

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

MINUTES of December 21, 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 Crate, Chief of Police

Others: Alex Vogt, Bob Aubry, NH Dept. of Transportation, Bureau of Highway Design; Alan Hanscom, NH Dept. of Transportation, District 2; Dan Kiley; Paul Mirksi; Don Roberts; Earl & Barbara Brady; Kim Quirk; and other members of the public.

BUSINESS MEETING

I. CALL TO ORDER

Mr. Crate called the meeting to order at 6:02 pm.

II. APPROVAL OF MINUTES

December 7, 2009:

Mr. Kluge identified two typographical errors. Page 9, 2010 Budget, paragraph 3, change “no” to “not.” Page 10, 2010 Budget, paragraph 2, change “is” to “has been.”

Mr. Kluge moved to accept the minutes of December 7, 2009 as corrected, Mr. Crate seconded, vote unanimous.

III. COMMUNICATIONS

NH DOT 2010 Highway Block Grant Aid:

The 2010 Highway Block Grant Aid is about \$6,000 over what was in the preliminary budget.

IV. BOARD REPORTS

There were no Board Reports.

V. TOWN MANAGER'S REPORT**Enfield Channel 8 ~ Cable Access Channel:**

There was an Enfield Channel 8 board meeting last week. They talked about moving forward and how the channel can succeed. The big thing is financing. They spoke about the Franchise Fee going to support the station as is typically done. They discussed developing a budget using those fees. The Franchise Fees are currently at 3.5% and can go as high as 4.5%. This can be considered during negotiation of a new franchise agreement. There may be a way for the Town to retain some fee, perhaps by increasing the fee so the extra 1% can go to the channel. The Selectboard can anticipate a request for those dollars.

Smith Pond Dam:

The Smith Pond Dam repairs are essentially complete. There is money in the current budget for inspection. The plan is to have the property owners repair and maintain the dam and the Town will inspect it. There is a question about who will eventually own the dam. A defunct partnership still owns the dam. There has to be some type of transfer. Acceptance would have to be at Town Meeting. The Town doesn't want to end up maintaining the dam and paying for repairs. Mr. Schneider spoke with Dr. Baker. Mr. Schneider would like to find a way to finance repairs without using taxpayer dollars. The Town and property owners will likely have an agreement that protects the Town from maintenance costs, provides public access and Town inspection of the dam. Perhaps an expendable trust fund can be established by the property owners for dam repairs. That protects the Town and may allow tax benefits. The Town's attorney is working with their attorney.

Mr. Crate asked if this might be a warrant article in 2010. Mr. Schneider replied that it may.

Revaluation:

The revaluation is complete and data is available. Mr. Schneider met with Lee Carrier and Bob Cusick and discussed the data and some of the reports our software can produce. They're pleased with that.

We've had a daily stream of people looking for abatement forms. Early in 2010 Mr. Schneider may go over the abatement process with the Selectmen. There is \$100,000 in overlay that's funded.

Mr. Kluge asked if the revaluation data could be picked up if they want to view it. Mr. Schneider replied that they could. This is the sales analysis. Norm Bernaiche still has information for the State and will provide information to the Board.

VI. PUBLIC COMMENTS**Revaluation:**

A member of the public informed the Board that she was away on vacation when revaluation hearing appointments were taking place. She emailed Julie Huntley regarding an appointment and did not hear back. Did anyone who didn't file a complaint get reassessed?

She was informed that, yes, some adjustments were made to some types of properties. She was also informed, upon inquiry, that abatement applications could be obtained in the Town Office.

VII. OLD BUSINESS**Shaker Bridge/Rail Trail:**

Alex Vogt, NH Department of Transportation, came before the Board to discuss the Shaker Bridge and Rail Trail project. Mr. Vogt has met with Mr. Schneider and Paul Mirski.

Mr. Vogt introduced Bob Aubrey and Alan Hanscom, also of the NH Dept. of Transportation (NHDOT).

