selectboard representation: John Kluge – Planning Board and Enfield Village Association, Fred Cummings – Budget Committee and CIP Committee, Don Crate – Conservation Commission, Mr. Cummings seconded, vote unanimous in favor of the motion.

**III. APPROVAL OF MINUTES**

Mr. Cummings moved to approve the regular session minutes of March 4, 2013 as printed, Mr. Crate seconded, vote unanimous in favor of the motion.

Mr. Cummings moved to approve the non-public session minutes of March 4, 2013 as printed, Mr. Crate seconded, vote unanimous in favor of the motion.

The Board discussed the posting on non-public minutes, which have not been sealed by a vote of the Selectboard. The Board had no objections to these minutes being posted on the Town's website. Minutes of non-public session of the Board of Selectmen which have not been sealed by a vote of the Board should now be posted along with other Board minutes.

#### **IV. COMMUNICATIONS**

##### **Notice of Shoreland Permit Application: Malz – Map 32, Lot 8, 18 Bridge Street**

##### **NH Dept. of Revenue Administration Notice of Equalization Ratio – 105.9%:**

Mr. Schneider explained that this means our assessments are 105.9% of fair market value on average. This is still within DRA's comfort zone. 2014 is the year in which the next revaluation is due to be completed.

##### **Properties up for potential deeding on May 6, 2013 (as of 3/4/13):**

Whaleback is closing and will be owned by Randolph Bank. A smaller piece of about 8 or 9 acres will be paid off and privately owned. Whaleback owes about \$73,000 in taxes, plus interest.

Mr. Kluge understands no one can get title to this property until the taxes are paid. He was informed by Mr. Schneider that this is correct.

Among the rest of the properties up for potential deeding, there are a number of familiar properties from the past. A few property owners entered into payment plans with the Town and are on the list again. Mr. Schneider will meet with these folks again. The Town doesn't want to take their property but needs to be fair to those who do pay their taxes.

Property owners will get additional noticing from the Tax Collector. Deeding will take place in May.

##### **Upper Valley Land Trust re: United States Dept. of Justice Rule Affecting Town Property (regarding accessibility to lands by individuals with mobility disabilities):**

The new rule says that while we don't have to alter our trail for "other power mobility devices" if trails can accommodate that type of device we have to have a very good reason to deny access. There are a few trails you could access with this type of device. You don't have to alter and change trails to become handicapped accessible.

#### **V. SWEARING IN**

##### **Part-Time Police Officer:**

Chief Crate introduced Amanda Lewis. She has just graduated college and had been working at the Enfield Police Department as an intern. She expressed interest in working as a police officer.

She has started field training and has received Taser training. She will make a great addition to the Department.

Amanda Lewis was sworn in as a part-time Police Officer by Chairman Kluge.

## **VI. BOARD REPORTS**

### **Enfield Village Association (EVA):**

EVA had a nice business coffee recently, hosted by LaSalette. There were quite a few people in attendance and a good time was had by all.

## **VII. TOWN MANAGER'S REPORT**

### **Website:**

Mr. Schneider presented the new website for the Town of Enfield that has been under construction. The Town's site was due for an upgrade. Mr. Schneider and Ms. Bonnette have spent a lot of time meeting with Virtual Town Hall who has in turn been meeting with department heads and committees. Before we go live, Mr. Schneider wanted to give the Selectmen an opportunity to comment. Mr. Schneider will send a link to the site for the Selectmen to review.

We will publicize the new website as well as the e-subscriber feature which will allow people to subscribe to Town news in various topics.

Dr. Beaufait asked who has permission to make changes to the site. He was informed that Police Chief Crate and Director of Public Works Jim Taylor have permission. Major changes will go through Mr. Schneider's office.

Mr. Kiley asked if all the forms will still be there, specifically those related to Planning and Zoning. He was assured they would be. We will be working on transferring all information over from our old website to our new one.

