

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

MINUTES of July 6, 2009

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

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

Others: Scout Leader Tom Lewis; Scouts William Duby, Daniel Mackey, David Kay Dakota Decocq and Kyle Atkinson; Dwight Marchetti; Dan Kiley; Katina Caraganis, Connecticut Valley Spectator

BUSINESS MEETING

I. CALL TO ORDER

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

II. Cub Scouts

Scout Leader, Tom Lewis explained that some of the Cub Scouts present have just become Bears. Each of the Scouts made a birdhouse to be donated to the Town. They each built their own and were given no plans, though they did see a finished birdhouse to see how it was done. The Scouts presented the birdhouses to the Town, each in turn: William Duby, Daniel Mackey, David Kay, Dakota Decocq and Kyle Atkinson.

The Scouts were thanked for their donation and were told that the Town would hang the birdhouses around Town, perhaps at the Transfer Station, behind Whitney Hall, at Huse Park, at the Public Works Facility, or other locations.

III. APPROVAL OF MINUTES

Mr. Kluge moved to approve the regular session minutes of June 15, 2009 as printed, Mr. Cummings seconded; vote unanimous.

Mr. Kluge moved to accept the non-public session minutes of June 15, 2009 as printed, Mr. Cummings seconded; vote unanimous.

IV. COMMUNICATIONS

Comcast Notice of Service and Channel Line-up Changes:

In summary, Comcast is taking things away from the non-digital package.

Mascoma Lake Association Brochure

Lower Shaker Village Water Quality Report ~ 2009

Tax Collector's Report ~ June 2009:

The Tax Collector billed approximately \$5.1 million. Since the printing of the June 2009 report she has collected about an additional \$700,000.

Town Clerk's Report ~ June 2009:

The June revenues from registrations reflect the downward trend we've been seeing. Revenues are about \$3,400 less than the amount collected in June 2008.

V. BOARD REPORTS

Planning Board:

The Planning Board approved Rick Colt's site plan review.

Officers were elected. Tim Taylor was re-elected Chairman.

The Board also received a letter from Art Conkey to the State, implying that he would be a little late completing the work he needs to do. The Planning Board won't file the Mylar until the work is completed.

Enfield Withdrawal Study Committee:

There has been no change. The Committee is looking at the numbers to see where we come out. The meeting for tomorrow, July 7th, has been cancelled. The next meeting will be two weeks from tomorrow. Mr. Cummings will be out of town so told Mr. Kluge and Mr. Crate that one of them is welcome to attend in his stead.

Mr. Schneider spoke with Superintendent Barbara Tremblay and the subcommittee is taking minutes, making the minutes available and noticing meetings.

VI. TOWN MANAGER'S REPORT

Lakes Congress:

Mr. Schneider attended the Lakes Congress at Colby Sawyer College on June 26th. Enfield's lakes are a major asset to the Town. There was a lot of good information presented at the meeting, much of it about run-off issues.

Newbury has a contractor's and homebuilder's guide to reduce run-off. The Mascoma Lake Association presentation was about milfoil and Enfield's successful battle with the weed.

Recreation Commission:

The Recreation Commission met and talked about inviting Canaan and other sports directors to discuss coordination of teams and scheduling of playing fields. The Recreation Commission may have the opportunity to provide a centralized schedule for various youth groups.

Advance Transit:

The Selectmen and Town Manager have been invited to the groundbreaking ceremony at Advance Transit on July 11th. A federal highway representative will be present.

Regional Transportation:

Mr. Schneider and Mr. Kluge attended a meeting sponsored by the League of Women Voters and the three regional planning commissions, two from Vermont and the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) in New Hampshire.

Representatives from Hanover, Lebanon, Enfield, Norwich and Hartford discussed transportation issues including developing a transportation strategy, and how the group of municipalities can work together. They discussed getting a traffic engineer to develop achievable and to determine what would work for our group. Mr. Schneider brought up Route 4 to the group.

UVLSRPC secured a grant to form a committee to look at siting a multi-modal regional transportation hub between Enfield and Hartford. The hub would include bus, train, park & ride features. The Committee will start meeting soon to determine a site.

