

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

**MINUTES of June 6, 2011**

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

**Administrative Staff:** Steven Schneider, Town Manager; Alisa D. Bonnette, Executive Assistant; Richard A. Crate, Jr., Chief of Police

**Others:** Dan Kiley, Dwight Marchetti, Frank Sparrow of Whaleback, Attorney Rick Mullaly and his assistant Susan Agan

**BUSINESS MEETING**

**I. CALL TO ORDER**

Mr. Cummings called the meeting to order at 6:00 pm.

**II. APPROVAL OF MINUTES**

**May 16, 2011:**

A typographical error on page 6 will be corrected. Mr. Crate moved to approve the minutes of May 16, 2011 as corrected, Mr. Kluge seconded, vote unanimous in favor of the motion.

**III. COMMUNICATIONS**

**Appeal of NHDES Administrative Order No. 11-014 WD (Graham):**

NHDES required the Grahams to move a wall. The Grahams are appealing the NHDES decision.

**Enfield-Mascoma Lions Club Donation to Enfield PD for AED:**

A thank you will be sent to the Lions Club for the \$250 donation for an AED unit that will be located in one of the Police cruisers.

**2010 US Census Online Information:**

Mr. Kluge noted that there is a lot of good information available online.

Mr. Schneider added that it's not a good source for information about why Enfield was one of two towns in NH that lost population. This question was discussed at an UVLSRPC meeting;

it's a mystery. It's not a large difference and will not greatly affect Town funding from State or Federal sources. The other town to lose population was Piermont.

**Shoreland Permit Application ~ Baker, Septic System:**

Dr. Baker owns a home near Smith Pond and has applied for a septic permit.

**NHDES Press Release ~ Mascoma River Designated for Protection**

**NHDES Shoreland Permit Application Notice ~ Regan, Algonquin Road:**

Proposed work involves a new detached garage construction adjacent to an existing gravel driveway, a portion of which will be planted with grass to reduce the overall impervious area on the property.

**NHDES Shoreland Permit Application Notice ~ Weissman, Foster Circle:**

Construction of a single family residence, garage, access drive and on-site wastewater disposal system.

**IV. BOARD REPORTS**

**Energy Committee:**

Energy Committee grant funds were received in the amount of \$18,992.58. This paid for outdoor lighting upgrades.

**Capital Improvement Program Committee:**

The CIP Committee would like to ask the Board to add Bob Cusick to the CIP Committee to make a 7 member committee. Mr. Crate moved to appoint Bob Cusick to the CIP Committee, Mr. Kluge seconded, vote unanimous in favor of the motion.

A notice went to all departments for capital requests for the next 5 or 6 years. The deadline for submission is Friday. June 14<sup>th</sup> is the next scheduled meeting. Tuesdays are not a good meeting date, Mondays are preferred. Fred Cummings' connection with the Budget Committee and CIP Committee and understanding how the CIP works and how it impacts the budget is important.

Mr. Schneider recommended a joint meeting of the Budget Committee, Selectmen and CIP Committee to have a mutual understanding, perhaps in August or September.

The CIP Committee is now collecting information, which will be treated similarly to budget requests.

**Enfield Village Association:**

Mr. Kluge reported that EVA is moving along. They've held a clean up day, have been planting, have the hanging planters put up, have held business coffees and an after hours get together. Another after hours get together is planned. EVA is in the midst of Shaker 7 Road Race planning. The route has been changed in 2011 due to the bridge closure. Registrations are down a little.

Mr. Kluge thanked the Town's crews for watering the plants.

## V. TOWN MANAGER'S REPORT

### **Enfield Farmers Market:**

About 125 people attended the last spring market. There will be vendors meeting on the 18<sup>th</sup> to go over the market rules with the vendors.

### **Vendors Permit:**

The Town has received its first application for a Vendors Permit for Papas Dogs. The only clarification was the location. The form will be corrected to clarify the information the Town is requesting regarding location.

Carl Pellerin of Papas Dogs is scheduled for a State Inspection on Tuesday.

### **Employee Retirements:**

Two employees are retiring. Jon Cattabriga will retire when school is done for the year, June 20<sup>th</sup>. Bill Spaulding had retired from full-time work to part-time work two years ago. He may still come in for one or two days a week. Ed Tourville has been Bill Spaulding's apprentice in training and has Mr. Spaulding's stamp of approval.

