

**Enfield Board of Selectmen
Public Works Facility
Enfield, New Hampshire**

MINUTES of December 17, 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

Others: Dan Kiley; Sandy Romano; Carolee Higbee; Ken Daniels, Director of Public Works; Richard Crate, Jr., Chief of Police; Bob Cusick; Kurt Gotthardt; John Carr; Nancy Foley; Henry Cross;

BUSINESS MEETING

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

Mr. Crate moved to accept the minutes of December 10, 2007 as printed; Mrs. Stewart seconded, vote unanimous.

III. COMMUNICATIONS

NH Dept. of Environmental Services correspondence ~ Village District of Eastman:

This is a NHDES approval of the current monitoring program for the pumping test.

Petitioned Warrant Article for “Village Plan Alternative”:

This petitioned article is informational only for the Board of Selectmen. It has been forwarded to the Planning Board for action.

Mr. Schneider understands that the Village Plan Alternative proposal includes slopes, wetlands and unbuildable land in its determination of 80% undeveloped space. Kurt Gotthardt added that this proposal has no provision for how the 80% of undeveloped land would be calculated; it could include the green strip between the road and sidewalk.

IV. BOARD REPORTS

Capital Improvement Program Committee:

The December 11 meeting was canceled due to weather.

Budget Committee:

A meeting was held on Thursday, December 13, in spite of the weather. Revenues were discussed. Further information on the Budget Committee meeting will be discussed later in this meeting.

Heritage Commission:

The December 13 meeting was canceled due to weather.

V. TOWN MANAGER'S REPORT

Workers Compensation and Property Liability Insurance:

The Town has the opportunity to lock in its workers' compensation and property liability insurance for the next three years with no greater than a 9% increase per year with the Local Government Center (LGC). The Town has entered into such an agreement for property liability insurance in the past. The Town has not participated in the program for workers' compensation before because we didn't have workers' compensation with the LGC in the past.

The latest workers' comp bill was less than 9% more than the previous year; it was closer to 6-1/2%. On property liability we would need major losses to bump the premium up significantly.

Participating in the three-year plan provides some stability in budget planning and LGC provides excellent service, so there are some advantages to it.

Mr. Payne asked if it was negotiable? Mr. Schneider replied that it might be. The Town does practically all of its insurances through LGC. Mr. Payne replied that it's Mr. Schneider's call.

NHDES Correspondence ~ George Hill Road:

Mr. Schneider sent the Selectmen an email answering their question about property dredging. The dredging was taking place on the southern edge of George Pond and the property has a little strip that goes to George Hill.

Main Street Parking:

Mr. Schneider contacted NH Department of Transportation about the Main Street parking issue. Mr. Vogt responded positively to the Town's concerns.

VI. PUBLIC COMMENTS

Kurt Gotthardt ~ Petitioned Warrant Articles:

Mr. Gotthardt asked what other petitioned warrant articles the Town has received.

Mr. Schneider replied that the Selectmen received one at the last meeting for a by-law that requires that if someone serves on a board or committee and hasn't paid their property taxes they can no longer serve on that board or committee.

Mr. Payne believes this would be unenforceable outside the body itself, but that it sends a strong moral message.

Mrs. Stewart questioned if law could uphold it.

Bob Cusick ~ Ambulance Billing:

Mr. Cusick asked the Selectmen if they were going to put an article on the warrant to bill for ambulance services or if he needed to prepare a petitioned article.

Mr. Payne explained that the Selectmen voted to place the question on the warrant, not endorse it, but put it on the warrant.

Mr. Cusick stated that he is going to meeting with the FAST Squad to iron out any problems. He asked the Board if they read the materials he gave them.

Mr. Schneider replied that he had read the materials. If the Town gets to the point of billing for ambulance services a Request For Proposals would be sent out.

The question remains, can the Town not bill somebody? Or does the Town still have to bill?

Mr. Cusick thought there was a federal court ruling that stated a municipality did not have to bill.

Mr. Schneider understands that if the person is a resident the Town doesn't have to bill them, but if they're a non-resident the Town does have to bill.

Mr. Cusick expressed willingness to pay for another opinion. He thinks this is important. He's not talking about billing people who can't afford it.

Mrs. Stewart informed Mr. Cusick that the FAST Squad went into detail and had strong rationales against billing: people may not remain on the FAST Squad, and how they get their supplies. Mr. Payne added that equipment maintenance was also an issue.

Mr. Payne closed the meeting to public comments.

VII. OLD BUSINESS

2008 Budget:

The Budget Committee met Thursday, December 13. The Fire Chief was unable to attend as he was out working, but Mr. Schneider had spoken with him about his budget, the Budget Committee liaison to the Fire Department had spoken with him and Richard Martin, Fire Ward, was present at the meeting. There is little change in the Fire Department budget. There is a question of a heavy rescue vehicle. Richard Martin told the Committee not to be surprised if there's a petitioned article if the rescue vehicle is not included in the budget. The vehicle costs about \$350,000. Approximately \$230,000 has been saved, leaving a balance of \$120,000 that's needed.

The Budget Committee discussed the capital budget. Some rough numbers were entered into the budget. The CIP Committee has been vetting the capital budget and doing a good job. The CIP

Committee has projected costs for projects and equipment that are necessary that the Town can afford.