Mr. Kluge expressed his approval of local communities working together.

VII. PUBLIC COMMENTS**Dwight Marchetti ~ “Adopt a Lamp Post” Program**

Mr. Marchetti inquired about the Enfield Village Association’s (EVA) Adopt a Lamp Post program where, according to their website, for \$450 a person can “adopt” a lamp post in memory or in honor of a special person. A plaque with this information would then be affixed to the lamp post. According to the EVA’s website eight have already been “adopted” and there are just two left.

Mr. Marchetti first investigated who have authority of the lamp posts. He found they are owned by the Town.

Mr. Marchetti had a number of concerns about this program:

- 1) Two of the three Selectmen knew nothing of the program.
- 2) There was no public announcement on the Town’s website, or on EVA’s website until very recently, when 8 of the 10 lamp posts were already “adopted.” Apparently some individuals received calls inviting them to participate.
- 3) Town employees have been seen watering the flower baskets.
- 4) How can a non-profit organization collect money to adopt these things on Town property?
- 5) Are they going to put up 10 more lamp posts or are they collecting \$450 for ones that are already there?

Mr. Schneider responded that they are not putting up new lamp posts.

Mr. Cummings asked who pays for the electricity.

Mr. Schneider explained that they are not adding outlets. The outlets are already there. The Town and EVA have worked together to beautify the Town. The money goes toward the brackets to support the hanging baskets. The Town has also worked with the Enfield Gardeners to add and care for flowers in the village.

Mr. Marchetti stated Mr. Schneider, as Town Manager, supervises Town property and has control over personnel. The Selectmen have control over town property. Two of the three Selectmen didn't know about the program.

Mr. Schneider asked Mr. Marchetti to submit his questions to him and he would get answers to those questions.

Mr. Marchetti stated that he was here to talk to the Selectmen. They are in charge of Town property. \$4500 in total is to be collected. What are the terms and conditions? Is this a payment each year?

Mr. Schneider explained the payment is for the supports for the flower baskets.

Mr. Marchetti stated that the supports and outlets are already there. How can you get things that are already acquired? Mr. Marchetti also stated that the Town can't buy or sell property without a public hearing. Also, there are only two lamp posts left for "adoption." How come this wasn't publicized to everyone?

Mr. Marchetti reiterated that two Selectmen didn't know anything about it. This is Town property. There are no terms and conditions and there should be. Mr. Marchetti was on the Conservation Commission and they did a "sponsor a highway" program. There were all kinds of terms and conditions.

Mr. Kluge asked if the plaques were up.

Mr. Marchetti replied they were not up, but they have been made up.

Mr. Cummings asked how long the program had been in place. He didn't know about it. The EVA building was also sold and he didn't know about it.

Mr. Schneider noted that EVA has asked that one of the Selectboard be on the EVA Board. They're between directors right now. They are advertising for the position and reviewing applications. They get tax dollars. Mr. Schneider would be happy to talk to Mr. Marchetti about it.

Mr. Cummings stated that if there were going to be plaques on lamp posts it should be brought to the Board of Selectmen.

Mr. Marchetti suggested contacting EVA and directing them not to put plaques on the posts without approval from the Selectmen.

Mr. Marchetti doesn't think it was done right. He doesn't think terms and conditions were made known to the Selectmen. They've sold eight out of ten without Selectboard approval. He thinks he may have saved the Selectmen a little embarrassment.

Mr. Marchetti will wait for a response. He'd like to know the terms and conditions and what EVA is going to do with the money.

Dan Kiley pointed out that up until March there was a Selectmen's representative on the EVA Board. He also pointed out that he never heard of the "adopt a lamp post" program before.

Mr. Marchetti said that one person he talked to received a call from EVA asking for a donation. That was back in February.

Mr. Crate feels the Selectboard should have a representative on the EVA Board.

Mr. Kluge said the Selectboard may want to wait until they have a new director. He'd like to see where EVA is going first.

Mr. Crate asked Mr. Marchetti if he was comfortable meeting with Steve Schneider. Mr. Marchetti said that would be OK as long as he doesn't see plaques on the lamp posts.

