

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

**MINUTES of March 23, 2011**

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

**Administrative Staff:** Steven Schneider, Town Manager; Alisa D. Bonnette, Executive Assistant

**BUSINESS MEETING**

**I. CALL TO ORDER**

Mr. Kluge called the meeting to order at 6:05 pm.

**II. ORGANIZATION OF THE BOARD**

Mr. Crate moved to have Fred Cummings serve as Chairman of the Board of Selectmen, Mr. Kluge seconded, vote unanimous in favor of the motion.

The following Selectmen's representative appointments were agreed upon: Budget Committee – Fred Cummings, CIP Committee – Fred Cummings, Conservation Commission – Don Crate, Planning Board – John Kluge, TIF Committee – Ken Hill will continue to serve in lieu of a Selectmen's representative, Enfield Village Association – John Kluge.

The Board received a list of other appointments that will need to be made by May 1, 2011.

Deb Truman has indicated that she no longer wishes to serve on the TIF Committee. Members of the TIF Committee must own property within or adjacent to the TIF District to serve. Mr. Crate will speak to Tony Lozeau to see if he's interested in serving on this committee. The other Board members were agreeable to this.

Mr. Crate reported complaints and questions he's received regarding the amount of money the Town has expended on CLD Engineers. He asked if the TIF Committee run things on its own or do they need to go through the Board of Selectmen or Steve Schneider.

Mr. Schneider explained the TIF Committee is an autonomous group with Jim Taylor acting as Administrator.

Mr. Crate feels the Selectmen should be informed and the Board's opinion sought before action is taken leading to a brief discussion of Selectboard representation.

### III. APPROVAL OF MINUTES

Mr. Cummings moved to approve the minutes of March 21, 2011 as printed, Mr. Kluge seconded. Mr. Cummings and Mr. Kluge in favor, Mr. Crate abstained, motion carried.

### IV. COMMUNICATIONS

#### **Tax Collector's Report ~ February 2011:**

Mr. Schneider pointed out that tax receipts are in the ballpark of where we've been in the past. 2010 taxes are 97% collected for the first issue and 95% collected for the second issue.

Whaleback is fully aware of the situation with their past due taxes and their need to make themselves whole. They know the timeframe for payment to avoid deeding. Whaleback owners believe they have new investors to help pay off their back taxes. They own two properties, one is bank owned and would be subject to foreclosure before the bank would allow it to be deeded to the Town, the other is privately owned and subject to deeding. While Mr. Schneider is unsure, he believes the bank owns the mountain piece. He added that Whaleback had a good year and they feel confident they can pay the past due taxes.

#### **Town Clerk Reports ~ February 2011:**

The Town Clerk revenues are back on schedule. Revenues for February were better in 2011 than last year, so the Town is back on track and in line with projected revenues of \$725,000 for the year.

#### **NH DOT Notice of Termination of Temporary Use Agreement:**

The Board received a Notice of Termination of the Temporary Use Agreement for the Shaker Bridge Landing property, aka Old Motel property.

Mr. Crate asked why they terminated the agreement. He was informed by Mr. Schneider it was because they are using the property to stage for the bridge construction. Paragraph four of the notice mentions, "Once the construction of this project is completed, and the parcel is no longer needed for construction purposes, the Department can discuss the possibility of reentering into another Temporary use Agreement for this parcel and the potential sale of this property to the Town of Enfield." There are two pieces which the Town had Temporary Use Agreements; this parcel identified by the State as Parcel #15 and a neighboring parcel that is located between Parcel #15 and the mouth of the Mascoma River.

#### **Donation for Turtle Crossing Signs:**

The Board was notified of the receipt of \$265.91 to reimburse the Town for turtle crossing signs to be located on Lockehaven Road at Spectacle Pond. The turtles cross Lockehaven Road there to lay eggs on the other side, then cross again to return to the Pond. Turtle habitat is important as evidenced by the closure of the Bog Road Stump Dump due to the fact that it is turtle habitat.

### V. BOARD REPORTS

#### **Energy Committee:**

The Board was notified that the Outdoor Lighting Upgrade Project, for which grant funds were received, has been completed. The project includes the lighting at the Veterans Memorial Park,

the decorative bridge lights in the Village and some exterior lighting on the Community Building, Police Station, Whitney Hall and Union Street Fire Station.

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

### **City of Lebanon Airport:**

The City of Lebanon has asked for support regarding the Lebanon Airport. There is federal legislation that would effectively take away federal funds that the city would have to cover. Because of some funding they received in the past the City has to keep the airport open until 2029. The Selectmen were provided with a copy of a letter the City would like the Town to send to Federal Government representatives. Mr. Schneider believes the Towns of Hanover and Norwich have signed on to support it. The airport has regular service to White Plains, just outside of New York; they then take passengers by limo to Grand Central.

The Board agreed to send letters in support of Federal funding for the Lebanon Airport.

### **Public Works Department Equipment:**

The Board received a memo from Jim Taylor, Director of Public Works, in support of accepting the bid from LF Trottier & Sons at \$25,196.68 after trade-in.

