

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

**MINUTES of September 16, 2013**

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

**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:** Dan Kiley, Kurt Gotthardt, Representative Wendy Piper

**BUSINESS MEETING**

**I. CALL TO ORDER**

Mr. Kluge called the meeting to order at 6 PM.

**II. APPROVAL OF MINUTES**

Mr. Cummings moved to approve the minutes of September 3, 2013, as printed, Mr. Crate seconded, vote unanimous in favor of the motion.

**III. COMMUNICATIONS**

**DES Notice:**

Notice of denial was given to a property owner's request to expedite a Standard Dredge & Fill application.

**Comcast Correspondence – Encrypted Services:**

Comcast will be changing some of their broadcasting going to digital. They'll be encrypting their limited basic service. Customers will get a letter from Comcast directly.

**Lawrence Guaraldi – Curbside Rubbish/Recycling Collection:**

Mr. Guaraldi sent correspondence to the Selectmen and Town Manager regarding trash collection on Johnston Drive. Casella has been made aware of the situation. There are some roads they used to travel in the past that they aren't now. Mr. Schneider will contact Mr. Guaraldi.

**IV. BOARD REPORTS**

**Planning Board:**

The Family Dollar store had to return for approval of a modification to meet a NH Dept. of Transportation driveway requirement.

**Upper Valley Lake Sunapee Regional Planning Commission:**

Dan Kiley reported to the Board about 10 meetings that will be held around the region because of a State regional planning commission grant. The meetings are to allow the UVLSRPC to talk to Selectboards, Planning Boards, etc. This would be a good place to bring up the Rail Trail property. If we could get this recognized as a priority in the regional plan it would provide some of the support outside of Enfield that we're looking for. Mr. Schneider and Mr. Kiley both serve on the subcommittee working on this project. Mr. Kiley will attend at least two of the ten meetings. He suggested that if the Selectmen can attend any of these meetings they should bring up the Rail Trail property. We need to get this set as a priority. To be on the State plan would be great, but the regional plan would also be beneficial.

**V. TOWN MANAGER'S REPORT****ICMA Conference:**

Mr. Schneider reported that he will be attending the ICMA conference in Boston, Saturday through Tuesday.

**Conservation Grant Application:**

The Conservation Commission met at the beginning of the month and asked if we could apply for a conservation grant to offset the cost of preparing the management plan for the Bicknell Brook property. The Conservation Commission held a public hearing at the meeting and did agree to spend Conservation Fund dollars but want to use as little of those funds as possible. The Conservation Commission felt the grant was a way to offset those costs. The grant application is due September 29.

**VI. PUBLIC COMMENTS****Kurt Gotthardt – Streetlight Review:**

Mr. Gotthardt asked Police Chief Crate if he had a chance to look at the streetlights or maps Mr. Gotthardt had provided him. Chief Crate informed Mr. Gotthardt that he had not.

**VII. BUSINESS****HB 674 Relative to State Highway Aid:**

The Board was provided copies of the proposed legislation. Representative Wendy Piper is serving on the subcommittee that is reviewing this bill. This bill is an effort by NH Dept. of Transportation (NHDOT) to give our towns maintenance of un-numbered roads they aren't doing a good job of maintaining in the first place. While the bill says it pertains to Class I, II & III roads, Ms. Piper believes it's just Class II & III roads. State aid would increase from 67% to 80% for repairs to these roads provided the town would take over the maintenance. The State does a poor job of maintaining those roads and doesn't feel they have funds to maintain them better than they do.

Mr. Kluge asked if the Town is under the obligation to take over the road.

Ms. Piper explained that she would have more information tomorrow as there are supposed to be amendments. It's possible that taking over the road would be optional depending on how much the Town wants to contribute to the repair. If the Town seeks 80% funding by the State the Town would be required to take over maintenance of the road. There would be lesser funding if the Town does not accept maintenance of the road.

Mr. Kluge said it looks like the State is abdicating its responsibility and shifting costs to the towns, but we can continue with the existing funding option.

Ms. Piper agreed; it's a way for them to reduce costs. This is enabling legislation.

