

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

**MINUTES of January 17, 2012**

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

**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:** David Hall, Dan Kiley

**BUSINESS MEETING**

**I. CALL TO ORDER**

Mr. Cummings had not yet arrived. Mr. Kluge called the meeting to order at 6:02 pm.

**II. APPROVAL OF MINUTES**

**January 3, 2012:**

Mr. Kluge moved to accept the regular session minutes of January 3, 2012 as printed, Mr. Crate seconded, vote unanimous in favor of the motion.

Mr. Crate moved to accept the non-public session minutes of January 3, 2012 as printed, Mr. Kluge seconded, vote unanimous in favor of the motion.

**III. COMMUNICATIONS**

None.

**IV. BOARD REPORTS**

**Planning Board:**

The Planning Board did a walk-through of the proposed Ironman/Laramie Farms development. It was well attended. The property is large and pretty rocky. The Planning Board paid particular attention to a wetland issue.

Dan Kiley added the only other issue is the entrances. They have the sight distances required for a Route 4 access. The State says they can't put in a third lane on Route 4 because the right-of-way is not wide enough.

The regular meeting was held on Wednesday. They passed proposed 3 minor revisions to the planning regulations.

Mr. Cummings arrived at this time, 6:04 PM.

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

### **Town-Wide Yard Sale & Farmers Market:**

Mr. Schneider spoke to the Board about a comment from Jeanine King about the [Lioness sponsored] town-wide yard sale. The yard sale is usually scheduled on the same day as the Farmers Market.

Mrs. King thought the two events co-mingled find and if the Board is OK with it, they would like to hold both events on the same day. The Board approved of the plan.

### **Town Meeting:**

Mr. Schneider informed the Board that it is now time to begin thinking about Town Meeting and how best to lay out the agenda. This can be done at the next meeting, Tuesday, February 7. The Board can determine the best order for presentation of the TIF article, budget, CIP and ambulance.

## **VI. PUBLIC COMMENTS**

### **David Hall ~ Order to Vacate Premises:**

David Hall presented the Board with a copy of a letter from the Town Manager which ordered that he vacate the premises at 15 Pillsbury Street by January 15<sup>th</sup>. Mr. Hall asked the Board to review the situation and he hoped the Selectmen would overturn the order to leave the property, or in lieu of that, make recommendations as they see fit.

The letter results from an abatement application filed by Mr. Hall in 2008 in which he stated the mobile home was uninhabitable. The Town's assessor agreed and the value of the mobile home was reduced from about \$17,000 to about \$3,000. Mr. Hall contends that since that time he has repaired the roof and corrected some of the problems with the mobile home, including pulling out some of the ruined insulation and other stop-gap improvements. There is no running water in the mobile home and while Mr. Hall is paying a quarterly sewer bill it is only for the base charge to maintain the connection; he is not paying sewer usage charges due to the lack of water and metering in what the Town thought was an uninhabited dwelling. Mr. Hall spoke with Phil Neily who expressed concern with the effluent in the sewer system without paying the associated fees.

Mr. Hall stated the issue is about habitability, which is subjective. He's been living there, so it's habitable. It's not comfortable and there is no running water – that seems to be the issue.

Mr. Schneider met with Mr. Hall this morning and went through the history of the property from the abatement application where he says it's inhabitable. There are no records of work done to make it habitable. He spoke with Phil Neily who can provide a list of things that need to be done.

Mr. Kluge stated that if Mr. Hall has repaired the roof and pulled out the insulation he sees no reason for him to vacate the property. There is no code that pertains to the habitability of property.

Mr. Cummings asked if there was a permitting process.

He was informed that there is. In addition, there are assessing issues. The value placed on the property now is for land and a building with negligible value. There is no agenda or issue with him living there. He received an abatement based on the property being uninhabitable. There is a process and guidelines.

Mr. Cummings asked why there was no running water. Mr. Hall informed him that prior tenants let the pipes freeze. Mr. Hall didn't deem repairs, for his purposes, to be necessary.

Mr. Schneider contends that there were other occupants. He had concerns about it being used as rental property.

The Board discussed a list from Phil Neily of things that need to be done to the property. Running water is at the top of the list. There is also the sewer system use that Mr. Hall is not paying for and which has nothing to do with the habitability.

Mr. Kluge said the problem seems to be Mr. Hall's use of the word "uninhabitable." Mr. Kluge feels that if someone wants to live in a horse barn they should be able to live in a horse barn.

