

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

MINUTES of October 17, 2011

Board of Selectmen: 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; Jim Taylor, Director of Public Works

Others: Will Davis of CLD Consulting Engineers, Bill Warren, Dan Kiley, Lee Carrier, Bob Cusick, Lori Bliss Hill, Donald LaBounty, Bob LaCroix, Henry Cross, Don Cantlin, Suzanne Laliberte, David Saladino, Dwight Marchetti and other members of the public.

BUSINESS MEETING

I. CALL TO ORDER

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

II. ROUTE 4 PROPOSED SEWER & WATER EXTENSION

Property owners that will be directly affected by an extension of the sewer and water systems along US Route 4 from Baltic Street to the Canaan town line were invited to meet with the Selectmen.

Mr. Schneider proceeded with a PowerPoint presentation explaining the history and purpose of the TIF District, the projects listed in the TIF Plan, the location of the proposed 1 mile long extension along Route 4 with spurs down Lovejoy Brook and McConnell Roads, the engineers' estimate of \$3,000,000 and a time line of meetings, votes and construction. This was followed with information about the impacts on those living along the extension, including costs for connections, average quarterly bills, and potential increases in property values. The project would be paid for using TIF funds. [PowerPoint presentation attached]

Mr. Schneider's presentation included information on the current sewer ordinance and requirements for connection to the system, including the 100' minimum distance from the system that would require connection, the 90-day time limit for connection and the possibility of waivers.

The next steps in the process is to gather feedback from affected property owners, develop better figures for potential property value impacts, review existing ordinance and amendment of ordinances as needed.

The initial 7 projects included in the TIF Plan upon adoption in 2005 were prioritized with #1 being the Route 4 sewer extension. At the time of adoption the estimated cost was \$2 million. It is now estimated at \$3 million for both the extension of the sewer main as well as the water main. Two projects were added in recent years: Huse Park Improvements and Main Street Sewer Extension. The Main Street Sewer Extension project has been completed. Part of the Huse Park Improvements has also been

completed by installation of a replacement culvert under the park. The installation of the culvert was required before any other improvements take place at the park.

The District was amended in 2009 to exclude what is known as Ironman or Laramie Farms. The TIF District can be amended as long as there is no long-term borrowing.

The Town anticipates long term borrowing of 20 to 30 years. Long-term borrowing requires Town Meeting approval. A number of meetings will be held prior to Town Meeting to answer questions.

A one-year construction cycle is anticipated.

In 2010, the TIF District generated \$169,963. The Town Report provides a 3-year history of revenues. There was a jump in one year due to the town-wide revaluation as well as new businesses within the District near the Canaan town line. With funds in the amount of \$170,000 per year, Mr. Schneider has been in touch with the NH Bond Bank and local banks to see if this makes sense.

The current Sewer Ordinance, adopted in 1995, needs revision.

New connections on the existing sewer system are generally for new construction where the costs can be rolled into the construction financing. This won't be the case for existing homeowners along the proposed extension. The Town does not want to impact these homeowners adversely.

Mr. Cummings informed the audience that there has been talk in the past about the possibility of waiving the connection fees if connection is made to the new extension goes by the property.

Mr. LaBounty asked what side of the road the line would be on. Will Davis of CLD Consulting Engineers informed him that it would be along the south side, the McConnell Road side, of US Route 4. Mr. Schneider added that a pump station will be located off McConnell Road so the line will go along that side.

Mr. Cross asked about the expected volume of sewage to Lebanon. Mr. Schneider responded that the Town owns a certain percentage of the Lebanon Plant. We could send about 300,000 gallons/day. We're currently sending about 1/3 of that. The TIF Committee has done some build-out studies. Conservatively we could add another 1/3 and still have room for additional expansion.

Mr. Cusick asked what happens if we have someone who uses a lot more water. Mr. Taylor responded that we have some capacity, but we might have to upgrade our systems, perhaps adding water treatment. The McConnell well is some of the hardest water in the State and if we used it consistently we'd have to soften it. There has been some impact on water users when the McConnell well was brought on-line for short periods.