Mr. Crate said the State has no money to work on Shaker Hill Road but is willing to pay 80%. Where are they going to get the money? Mr. Crate is not in favor of this legislation.

Mr. Kluge asked if we currently pay for upkeep of Shaker Hill Road. He was informed by Mr. Schneider that we do not.

Mr. Taylor added that we maintain the road in the winter only. The State isn't doing any maintenance.

Ms. Piper understands from Jeff Brillhart that the State does not adequately maintain its roads. They take care of Route 101 and other roads like that, but not local roads.

Mr. Schneider reported that the Commissioner said it's less expensive to repair roads in good condition. For us, Shaker Hill needs work. It's a difference between us contributing roughly \$1 million and \$600,000.

Chief Crate pointed out the condition of a road in a neighboring community where the State portion is in disrepair, but the town-owned portion of the same road is in good condition.

Mr. Kluge found the legislation to be ambiguous at the end.

Ms. Piper is not sure what she'll learn tomorrow. There has to be a fiscal note and it will decrease State expenditures and increase local expenditures. It may be an option to receive 67% funding and not take ownership, or to receive 80% funding with town ownership required.

Mr. Schneider noted that we're still putting up \$1 million if we don't take ownership, and there's no guarantee they'll come back to maintain it. Based on the last 8 years of his experience it's unlikely. With 80% funding we'd still have to expend \$600,000. We just put \$265,000 into Jones Hill Road.

Would we take the road if it was completely fixed? What would the State consider repaired? It might be a shim coat. What about bridges? If the Town takes over a road from the State does that include bridges? The Town of Enfield would not want to take ownership of the bridges on Shaker Hill Road or Main Street.

Mr. Crate noted the work done by the State on Drybridge Hill. They keep adding material on one side of the road, but not doing the ditching on the other side of the road and are contributing to the problem.

Mr. Schneider reported that part of Route 4 is on the State's 10-year plan. It's a \$7 million fix and isn't scheduled for another 6 years.

Mr. Kluge is not very enthusiastic.

Mr. Schneider said that even if the Town accepted ownership of the road, we wouldn't want the bridge. Most of the members of the State boards are from Concord and points south. Those roads have a lot of traffic, but that doesn't mean the other 80% of the state should get nothing.

A brief discussion ensued regarding personnel budgets and efficiency, or lack thereof, on the State level.

**Property Tax Abatement Applications:**

The Board received two abatement applications from Route 4 business owners due to disruption of their business during the sewer and water extension project. The Board had indicated they would consider abatements for loss of business during the construction period and that they would follow the standard abatement application process.

An application from J.S. Pierson, LLC, was for the 2012 tax year and missed the deadline for filing for abatement. Pierson owns the PetroMart property.

An application was received from Robert LaCroix for a continued slump in business in the first quarter of 2013, which he attributed to the construction project. He had mentioned at a previous meeting with the Board that once you lose customers (due to the construction) it's difficult to get them back. Mr. Crate stated that he would abstain from voting on this application.

We had a formula for the initial application based on pre-TIF property values, town tax only, at 25%.

Mr. Gotthardt asked if there was a process for verifying the numbers. It's strictly a loss of business, unless you have hard numbers it's based on perceptions.

Mr. Schneider replied that we did have numbers from Mr. LaCroix for the first application. If everyone who owned a business in the construction zone received an abatement based on the formula previously determined it would have been \$15,000 in total. This is for commercial properties only. We did ask for financials.

Mr. Cummings pointed out that the deadline for applying for an abatement of 2012 property taxes is past. He can't support it.

Mr. Kluge agreed. As far as he was thinking we closed the door on that.

Abatement applications for any given tax year are accepted after the second issue tax bill which typically goes out in November.

Mr. Cummings is not convinced the sewer construction significantly affected business in January, February and March.

Mr. Kluge said it may be a lingering business downfall, though he thought the Town was not going to pay for outside of the construction period.

Mr. Cummings stated that he is not sold on it.

Mr. Kluge is not sure he can agree with the abatement at this time.