Mr. Crate thinks the issue is the sewer, which is not being paid for. Mr. Hall is in violation. Everyone on the sewer system has to pay for it.

Chief Crate said there are other things to be concerned about, particularly in situations where children are involved. Sewer disposal is needed to prevent health concerns. Questions to ask include whether there are children involved. Is there heat, running water, sewer?

Mr. Kluge said that maybe we can visit Mr. Hall. He is sure Mr. Hall would be willing. Philosophically he has a problem regulating habitability.

Mr. Kiley asked, "He needed a building permit didn't he?"

Mr. Schneider said it's a fundamental change in his property from uninhabitable to habitable. We have in our records that it is unlivable. We had evidence that people were living there. That is a change in status of the property.

Mr. Kluge is adamantly opposed to this. He thinks we can make arrangements for payments for sewer. He wants to come up with a plan and a timeline to correct the water and sewer.

Mr. Schneider pointed out the problem is Mr. Hall never came to the Town about the property. We found evidence someone was living there and had to approach him.

Mr. Cummings would encourage Mr. Hall to work with Phil Neily and Steve Schneider to work out a way for him to stay at the property.

Mr. Crate said if it's not up to code it has to be fixed.

Mr. Cummings is concerned that life or health safety issues be addressed and encouraged Mr. Hall to work with Mr. Neily and Mr. Schneider. Mr. Cummings went on to say the Building Inspector/Zoning Administrator has a job to determine life and health safety issues. Mr. Cummings' biggest concern is that Mr. Hall is safe in his living environment.

Mr. Hall said, OK. It did seem to him there was an ultimatum with no direction.

Mr. Kluge responded that is why we're here and why we're talking.

Mr. Kluge moved to rescind Steve Schneider's letter. There was no second. Mr. Cummings and Mr. Crate would not go that far yet. Mr. Crate wants to wait and see what Phil Neily comes up with. The Board can then go over what has to be done and go from there.

Mr. Schneider will provide the Board with updates as soon as they are available.

## **VII. BUSINESS**

### **2012 Budget:**

There will be a meeting of the Budget Committee on Thursday. Mr. Schneider, in conversations with Doug Pettibone, Budget Committee Chairman, talked about ranges of budget increases. Mr. Pettibone is comfortable with looking at a 2.5% increase, about 15 cents on the tax rate, which is less than the 3% inflation over the previous year. Five cents of the 15 cents will go to the Capital Improvement Program, with 10 cents going to other budget issues.

Looking at department request, revenues, etc. some changes are needed. Mr. Schneider has asked Police Chief Crate and Director of Public Works, Jim Taylor, to review their budgets to find \$10,000 in each of their departments. About \$200,000 in reductions is needed. Mr. Schneider is confident we can make the necessary changes.

Mr. Kluge requested clarification of the need to cut the budget and increase by 2.5%. Mr. Schneider said, yes, it's about \$5,000 for every penny increase. If you want the tax rate at a certain number you have to make adjustments to appropriations. The Budget Committee will get a memo of proposed cuts and Mr. Schneider will copy that memo to the Board of Selectmen.

Mr. Cummings noted that for 2 – 3 years we've tried to bare bones the budget each year while costs are increasing.

Mr. Kluge is OK with the increase as long as we're no more than the rate of inflation.

Mr. Schneider said the goal is to have a more stable rate.

Mr. Cummings added there is about \$35,000 we can't control because it's resulting from the implementation of full-time ambulance services.

Dan Kiley pointed out that the State is also not funding retirement anymore.

Mr. Schneider noted that there is an increase in health insurance and retirement expenses. We can do something to control health insurance costs. There is nothing that can be done with the State retirement. We do have a vacancy in the Police Department and will have 4 – 5 months of salary and benefit savings due to that vacancy.

Mr. Cummings pointed out that concern should be less about the Town portion of the tax rate as the School portion.

The Board briefly discussed the proposed school construction.

Mr. Schneider feels the Board of Selectmen and Budget Committee do a good job of addressing and defending every dollar that we spend. If we can find a way to do something in a less expensive way there is no problem with that. This budget doesn't feel any more challenging than other years. Motor vehicle registrations are a good barometer as are property taxes coming in. Laramie Farms moving forward is a good sign. Our regional unemployment has remained relatively low as well.