## VI. PUBLIC COMMENTS

Dwight Marchetti ~ Community Building Soffits:

Mr. Marchetti asked if the soffits on the Community Building were going to be fixed before the 250<sup>th</sup> Celebration. The top two pieces were located on the side of the building facing the basketball court. Mr. Marchetti reported the problem to the Public Works Department two weeks ago. They are now gone. Mr. Marchetti believes Lloyd Hackeman did the initial installation.

Mr. Schneider will get together with Jim Taylor, Director of Public Works, and have it taken care of.

## VII. BUSINESS

### **15 May Street Lien:**

Attorney Rick Mullaly and his assistant, Susan Agan, came before the Board to discuss the outstanding tax lien on the 15 May Street property. As a point of information, Mr. Schneider disclosed that Attorney Mullaly handled his closing and that of his in-laws. Mr. Kluge disclosed that Attorney Mullaly handled one of his closings as well.

As discussed at the last Selectmen's meeting, the form that reports outstanding balances on Water & Sewer accounts was confusing and does not make mention that there may be tax liens in addition to the charges reported on the form. Mrs. Agan also called the Town to follow up what was reported to her in writing and she contends that she was not informed of the tax lien for past water/sewer charges.

When asked by Mr. Cummings what he was requesting, Mr. Mullaly asked the Board to remove the lien from the registry and go after the previous owner for the past due balance. At minimum, the Town should look at clarifying the form.

Mr. Cummings moved to split the lien down the middle, waiving half of the tax lien, Mr. Kluge seconded, vote unanimous in favor of the motion.

Attorney Mullaly was agreeable to this decision.

**TIF Update:**

The Planning Charrette will take place in July. Mr. Schneider presented some planning documents which he will be happy to send to the Selectmen in electronic format. These documents will be available to the public and planning officials and professionals. The 2-day planning event will give the Town the opportunity to come up with a vision for Route 4, specifically when the sewer extension goes forward. Public participation is needed. The Charrette will allow the Town to share with future developers what we want this part of Town to look like. The Charrette will look at planning, buildings, infrastructure, etc.

Mr. Kiley mentioned that landowners within the TIF District will get personal invitations.

The question is how to promote the event and get the public involved. Food will be there. It will be a very interactive event. A letter to the editor will be sent to the Valley news, a notice posted on the Enfield Listserv, a presentation will be made at the Enfield Family Fair, and a press release will be issued.

The first day of the Charrette will be an all-day event with professional review. The second day will be for public review and will be held the same day as the Town-wide yard sale.

The TIF Committee is short one member. Tim Anderson owns the building next to Dunkin Donuts and is interested in serving on the Committee.

Mr. Crate moved to appoint Tim Anderson to the TIF Committee, Mr. Kluge seconded, vote unanimous in favor of the motion.

**Shaker Bridge / Rail Trail:**

Mr. Schneider sent an email to Alex VOGT of NHDOT asking if there was anything to do to speed up the process of approval of the rail trail plan. Mr. Vogt explained that NHDOT is in the design phase of the revised plan that raises the level of Main Street a little and lowers the Rail Trail to a lesser degree than the original plan for an at-grade crossing.

Jeff Potter, the on-site supervisor of the Shaker Bridge project has informed Mr. Schneider that there's a conflict between our water main on Main Street and drainage from Bridge Street to the Rail Trail. The State suggests it be moved since they would be located too close together. The State knew the water main was there before the project began.

Mr. Crate indicated that the State should move it and pay for it. He also mentioned that there's a shut off valve at the end of the guard rail where there is now a pile of debris. Mr. Potter should be alerted to this.

Mr. Schneider explained that there are several conflicts where the distance between the water main and the drainage line would be 6" to 9". Eighteen inches is recommended. The water main is 1903 vintage cast iron. The State is asking us to move it. The State will pay for the four or five portions where there are conflicts. It will cost about \$40,000. We still have some funds in reserve. We can pay for it up front and then fight with the State for reimbursement.

Mr. Crate is not in favor of paying for the relocation.

