

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

**MINUTES of October 1, 2007**

**Board of Selectmen:** Curtis Payne, Chairman; Rebecca S. Stewart; Donald J. Crate, Sr.

**Administrative Staff:** Steven Schneider, Town Manager; Alisa D. Bonnette, Recording Secretary; Ken Daniels, Director of Public Works; Richard Crate Jr., Chief of Police

**Others:** Glyn & Shirley Green; Kim Withrow; Rick Bean; Erin Hammond; Dan Kiley; Richard Martin; Aura-Lee Nicodemus; and other members of the public

**BUSINESS MEETING**

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

Mr. Crate moved to accept the regular session minutes of September 17, 2007; Mrs. Stewart seconded, vote unanimous.

Mr. Crate moved to approve the minutes of the non-public session of September 17, 2007 printed; Mrs. Stewart seconded, vote unanimous.

**III. COMMUNICATIONS**

**Estate of Charlotte Rowell Bursey:**

The Enfield FAST Squad was named in Mrs. Bursey's will as a beneficiary of a gift of \$5,000. The Town and FAST Squad are grateful.

George Seiler Correspondence ~ Wetland Reform:

Dr. Seiler is still pushing for the Town's acceptance of the Wetland Evaluation of 1992 to be used as a basis from which to make wetlands decisions. There is a difference of opinion between Dr. Seiler and the Planning Board. The Planning Board wants to consider each application on an individual basis. A point needs to be reached where everyone can agree on objective standards.

Mrs. Stewart would like an agreement to be reached sooner rather than later.

**Allstate Polyethylene Corp ~ Lovejoy Brook Road:**

Joseph Cioffi, President of Allstate Polyethylene Corporation, requests that Lovejoy Brook Road not be paved. His concern is that paving the road will cause it to become a drag strip. Mr. Cioffi is concerned that if and when the project develops it could lead to faster traffic.

No information has been heard from the developers. One potential exit would be at Lovejoy Brook Road, another is to have one combined entrance/exit opposite Bearly Used Books.

**Thank You:**

The residents of 26 Cogswell Way expressed their appreciation for the additional time provided to them with a nice thank-you card.

**IV. BOARD REPORTS****Heritage Commission:**

The Heritage Commission went over the timetable for getting the financials to the Town for the filing application for the National Historic Register in time for the 2008 budget cycle. The Commission also had some discussion of stone walls, but the main focus of the group is to prepare for Town Meeting for the Historic District application.

**Capital Improvement Program:**

The last meeting was just an hour long. The main subject was the Library and their project and most of the discussion was held in non-public session.

The Library Building Committee met with the CIP Committee and with the School Board. Discussion with the School Board included how there can be joint sharing of resources.

**Recreation Commission:**

The Recreation Commission was given the homework to decide what they think the Town should offer, to what ages, what athletics, what theatre, etc. This will drive who we seek for a Recreation Director. The Commission is interested in becoming a varied department. They will work towards a goal of expanding programs. There are a lot of folks ready to lend a hand.

There has been mention of partnering with other entities, other communities. Each community would not have to develop individual offerings. It will take some time to get there.

**V. TOWN MANAGER'S REPORT**

Mr. Schneider reminded the Board that he leaves on Saturday for Pittsburg for the International City Managers Association Conference. He will return to work on Thursday.

The 2008 budget process has begun. Depending on how capital projects work, there should not be a major increase. Mr. Schneider had department heads submit budgets that were 2% lower than the prior year, level funded, and 2% higher than the prior year. He still must sit down with Lee Carrier to go over the budget process in terms of how the departments are treated when reviewed, specifically focusing on the bigger items. The Budget Committee has also spent an increasing amount of time on the agency funds.

**VI. PUBLIC COMMENTS****Dan Kiley ~ Barbecue Grill Regulations:**

Dan Kiley asked if there is anything that regulates barbecue grills. He relayed a story of a gas grill being used on the second floor of an apartment building.

Discussion ensued about regulations for open flames, chimineas, fire pits and charcoal grills. No one was aware of regulations of gas grills, however, Phil Neily, Building Inspector/Health Officer/Fire Inspector will be notified as this might be regulated from a multi-unit dwelling standpoint.

**Richard Martin ~ Proposed Verizon Tower:**

Mr. Martin asked if Verizon would allow the Town to use a portion of the tower. He was informed they would.

Erin Hammond asked if it was a safety issue. Chief Crate replied it was not, unless coverage were to extend to the Bog Road.