Mr. Cusick asked what would happen if there was a big fire. Mr. Schneider replied that no has lot water, they have only had a difference in quality. In response to Mr. Cusick's inquiry, Mr. Schneider informed the audience that the water is safe to drink.

Mr. Carrier asked if anyone had looked at pay-backs. Will there be anything to offset the cost? He was informed the TIF Committee looked at this during the Planning Charrette. Town's don't generally work that way, looking for pay-backs. Property owners in the District say they can't expand because some of their land is tied up with leach fields. With sewer installed they could expand. This would be part of the area for generations, but we don't have specific businesses planning to move in.

Mr. Carrier asked if they studied available lots and potential uses. He was informed by Mr. Schneider that they had intensive planning sessions. The Charrette focused on what could happen. There were a number of different recommendations that came out of that process, including, but not limited to traffic control measures, and ordinance and regulation updates.

Mr. Kluge said it is hoped it will help alleviate problems on Route 4. It may become more of an economic engine in the Town.

Mr. Marchetti asked in consideration had been given to extending the line from Anderson Hill to the line on Baltic Street. He was informed there are some logical extensions, but they aren't in our TIF District so we can't use TIF funds. Part of why this extension is planned is to protect our water sources.

Mr. Marchetti noted that the gray area on the TIF District map has some residential areas, specifically Prospect Pines. Mr. Taylor responded that he believes Prospect Pines connected to the sewer system a few years ago.

Mr. LaBounty asked if property owners have to make their own connections. He was informed the Town would not do it. Mr. LaBounty then inquired about the size of the pipe for the connection and was informed that it is usually a 4" pipe for a residence.

Mr. Carrier asked how the project would be financed.

It was explained that we've looked at the Bond Bank as well as local banks. The rates are better through local banks. We don't know for sure which way we'll go until we have approval for the project.

Mr. Carrier asked how many years before the TIF District expires. Mr. Schneider replied that the TIF District is in effect until long-term borrowing ends or until 2020, a 15-year term.

Mr. Carrier noted that taxes may increase and he'd like to see the Town pay off the bond as quickly as possible. Mr. Schneider agreed.

Mr. Cummings asked, as property owners, if the Board of Selectmen waived the connection fees would they be more willing to hook on right away, or would they wait. Mr. LaBounty said he would have to think about it since his leach field is only two years old. Lori Bliss Hill, who has a ten year old system, would hook on right away. She feels this is great incentive.

Mr. Schneider shared an email from Martha Chesley:

“So I am I think within 100 feet of the line, so am assuming that I will need to hook on ? Are there funds from the Town or elsewhere to help with the \$3000 hookup fee? Phil Neily just made me do a new septic system last year, (knowing this was coming down the pike !!!!) and I had to pay \$17,500 for the new septic system which has killed me financially.(I supported both of my parents in this house) Another \$3000 will be a hardship - So can you confirm that I will have to hook up and if there is help available? And is the \$3000 a tax write-off?”

The current Sewer Ordinance requires connection if the property line is within 100' of the sewer line. Mr. Crate added that the Town would put a stub to each property.

Mr. LaBounty wondered, if you already have water, will that disturb the water hookup? Mr. Taylor said they'd engineer to go around what's there.

Mr. Cusick asked if the District funds came out of the general revenues of the Town.

Mr. Schneider explained that the funds come from the taxes on improvements only since the District were created. The taxes realized on original assessment prior to the District creation goes to the County, State, School and Town. Anything beyond that goes into the TIF Fund.

Mr. Saladino reported that the TIF Fund balance is at about \$400,000.

Mr. Cusick clarified that the only the dollars to go to the TIF loan will be the difference between what was there when the District was created and what's there now. If those valuations go down it decreases what goes to TIF and up if the values increase. Mr. Schneider agreed with this statement.

Mr. Carrier pointed out that it should not be said that this has no impact on the tax rate. Mr. Schneider replied that this project has no impact on the tax rate. The TIF District does have an impact. Discussion ensued regarding the impact of the District. Mr. Kluge noted that this impact is the primary reason Ironman was taken out of the District.