**Property Sale:**

The Board reviewed the Town's current property inventory. We will send out this inventory to Board for review if the Board wants to proceed.

Mr. Cummings thinks the Town should put the Grafton Pond Road properties Map 9, Lots 45-1 and 45-2, up for sale. Also, Hickory Overlook, Paul's Place and Road 'Round the Lake, Map 51, Lots 43, 122 & 65, respectively. He has no problem offering the properties for sale again located at Meadow Lane, Map 21-43, and NH Route 4A, Map 21, Lot 46.

Dan Kiley pointed out that the lots on Map 21 come with water rights.

Mr. Cummings went on to say the Board has talked in the past about minimum bids. He thinks minimum bids on the Grafton Pond Road properties are appropriate. Conceivably the minimum bids should be set no lower than the assessed value, with the minimum on the smaller piece not lower than \$40,000.

Mr. Kluge thinks it would be interesting to see what a realtor says.

Mr. Schneider said putting the properties out to bid is an easy thing to do. We could also list them with a realtor or auction them.

Mr. Cummings pointed out there is a cost for a realtor. He recommends putting them out to bid with the assessment as the minimum bid.

Mr. Cummings added that the property is more valuable to sell and get the tax revenues.

Mr. Cummings moved to put out to bid with the assessment as the minimum bid the two Grafton Pond Road properties, Map 9-45-1 and 9-45-2.

Mr. Kluge asked what time limit would be provided for bids to come in. He was informed by Mr. Schneider we could give them a month.

Mr. Kluge seconded Mr. Cummings' motion to put out to bid the Grafton Pond Road properties.

Mr. Crate thinks we should have a realtor tell us what these properties are work before we put them out to bid. At the assessed value we'd be giving them away.

Mr. Cummings said that while it's out to bid we can get information from a realtor and if bids don't come in within that range we don't accept them. Right now we're getting no tax revenue.

Mr. Cummings and Mr. Kluge voted in favor of the motion to put out to bid with the assessment as the minimum bid the two Grafton Pond Road properties, May 9-45-1 and 9-45-2, Mr. Crate was opposed, motion carried.

Notice will get out this week for those two properties and bids can be due for the second meeting in October.

The Board discussed the three properties located in Eastman: Map 51, Lots 43, 122 and 65.

Mr. Cummings asked if there was any benefit to listing these through the Eastman realtor.

Discussion of the property conditions ensued, such as slopes, ledge and perc tests.

Mr. Kluge would not mind seeing input from the Eastman real estate agent.

Mr. Schneider will make that contact.

Two properties, previously owned by Salvatore Pluchino, are small lots located at Meadow Lane, Map 21, Lot 43 and NH Route 4A, Map 21, Lot 46.

Mr. Cummings asked what the purpose is of holding onto them and suggested putting them out again.

Mr. Schneider has no problem putting them out again.

In the past the bids received for these two properties were lower than the Board was willing to accept. These lots may have beach rights. This should be confirmed by researching the deeds to the properties.

Mr. Cummings moved to put out to bid the lots located at Map 21, Lot 43 and Map 21 Lot 46, Mr. Crate seconded, vote unanimous in favor of the motion.

Mr. Cummings said he would like the Bonus property located on Oak Hill Road to be roped off so people can't drive in there. There is no reason we can't put a chain up.

Mr. Cummings moved to block of the drive to the Bonus property. Mr. Cummings withdrew his motion when he was informed there was no need for a formal motion; this would be taken care of.

**FastRoads Update:**

Wi Valley, a company who will be offering residential services on the new fiber network, had an open house last week at the Enfield Community Building. About 20 people were in attendance for the presentation and were provided prices for services.

There are other providers for residential services, including Bay Ring, Secure Syscon, who at its roots is an Enfield based business, and G4 Communications, plus SoverNet who will provide commercial services. So there should be 4 residential service providers for people to choose from. Most likely the fiber network will end up including an internet TV product. The current providers will offer phone and internet services.

Mr. Schneider provided the Selectmen with a snapshot of information about the NH FastRoads project that the banks are requiring.

