

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

MINUTES of November 5, 2007

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

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

Others: Bob Cusick; David Stewart; Fred Paradis; Kurt Gotthardt; Henry Cross; Attorney for Verizon; Dan Kiley; Tom Hildreth, Verizon attorney

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 October 15, 2007 as printed; Mrs. Stewart seconded, vote unanimous.

Mrs. Stewart moved to accept the non-public session minutes of October 1, 2007 as printed; Mr. Crate seconded, vote unanimous.

III. COMMUNICATIONS

Granite State Fair Tax Coalition:

The Granite State Fair Tax Coalition is asking the Board of Selectmen to sponsor a resolution for the 2008 Town Meeting. In summary, the Coalition feels that taxes are too high and the State should find another form of broad based tax.

Enfield Shaker Museum Taste of the Upper Valley:

The Board received an invitation to the Taste of the Upper Valley to be held November 9, 2007.

DES Correspondence re: Evans Expressmart, Project #2212:

This is an informational item regarding levels of benzene, which are below the required levels. Evans Expressmart is in compliance.

Mascoma Lake Association Fall 2007 Newsletter:

The big issue within the newsletter is the water quality report. Due to fewer large rain events the clarity of the lake increased almost a full meter in two months. The lake is healthy. Unfortunately, three is still milfoil. They were able to pull out a couple hundred stalks. Failing

septic systems and people treating their lawns and the subsequent run-off have big impacts on water quality.

Henry Cross pointed out the problems with the goose population at Crystal Lake, as well as sediment and run-off from the hill. He stated the Town should be cognizant of these issues as it affects property owners around the lake.

Mr. Cross can talk to the Planning Board about planning that mitigates run-off into the lakes. Perhaps the Planning Board should look at zoning and be pro-active.

Trustee of Trust Funds 3rd Quarter Report:

The Town is realizing nearly 5% interest on investments. Transfers from reserve funds are done at the end of the year, so some expenses made this year are not reflected in this report.

UNH Technology Transfer Center ~ Scott Johnston – Roads Scholar Two

Planning Board Notice of Public Hearing ~ November 14, 2007

IV. BOARD REPORTS

Capital Improvement Program Committee:

Mrs. Stewart reported that the CIP Committee has taken a cursory look at all six years covered by the current draft plan. In the next couple of weeks the Committee will ask department heads to come talk about their requests.

Heritage Commission:

The most pressing issue discussed by the Heritage Commission at their last meeting is the money to be requested in the Budget for going forward with an application for a historic district.

Mr. Payne stated that when this was approved it was for them to study the issue.

Mr. Schneider pointed out that the National Historic standards are the most lax. What it does is create an atmosphere for homeowners to rehabilitate structures and obtain tax credits. There's an economic benefit to the Town. If someone rehabilitates a historic structure it increases property values.

The Heritage Commission request is included in the 2008 budget that is before the Selectmen tonight.

Mrs. Stewart pointed out that rehabilitation of historic structures also creates a destination point and increases tourism.

Mr. Payne has not seen anything in black and white that shows the standards. Mr. Payne stated that he's not against it, but would be dismayed to find some restrictive standards that the Board was unaware of. Mr. Schneider explained that it doesn't place any restrictions on any homeowner.

Mrs. Stewart advised him to go to the National Historic Register web site to get more information. If Mr. Payne is available for the December Budget Committee meeting the budget request will be presented there. Mr. Payne is also welcome to contact Paul Mirski for more information.

The next meeting of the Heritage Commission is December 13, 2007 at 5:30 PM in Whitney Hall.

Budget Committee:

Mr. Schneider reported that the Budget Committee went over how things were done in the past. There was also review of capital items. The Budget Committee will receive a copy of the budget for review on Thursday. The budget has just a small increase over the previous year. The capital side of the budget is waiting for recommendations from the Capital Improvement Program Committee.

Mr. Payne said they are trying to provide education on how tax rates are set. It's not always a bad thing to reduce taxes through use of some of the undesignated fund balance.

The need for careful consideration of the regional organizations was discussed at the Budget Committee meeting. A balance must be maintained between what these organizations provide to the Town and what the Town can afford.