A public hearing was held by NHDOT in 2004 where lots of public input was received. NHDOT met with the Board of Selectmen in May. The plan shown at this meeting came out of the public hearing process. The plans call for replacing the bridge with a sidewalk on the north side and bump-outs on the south side for fishermen. There will be 5' shoulders for bicycles. The rail trail includes a new structure over Main Street. This structure is 130' long due to the skew of the roadway. It separates the rail trail from Main Street. The rail trail will have access to the sidewalk on Main Street. A right-of-way is in progress. The bridge/rail trail project will be under construction for a couple of years. The bridge will be closed for one season.

The State was asked to consider an at-grade crossing. The planned structure is for trail use, not railroad use. The cost is estimated at close to \$1 million. If not done, \$1 million doesn't go back into the bridge project.

NHDOT will work with the Town as best they can regarding certain amenities. They want to get public input. They have had some contact from interested parties. The Friends of the Northern Rail Trail want the trail as currently planned. The Rails Bureau wants the rail trail bridge as well.

A sidewalk on both sides of the bridge would be time consuming and cost prohibitive. The bridge is pretty much designed. Sediment makes it difficult to handle extra load. Adding a second sidewalk would likely result in a one year delay. Moving the sidewalk to the other side is easier but could have some significant impacts on the Bill property. This could delay the project by 6 months. It is easier to redesign the sidewalk on the other side.

Ornamental lighting on the bridge that is similar to the lighting on downtown bridges is possible. The Town would pay for any ornamental lighting. The cost at the time of the preliminary design was about \$4,000 per light; the cost may be more now. The cost will still be less expensive through the State.

There was a request to the State to reuse granite blocks from the current underpass abutment. The State is willing to reuse these. If they go with an at-grade crossing they can bring the trail down and curve it away toward Brendan Lane. They would do a 5% grade to Main Street where the rail trail would cross perpendicular to the street, then a 5% grade back up to the rail trail. They would need to relocate the granite blocks, but may be able to save one abutment.

Paul. Mirski said that he and Mr. Schneider visited the NHDOT office. They spoke at that time about switching the sidewalk from the north side to the south side. Mr. Mirski doesn't see any significant change to the right-of-way. The reason for changing the sidewalk to the other side is

because that's where the views are. He would encourage at least changing the location of the sidewalk.

Mr. Mirski added that the reason for the sidewalk on the north side was to have a continuous sidewalk to the beach. We don't know for certain about the beach, but most of the lake will always be to the southeast of the bridge.

Mr. Mirski said that dispensing with the rail trail bridge will provide the opportunity to open up the views to the lake. The benefit to the Town and economic development would be to improve the relationship to the lake. The trail bridge will re-establish a barrier between downtown and the village and the lake. The amount of traffic is not constant. When you weight he benefits of economic development vs. safety it weighs highly in favor of an at-grade crossing.

Mr. Mirski went on to say that when it comes to lighting we'll see what we can afford. It's best to have two sidewalks. Bridges in NH are often utilitarian. In other places they try to have a better design. He would like this infrastructure to do more to benefit the community.

Earl Brady asked if the rail trail crossing were to be an at-grade crossing, how long [a span] would open up. Mr. Vogt informed him that they can bring it back about 150' to 250' from Sargent Street or maybe before that.

Mr. Brady asked if the at-grade crossing will allow us to see the lake better. Mr. Vogt said it would

Kim Quirk asked what the height of the rail trail bridge would be. She was informed it would have a 14-1/2' clearance.

The difference in the view of the lake would be a few seconds. At 30 mph for 200' to 300' it would be about 4 seconds of view of the lake in one direction.

Mr. Mirski said that getting rid of the bridge also removes impediments to the view of the mountain as well. Now, the plan is for a considerable impediment to the view more than now. They might as well build a railroad bridge with the amount of bridge to go in.