Mr. Carrier said, for clarification, that it's \$170,000 this year that goes to TIF. IF we had not TIF District we'd probably still have those funds. The incremental value of property went up and that's where the money comes from. Without TIF it would come into the Town's general fund.

Mr. Schneider pointed out that tax dollars collected by the Town are distributed amongst the Town, County, State and School and would not be solely Town revenue. It is true that those not in the TIF District are subsidizing but that was approved by Town Meeting in 2005.

Mr. Cusick said we, as townspeople not in the TIF District, are supporting what goes to the Town and the School.

Mr. Kluge noted that you could also say that as Route 4 becomes more commercialized and brings in more revenue that it is supporting the Town.

Mr. Carrier responded that at the end of the day, what Mr. Kluge says is what we're all hoping for. Right now, all of those not in the TIF District, their taxes are higher to support TIF.

Mr. Cummings asked if constructing this water and sewer extension creates a greater impact on Town services, is there a way to have the TIF Fund offset that?

Mr. Schneider said there may be a road or two developed that could be paid by TIF. He doesn't believe that TIF can be used for operational support.

Mr. Cusick pointed out that we would still have to plow sidewalks and any additional roads.

Mr. Schneider stated that the Town has doubled in size in the last 30 years. Will it double in size in the next 30 years?

A member of the public stated, from a real estate viewpoint, she thinks this is a very positive thing for Enfield. She gets calls about businesses but they need water and sewer services; also residential. Residential are having a hard time keeping up with the cost of maintenance and with the Board of Selectmen offering to waive the hook-up fees, that's important even though they'll still have some associated plumbing costs.

It was asked if, when the long-term loan is paid off, will the TIF just go away? Would the money then go back to the Town? Mr. Schneider explained that the TIF will continue to the end of the long-term loans. If there are no long-term loans by 2020 the TIF will dissolve.

Mr. LaCroix said the extension won't benefit him since he already has a way to connect, but sewer is a good idea. A build-out over that mile could be \$50 million or \$60 million. That area is all businesses. It could be a great tax benefit to the Town.

The information session ended at 6:55 PM. The audience was thanked for coming and participating in the discussion.

III. APPROVAL OF MINUTES

The Board signed corrected minutes for the non-public session of September 6, 2011 which was incorrectly dated.

Mr. Kluge moved to accept the minutes of September 19, 2011 as printed, Mr. Cummings seconded, vote unanimous in favor of the motion.

Mr. Crate moved to accept the minutes of October 3, 2011 as printed, Mr. Cummings seconded, vote unanimous in favor of the motion.

IV. COMMUNICATIONS

NH FastRoads Invitation to Community Anchor Institution Breakfast, October 24, 2011:

This is the fiber project. A breakfast will be held at the Community Building, catered by Mickey's. This breakfast is for elected officials, Police Chiefs, Fire Chiefs, etc.

Trustees of Trust Funds – Third Quarter 2011:

Notification of DES Shoreland Permit Application – Map 8 Lot 38, Algonquin road

Dog Warrant Report as of October 2011

V. BOARD REPORTS

Planning Board:

The Ironman development is pending. They are still looking at driveway issues with the State.

VI. TOWN MANAGER'S REPORT

Shaker Hill Road Maintenance:

Mr. Schneider sent a memo to DOT Commissioner Clement regarding the maintenance of Shaker Hill Road. This memo also went to the Town's delegation – Mr. Mirski and Mr. Hoade. The Commission said he would talk to the head of operations to discuss what they can do; we should hear within a week.

Land Swap Warrant Article:

Mr. LaCroix asked if the Selectmen would be willing to put an article on the 2012 Town Meeting warrant regarding the land swap proposed previously at the 2011 Town Meeting. This issue was tabled at the last

Selectboard meeting. Mr. LaCroix said it seemed no one wanted to spend any money on anything in 2011.

Mr. Cummings and Mr. Kluge agreed to place it on the warrant. Mr. Crate abstained.