The Budget Committee meets the next two Thursdays at the Public Works Facility.

**TIF Water/Sewer Extension Update:**

Bids are due Friday, January 20<sup>th</sup>. Three addendums were issued, each of which had to be reviewed and approved by the State. There is a slim chance that the project will get State aid, but we still want to go through the approval process just in case. Addendums may push the bid opening into early next week; otherwise the opening will be 2 PM on Friday. Once we get the bid numbers we can look at financing costs to present to Town Meeting.

**Main Street Water Main Replacement Update:**

There is a punchlist and clean-up to be done, but the water main is delivering water to residences. We received a Force Main Agreement from the State; it came in a bit higher than planned.

**Ambulance Update:**

Mr. Schneider will be meeting with Sam Provenza, Richard Martin, Bob Cusick and John Markowitz to get a better understanding of call data. Billing is out to bid. Copies were sent to CAG and Comstar. The RFP was also advertised.

We've received a couple of resumes for the full-time positions.

Mr. Cummings said that if Mr. Schneider was planning to do oral boards he knows a couple of paramedics who would be willing to do that.

**Ice Rink Update:**

The ice rink is getting heavy use. Mr. Kiley said it's getting a lot of good comments about how great it is and how little kids are learning how to skate.

Mr. Kluge asked how the shoveling is going. He was informed by Jim Taylor that the Town had some volunteers.

Two issues have arisen. The first issue is the designated hockey time. The Board members received an email that the hockey time from 3-5 PM seems to be the time when younger kids are there. Since only the one email was received the hockey time will remain as is. There have been sticks used at other times without conflicts. People have been respectful.

The other issue is some parents in boots, without skates, are going on the ice with kids learning to skate. The resulting salt and sand causes problems with the surface of the ice. Salt is melting the ice and sand can cause additional problems for skaters. Chief Crate suggested putting up a "no shoes" sign. Mr. Kluge agreed that maybe we can add, "Please no shoes on ice" to the rules sign. There were no objections from the other Board members.

**FastRoads:**

Mr. Schneider invited the Board members to the informational meeting on January 25<sup>th</sup> where residents in the area affected by the FastRoads grant will be able to get more information. Letters of invitation have been sent out. The main purpose of the meeting is to find out if it comes by residents homes will they connect?

**Administrative Items:**

The Board reviewed and approved property tax abatements and refunds.

**VIII. OTHER BUSINESS:**

**Election Voting Space:**

Mr. Kiley said something has to be done about the stage floor in the auditorium. People are tripping on it.

Mr. Cummings thought that if it continued to be a problem it would have to be removed.

**Whitney Hall Generator:**

Mr. Cummings asked about the status of the generator. Mr. Schneider said it was going to be ordered next week. We are still pursuing grant funds but we'll request reimbursement rather than wait for grant funds to become available before starting the project.

**FEMA Reimbursements:**

Chief Crate reported that checks are coming in from FEMA for the \$300,000 in reimbursements for damages caused by Tropical Storm Irene.

**Arnold Drive – Plowing:**

Mr. Crate asked if we're still plowing Arnold Drive?

Mr. Taylor replied that no, we are not.

Mr. Crate questioned who authorized that, as it's a Selectmen's issue. When this was discussed last fall the road was going to be plowed.

Mr. Taylor responded that we could start plowing it. Mr. Schneider agreed that it would get done.

**IX. MISCELLANEOUS**

**Period to Declare Candidacy for Local Office with Town Clerk:**

Wednesday, January 25 through Friday, February 3, 2012.

**Selectmen's Meeting Schedule:**

Extra Meeting – Monday, January 30, 2012, 6:00 PM, Whitney Hall to go over Town Meeting issues.

Regular Meeting – Tuesday, February 7, 2012, 6:00 PM, Whitney Hall (*Last day for submission of petitioned warrant articles*) Mr. Cummings will be absent for this meeting.

**Public Budget Hearing & Public Hearing for Bond or Note over \$100,000:**

Wednesday, February 8, 2012, 6:30 PM, Public Works Facility (*Snow date: Thursday, February 9, 2012*) Meetings of the Budget Committee and Board of Selectmen will be posted for 6:00 PM. The Board may continue to meet following the public hearings.

**CONFERENCE**

**I. ADJOURNMENT**

Mr. Kluge moved to adjourn at 7:10 PM, Mr. Crate seconded, vote unanimous in favor of the motion.