Discussion ensued regarding the value of a rail trail bridge vs. an at-grade crossing. Arguments for the bridge include ease of use and safety of those that use the rail trail, particularly children who might not have the skills to ride a bike down a 5% grade and come to a stop for a safe crossing on Main Street. Arguments for an at-grade crossing include improved views, more visibility of the roadway for vehicular traffic on Main Street, and slower, and thus safer, speeds of snowmobiles.

Mr. Vogt noted that NHDOT will have the 5% grade come down then flatten out before it reaches the roadway. There would be increased visibility of the roadway ahead for vehicular traffic.

Mr. Vogt was asked, when the Shaker Bridge is removed, if the underpass would be removed. He explained that the plan is to remove the structure when the bridge is closed.

A member of the public had heard the town beach may move to the old motel property. Mr. Schneider said that has been part of the Town's discussion with the State. When the State is done with the property they would have to declare it surplus. The Town is the first non-State agency in line. Mr. Vogt added that the NH Dept. of Resources & Economic Development has thought about using that parcel for parking for the rail trail, primarily in the winter.

Don Roberts noted the Police Chief was saying the more you can see the safer it would be. The rail trail bridge is ugly. Mr. Roberts is more concerned about safety. Does it make sense to have a "no thru trucking" sign?

Mr. Vogt was not sure that could be done. Mr. Roberts believes it can be done. Mr. Vogt replied that the State had the same issue about the bridges on Main Street, but it can't be done because it's a State road. NHDOT doesn't anticipate a lot of truck traffic, but Mr. Roberts believes it would be used as a cross-over.

Mr. Roberts would like to see a method to slow traffic; maybe a speed bump.

Discussion ensued regarding truck traffic, including existing truck traffic on Shaker Hill Road. Chief Crate noted that some trucks now use Shaker Hill Road. A number of trucks are going to Springfield to lumber yards, but use Route 4A only.

Barbara Brady asked where NHDOT was changing the contour of Main Street. Mr. Vogt stated that it would be a few hundred feet near Sargent Street. The opening will be shifted 100' to 150' and will cross almost to Sargent Street.

A member of the public said that 90% of the traffic on the rail trail starts in Lebanon and ends in Enfield. All of the rail trail crossings in Lebanon come in even with the road, nothing dips until the Carl Patton Bridge in Enfield. From downtown Enfield and east the rail trail gets little use. She thinks families will turn around at that crossing and not come into Enfield. Asking a 5 year old at an intersection to break and stop for traffic is too much.

Mr. Mirski said the first thing you should think about is the potential of the first bridge cross for development of a community park. There are properties to discuss acquiring from the State. If we're able to develop our waterfront the aesthetic benefits would be tremendous. The plan adds this heavy-duty structure in the middle of what should be a visual benefit to the community.

A member of the public asked if the underpass is being removed because its State policy since it has no direct connection to the bridge.

Mr. Vogt explained that it's a constriction. NHDOT went to the public and there was support for this. Does it have to be done? No.

Mr. Crate noted that while the danger of truck traffic has been mentioned, snowmobiles go 80-90 mph on the trail and this is a safety issue for cross-country skiers.

Mr. Roberts said that taking out the rail trail bridge would slow snowmobiles.

Ken Daniels and Steve Schneider met with the State property appraiser. There hasn't been discussion of the impact on the Town beach. It looks like, for the bulk of the project, the Town would lose 85% of the beach.

Mr. Vogt responded that NHDOT didn't know if the sewer replacement would be on that side. Part of the access shown in the plan is to access the causeway. They could do this after the summer so the Town won't lose use of the beach during the summer months.

Mr. Vogt said a minor disruption of the Boat Landing on the south side is expected during grading and paving. There will be greater disruption of the boat landing for the sewer line.

Mr. Schneider pointed out that the plan is not to do the sewer line when people are putting boats in the water. The goal is to complete the project before May. Mr. Schneider hopes to be able to award the sewer line contract tomorrow.

Mr. Roberts asked if there would be a chance at that time to enlarge the beach.

Mr. Vogt said the Town would have to work with the wetland issues. If there's something the State can do there, we can talk about it.