## **VIII. PUBLIC HEARINGS**

Public Hearings were scheduled for 6:30 PM to discuss water & sewer rates, cross connection ordinance and amendments to sewer ordinance. Mr. Kluge read the notice of Public Hearing.

Mr. Cummings moved open the public hearing at 6:30 PM, Mr. Cummings seconded, vote unanimous in favor of the motion.

### **Water & Sewer Rates:**

The City of Lebanon Sewer Rate is going up 9% each year for the next three years so the Enfield Sewer Consumption Charge will increase by 9%. The Water Consumption Charge will not change. The Class Charges for both Water & Sewer are being amended slightly.

Mr. Taylor explained the change in Class Charges is for the ease of calculating it and ease of explaining it to users.

Mr. Schneider added that even with a reduction in the Class Charge we can meet our expenses.

Mr. Taylor noted that the portions of the budget the Town is responsible for have been kept the same since 2007. We have been able to manage it. Leaks on both the Water and Sewer side have been picked up.

Mr. Kluge asked how the Water & Sewer Departments are for reserves.

Mr. Taylor explained that some reserves were used for drilling under the lake and work on South Main Street.

Mr. Schneider reported reserve balances of \$64,000 in Water reserves and \$81,000 in Sewer reserves. We'll use another \$20,000 from Sewer reserves for the Sewer Line Relocation and have another \$20,000 budgeted for deposit into each reserve fund.

Mr. Taylor said it would be beneficial if we're able to keep the surplus in the budget at year's end and put those funds into reserves. One third of the system is 108 years old.

Rick Barrows asked if the reserves are only for the existing system and not for adding new line to the system.

Mr. Taylor confirmed this is correct.

Mr. Barrows went on to ask about the Water & Sewer budgets. Salaries and wages are up 7% from the previous year.

Mr. Schneider responded that there may be a difference in allocation of employee time between departments, a 2% wage increase is built in, and longer term employees are eligible for longevity pay. There is no change in staffing levels in either department. There are some employees who work at least part time in that department and two who work full-time for Water & Sewer. We are blessed to have people stay with us for a long time. It costs to bring in new employees.

Mr. Barrows noted that health insurance is up 12%. He was informed that the Town is anticipating a 9% increase and fluctuations occur based on employee changes in plans. Employees pay 5% towards premiums, plus co-pays.

Mr. Barrows pointed out the increase is \$37,000 just for health insurance, something he doesn't have himself.

Mr. Schneider informed Mr. Barrows that the Town will be going out to bid for health insurance this year.

Mr. Barrows noted that administrative costs are \$190,000.

Mr. Taylor informed him that administrative costs include not only salaries and benefits but also training, taxes on property in Canaan, dam fees, SCADA costs, etc.

Mr. Kluge asked how Enfield compares to other towns regarding the percentage of health costs employees pick up. He was informed by Mr. Schneider that it depends. Five percent is on the more generous side, but many don't require any percentage from employees. Some require 10%, 15% or 20%. This is an area of the budget Mr. Schneider looks at every year.

Mr. Barrows said he believes in good quality people. He has insurance through his wife. Many of his customers have no health coverage.

Mr. Cummings believes Mr. Barrows would be surprised at how many people have some form of health insurance. Mr. Cummings asked how Mr. Barrows is with the rates.

Mr. Barrows feels they are a bit better with the new structure.

No more public comments were forthcoming regarding Water & Sewer Rates.

**Cross Connection Ordinance:**

The Town received notification from the State that it had been a long time since a report was received from the Town. A Cross Connection Ordinance would address the prevention of contaminated water from going back into the municipal water system. There was no ordinance in place that gave us authority to review backflow preventers and have corrections made. The proposed ordinance has been approved by the State and needs adoption by the Board of Selectmen to become effective.

Mr. Barrows assumed the backflow preventer was owned by the Town.

He was informed that it's not. It's part of his infrastructure. Most residential meters have it built in, but larger users do not.

There were no further public comments regarding the Cross Connection Ordinance.