Curtis Payne ~ Enfield Channel 8:

Mr. Payne asked how the Board felt about what's on Channel 8 now. Part of the reason the Selectboard meetings aren't being seen is that editing time is scarce. He is considering putting on Selectboard meetings raw, unedited.

Mr. Payne needs a DV player. In response Mr. Crate's inquiry, Mr. Payne said he was unsure of the cost of a DV player, but would look into it.

Mr. Payne also noted that what has been broadcast recently, including the weather, costs \$900 a year and expired 7/4/09. He would like to renew that.

Mr. Crate asked if there was money for that. He said that Mr. Payne and Mr. Schneider can work it out.

Curtis Payne ~ Skateboard Park:

Mr. Payne asked about the status of a skateboard park in Enfield.

Mr. Schneider informed him the Recreation Commission has been talking about it, however, their priorities lie in preparing full-day recreation programs.

Mr. Payne and Mr. Crate have seen skateboarders on the roads. There is an ordinance in place related to that.

Mr. Crate noted that the Lions Club was interested in the project at one point.

Mr. Schneider noted that one question is how you want to do it: separate apparatus like Lebanon or concrete, built-in and one once?

Mr. Crate asked if Mr. Schneider had seen Springfield's; they did a nice job.

Mr. Payne asked if the Board was aware of the new sports complex in Canaan. They offer volleyball, batting cages, mini-golf, and a climbing wall. Mr. Crate has heard good things about it. It's located in the old Watts Regulator building.

VIII. OLD BUSINESS

Shaker Bridge Project

~ Sewer Line Replacement/Special Town Meeting ~ Water Line Installation:

A meeting was held with the engineers, Ken Daniels, Steve Schneider and Alisa Bonnette, to discuss the project. Stimulus money couldn't be used for the water line installation, so they'll only go to support the sewer line replacement.

They are talking about drilling from the boat launch on NH Route 4A to the right-of-way by the Bill's on Main Street. A temporary easement may be needed. This allows the drilling company to do staging on the boat ramp side.

Mr. Crate asked if just the sewer line or both would be done. Mr. Schneider responded that both, if that's what the Selectmen want to do.

Mr. Crate pointed out that the sewer line runs on the opposite side of the bridge now and expressed concern about the connection. Mr. Schneider replied that this would not dramatically affect how they will do things.

A Special Town Meeting would be required in order to approve bonding of the project.

The costs of the projects were discussed. For the sewer line, the Town's share would be 50% on a maximum loan period of 20 years. The Town's share would be approximately \$291,000 or an estimated \$23,000 in annual debt service payments, including principal and interest. This would be the equivalent of about \$53 per sewer customer per year or a 5-¼ cent/\$1,000 impact on the tax rate.

According to the Town's attorney, the whole Town needs to approve the bond, even if it's a sewer project. The town has the opportunity to recoup the cost from users through reserves and their rates, but the entire Town has to approve it. If the 5-¼ cents is incorporated into the tax rate it will bring it to \$6.86. We can structure repayment by Sewer so it has less impact. The problem is that sewer rates are already high.

Mr. Kluge asked what the sewer rates are. He was informed that rates are on a sliding scale and is in the \$90/quarter range, though this depends on usage. The rate was structured so lower users wouldn't be too easily bumped up to the next class. Mr. Kluge noted that from someone that has a leach field, he doesn't see this as overly burdensome.

Mr. Schneider stated that the Town has to relocate the sewer line that is currently on the Shaker Bridge. If the Town puts in a temporary line and returns the line to the bridge there will be no funding available from stimulus funds and the full cost, of approximately \$400,000 must be borne by the Town. If the sewer line is run under the lake stimulus funds would be available and the Town share would be approximately \$291,000. The whole Town has to provide the bond and we can tell the Special Town Meeting that we'll recoup as much as we can.

Mr. Crate asked if the State would allow the Town to bore under the lake. Mr. Schneider replied that the engineers have spoken to the State and the boring companies and they feel very comfortable with it. The question is does it need to go into bedrock or can it go above bedrock, but below the lake bottom; if so the costs could go down. The estimated costs are based on a worst case scenario, assuming bedrock drilling.