**Glyn Green ~ Crystal Lake Monitoring:**

Mr. Green asked how the Crystal Lake Association could obtain funding from the Town to assist with the monitoring of the boat launch at Crystal Lake. This year they ran out of State funding and volunteers. Because the hours most needed for coverage are weekends, it would be difficult to keep unpaid volunteers. There was a boat that came in from Vermont after Labor Day that was at Crystal Lake and then at Goose Pond. Eurasian milfoil was found on the boat trailer. So far, Crystal Lake doesn't have any Eurasian milfoil and they would like to keep it that way. It's a beautiful lake and they want the opportunity to protect it. Monitoring needs to extend beyond Labor Day.

Monitoring is also done on Mascoma Lake. It was mentioned that if additional funding, above and beyond that provided by the State, is provided for Crystal Lake, funding should also be provided for Mascoma Lake.

The Town does already provide funding for water quality testing.

Mr. Green was advised to submit a request for funding as soon as possible as the budget process has begun. The request will then go before the Board of Selectmen and Budget Committee for consideration.

Shirley Green pointed out that they are likely to receive less State funding next year as there are more lakes participating in the monitoring program.

Discussion ensued regarding funding sources. It was suggested there be a three-way match from the Town, State and residents. Mr. Green noted that they have been allowed to use volunteer hours as their match in the past.

**VII. OLD BUSINESS****Lockehaven Drainage Project:**

There was no update.

**Fiber Project ~ WCNH.net:**

Mr. Schneider reported a reduction to \$20,000 in funding required from the 8 participating communities, so Enfield's portion will be lower than originally anticipated.

**CATV:**

Mr. Schneider has had a couple of people ask if the Selectmen's were going to be on television again. The elementary school principal is also interested.

Mr. Payne is going to submit a budget to the Town Manager. The basic expense will be electricity. Steve Goldsmith can hang a meeting. Mr. Payne thinks it can get done quickly and well.

**Whitney Hall Repairs:**

Mr. Schneider spoke to Lloyd Hackeman and he'll be in to do the windows. There is about \$4,000 left in the Whitney Hall Renovation Capital Reserve Fund after this project. Mr. Schneider would like to hold onto those funds in case there's an emergency need for them. Money should also be put into the fund during the next budget cycle for future projects, including exterior painting and replacement of more windows.

Mrs. Stewart estimates exterior painting costs at \$10,000 per side.

As part of capital planning, Mr. Schneider will look into the cost of replacing other windows and the cost to paint. The windows being replaced this year are the worst ones.

Mrs. Stewart stated the stage and window curtains are supposed to arrive this week.

**Stump Dump:**

No update at this time.

**Sale of Property:**

There has been some progress with the Route 4A property. There is an agreement in place between Sylvia Kingsbury and Clyde Farewell. The Town will deed the property to Sylvia Kingsbury and she will in turn deed the property to Clyde Farewell. There is the possibility that the current residents could get the property back. From the Town's perspective, the property is back on the tax roles, it will be cleaned up and those that have a legacy may retain it.

The Selectmen signed the deed from the Town to Sylvia Kingsbury. The Town will send the deed to the Grafton County Registry of Deeds for recording.

The auctioneer has been contacted and the auction of Town-owned property will probably be held at the Public Works Facility. Property descriptions, tax cards and other information will be provided to the auctioneer.

Mrs. Stewart has had it suggested to her that money from the sale of property go to the Land Acquisition Capital Reserve Fund. Mr. Schneider replied that the sale of property is counted on as a revenue source and to place it in capital reserve would result in an 8 cent or 9 cent impact on the tax rate. It could, perhaps, be a percentage of sales. It would also require a vote of Town Meeting. It could be approached in a similar manner to that used for revenue from the sale of cemetery lots, where the year following the receipt of funds the Town Meeting votes to transfer the same amount of funds from the general fund to the Cemetery Maintenance Capital Reserve Fund.

**Non-Resident Pay-As-You-Throw Program Update:**

It is still an active program; people are still coming in and buying bags. We charge \$3.00 per bag, which is high on purpose. If PAYT were considered for residents it would be closer to \$1.50 or \$2.00 per bag. Our only cost to this program is the tipping fees.