Mr. Schneider told the State they would not have an answer this week.

Mr. Crate does not want to hold the project up but feels the State should be willing to put up half of the cost.

Mr. Schneider informed the Board they could meet with the State at the next scheduled Selectmen's meeting in July. The contractor can work on the 4A side between now and then.

Mr. Crate was agreeable if this won't delay the project. He doesn't want them to say the Town held up the project.

Mr. Schneider will schedule a meeting with Jeff Potter on July 5<sup>th</sup>. If it's found to be necessary a special meeting of the Selectmen will be called. The Selectmen would like to see the State pay a good share of the cost.

Mr. Crate asked how many services would be affected. He was informed that it would affect all of the residents of Bridge Street and Pine Drive.

Mr. Schneider has received questions about the water being open between the north and south sides of the lake. He has been informed that the contract for the work stipulates that they have to keep the waterway open. It may be closed for a day or two at most. It will be open on the 4<sup>th</sup> of July.

**Planning Director:**

Mr. Schneider offered the position of Planning Director to Nathan Miller, the Town's Acting Planner. Mr. Miller declined. Mr. Miller is a wonderful asset to the Town and the Board would like to continue to use Mr. Miller as the Acting Planner through the contract with the Upper Valley Lake Sunapee Regional Planning Commission. The Ironman Development is coming up and the Board does not want to switch during this project.

Mr. Crate would continue to go the course we're going right now.

Mr. Kluge agreed. Mr. Mill is good and the Town is getting a good level of service now.

**Enfield 250<sup>th</sup> Anniversary Celebration:**

This is the last Selectmen's meeting before the 250<sup>th</sup> Celebration. It promises to be quite an event. There will be several meals served throughout the weekend, exhibits, lunches, a barbecue, Colonial Ball at the Stone Mill building, parade, boat parades, display inside the FAST Squad building and more.

The streets will be looking their best. Street sweeping was discussed with Jim Taylor and all of the streets in the Village will be cleaned. Huse Park will be cleaned up as well.

Mr. Crate reminded Mr. Schneider of the roof repair needed at the Enfield Center Town House.

The play in Enfield Center will take place earlier than originally planned.

The Grand Drape will be restored this month and will be available for viewing during the 250<sup>th</sup> Celebration. The Heritage Commission wants to do a formal unveiling later in the year.

Mr. Crate inquired about the other backdrops. He was informed that they're still at Enfield Center, stored and documented. Some are worth restoring. There are probably 4 or 5 drops and some side panels.

**Whitney Hall Generator:**

The Board received a copy of the Request For Proposals as well as the list of vendors to which the RFP was mailed. The RFP was also advertised in the Valley News, on the Town's website and on the Enfield Listserv.

Mr. Schneider and Ms. Bonnette met with Paul Hatch from the State for a 50/50 grant. It depends on the cost whether we want to wait for State funding or simply proceed with the project. We will apply for the funding now, but the money won't be available until after the State accepts the FEMA funding in July.

**Enfield Village Historic District:**

In addition to being on the National Register Historic District the Town is now also on the State one. There are signs that homeowners can post in front of their houses.

**Cemetery Expendable Trust Fund:**

The Selectmen received a request for payment of funds from the Cemetery Expendable Trust Fund. The Board of Selectmen is named agent to expend. Two bills were presented: 1) \$560 to set 75 numbered pins at Countryside Cemetery and 2) \$805.60 for plants for Countryside Cemetery.

Mr. Crate moved to expend these funds from the Cemetery Expendable Trust Fund, Mr. Cummings seconded, vote unanimous in favor of the motion.

**Administrative Items:**

**Dartmouth Exemption** – Mr. Crate was told that the public can't join their sailing club.

Dwight Marchetti did some research and Dartmouth employees, community families and community singles can join. Mr. Marchetti reviewed RSA 72:23 regarding use by the public and Dartmouth does fit the criteria for an exemption. It's up to the Board of Selectmen to decide the amount of the exemption. Historically they've been granted 75%. With a 75% exemption the property value that is taxed is reduced from full value of \$238,600 to \$59,650 and the taxes are down from \$4,846 to \$1,224. With a 50% exemption they'd see a taxable value of \$119,300 and taxes of \$2,448. Mr. Marchetti does not think they should qualify for a 75% exemption.