Mr. Cummings asked if the Town solicited bids from the guy on NH Route 4A. He was informed by Mr. Schneider that we had, that we have to be sure everyone in Town that can bid has a bid packet. The budget for the tractor was \$40,000.

Mr. Crate had some questions about how the sidewalks were going to be treated and what work the tractor would be used for besides winter maintenance of sidewalks. He expressed concern about wearing out the tractor prematurely by using it for too many other tasks.

Mr. Schneider explained that it would not be used for general mowing, but would be used just for mowing ditches. It would have spreader for winter sidewalk maintenance. Mr. Schneider doesn't anticipate that it would be used that greatly for summer work, but will be used primarily for winter work.

Mr. Crate requested the trade-in value of the Holder. He has no problem with it, but wants the financial information.

Mr. Schneider reported that a portion of the cost could come out of the Sewer capital reserve fund.

Mr. Crate inquired about the status of the asphalt reclaimer.  
Mr. Schneider believes this has gone out to bid.

Mr. Crate asked about the status of the dump truck that the rear end went in. This will be looked into.

Mr. Crate noted that it's been a bad winter for everyone. He commended Steve Stebbins on a great job; this was his first winter plowing.

Mr. Schneider discussed with the Board his desire to show the Town's appreciation to the Public Works crew for all of the work they've done this winter. This has been the busiest winter with big snowstorms. The Board was supportive of Mr. Schneider's plans.

**Right-to-Know Law:**

Mr. Schneider recently attended a Managers Meeting. The topic was the Right-to-Know Law. Email communications were discussed. Some board or committee members may be asking opinions of other board members by email and communicating in this fashion back and forth; that's a meeting. There was some good information that the Town of Durham distributes that Mr. Schneider would like to send to Enfield boards and committees as a refresher. Mr. Schneider will provide the Selectboard copies of these materials at the next Selectboard meeting.

**VII. PUBLIC COMMENTS**

None.

**VIII. BUSINESS****Energy Audit:**

The Selectmen received a copy of a Decision Grade Energy Audit for Whitney Hall. Mr. Schneider explained that the building is in good shape. We just have to do some insulating and re-pointing of the foundation. One of the problems identified is air quality. Charles DePuy and Kim Quirk will attend the next Selectboard meeting with some recommendations; perhaps an air exchanger.

Mr. Crate has noticed a lot of streetlights have been changed and now have a red tint and no shine. They've changed the bulb in a streetlight that his father rents, one by the Catholic Church and some on Main Street. These new bulbs don't illuminate well and you can't see an individual until you're right on top of them. Mr. Schneider will check into this.

Other than an air exchanger Mr. Kluge noticed mention of issues with insulation. Mr. Crate feels insulation makes sense with the current price of fuel.

Mr. Schneider added the report had good things to say about the furnace and its efficiency.

**Town Meeting Review:**

None.

**Shaker Bridge/Rail Trail:**

Mr. Schneider spoke with Congressman Bass' office today and they will attend the next State Historic Preservation Office meeting. Congressman Bass has contacted Alex Vogt. You can find information about this organization on-line, but not where and when they meet.

Petitions in support of an at-grade crossing (Alternative 2 of the State's Plans) are available here at the Town Hall. They've also been distributed to a few locations around town. Mr. Schneider thinks the Town should have a say about what we want to save.

Mr. Cummings noted that they're pushing for something 40 people use vs. the safety of those using the road.

Mr. Schneider added that Police Chief Crate has been active with Senator Ayotte's office and the Governor's office.

Mr. Cummings feels the Selectmen should invite the Governor to attend a Selectboard meeting.

Mr. Schneider suggested perhaps a member of the Governor's office could attend a meeting, but we can ask the Governor himself to attend.

Paul Mirksi, State Representative, is on board with this and the Heritage Commission will write a letter in support of an at-grade crossing.

Mr. Crate noted that there seems to be some confusion about the bridge being within the Town's historic district; it is not.

Mr. Schneider added that the State historic organization's stand is that the rail *corridor* is historic. With Federal funding involved we're at least keeping out Federal representative informed of the situation.

Alex Vogt has assured the Town that they will try to do what the Town wants.

It was noted that the three newest options proposed by the State make the road meet the trail rather than have the trail meet the road.

**Community Development Director:**

The Town Manager and the Selectboard wanted to revisit this issue after Town Meeting. Currently, Phil Neily is acting as Zoning Administrator and the Town has a contract with Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) for planning services. The budget includes 9 months of wages for a Planning person. Mr. Schneider does not feel the UVLSRPC is a long term solution, though Nate Miller is very good.

The Selectboard discussed the potential of hiring an individual to fill the position as an employee of the Town. Phil Neily has seemed to enjoy the complimentary function of Zoning to Building Inspection and has been doing a good job..

Discussion ensued regarding a potential change in septic inspections which may be discontinued by the State and done on a local level.