Mr. Schneider will contact the State to be sure they're still willing to deal with the same price.

VII. PUBLIC COMMENTS

Dwight Marchetti – Boat Landing:

Last year Mr. Marchetti asked about the boat landing. Next year the Shaker Bridge will be done in August. He wondered what the Town would do. The boat launch is in rough shape.

Mr. Crate believes the Town is going to coordinate the improvements when they're putting the final touches on the bridge site. We will address it.

VIII. BUSINESS

Capital Improvement Program:

The CIP Committee met prior to the Selectboard meeting and has chosen not to meeting with the Board of Selectmen this evening.

USDA Grant Application for Municipal HHW Collections:

Upper Valley Lake Sunapee Regional Planning Commission is looking for a letter of support. The Board approved a letter supporting the grant application.

Upcoming Presidential Primary:

The Primary could be December 10 to January 3. The longer the Secretary of State takes to decide the less time we have to get absentee and military ballots. The Secretary of State's office may say all logistics are in place but there's no coordination on with those on the local level. We also didn't budget for this in 2011 but planned to budget for it in 2012.

Shaker Boulevard Bridge:

The Shaker Boulevard Bridge is done, open and accepting traffic. Mr. Schneider met with the Police Department and Jim Taylor to review the site.

The Jersey barriers are not a good long-term solution. They will remain for the winter, but we can install guardrails in 2012 and use the Jersey barriers elsewhere. The budgeted cost of the guardrails can be rolled into the costs for the bridge replacement and be submitted for FEMA reimbursement.

Discussion ensued regarding whether the Town should retain this "temporary" bridge as a long-term solution or to replace it with a bridge similar to what was there before. FEMA reimbursement for various solutions was discussed. The Selectmen are not confident the State will have any funding to offset any of the costs. If a new bridge were to be installed the road would be closed at that point for three or four months or longer. It was closed for one month during construction of the current bridge.

Mr. Cummings said it may not be the most aesthetically pleasing, but he can't see spending money on a portion of a \$500,000 or \$600,000 project.

The weight limit of the current bridge is 35 or 40 tons.

It was the consensus of the Board to keep the current bridge for the long-term as a permanent solution.

Mr. Crate suggested maybe doing a survey to see what the area residents would like. One would like a box culvert. Mr. Schneider has received positive feedback about the current bridge.

Sale of Property:

The Town has not received input from all of the departments from which comments were requested. A waterfront property with a house on it was taken by tax deed earlier this year. If the Town sells it now we keep only the past due taxes, interest, fees and a percentage for administrative costs. Any income above and beyond that is returned to the prior owner. If we hold the property for three years the Town can retain all of the income from the sale of the property. Due to this factor, Mr. Kluge feels we should hold onto the property. The Board will revisit the Grafton Pond Road properties in the spring. Mr. Crate said we should also see what properties are going for before we put the available properties up for sale.

Main Street Water Main Replacement:

The cost is still estimated in the \$90,000 range. Mr. Schneider met with the State. This is not a problem of our choosing; the State created this. Mr. Schneider would recommend waiting until after winter. The State won't be done with drainage work this year.

Mr. Taylor said they considered putting the project out to bid in February or March, but if bids come in over \$50,000 let the State deal with it.

Mr. Schneider said the State has committed to pay ½ of the cost of the project. Directional boring is a waste of time and will be very expensive. ED Swett doesn't want to do the project so may have submitted a number that is artificially high. They priced \$7,000 - \$8,000 for traffic control and \$20,000 for dewatering.

The delay won't slow the bridge construction and the State will work around it.

Rail Trail Meeting:

Mr. Schneider met about the Rail Trail last week. He handed out information to the Board. The meeting included discussion of historic resource mitigation. DOT is ready to make a recommendation in support of the Town's wishes. The Trail group and Historic Resources keep delaying the recommendation. The Governor's office has been notified. Mr. Schneider made the point at this meeting that 5 – 6 years ago they were ready to go ahead with a huge bridge expense.