**Sewer Ordinance Amendments:**

The length of time to connect is increased to 120 days and the distance to 300 feet.

Mr. Kluge invited questions from the audience.

Mr. Gotthardt suggested clarification to Section I that we can't have material enter the Town sewer. He also wondered if there was somewhere else porta-potties during construction are addressed. He was informed that Section I pertained only to the municipal sewer system as this is a section of the Sewer Ordinance regulating the municipal sewer system and porta-potty use during construction is addressed in the building code. What was provided for information was only the changed section of the ordinance, not the entire ordinance and other sections may not be clear when read in isolation.

There were no further comments regarding Sewer Ordinance Amendments.

Mr. Cummings moved to close the Public Hearings at 6:56 PM, Mr. Crate seconded, vote unanimous in favor of the motion.

## **IX. PUBLIC COMMENTS**

None.

## **X. BUSINESS**

### **Town Meeting Review:**

Dr. Beaufait reported that there will be a recount of the school ballots. The Board of Selectmen and interested parties are invited to attend. The recount will probably take place on Saturday with the time and place to be determined.

Dr. Beaufait reported that because the School Moderator will be out of Town for the remainder of time allowed for a recount he will act as School Moderator Pro Tem.

The Enfield Town Clerk confirmed the Enfield voters on the petition for a recount. Ten signatures were needed; the petition had more than 20 signatures. It is not known, nor does it matter, who the lead petitioner was.

Mr. Kluge asked if there have ever been other recounts.

Dr. Beaufait replied that there have been a couple of recounts for the Town.

Other than the recount for the school ballot the election went fairly smoothly. The voting machine was fixed fairly quickly. More ballots will be ordered next year as we were about 150 short of pre-printed ballots. Additional ballots were printed in the office and these were hand counted.

Mr. Schneider stated that the Deliberative Session on Saturday, March 16, went well. It was helpful to have our attorney there. He does a good job. He's a school moderator in the town he lives in so he has experience addressing crowds.

Dr. Beaufait noted it would be good if there's any way for the Selectmen to ramp down and encourage those involved in the Fire Department to continue service to the Town.

### **Whitney Hall Stairwell Painting Quotes:**

Quotes were solicited and three were received. David Stewart and Healey & Son are both local contractors. The lowest quote was received from David Stewart. Mr. Taylor is happy with the two lower quotes.

Mr. Crate moved to award the job to David Stewart for \$3,065, Mr. Cummings seconded, vote unanimous in favor of the motion.

**FastRoads Update:**

None.

**Rail Trail Update:**

Mr. Schneider met with Doug Smith and Alex Bernhard, Vice President of Friends of the Northern Rail Trail of Merrimack County, to talk about a potential compromise for the Rail Trail Main Street crossing. There was some gentle reminding at this meeting on both sides and both sides have positions we feel strongly about. The Town wants an at-grade crossing and feels the \$1-million bridge would have altered the Rail Trail. The Rail Trail people don't want to remove a historical resource. What's important to the Town going forward is that the road has two lanes, that it is safe, the Town has use of the old motel property and one adjacent to it.

They discussed why having the existing by-pass road doesn't allow the Town to use the property. The Rail Trail folks thought Alternative 5 was a compromise between the Town's at-grade proposal and where it is now. Mr. Schneider explained the plan to the Board of Selectmen. With Alternative 5 we would still lose a portion of the old motel property. This by itself doesn't make it attractive to the Town. In the past the Town had management of the property. Going forward if these properties become surplus all State agencies have to declare it surplus before it becomes available to the Town.

It would be beneficial if the Rail Trail people can talk to the NH Department of Resources and Economic Development (DRED) about DRED owning the property but allow the Town to manage it, with a long term agreement such as 50 years, 99 years or something long enough that any investment we make we don't lose. Alex Bernhard spoke to DRED and DRED is very interested in that sort of relationship. We've received a commitment from DRED that they are willing to work with the Town.

We might want to talk to NH DOT about the intersection with Sargent Street as the Alternative 5 includes an intersection that is not friendly to the current use of these streets.