Nate Miller is doing an excellent job in the Planning Department. The downside is the face to face contact since Mr. Miller is in the office just one day a week

Mr. Schneider outlined a plan to look into hiring an individual to fill the Planning position versus contracting the service. The Board was agreeable.

**Planning Board Alternate Application:**

The Board reviewed an application for the position of Planning Board Alternate Member from Tina Stearns.

Mr. Crate moved to appoint Tina Stearns as Planning Board Alternate Member with a term to expire May 1, 2012, Mr. Kluge seconded, vote unanimous in favor of the motion.

**Sewer Connection Request:**

The Board reviewed a sewer connection request at Lot 45 in the North Village Community.

Mr. Crate moved to approve the sewer connection request, Mr. Kluge seconded, vote unanimous in favor of the motion.

**Farmers' Market:**

Letters have gone out to vendors and some responses have been received. The Market will be held on first Saturday of May and June on the gravel side of the parking area at Huse Park. These two Saturdays will be free to vendors. After July 4<sup>th</sup> the Market will be held at Huse Park every Saturday through October 1<sup>st</sup>, then once per month in the winter in the Community Building. The summer and winter markets will cost \$10/day with a price break for a full season. There will be one date conflict in the winter when the Enfield Hometown Holidays takes place, but it's anticipated that a number of the vendors will be the same at each event. The hours of the Market will be 10 AM – 1 PM.

The Recreation Commission is going to volunteer and staff the Market. They have some rules: items sold must be produced, grown or manufactured at your place of business. Everyone has to provide the Town with proof of insurance with the Town named as additional insured.

Mr. Crate asked if bakers were OK at the Market. There's a new bakery that has opened up in Canaan and is open on Saturdays. Mr. Crate was informed by Mr. Schneider that bakers would be fine; there have been bakers at the Market in the past.

Mr. Crate asked about entertainment. He was told that entertainment is not really a moneymaker for the Town. The cost of entertainment at Markets sponsored by the Enfield Village Association ate up the profits. Entertainment will be looked at in more depth later, depending on the size of the market.

Route 4 should have greater visibility than Route 4A.

**Road Posting:**

Roads were posted earlier this month, before the scheduled March 7<sup>th</sup> Selectboard meeting. There is a form for permitting use of posted roads. There have been some complaints received about the Shaker Bridge contractors doing up Oak Grove Street. Oak Grove is posted, but trucks would be light enough to go up the Street when they aren't loaded.

**Pole Exemption:**

The Board received a NH Municipal Association information sheet entitled Facts About the Pole Exemption providing the Board with the current status of the property tax exemption on wooden

poles and conduits owned by telecommunications companies, which expired on July 1, 2010. SB133 would reinstate the exemption and make it permanent. The information sheet also included information on the history of the tax exemption, current law, taxation of telephone poles in other states, pole ownership and use, tax impact of eliminating the exemption, whether this could be considered a “new tax”, arguments for reinstating the exemption and reasons not to reinstate the exemption.

The exemption is one that benefits just one industry, the telecommunications industry. There is no exemption provided for poles owned by electric utilities.

Mr. Kluge asked if the Board was being asked to take a position and was informed that this was strictly informational.

Mr. Crate asked what the Town realizes from this tax and was informed by Mr. Schneider that it would be looked into.

### **250<sup>th</sup> Celebration:**

The Shaker Museum would like to put panels on the FAST Squad building on the side facing the Rail Trail. This will be discussed in greater detail at the next meeting.

### **Administrative Items:**

The Board received and submitted completed Questionnaires for Members of the Governing Body (2010 Audit Documentation), MS-2 Statement of Appropriations and property tax abatements and refunds.

## **IX. OTHER ITEMS**

### **Creighton vs. Town of Enfield, et al:**

The Creighton's are making a claim to property on Rice Road previously identified as “owner unknown.” A Stipulation will be filed with the court that we have no interest in the property and they have no interest in Rice Road and the drainage. This will eliminate the Town from the suit.

The Town's attorney recommends sending a tax bill to any property which is listed as “owner unknown” for three years. After that time the Town could take the property for unpaid taxes. This is a way to recover the property.

### **Grafton Pond Road Property Appraisal:**

Mr. Cummings asked if there was any progress on the appraisal of the Town-owned Grafton Pond Road property and he was informed there has not been.

### **Abatement Request:**

The Board of Selectmen reviewed an abatement request due to hardship. The property owner has a path to follow so this won't be an ongoing issue; this should be a one-time request.

Mr. Crate moved to grant the hardship abatement as requested. This shall be a one-time abatement. Mr. Kluge seconded the motion, vote unanimous in favor of the motion.

**2010 Census Results:**

The 2010 Census results show a decrease in the population of Enfield, down to 4582 from 4,618 in 2000.

**Next Meeting:**

The Board of Selectmen will meet next on Tuesday, April 5, 2011 at 6:00 PM at Whitney Hall, 23 Main Street. The Board will not meet on the regularly scheduled Monday, April 4, 2011.

**CONFERENCE**

**I. ADJOURNMENT**

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