V. TOWN MANAGER'S REPORT

The new Town Manager's Report is now on-line and available for everyone to view. Mr. Schneider is trying to keep it as up-to-date as possible. He won't go over those items that are posted on-line at this meeting.

Mr. Schneider does not know how interested the Selectmen are in publications and communications from Eastman. A lot of information is received in the Office. Mr. Payne accepted the information and will look it over.

Community Energy Challenge:

For the Town to participate in the EPA Community Energy Challenge the Town sends them a letter indicating the desire to participate and they help us benchmark our energy use in Town buildings. There is no cost to the Town. Mr. Schneider will sign the Town up for the Challenge if there are no objections from the Board. The Board had no objections, so Mr. Schneider will proceed.

Mr. Payne asked whom individuals should call for an energy audit on their own houses. Mrs. Stewart believes that if you're a NH Electric Co-op customer they do it for free.

Main Street Crosswalk:

The NH Dept. of Transportation has indicated in writing that they would be willing to install a crosswalk on Main Street from the municipal parking lot to the Copeland Block if the Town will put up the appropriate warning signs. The State will install the crosswalk, but subsequent maintenance will be the responsibility of the Town. This is a project for which the Town has been trying to get State approval for years.

Mrs. Stewart has noticed how awkward it is at High Street. She also asked if the crosswalk markings in front of Whitney Hall could be refreshed.

Other:

Mr. Schneider announced that last Thursday was his second year anniversary with the Town. He thanked the Board. It's been a good two years. It's been a wonderful place to be.

Yesterday Mr. Schneider completed the ½ marathon in Manchester. It took him a little over 2 hours to complete the 13 miles. He met his goal, which was to beat the full marathoners in. The first full marathon runner finished in 2 hours, 28 minutes. There were 1700 runners there, a good crowd.

VI. PUBLIC COMMENTS

Bob Cusick ~ Fairpoint Communications/Verizon Agreement:

Mr. Cusick asked if the Town has gone on record as opposing the Fairpoint Communications/Verizon agreement? He explained that Fairpoint has one of the highest Public Utilities Commission (PUC) complaint records. Mr. Cusick expressed his concerns about outages, the length of time it takes to have service restored and the implications this has for Enfield residents if they have an emergency. He believes Fairpoint is too small. He believes this will be a bad deal for the community, particularly those that rely on landlines. Fairpoint doesn't have the resources to service the number of customers they'll acquire. Mr. Cusick feels strongly that the Town should write to the PUC in opposition of the agreement. Mr. Cusick also informed the Board that Verizon has been pulling out of New England, not continuing to pursue project they had begun, in anticipation of approval of the agreement. He believes Fairpoint will have trouble maintaining current levels of service.

Mr. Schneider reported that Fairpoint met with WCNH.net and the NH Municipal Managers Association. The smaller towns in this area got shut out both times because the largest populations are in the southeast portion of the state. The southeast towns love Fairpoint, but those towns northwest and northeast of Concord may not have the same response.

What's bad about the deal? The turn over of service; the amount of money turned over up front; Verizon has a service contract for a year; Verizon management is gone; and the sale to such a small company.

There were some problems with the Comcast takeover of Adelphia as well. The difference is that Comcast was 20 times Adelphia's size. In the Fairpoint Communications deal, Fairpoint is far smaller than Verizon.

The Selectmen acknowledged that this agreement could be a safety concern for Enfield residents. The Board agreed to send a letter to the PUC, not to stop the deal, but to express the Town's desire to have consideration given to the reliability of service and how this affects the safety of Enfield citizens; the Town's concerns should be mitigated in an acceptable manner.

Bob Cusick ~ Ambulance Service:

Mr. Cusick spoke to the Board relative to charging for ambulance service. He obtained proposals from Enhanced Management Services for managing ambulance billing. No one would be charged if not covered by Medicare, Medicaid or an insurance company. This is legal if the Town provides the ambulance service. If the Selectmen are not going to place this on the warrant at the next Town Meeting he will do it himself, as he was going to do last year. The Town needs an ambulance and rescue truck and is not collecting potential revenues of \$30,000 to \$40,000.

If an individual does not have insurance, Medicare or Medicaid they are not charged for the service if this is what the Town wants to do. Ambulance services is not a free service, there is a cost and it should be paid for by those that can afford it; others should not pay.