Mr. Crate would like the new route staked out as soon as the snow is gone so the Board can look at it.

That is what Mr. Schneider would suggest as well. There's been some movement on the issue and there is a State agency willing to work with the Town.

Dan Kiley agreed that we only want to manage it. The Town could probably not pay for it.

Doug Smith stated this is a compromise on both sides. It slows traffic on both the road and the trail; some think that's a good thing. It also keeps the underpass and some are happy with this.

Meredith Smith pointed out that NH DOT brought to the NH Historical Resources the original plan and said this is what we had to do. She is afraid if the Town insists on the plan we wanted that we'll be sued.

It is believed the Town will get use of the old motel property and adjacent property. The Rails Trail Alliance has confirmed in writing that they would accept the Alternative 5 plan.

Kate McMullen asked if the underpass would remain in use. She was informed by Mr. Schneider that it would not remain in use by vehicles.

Mrs. McMullen asked where parking would be and was informed it would be on both sides of the new roadway.

Chief Crate said that whatever decision the Board makes what happens to the underpass is a concern. At some point it will need to be worked on so it doesn't turn into a dumpster. It will have to be grassed, mowed and trimmed and maintained so the Police Department can keep an eye on its use.

Mr. Taylor worries that if we wait too long to bring this project to a conclusion the funds to do the project may disappear.

Mr. Smith noted that the Grafton County Rail group is also supportive of Alternative 5.

Dr. Beaufait noted that it bothers him that people out of the area can overrule the Town's wishes to take this to an at-grade crossing for something that is suddenly supposedly historical. Perhaps by dropping the rail trail grade slightly we can get more usable park space, get the road constructed as close to the Rail Trail as possible and split the grade.

Mr. Taylor thinks the new plan does that.

Mr. Kiley pointed out we aren't losing anything we've got, it's something we never had – the view. He also pointed out that NH DOT isn't going to put money into a bridge not in use.

Mrs. McMullen asked if acceptance of Alternative 5 make the process in Washington moot. She was informed by Mrs. Smith that it does if we agree not to tear down the underpass.

Mr. Crate moved that once the snow goes away we have the Alternative 5 route staked off, Mr. Cummings seconded, vote unanimous in favor of the motion.

Mr. Kluge thanks Meredith Smith for helping push this along. We may not like everything, but it's progress.

#### **Administrative Items:**

The Board reviewed and approved the following documents: Elderly Exemption Application, Veteran's Tax Credit Application, Gravel Tax Levy.

#### **XI. OTHER ITEMS**

##### **Next Meeting:**

Monday, April 1, 2013, Whitney Hall, 23 Main Street.



**CONFERENCE****I. PUBLIC HEARING – FOLLOW UP**

Mr. Cummings moved to close the Selectboard meeting at 7:36 PM, Mr. Crate seconded, vote unanimous in favor of the motion.

Mr. Cummings move to open a meeting of the Water & Sewer Commissioners at 7:36 PM, Mr. Crate seconded, vote unanimous in favor of the motion.

Mr. Cummings moved to accept the new Water & Sewer rates as presented, Mr. Crate seconded, vote unanimous in favor of the motion.

Mr. Cummings moved to close the Water & Sewer Commissioner meeting at 7:37 PM, Mr. Crate seconded, vote unanimous in favor of the motion.

Mr. Cummings moved to reopen the Selectboard meeting at 7:37 PM, Mr. Crate seconded, vote unanimous in favor of the motion.

Mr. Cummings moved to adopt the Cross Connection Ordinance as presented, Mr. Crate seconded, vote unanimous in favor of the motion.

Mr. Cummings moved to adopt the Sewer Ordinance as amended, Mr. Crate seconded, vote unanimous in favor of the motion.

**II. ADJOURNMENT**

Mr. Cummings moved to adjourn at 7:38 PM, Mr. Crate seconded, vote unanimous in favor of the motion, meeting adjourned.