**VIII. NEW BUSINESS**

**Verizon Wireless:**

Tom Hildreth, the local attorney for Verizon Wireless, came before the Board to request a Special Town Meeting. Attorney Hildreth provided a proposed warrant article for the Special Town Meeting that would authorize the Selectmen to "...enter into one or more agreements to lease town-owned property for longer than one year to one or more providers of wireless communications services for the purpose of installing and operating wireless communications facilities thereon." The Board was also provided a draft lease agreement to lease space on the water tower property off US Route 4. Ordinarily, when the Selectmen enter into a lease agreement it can be for no longer than one year.

Attorney Hildreth spoke with Police Chief Crate regarding the benefits to the Town.

Even if the article is approved as written, the carrier would still be required to win land use approvals from the land use boards.

Attorney Hildreth explained the financial reasons for requesting a Special Town Meeting, which could be convened within 30 days. Verizon can't sign a lease with the Town without the Town Meeting authorization to enter into a multi-year agreement. If this project doesn't make sufficient progress, Verizon may not provide funding for this project next year. For the Town's benefit, the consumer's benefit and Verizon's benefit, they would like to move this along.

The Board considered a number of factors, including the need for election workers and a location to hold a meeting. The Board did not decide if this is in the best interests of the Town or not. They anticipate the public asking why they are doing this. They don't expect a Special Town Meeting to be well attended.

Attorney Hildreth replied that the Town would collect rental income. The Police Department uses the Verizon wireless air card in their laptops. Verizon would pay the cost of publication, police detail, etc., required to hold the special meeting.

Mr. Schneider suggested that it might be helpful for Verizon to demonstrate that there will be coverage after installation where there currently is none.

Mrs. Stewart asked Chief Crate if a Verizon tower is constructed sooner rather than later would it make a significant difference in operations? Chief Crate replied that he would have to see coverage maps before he could make a determination.

Dan Kiley asked if the tower would be put in before March. Attorney Hildreth replied that it would if the article were approved, a multi-year lease signed and land use approval granted.

Mr. Crate expressed support if it provides increased coverage and safety for the Town's emergency response teams. He asked Attorney Hildreth to provide additional information by the next meeting of the Selectmen.

**Ambulance Recognition:**

Kim Withrow, on behalf of the Enfield FAST Squad, presented a plaque to Rick Bean in appreciation for all he has done for the FAST Squad and the residents of Enfield. He is always there to lend a hand, day or night, whether called out or not. Many thanks to Rick Bean for all he has done and continues to do for the Enfield FAST Squad.

**Transfer Station Traffic Report:**

The Board provided a graph of the actual traffic into the Transfer Station.

**Community Building Oil Tank:**

The Board received a quote from Irving for installation of an underground propane tank. There is currently a 125-gallon tank and the new tank would be a 500-gallon tank. It appears that the quote is merely for the work, not the tank itself. The cost is important, but the more important question is do we want to bury the tank? The Community Building draws a lot of positive comments. Money has been spent on the ramp and lighting. When asked if we had the money to pay for this, Mr. Schneider responded that the money could be found.

There are two questions for the Community Building, the tank and a dumpster.

Mr. Crate thought the original plans called for burying the tank, but that it was held up until the parking and ramp were decided upon.

Mr. Schneider will talk to the Lions Club to keep them up-to-date. The tank would be buried on the Main Street side of the building near Route 4. The increased tank size should reduce the number of trips to refill so the building would run out of propane less often.

**Grafton County Correctional Facility:**

The Selectmen received information from the Grafton County community group and from Grafton County Commissioners regarding the Grafton County Correctional Facility. The Grafton County community officials are asking the Town to pass a resolution to put a moratorium on the project, as well as a resolution to appoint a representative to the Grafton County community group. The next meeting of the Grafton County community officials is October 15<sup>th</sup>. There have been communities that passed these resolutions and some that like the ideas but want to provide their own resolutions.

Police Chief Crate spoke about how there may be limits on the number of people they can take into the existing facility. The Town may have to transport people elsewhere in the State, which involve greater travel time. From the Police Department perspective, he does not want officers driving long distances to transport prisoners. Do we want to bear all the cost ourselves or should the county as a whole pay the cost?

Mr. Payne feels that it should at least be studied. He does not think a moratorium would work for the Town of Enfield. He encouraged the other two selectmen to go up to the current facility for a visit.

Mrs. Stewart said there's a need for the jail, library and school. That's one of her major concerns about the project. People will be really hurting tax-wise.

They hope to have a hearing in January. Obviously the County has the smallest portion of the taxes. But on a municipal level, we begin capital reserve funds to assist with funding. The County hasn't done that. The paperwork says they've been discussing this since 1999. Architectural funding has already been approved.