It was pointed out that a person that has the financial means to forgo insurance and who does not qualify for Medicare or Medicaid would not be bound to pay; the Town would have to rely on their honesty. Even the very well off would not be billed.

Mr. Schneider summarized for the Board that what Mr. Cusick is saying is that there are funds out there to cover these services and the Town should collect what is easily obtainable. The question is whether the Town charges for services. This is a difficult question that will spark some debate.

Currently, if Lebanon responds the patient is billed. If Enfield responds they are not billed. While the ambulance service was initially set up as a free service, with insurance companies providing coverage and with the cost of these services increasing, many towns are now starting to charge.

Police Chief Crate stated that there are people that don't want to call the ambulance because they are afraid they'll be billed. If there would be no charge to the Town's citizens he would be in favor of billing for services.

Mr. Schneider pointed out that the Town's bill for ambulance services from Lebanon was less last year because more people paid for the service.

Mr. Payne stated that the Board would think about this further.

Mr. Payne closed the meeting to public comments.

VII. PUBLIC HEARING ~ WHITNEY HALL RENOVATION CAPITAL RESERVE

Mr. Payne explained that the purpose of the public hearing was to discuss the expenditure of Whitney Hall Renovation Capital Reserve funds for the replacement of stage and window curtains in the auditorium.

Mrs. Stewart moved to open the hearing at 7:12 PM; Mr. Crate seconded, vote unanimous.

Because a copy of the invoices was not available for the hearing for discussion, Mr. Crate moved to recess the public hearing at 7:13 PM, until the next Selectmen's meeting; Mrs. Stewart seconded, vote unanimous.

VIII. OLD BUSINESS

Verizon Wireless ~ Special Town Meeting:

The attorney representing Verizon, Tom Hildreth, has been working with Police Chief Crate regarding areas that would get coverage. He also added that while wireless systems use landlines in part, it's not the only way the signal used. In the town of Auburn when they had a flood, Verizon installed a series of microwave towers to allow for communication.

Chief Crate provided copies of maps to the Board for review. One illustrated current coverage, a second map showed additional coverage and a third showed combined coverage. The coverage the Town would be getting would be pretty good.

Mr. Payne questioned whether this is an issue that needs to be done now or if it can wait. Chief Crate said that if the tower goes in, with the lay of the land, the Town would get exceptional coverage.

Mr. Payne requested input from the public regarding their feelings about holding a special town meeting.

Henry Cross asked if this would be a Verizon tower. Mr. Schneider replied that the special town meeting question would not be specific to Verizon, but would simply authorize the Selectmen to enter into a multi-year lease agreement.

Bob Cusick asked what the lease rate would be. Mr. Schneider replied that is not important to the question of whether to hold the special town meeting. Attorney Hildreth added that the question would not be specific to location, terms or company. Verizon would go through the same standards as any other company, including obtaining Planning Board approvals.

Mr. Crate asked if it could be done the day of the primary. He was informed that it would not be a ballot vote. This would instead be similar to the deliberative session of Town Meeting.

Attorney Hildreth addressed Mr. Payne's question. Holding a special town meeting could be the difference between having the project completed in 2008 or 2009. If the Selectmen agreed to hold a special town meeting, Verizon would begin work immediately so they're good to go in the spring of '08.

Mr. Kiley said that it's Town property and doesn't have to go to the Planning Board. Attorney Hildreth replied that it would be a non-governmental use so he believes they are obligated to go through the permitting process.

Mr. Cusick believes individuals could save money by using wireless versus trying to get cable for computer access. It would be good for business.

Mr. Cross asked who would own the tower. He was informed that Verizon, or other company that negotiated with the Town, would own the tower. Mr. Schneider added that use of the tower by the Town would be part of the negotiations.

Kurt Gotthardt does not see the need to hold a special town meeting for a private enterprise. If it was for a Town project it might be different. Mr. Schneider replied that it is Verizon's point that the Town would benefit; we'd have increased coverage in the Town that would benefit the Town internally as well as benefit the private citizens that rely on wireless communications.

Mrs. Stewart stated that she has heard no compelling reason not to hold a special town meeting.