Mr. Kluge noted that it's less expensive to the Town to bore than to do a temporary line. Mr. Schneider confirmed this, based on the engineers' estimate.

The Board received a memo from Mr. Schneider regarding a Special Town Meeting that outlined the process. Court approval is not needed. Mr. Schneider highly recommends a public hearing before the meeting.

The Board was presented with suggested language for the warrant article, as well as a copy of the RSA that authorizes a special town meeting without court approval for stimulus money projects. Mr. Schneider wants to more accurately calculate the cost to taxpayers and users before a public hearing is held and to advertise as many ways as we can.

The sewer portion of the project is relatively straightforward. Mr. Schneider will get the financial information in order and have the engineers available to answer questions.

The water side of the project is more complicated. The Town is not approved for stimulus money and the cost is about the same as the sewer total. So it's over \$500,000 for the water project. There is a grant the Town can apply for, but it's only 45% of the total cost. Costs are more to bore for the water line because the tube would be bigger. Town Meeting would need to approve over \$500,000 without any guarantee of funding. It would have to be a separate warrant article from the sewer. There are reserves in each department; about \$60,000 in sewer and about \$40,000 in water. Not enough to make a dramatic impact. The water would add another 10 cents to the tax rate.

Voters at the March Town Meeting were told the tax rate would be \$6.81. The sewer would add about 5 cents to the rate bringing it up to the 2008 rate of \$6.86. It makes the most sense to use stimulus dollars. It provides a permanent solution for the sewer line.

Mr. Cummings said that if there's no funding for water he can't support it.

Mr. Schneider said that the Board could include an if/then article, whereby if funding became available the project would be completed, but if no funding became available the project would not be completed. This would still involve another \$250,000 or about 5 cents on the tax rate. The State has been open about putting the pipe on the bridge, so maybe the Town could put water on the bridge at a later date.

Mr. Cummings felt the sewer project should be moved along quickly. Mr. Crate felt there was not much choice as the sewer line has to be moved before bridge construction begins. Mr. Kluge agreed that the sewer project should move forward.

Mr. Schneider noted that we need to inform the public that we have to spend money one way or the other. The engineers need to have everything done so we can go out to bid by February. So the Town's work needs to be done beforehand. The Executive Council has to approve it. They meet in the middle of each month. We won't have things in place by July 15th. August 12th is the next time we could get it to Governor and Council.

Mr. Schneider feels the public hearing should be close to the Special Town Meeting date. The Board set a public hearing date for July 27th and a Special Town Meeting date for August 3rd. That provides three weeks to put together information and notice the meetings.

Mr. Crate and Mr. Cummings both agreed that it is better to leave water out of it. Mr. Schneider suggested waiting until the balance in water reserves increases.

The Board was alerted to the need to stop by and sign the warrant once it's drafted.

Solid Waste Update:

Mr. Schneider spoke with the employees who shared some concerns including that they will have people from other towns coming to Enfield, that the amount of traffic would be a hazard, and that they would lose the whole weekend for the summer. Mr. Schneider informed employees that he would do what he could for them. They were assured that we would do what we could to support operations until we could figure out the use of the Transfer Station.

It's understood the Selectmen need information, so Mr. Schneider is working on a survey that will be done in August and September, to find out the use of the Transfer Station. Mr. Schneider is proposing summer hours start in August.

Mr. Crate said other town transfer stations are open on Sundays.

Mr. Cummings and Mr. Crate thought the summer hours were going to start in July.

Mr. Crate suggested that if the current employees don't want to work, hire some part-timers.

Mr. Crate stated that Sundays used to be busy. Not everyone works Monday through Friday, 8 hours per day.

Mr. Cummings stated that his direction would be to start before August.

Chief Crate stated that back when they changed this, help wasn't the best. Doing away with Sunday hours allowed the Town to find better help. Chief Crate was surprised Mr. Crate said other town transfer stations are open on Sundays. One reason Enfield had a problem in the past was because other town transfer stations were not open on Sunday. This dates back to when April Whittaker was here.