The Selectmen may want to send letters to our local representatives who carry weight with the Grafton County officials. The County does not hear the complaints; that may be why the Grafton County communities are being so vocal. For some smaller communities, the Country is a larger percentage of their taxes.

Dan Kiley asked why they're putting the new facility in the northwest corner of the county. Police Chief Crate replied that it's nearly equidistant from all of the country communities when located in Haverhill.

Mr. Schneider will draft a letter asking the County expressing the Town's concerns.

#### **Release of Capital Reserve Funds ~ Water & Sewer Funds:**

The Board received a request for the release of \$21,500 from the Municipal Water Capital Reserve Fund for a 6" water main on the upper end of May Street and the installation upgrade of 3 remote terminal units at the well sites, plus \$1,000 from the Municipal Sewer Capital Reserve Fund to provide for the same remote terminal unit upgrades.

Mr. Crate asked if they have tested for ledge. Mr. Daniels replied that they haven't hit rock yet. The 6" water main will replace a substandard feed.

Mr. Crate moved to withdraw \$21,500 from the Municipal Water Capital Reserve Fund for the installation of a 6" water main and the installation upgrade of 3 remote terminal units at the well site; Mrs. Stewart seconded, vote unanimous.

Mr. Crate moved to withdraw \$1,000 from the Municipal Sewer Capital Reserve Fund for remote terminal unit upgrades; Mrs. Stewart seconded, vote unanimous.

Mr. Daniels stated they will start stripping pavement tomorrow morning.

**Morgan v. Malz et al:**

The Town owns property in what was called the Mascoma Lake Sites of the Shadowland Company. The pumping station is located there. All of the properties have rights to access to the lake. The dispute centers on a dock. Some of the parties believe that because the dock is located in the community right-of-way the community should have access to it. Others contend that the dock is private. Those without a dock feel they have less access to the right-of-way if the dock is private because they can't also put a dock in. As a property owner the Town is named in the suit. Mr. Schneider does not believe the Town has a real interest in this; it's a civil issue. Mr. Payne agreed that the Town should not become involved.

**250<sup>th</sup> Anniversary Planning Committee:**

A group has been formed to plan for this event. Marjorie Carr has gone in the past. They would like a representative from Enfield. We do have a Historical Society and Heritage Commission. Mrs. Stewart suggested sending the request to the Heritage Commission.

**Administrative Items ~ Assessing Services Agreement:**

The Board reviewed a proposed contract with Norm Bernaiche for assessing services. The two year contract includes a 3% increase over the previous year, resulting in two annual payments of \$33,000 each. Mr. Bernaiche is the assessor for New London, Sunapee and Newbury. Mr. Schneider asked these communities if it makes sense for Enfield to join them. This agreement that is proposed is a better deal for Enfield. Mr. Bernaiche assesses lake property in those other communities so has experience in that area. He also knows Enfield very well.

The Board discussed the confidentiality clause in the contract. The information that appears on the tax cards themselves is public record.

The Board had no objections to the contract, which will be signed by the Town Manager.

**IX. OTHER ITEMS****Energy Committee:**

Mrs. Stewart inquired about the Energy Committee. She was informed that the Committee is still short of members. The Board, in other places Mr. Schneider has worked, is who generates the candidates. You can advertise, but talking to people is the best way to get volunteers.

Other committees that need another member is the TIF Committee and Conservation Commission. Dwight Marchetti was the most recent applicant for the Conservation Commission.

**Selectmen's Meeting Schedule ~ 2008 Dates and Locations:**

The Board reviewed and approved a proposed schedule for Selectmen's meeting dates in 2008. They also agreed to continue to meet in the Whitney Hall Conference Room. Meetings will be held at the same time and location as they are currently being held unless otherwise posted.

**Next Meeting:**

Monday, October 15, 2007, 6:00 PM, Whitney Hall Conference Room

**CONFERENCE**

**I. NON-PUBLIC SESSION**

Mr. Payne moved to enter non-public session at 7:54 PM, RSA 91-A:3 II (a) & (d); Mrs. Stewart seconded. Roll call vote: Mr. Payne – aye, Mrs. Stewart – aye, Mr. Crate – aye; motion carried.

The Board came out of non-public session at 8:02 PM.

Mr. Crate moved to abate the current use penalty for Tax Map 25 Lot 39, Mrs. Stewart seconded, vote unanimous.

**II. ADJOURNMENT**

The meeting was adjourned at 8:02 PM.