Mr. Kiley said the Town would probably make up the cost of the meeting in lease revenues. Attorney Hildreth stated that Verizon would pay the meeting costs.

Mrs. Stewart moved to schedule a special town meeting for the authorization to enter into a long-term lease of municipal property; Mr. Crate seconded, vote unanimous.

CATV:

Mr. Payne reported that they have significantly reduced the cost of running dedicated fiber to the Public Works Facility from \$150,000 to \$11,000. It seems they have fiber running to the Enfield Outing Club. The goal is to get costs down to \$0.

Grafton County Correctional Facility:

They are reducing the size of the facility, both in square footage and the number of beds, with a decrease in cost of \$4,000,000 to \$4,500,000. They have also moved the Sheriff's office back to the courthouse. They are trying to make everyone happy. The closest meeting is being held at the Lebanon Senior Center.

WCNH.net:

The Board of Selectmen has an agreement between the Town, WCNH.net and PacketFront Inc. They are finishing up the consulting portion. The cost is \$20,000 divided among 7 towns. Hanover is picking up the legal end of it. Enfield's cost is \$4,644. A public hearing needs to be scheduled to expend these funds from the Technology Capital Reserve Fund.

Paralleling this is Valley.Net. They are still in existence but are starting up the same type of fiber operation as Burlington, Vermont. Valley.Net will be seeking a lot of Town Meeting approvals in March in Vermont.

WCNH.net didn't like the Burlington approach. Burlington is the provider and the WCNH.net communities didn't want to go that route and not sure if, in New Hampshire, we legislatively could. If PacketFront does what they say they will, they'll have providers lined up.

Whitney Hall:

Bill Coons has asked permission to store dimmer packs in the Town records area of the balcony. The only permanent installation will be the wiring from the dimmer packs to the electrical panel.

Mr. Payne asked if this would cost the Town anything. He was informed that it would not. The only thing it would do is make a permanent alteration for wiring. The dimmer packs themselves will belong to Mr. Coons, not the Town.

There was brief discussion of the lack of storage space and the amount of space the dimmer packs would take up, about 2' by 5'. He has identified the area he would like to use. Storage is at a premium, but Carolee Higbee has received a grant for vital records storage and it can be used for organizing the vault and balcony storage. Mrs. Stewart also pointed out that there was some old equipment that could probably be sold as well.

Chief Crate asked about any need for security for Town records. He was informed that Mr. Coons already has authority to get to the balcony.

Whitney Hall Storage:

There is a group of individuals that went up the "ladies waiting room" where the Library stores it's seasonal active collection. Mrs. Stewart has mentioned in the past about opening this space up so people are able to enjoy the stained glass windows.

Marjorie Carr has been with the Town for at least 42 years and in all that time the wall has been up. It will take time to do this. Mrs. Carr will be OK with it as long as it's done in a safe and secure way. The doors to the auditorium can't be locked for fire reasons.

Mrs. Stewart believes it's a compromise that's achievable.

David Stewart passed around pictures of the windows, and historical documents and pictures that are stored in the space. He is concerned that the documents in frames aren't being conserved properly; they're deteriorating.

Marjorie Carr will do an inventory of the items in storage, though it will take some time to accomplish.

Discussion ensued regarding Mrs. Carr's dual role, as Librarian and Town Historian. In either capacity she ultimately functions under the auspices of the townspeople.

Police Chief Crate pointed out that a study was done about adding on to Whitney Hall. When you don't have space to put things you make do with what you have. We have to be respectful of that.

Mrs. Stewart hopes no one thinks they are trying to find fault. What we don't use goes in to storage. We have the opportunity to get rid of these things.

It was agreed that the existing, clouded Plexiglas needs to be replaced with a UV resistant Plexiglas and the windows can be backlit for a period of time in the evenings. The storage room itself needs to be organized and cleaned up.

On the topic of lights, Mr. Stewart noted that the front of the building lights are out at night. Either the lights need to be on or the flag needs to be taken down. Fred Paradis pointed out there is the same problem at the cemetery; either the flag should be lit or it should be taken down.

Bicknell Brook Subdivision:

The Board received a memo regarding the Bicknell Brook subdivision and two quotes received for the work. The plan is to subdivide off one 5-acre and one 2-acre building lot. Driveway permitting is included in one proposal, but not the other.