Mr. Roberts said that when the State did Main Street, a Town Committee was formed to talk about lighting. Is the Town considering a committee for this project? The Main Street project, the downtown bridges, came out beautifully.

Mr. Schneider responded that they Selectboard appointed Paul Mirski to do just that; pay attention to the details. The Selectboard will also work with existing committees.

Mr. Vogt was asked if the rail trail bridge could be the same [as the other bridges]. He responded that the State went with a truss design on the rail trail. With the other type beams would be needed and they would have to raise the trail. The truss design is less obtrusive..

It was noted that if it wasn't such a skewed crossing the rail trail bridge wouldn't have to be so long. The length was done for sight distances.

Mr. Roberts said a good reason not to have the bridge is if we're going to develop that land.

It was commented that removing the underpass will increase truck traffic, but we don't know the number.

Mr. Roberts's concern is all the traffic. Straighten the road and people will speed up.

Discussion ensued regarding NHDOT work to take place on NH Route 4A to Evenchance. This will primarily be pavement improvement. There will also be improvement from the Bridge to the Shaker Museum with greater room for bicycles.

Mr. Roberts brought up a potential sewer line crossing on NH Route 4A. The crossing wasn't done before the last paving job was done. He has a proposal for putting in a crossing for a sewer line for about 10 properties. About half of the property owners want it. The land there is mud

and water. He would think DES would have some interest. Maybe there's be some special funding available, though Mr. Roberts would pay for the whole thing himself if need be.

Mr. Schneider asked if the pavement gets done in 2012. Mr. Vogt said they won't constrain the contractor. The contractor may want to pave when the causeway is being loaded, but may want to wait until the end of the project.

Mr. Roberts will come back to talk about the NH Route 4A sewer line crossing proposal some time after the new year.

The Shaker Bridge project funding is 80% Federal dollars, 20% State dollars. The Town has responsibility for sewer cots and ornamental lighting.

The Selectmen unanimously agreed that they do not want the rail trail bridge, but instead want an at-grade crossing.

Sewer Force Main Contracts:

Mr. Schneider provided the Board with a bid tabulation. Bore Tech LLC came in significantly lower than the others. There were subsequent meetings with Bore Tech, the State and engineers. They've been able to secure a performance bond.

Mr. Crate asked what happens if they can't fulfill their obligations. He was informed by Mr. Schneider that this is what the performance bond is for.

Mr. Cummings moved, as Town Manager, to authorize Steven Schneider to sign all contracts related to this project, Mr. Kluge seconded, vote unanimous in favor of the motion.

Peter Bill's easement was drawn up by the Town's attorney. Appraisal was done by Norm Bernaiche and came to \$3,800 for the permanent easement and \$1,000 for the temporary construction easement. Mr. Bill is happy with that amount. The permanent easement takes 1400' of his property. In all likelihood it will be an improvement over what exists now.

The State is comfortable with everything we've done so far.

Mr. Cummings moved to award the contract to Bore Tech LLC, Mr. Kluge seconded, vote unanimous in favor of the motion.

Bore Tech will stage higher at the boat landing, near the trees.

Mr. Crate asked if they would hook in this winter.

Mr. Schneider said that was up to the contractor. They won't dig up the road this winter. The main part of the work is drilling under the lake. They will have to store the line itself. It's 1,400' long.

Mr. Cummings said that if the line is stored on the rail trail he wants to post it for snowmobiles.

Mr. Schneider reported that at the bid opening the State was asked when a decision has to be made regarding bonding. Funds are already available for the contractor to use; the money is there. He will push the engineers to come up with better numbers.

The State has a surplus of stimulus funds. They're having trouble finding qualified projects.

Cable Franchise Renewal:

Comcast is changing our Comcast representative.

Mr. Schneider discussed another extension of the Comcast Cable Franchise Agreement.

Mr. Cummings moved to extend the cable franchise agreement, Mr. Kluge seconded, vote unanimous in favor of the motion.