Mr. Schneider reached out to New London. The school facilities there are open to the public only from Fathers Day to Labor Day. Sailing in Enfield takes place from May to October. Anything that supports any team, and Dartmouth has a sailing team qualifies. They operate in Enfield 6 months of the year.

Mr. Crate said at the last meeting that he didn't think they should get any tax break. Other people have to pay their taxes. He still feels that way but would give them a 25% break.

Mr. Kluge said it's a valid educational purpose. Other communities support colleges in the same way. He suspects the field house at Colby Sawyer is fully exempt. He would approve a 75% exemption.

Based on them being open to the public only 3 months of the year and not being a fan of granting an exemption for storage that doesn't serve any educational purpose, Mr. Cummings moved to grant a 35% exemption based on the information presented tonight. There was no second to the motion.

Mr. Crate moved to grant a 25% exemption, Mr. Cummings seconded. Mr. Crate and Mr. Cummings voted in favor of the motion, Mr. Kluge was opposed, motion carried.

**Davidson Settlement Agreement / Property Tax Abatement** – A settlement agreement between the Michael Davidson and the Town of Enfield was negotiated. If the agreement is approved, both sides will agree to a value reduced to \$357,000 and an abatement of \$1,802.72.

The agreement was negotiated with the attorneys representing each party. They were prepared to go to Superior Court with the appeal. They were not going to go the Board of Tax and Land Appeals.

Mr. Crate moved to postpone the decision until July. There was no second to the motion.

Mr. Cummings moved to accept the settlement agreement because it will cost more to go to court, Mr. Kluge seconded. Mr. Cummings and Mr. Kluge voted in favor of the motion, Mr. Crate was opposed, motion carried.

**Other Administrative Items** – The Board reviewed and approved the following documents: 2010 Property Tax Abatement (Bates), Timber Tax Levy.

## VIII. OTHER ITEMS

### **Huse Park Drainage:**

Mr. Cummings wants a game plan for Huse Park at the next Selectboard meeting on July 5<sup>th</sup>.

Mr. Crate recommends putting it out to bid now so the Town is ready to proceed as soon after the July 4<sup>th</sup> weekend as possible.

**Community Building:**

Mr. Kluge mentioned the need for a long-range plan for maintenance of the Community Building. The building is showing signs of wear and needs a plan for cleaning and maintaining it.

Mr. Crate noted that the shelves in the kitchen on which the dishes are stored are filthy. Additionally, it's his understanding that someone painted the entryway and it's already all scuffed up. Someone isn't supervising; kids need to be supervised.

The Lions Club is also losing utensils left and right.

It was asked if the air conditioning is working now. Yesterday it wasn't functioning. Does something have to be switched on downstairs?

**CONFERENCE****I. NON-PUBLIC SESSIONS**

Mr. Cummings moved to go into non-public session at 7:15 PM to discuss Whaleback past due taxes, RSA 91-A:3 II (j), Mr. Kluge seconded. Roll call vote: Mr. Cummings – aye, Mr. Kluge – aye, Mr. Crate – aye, motion carried.

Mr. Cummings moved to authorize Steve Schneider, Town Manager, to sign a tax payment agreement with Whaleback, Mr. Kluge seconded, vote unanimous in favor of the motion.

Mr. Cummings moved to come out of non-public session at 7:29 PM, Mr. Kluge seconded, vote unanimous in favor of the motion.

Mr. Cummings moved to enter non-public session at 7:29 PM to discuss personnel issues, RSA 91-A:3 II (a), Mr. Kluge seconded. Roll call vote: Mr. Cummings – aye, Mr. Kluge – aye, Mr. Crate – aye, motion carried.

Mr. Crate moved to approve a three year contract with Steve Schneider, Town Manager, with an automatic option for another three years, Mr. Cummings seconded, vote unanimous in favor of the motion.

Mr. Kluge moved to come out of non-public session at 7:59 PM, Mr. Crate seconded, vote unanimous.

**II. ADJOURNMENT**

Mr. Cummings moved to adjourn at 7:59 PM, Mr. Crate seconded, vote unanimous, meeting adjourned.