Chief Crate has been in touch with the Governor's office. Jeff Myers of the Governor's office told him they'd look into it.

The Town has asked for assistance from our State and Federal representatives. Mr. Schneider and Chief Crate will continue to try to keep the Governor's office and delegation working on this.

Halloween:

The Recreation Commission is holding a children's Halloween Party at the Union Street Fire Station on October 31st from 5–7 PM. This annual party is a pretty good event. Honor Society kids from the high school will be volunteering.

Veterans Park Lighting:

Mr. Schneider reported a problem we hope to have resolved this week. The company that installed the lighting fixtures will be here this week to repair the fixtures.

Mr. Cross asked what happened to the old light fixtures. He was informed that as part of the grant that was used to pay for the replacement with energy efficient lighting the fixtures were recycled.

The lights on the flagpoles have not been functioning for 2 to 3 months. By law, if a flag is left up at night it must be lit. Mr. Cross has taken down the flag until the lights are fixed.

There was a question regarding the cost of the LED lighting at the park only and what the payback is? The cost for only the Veterans Park was not immediately known. The project was paid for with grant funds.

Mr. Cross expressed his displeasure with the LED lighting. He feels the lights are too dull. He also expressed his displeasure with the Energy Committee and the lighting used at the Veteran's Park.

Mr. Cummings pointed out that the immediate need is to light the flags. The Energy Committee came to the Selectboard with the grant application. The lighting upgrade is supposed to save the Town a lot of money.

The company that did the installation is coming tomorrow afternoon. There's a local company that bid on it that didn't get the bid. The installation company needs to make it right.

Mr. Cross wondered why repairs have taken so long and asked that he be informed as soon as we hear something.

Whaleback:

Mr. Cummings announced that the Board has to enter non-public session. The Town entered into an agreement with Whaleback in June to make payments on past due taxes and to remain current on newly issued tax bills. As of today they owe \$97,875. The Selectmen will enter non-public session to discuss legal counsel's opinion.

Before the Board entered non-public session Mr. Marchetti stated that this should not have happened. A lot of people are struggling financially. An agreement was made that they would make a payment in June a second payment in September and third payment in November. They only paid half of what they agreed to pay back in June. They made no payment in September. It troubles Mr. Marchetti that it went on for 126 days before anyone picked up on it. Then Mr. Marchetti saw a bull page color ad for Whaleback. When an agreement is broken it should be dealt with severely. The Selectmen should have been looking at this in June. He feels it's time the Town took the property and send them on their way.

Mr. Kluge moved to enter non-public session at 7:47 PM, RSA 91-A:2 I (b), Mr. Crate seconded. Roll call vote: Mr. Kluge – aye, Mr. Crate – aye, Mr. Cummings – aye, vote unanimous, motion carried.

Mr. Crate moved to come out of non-public session at 7:55 PM, Mr. Kluge seconded, vote unanimous in favor of the motion.

Mr. Crate made a motion to move forward with the tax deeding of the Whaleback property, Mr. Kluge seconded, vote unanimous in favor of the motion.

Mr. Marchetti asked what happens if they come in with some money.

Mr. Cummings said the Town won't accept partial payments.

It was pointed out that we're in a long line of liens, federal included. Whaleback has liens back to 2008, the same length of time for other property owners. Properties are liened for two years and deeded on the third year.

Administrative Items:

The Board reviewed and approved the following documents: Certification of Yield Taxes Assessed and MS-1 Summary of Inventory Valuation.

IX. OTHER ITEMS

Route 4 Apartment Driveway:

Mr. Crate asked if the apartment building on Route 4 at the top of the hill got a driveway permit. There's not supposed to be more than one access if they aren't 300' apart.

Enfield Center Town House:

Mr. Crate inquired about the status of repairs. The Board was informed that Lloyd Hackeman is doing the work both inside and outside the building.

CONFERENCE

I. ADJOURNMENT

Mr. Crate moved to adjourn at 8:03 PM, Mr. Kluge seconded, vote unanimous in favor of the motion, meeting adjourned.