The Budget Committee also discussed revenues. Revenues should be the driver as to what the budget should be. The budget will probably be at \$4.9 million or \$5 million. If the Board is comfortable with a nickel increase in the Town tax rate it generates enough revenue along with the projected increase in property values. It would generate about \$2.9 million in property tax.

The Budget Committee doesn't meet again until January. They can then figure out if there are any adjustments to be made at that time.

Taxation ~ Alternative Energy Exemption:

If the Board considers adopting this tax provision it has to be done at Town Meeting. Once approved at Town Meeting the Selectmen can then carry forward with implementation. The Board agreed to proceed.

VIII. NEW BUSINESS

Whitney Hall Third Floor Security:

There has been some vandalism at Whitney Hall recently, including spitting in the elevator, tearing down signs, pouring soda on the floor, writing on the wainscoting in the front stairwell. In response to these problems Mr. Schneider met with Phil Neily, Building Inspector/Health Officer/Fire Inspector, to discuss whether the Town can secure the third floor of Whitney Hall. Currently if the building is open people can get up to the third floor without anyone knowing they're up there. Mr. Schneider spoke to Mr. Neily about the possibility of locking the doors at the top of the stairwells. If we do lock those doors is anyone going to be caught? Is anyone on the library or office levels going to need to go up through the auditorium to go out? If there's smoke in both stairwells it's unlikely you'd want to go up.

It was suggested that we put up more signs in both hallways, add an exit sign on the front door and exit signs in the stairwell as well. Mr. Schneider thinks this can be accomplished fairly quickly.

Police Chief Crate suggested a plastic fence going over the stairs so if someone does go up they know they aren't supposed to be there. He added that the Department has an idea who has been vandalizing the building.

Shoreline Protection:

Mr. Schneider and Jim Taylor attended a meeting regarding the new Shoreline Protection Act. It is important to be up-to-date on what the regulations mean. The Selectmen were provided with a PowerPoint presentation and other information from that meeting.

Mr. Schneider explained setbacks, and the need to maintain natural ground cover. There are regulations on impervious surfaces as well. They were fairly clear at the meeting that if you have an established lawn you can maintain that lawn, but you can't add a new lawn.

Carolee Higbee asked who enforces this? Mr. Schneider explained that the Town could enforce it. The Board of Selectmen would be the enforcing authority, not the Conservation Commission.

The Conservation Commission no longer has a hand in it. A permit must be filed with the NH Dept. of Environmental Services (DES) if you're going to disturb within 250' of the shoreline. The State is going to hire 3 additional people to process the permit applications. If they ask for more information it can delay the permitting process. Even if you don't own actual waterfront you could be affected by these regulations if you own property within 250' of the shoreline.

Current development would be grandfathered. These regulations will kick in if there's new development. The legislation is vague and ambiguous enough so we don't know how it will play out.

Mrs. Stewart asked if the Town would have to devote additional man-hours to enforcement. Is this an unfunded mandate? Mr. Schneider replied that the State will review applications and do site inspections. So there is not much the Town has to do. It does require permit applicants to talk to the Building Inspector. It's a big fuzzy how this is going to work.

How does this affect the Town as an organization? The Town will need to file for a permit if we do any work in the set back. Potentially, a new library building could require a permit. Paving a road that was not previously paved would require a permit, such as paving for parking on Blacksmith Alley. However, if work is begun before the effective date of the legislation it would not be subject to the new regulations. There would be no fees for municipal work.

Mrs. Stewart asked about the impact on the beach area at the old Shaker Bridge Motel site. Mr. Schneider explained that it is an existing site. If the Town wanted to take down trees we'd have to look into permitting the project. For 2008 if we mow the existing open space or add some gravel to the existing driveway we'll be OK.

The purpose of the legislation is noble and necessary. The question is just how it's going to be applied.

Administrative Items:

The Board reviewed and approved a Veterans Tax Credit and Property Tax Abatements.

Encumbrances:

The Board of Selectmen received a list of purchase orders for encumbrance into 2008 totaling \$36,532.95. Mrs. Stewart moved to encumber the funds totally \$36,532.95 as presented; Mr. Crate seconded, vote unanimous.

Withdrawal From Capital Reserve:

The Selectmen considered the withdrawal of funds from capital reserves, specifically \$1,600 from the Whitney Hall Renovations Capital Reserve Fund for the replacement of windows in Whitney Hall and \$30,000 from the Revaluation Capital Reserve Fund for the 2nd year of Norm Bernaiche's contract.

Mrs. Stewart moved to withdraw funds from capital reserve as described; Mr. Crate seconded, vote unanimous.

IX. OTHER ITEMS

Community Revitalization Tax Relief Incentive Agreement:

The Board received a Community Revitalization Tax Relief Incentive Agreement drafted by the Town's attorney. The Town has received one application from the Hettlemans. They're unique in respect to their application, which will be done retroactively.

This agreement becomes a covenant to their deed and they have to maintain the property in such a way that it maintains the reason for which they received the tax relief. The tax relief is based on the difference in the property value now and after the improvements.

CONFERENCE

I. ADJOURNMENT

Mr. Crate moved to adjourn the Board of Selectmen's meeting at 6:48 PM; Mrs. Stewart seconded, vote unanimous.