Mr. Crate moved to use Pathway's Consulting provided they get the driveway permit for that same money; Mrs. Stewart seconded, vote unanimous.

Mr. Gotthardt asked if the survey included a perimeter survey of the entire parcel. He was informed that it did not, just the seven acres.

2008 Budget:

The Selectmen received a preliminary 2008 budget proposal. It does not include capital items. The General Government budget in 2007 was \$4,050,000 and the proposed budget for 2008 is \$4,110,000, just \$60,000 more. This includes a maximum 4.5% raise for staff, \$40,000 to paint Whitney Hall, \$10,000 to paint Enfield Center Town Hall, the operating budget for Public Works, a police cruiser and an increase in Recreation Director hours to 25 hours per week year round. The Budget Committee will review this budget at their next meeting.

IX. NEW BUSINESS**NH Dept. of Transportation Temporary Use Agreement:**

This Temporary Use Agreement is for the Town's use of the old motel property at the Shaker Bridge. It has not yet been forwarded to the Town's attorney for review. There is no term for the agreement. The State meant for it to be open ended. When the State needs to property they will inform the Town.

The Town would like some sort of recognition that the Town would like right of first refusal for purchase of the property. It's 1.7 acres with 600' of water frontage.

Mr. Schneider will have the Town's attorney review the agreement. Mr. Payne asked Mr. Schneider to inquire whether it's to the Town's benefit to have a term and right of first refusal.

Mr. Schneider would not spend a lot of money on the property between now and 2013. Perhaps put some stone in the driveway, mow the grass occasionally and remove the rickety stairs.

The following recommendations and suggestions were made for the property by various individuals: 1) taking out some of the ties and allowing people to launch kayaks there; 2) no swimming allowed; 3) not an active beach site; 4) no docks; 5) only non-motorized boats to be launched from that site; 6) certain hours that it is open for use; 7) no mooring; 8) don't plow it in winter.

It was pointed out that mooring can be done anywhere on the lake, they simply can't cross your property to access it.

Energy Committee:

Last week Mr. Schneider sent a letter to everyone that signed the climate change petition submitted for the 2007 warrant to see who might be interested in serving on the Energy

Committee. So far the Town has heard had indications of interest from Charles DePuy, Doug Smith and Richard & Carol Lammert. Steve Goldsmith has already been appointed. Mr. Schneider would like to give everyone until the next Selectmen's meeting to respond.

The Energy Committee will serve as an advisory committee to the Board of Selectmen.

Water and Sewer Rates:

The Water and Sewer bills were sent out last month. The meters were read late and as a result some people were moved into different rate classes. The fixed cost shares increase in each class based on consumption. We will credit those folks if they would fall into a lower class based on average daily usage.

Mrs. Stewart asked if the credit would be processed by instigation of users or will we do it ourselves? Mr. Payne asked if this would be put on the Town's website. Mr. Schneider replied that we are going to take care of it.

Mrs. Stewart said the thing to do is an audit and grant credits accordingly. It's a one-time glitch.

Dan Kiley pointed out that the next "quarter", which will be of shorter duration, will be lower. The Water/Sewer Department will have to read meters at the same time each time if this will bump people into the next rate category.

Flood Insurance Rate Map Adoption:

Mr. Crate moved to adopt RSA 674:57; Mrs. Stewart seconded, vote unanimous.

X. OTHER ITEMS

Property Auction:

Mr. Schneider reminded the Board that the property auction would take place on Saturday, November 17th.

Tax Rate Setting:

The tax rate setting will take place tomorrow at 11:30 AM. The Board agreed that Mr. Schneider could take care of it with the understanding that the Board would like to aim for the 1-cent increase proposed at Town Meeting. Mr. Payne will probably attend.

Letters of Commendation:

Mr. Payne asked about letters of commendation to emergency response personnel from the August 16th storm. Mr. Schneider has already sent them.

Stump Dump:

The Public Works Facility is still accepting brush and leaves during regular business hours.

CONFERENCE

I. ADJOURNMENT

Mr. Crate moved to adjourn at 8:45 PM; Mrs. Stewart seconded, vote unanimous.