Mr. Crate stated that he would never have been in favor of closing on Sunday. The Transfer Station doesn't have to be open on Sunday in the winter, but it does need to be open Sunday in the summer.

Mr. Schneider noted that they did move lakefront routes to Mondays to help alleviate the problem.

Mr. Crate would like the Transfer Station open on Sundays in July and August and until the weekend following Labor Day.

Mr. Schneider replied that it may be kept open Sundays longer in order to collect more data.

Mr. Kluge asked that the employees be informed that the Board went through this process.

Mr. Crate asked if there were other employees available so they could rotate.

Mr. Schneider informed the Board that at least 50% of the attendants must be certified. The Town currently has 5 employees that are certified.

Mr. Kluge asked about trash on Algonquin road. Did we get the Toters?

Mr. Schneider replied that Ken Daniels was working with Northeast Waste on that. He will get an answer for the Board. He hasn't heard anything from the homeowners.

Sale of Property ~ Map 21-43 Meadow Lane, Map 21-46 NH Route 4A:

Mr. Schneider was approached by Mr. Cole on Meadow Lane. The two properties are located on either side of Mr. Cole's property. The person who bid on these properties in a previous year didn't follow through due to issues obtaining title insurance. Because Mr. Cole has no plans to build he would not require title insurance. Mr. Cole offered \$500 for both properties.

Discussion ensued regarding the need for a special exception for septic systems on these properties due to their small size.

The previous bidder was unable to get title insurance because of the notification of the previous owner. The Town followed State statute, but the title insurance company required that each owner, husband and wife, receive separate notices of impending sale or lien. Even if the Town does everything exactly the way it's supposed to the title insurance company may have a problem. The Town has changed its procedures to avoid this problem in the future.

Mr. Crate said that he would not sell the properties for \$500. Mr. Cummings asked him what he thought was reasonable. Mr. Crate was unsure but suggested Mr. Cole come back with a counter offer.

The Board discussed whether these properties have access to water. It is believed they could, but this will be researched to verify it.

Mr. Kluge said on that regard, perhaps they could go for \$2,000 each.

Mr. Schneider will go back to Mr. Cole with that.

IX. NEW BUSINESS

Budget 2009:

The State has approved a budget. The Town doesn't get Shared Revenues; \$25,000 was budgeted. Rooms & Meals was set at 2008 levels. The Town budget includes \$175,000 for Rooms & Meals and can anticipate up to \$216,000, a difference of \$41,000.

Mr. Kluge asked if that was a guaranteed sum or if it depends on how things are going. He was informed by Mr. Schneider that it was believed to be up to \$216,000. Mr. Schneider believes the State will keep anything in excess of that amount. This payment is received from the State in one check. Highway Block Grant funds are paid in separate amounts.

Mr. Schneider provided the Board with a spreadsheet of actual and budgeted revenues from 2005-2009, including actuals to date. If the Town meets 2008 levels we will potentially be \$16,000 above on the revenue side with Rooms & Meals. What we received in actual revenues last year is what was budgeted for revenues this year.

Another impact is a change in the retirement share for the Town in the State retirement system. For the biennium it will add \$10,700 to the Town's bottom line.

Mr. Cummings summarized that we would still be \$6,000 above where we thought we were going to be.

Mr. Kluge added that is providing projections come to pass and could be affected if people didn't buy enough rooms and meals.

Mr. Kluge asked for clarification of a retirement issue he had read about relating to added contributions for part-time and special duty. This was in the latest Legislative Bulletin as if it was a done deal.

Mr. Schneider explained that this is only for Police. The issue is making changes to the retirement system that's fair to employees and towns. There are suggested changes to employee contributions and how calculations are made.

Chief Crate stated that the issue is still going back and forth in the legislature.

Mr. Kluge inquired about the impact if it were to go through.

Chief Crate explained that they've discussed this at their association meetings. The Special Detail rate in Enfield is about \$58/hr. This covers all expenses the Town would incur. It contributes to retirement. Some say that's OK, some disagree. The last three years of employment, some officers get greater retirement by "loading" their salary with Special Details. Chief Crate related that one city in NH gave such a great retirement package that it blew open the retirement fund in a lot of ways.