Mascoma Savings Bank Grant:

The Town was awarded a Mascoma Savings Bank grant for the Trails Map proposed by Kurt Gotthardt. The Town applied for \$1,500 and received \$1,000. Mr. Schneider spoke with Mr. Gotthardt regarding what the money should go for. If we include trails behind the Shaker Museum the Town wants them marked. NH Fish & Game doesn't want any of their trails marked. Kurt Gotthardt wants them on the guide even without markings. Mr. Schneider feels we should still do the guide but not include the LaSalette/Fish & Game land.

Mr. Cummings asked that Kurt Gotthardt come before the Board to discuss this.

Mr. Schneider informed the Board that \$1,000 will cover the printing costs. The extra funds requested were for the trails marking.

VIII. NEW BUSINESS

2010 Budget:

Mr. Schneider provided the Board with a spreadsheet of budgeted and actual revenues from 2006 to 2010. The Budget Committee met to discuss capital requests and to discuss places to cut spending, such as offering no employee health insurance, or not offering non-residents free fire calls. Revenue numbers have changed a bit. There is a slight increase for 2010 over what was previously reported. The Highway Block Grant funds for 2010 are up \$6,000. 2009 revenues from Interest & Penalties are close to \$80,000, so a \$65,000 estimate for 2010 is still conservative. Land Use Change Tax may have crept up a little. Motor vehicles may need further adjustment; \$700,000 might still be a conservative number, but is higher than what's now projected. Any revenue increase is less to be raised in taxes or cut from proposed expenses. Heavy hitters are motor vehicle fees and money from the State.

Mr. Crate asked what Mr. Schneider meant about charging non-residents for fire calls.

Mr. Schneider explained that it was proposed that a person be charged if they're in the woods and start a fire.

Mr. Crate replied that it's up to the State if it's a forest fire.

Mr. Schneider added that in Pennsylvania they were going to start to charge people if someone is out being reckless and starts a fire.

Mr. Crate said it's the same with a fire. Regardless if it's a resident or non-resident, the State would prosecute.

Mr. Schneider said the goal is to be at a flat property tax, to not change that at all. So, between now and the next Budget Committee meeting in January it means crafting a budget to meet that goal.

Expenditure of Capital Reserve Funds:

The Board reviewed expenditures for which withdrawals of capital reserve funds are requested: **Whitney Hall Renovations, \$6,763.80** for painting and glass; **Emergency Services & Equipment, \$12,525.00** for a 1997 Ford F-150 for the Fire Department; **Revaluation, \$26,767.00** for contracted revaluation services; **Technology Services, \$19,200.00** for various technology including computer purchases, repairs and replacements and service contracts. Technology expenses were budgeted in 2009, \$22,766.76 was expended, but only \$19,200 was authorized by Town Meeting to offset this expense.

Mr. Kluge moved to approve the 2009 expenditures from capital reserve funds as presented, Mr. Cummings seconded, vote unanimous in favor of the motion.

Energy Committee Appointment:

Bo Petersson has served as an alternate on the Energy Committee and his appointment as a regular member was approved by the Energy Committee. Mr. Petersson has been an active member of the Committee and has also worked on the new Library geothermal system.

Mr. Kluge moved to appoint Bo Petersson as a regular member of the Energy Committee, Mr. Cummings seconded, vote unanimous in favor of the motion.

Administrative Items:

The Board reviewed and approved the following documents: Planning Board Appointment of Paul Withrow (approved 11/16/2009), Certification of Yield Taxes Assessed and 2009 Property Tax Abatements and Refunds.

IX. OTHER ITEMS

Next Meeting:

Monday, January 4, 2010, 6:00 PM, Whitney Hall

Robert LaCroix ~ McConnell Road:

Mr. LaCroix has asked to come before the Board to discuss land on McConnell Road.

CONFERENCE

I. ADJOURNMENT

Mr. Cummings moved to adjourn at 7:37 PM, Mr. Kluge seconded, vote unanimous in favor of the motion.