While Mr. Schneider, as Town Manager, can't promote one provider over another, he was in attendance at the Wi Valley open house.

Mr. Kiley felt the pricing was high at \$70 for internet.

Mr. Schneider reported that nothing came up at the recent FastRoads meeting that was too dramatic. The question is what to do with the other 1/3 of Enfield, those not connected in Rindge, and towns without residential connections.

**Sewer Connection Waiver Requests:**

The Board received a list of several properties for which Robert LaCroix requested a sewer connection waiver. The last five properties on the list do not require a waiver as they are outside of the required distance for connection. For two properties, the waiver request was based on lack of affordability at this time.

Mr. Crate noted that the Shaker Valley parts store and garage are on State approved systems.

Mr. Schneider stated that affordability is not a reason for a waiver that the Selectmen have considered.

Mr. Taylor does not want to see any waivers on commercial properties. How long has it been since the systems have been worked on?

Mr. LaCroix will be invited to a meeting to discuss these requests with the Board. The Board would like more information on the residential properties.

This issue was tabled.

**Proposed Land Donation – Bog Road:**

It has been confirmed that Town Meeting approval is required for the Town to accept the donation of real property. Mr. Crate stated that Mr. Bagley would not wait that long, but would instead donate the land to someone else.

**Community Building Fee Schedule:**

The Board approved changes to the Community Building Fee Schedule. Private rentals will now be made to Enfield residents only, a \$50 ½ day rental charge will be established, and a \$50 deposit will be required at the time of the rental agreement. The deposit will be refundable up to 48 hours prior to the event. Town employees will be allowed to rent on behalf of themselves and immediate family only: parents, spouse or domestic partner, sibling, children.

**Curbside Trash/Recycling:**

A column appeared in the Sunday, September 15, 2013 Valley News. Mr. Schneider met with Jim Kenyon a couple of times before this column was printed.

Mr. Crate asked where the new truck is. Mr. Schneider assured him it was ordered.

Mr. Kluge feels that overall the program is going pretty smoothly. There is a lot of tonnage in recycling. The problem is the toters being left curbside between collections.

Mr. Cummings asked if we had a code to address this problem.

Mr. Schneider responded that we do. We didn't want to be too hard on people while the program was just getting under way.

Mr. Kluge feels it's a bit early to respond to this issue.

Discussion ensued regarding trash bags along the side of the road. Mr. Taylor pointed out that Casella doesn't communicate with tenants, but with the landlord.

Chief Crate noted the problems with enforcement when we just had a holiday and shifted times. As people get used to it, issues should decrease.

Mr. Crate pointed out that Casella is not supposed to pick up before 7 AM.

Mr. Schneider reported that the numbers are good; the townspeople are disposing of 21% less trash.

**Administrative Items:**

The Board reviewed and approved the following documents: Yield Tax Warrant, NHA AO Ballot.

**VIII. OTHER ITEMS****Ambulance Billing Update:**

In 2013, through the end of July, the Town has collected \$15,000 out of approximately \$40,000 billed. For 2012 the Town has collected about \$21,000 of the \$33,000 billed. The revenues are covering the cost of on-call personnel. Collection rates are at about 63%; on the low side of average.



**Next Meeting:**

Monday, October 7, 2013, 6:00 PM, Whitney Hall Conference Room, 23 Main Street.

**CONFERENCE**

**I. NON-PUBLIC SESSION**

Mr. Crate moved to enter non-public session at 7:34 PM, RSA 91-A:3 II (a); Mr. Cummings seconded, vote unanimous in favor of the motion.

Mr. Crate moved to come out of non-public session at 7:45 PM, Mr. Cummings seconded, vote unanimous in favor of the motion.

**II. ADJOURNMENT**

Mr. Cummings moved to adjourn at 7:47 PM, Mr. Crate seconded, vote unanimous in favor of the motion, meeting adjourned.

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John W. Kluge, Chairman

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B. Fred Cummings

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Donald J. Crate, Sr.  
Enfield Board of Selectmen