Mr. Schneider added that achieving change in retirement is difficult to do. The proposed change shouldn't have a major impact on the Town's contributions.

The Board discussed choices that it could make depending on what was approved for a State budget. Another officer hasn't been hired. It wasn't deferred, but it's a long process. This has resulted in some savings. The Department is currently testing a promising candidate. It will probably be another month before an officer is hired. This fills a vacant position, but does not create a new one. The Department will soon be losing another officer for a year. The size of the force has not changed in at least 6 or 7 years.

Roadside mowing can be eliminated for a savings of \$10,000.

Mr. Schneider said the priority is employees, then equipment. The cruiser and pick-up were deferred. If raises are provided and vehicles purchased there could be \$50,000 in contingency.

Mr. Kluge asked how much more money was available. He was informed that it's close to \$200,000.

Mr. Cummings would like to go ahead with the equipment purchases and employee raises retroactive to April 1st. Employees have been good with the delay and we're better off than we thought we'd be.

Mr. Kluge asked what the expense would be for the year. Mr. Schneider was not able to provide a specific number, but it is included in the budget.

Mr. Cummings moved to give raises retroactive to April 1st, Mr. Kluge seconded; vote unanimous.

Mr. Cummings moved to go ahead with the purchase of the cruiser and highway pick-up with the stipulation that the pick-up be brought before the Selectmen before it's purchased, Mr. Crate seconded. Mr. Cummings and Mr. Crate voted in favor of the motion, Mr. Kluge opposed, motion carried.

One pick-up was purchased for the Water & Sewer Departments and was separate, part of the water and sewer rates. Mr. Crate asked why this didn't come to the Selectboard. Mr. Cummings would like large purchases to come before the Board. Mr. Crate would like that as well, except for cruisers.

Mr. Cummings moved that capital vehicle purchases over \$20,000 be brought before the Board of Selectmen before purchase, Mr. Kluge seconded; vote unanimous.

Mr. Schneider pointed out that there are certain things the Town Manager is authorized to do. He can keep the Board informed of purchases.

Mr. Cummings replied that it's the Selectmen that are asked questions about the purchases.

Mr. Schneider noted that care must be taken of what Town Meeting has approved.

Mr. Cummings stated that even if the Selectboard is simply informed of the purchase. Mr. Crate was aware of a truck and was not supportive of the purchase. Mr. Crate explained that it wasn't the vehicle purchase that he was opposed to, but the specifications of the vehicle.

FY 2010 Budget Schedule:

Mr. Schneider provided the Board with a proposed schedule for preparation of the 2010 budget. The format is different in order to incorporate some of the budget changes previously discussed. The schedule includes activities, who is involved in each activity and projected dates.

Extension of Cable Television Franchise Agreement:

The Board received a proposed extension of the Cable Television Franchise Agreement with Comcast through to September.

Mr. Cummings moved to extend the Cable Television Franchise Agreement through September, Mr. Kluge seconded, vote unanimous.

Administrative Items:

The Board reviewed and approved the following documents: Land Use Change Tax, Property Tax Refunds, and Elderly Exemption.

Mr. Cummings noted that he has no problem with the purchase of a DV player for Enfield Channel 8.

X. OTHER ITEMS

Next Meeting:

Public Hearing to discuss sewer line and Special Town Meeting, July 27, 2009, Enfield Community Building

Special Town Meeting, August 3, 2009, Enfield Community Building

Regular Selectboard meeting, August 3, 2009, Enfield Community Building

CONFERENCE

I. NON-PUBLIC SESSION

Mr. Kluge moved to enter non-public session at 7:58 PM, RSA 91-A:3 II (a), Mr. Cummings seconded; vote unanimous.

Mr. Kluge moved to come out of non-public session at 8:25 PM, Mr. Cummings seconded, vote unanimous.

II. ADJOURNMENT

Mr. Cummings moved to adjourn at 8:26 PM, Mr. Kluge seconded, vote unanimous.