

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

**MINUTES of February 13, 2006**

**Board of Selectmen:** Dominic Albanese, Chairman; Nancy Scovner; Curtis Payne

**Administrative Staff:** Steven Schneider, Town Manager; Alisa D. Bonnette, Secretary

**Others:** Michael Bates; Fred Paradis, Leigh Davis, Shirley Green, Conservation Commission; Joe Cote, Connecticut Valley Spectator; Dan Kiley; Jim Taylor, Community Services Director; Kurt Gotthardt; Richard Crate, Jr., Chief of Police; Fred Altvater; Richard Henderson, Cemetery Trustee

**REGULAR BUSINESS MEETING**

**I. CALL TO ORDER**

Mr. Albanese called the meeting to order at 5:00 pm.

**II. APPROVAL OF MINUTES**

**January 30, 2006:**

**Mrs. Scovner moved to accept the minutes of January 30, 2006 as written; Mr. Albanese seconded, vote unanimous.**

**February 2, 2006:**

**Mrs. Scovner moved to accept the minutes of February 2, 2006 as written; Mr. Albanese seconded, vote unanimous.**

**January 9, 2006:**

The Selectmen discussed the minutes of January 9, 2006 in response to information provided by Sandy Akacem, the Town's representative on the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) Board of Directors. The Selectmen's unanimously agreed to amend the minutes of January 9<sup>th</sup> to include the dates of minutes received from the UVLSRPC to clarify that the Board did not see Enfield representation at these three meetings, but are unaware of the record of attendance at other meetings of the UVLSRPC Board.

The Selectmen were informed by Sandy Akacem that she is attending as many meetings as she can, given that meetings are held at 3 o'clock in the afternoon. In addition to attending as many of these meetings as possible, she has also attended the UVLSRPC retreat. The Selectmen are grateful for her participation.

The following issues were discussed out of agenda order.

**III. COMMUNICATIONS**

- Community Development Director Report ~ January 2006
- Town Clerk Report ~ January 2006
- Kenneth B. McWilliams & Associates ~ Community Planning Services
- Tax Collector's Trial Balance ~ January 2006
- MS-7 ~ 2006 Budget

**IV. BOARD REPORTS**

There were no Board Reports.

**V. TOWN MANAGER'S REPORT**

**Water and Sewer Rates:**

Mr. Schneider reported the receipt of two letters from water and/or sewer users asking when the rates would be reduced. The owner of the Laundromat was in as well, looking for some relief – some kind of a high usage discount.

Mr. Schneider stated that it's not unusual for small systems to give special consideration to some users. Mr. Albanese noted that the Selectmen were previously advised that the opposite was the case and recommends having Mr. Schneider look into this further.

Mr. Schneider discussed his experiences in other communities.

Mrs. Scovner expressed concerns of the affect that giving savings to high volume users will have on individuals on fixed incomes that don't use much water, yet will be charged more.

Mr. Albanese expressed the need for long range planning and the effects of water and sewer rates on future development.

Dan Kiley feels the Board should look at rates based on consumption for those people on limited incomes.

**Fundraiser:**

Mr. Schneider received a letter from Chelsea Hammond, a 6<sup>th</sup> grader who is raising money for a trip to Holland. Mrs. Scovner would like to praise her on being selected for the trip, but the Town does not budget for school activities. Mr. Albanese asked Mr. Schneider to get her in touch with the Enfield-Mascoma Lions Club.

**Town Manager's Report:**

The Board reviewed the Town Manager's Report for the month of February 2006.

Abatement requests made by the Shaker Museum need to be in public. While negotiations will not take place in public, any decisions by the Board must be.

Mr. Albanese is uncomfortable with Mr. Schneider meeting with the Museum and coming back to the Selectmen and representing the Museum's view. He believes the Museum and the Town will be better served with complete disclosure, the more done in public the better.

Mr. Payne is not opposed to Mr. Schneider speaking with the Museum, but would like the Museum to bring any proposal to the Board of Selectmen.

Kurt Gotthardt noted that public discussion of the issue would be beneficial since the Selectmen are representing the entire Town and maybe people would then know why private donations to the Museum are needed.

Mr. Schneider received Town Attorney recommendations regarding the organization and administration of the Enfield FAST Squad. The FAST Squad consists of good people that the Town does not want to lose. Mr. Albanese suggested a letter to the Squad reiterating that the Board does not want to impact the medical side of operations and wants to work with them.

There will be a hearing on House Bill 653 next week. This legislation would allow towns to bond for telecom infrastructure.

The Town expended over \$30,000 on the storm in June 2005. Mr. Schneider and Mrs. Scovner will attend the hearing for a bill introduced by Sen. Burling to have 6 Grafton County communities reimbursed for the expenses they incurred during this storm.

The Board will work with Mr. Schneider to determine potential goals, discuss a multi-year strategic plan and set priorities.

## **VI. PUBLIC COMMENTS**

### **Dan Kiley ~ Crosswalk:**

Mr. Kiley asked if there was any way to get a crosswalk put in on Main Street near the Copeland Block. Mr. Kiley was informed that the State has said no in the past, but give the changes in activity this may warrant review. Mr. Albanese would also like the old telephone poles removed.

### **Dan Kiley ~ Road Conditions:**

Shaker Hill Road is getting worse, with ice crossing the road. Ken Daniels is already aware of the problem. This is a State road. While winter maintenance is the Town's responsibility, maintenance that would correct the problem over the long run in the responsibility of the State.

Whaleback Mountain Road is also getting worse. There is increased traffic there now.

### **Kurt Gotthardt ~ Bicknell Brook Property Conservation Easement:**

Relative to the Bicknell Brook property and illegal dumping, Mr. Gotthardt understands that Upper Valley Land Trust (UFLT) would be going to the town asking for clean up. Mr. Gotthardt volunteers to monitor conservation easements. It is his experience that if something is found within a conservation easement, UFLT asks the landowner for removal.

Mr. Albanese said the Board was informed that UFLT would go after third parties to get clean up. It might be just as well to pay Mr. Gotthardt \$500 a year to walk the property and report easement violations.

It was noted that the role of UVLT is to prevent development as much as monitoring.

**Kurt Gotthardt ~ Iskandar Subdivision:**

Mr. Iskandar has a proposal for a subdivision off NH Route 4A. The backside of the lots is restricted for the next 15-17 years. Mr. Iskandar has mentioned the possibility of a municipal well there. As a conservationist, Mr. Gotthardt is in favor of this if the Town establishes a large no-build wellhead protection zone. Maybe the Land Acquisition Capital Reserve Fund could be used for that purpose.

**VII. RESPONSE TO PUBLIC COMMENTS**

There were not additional responses to public comments.

**VIII. OLD BUSINESS**

**Bicknell Brook Property:**

The Board discussed the proposed warrant article to establish a conservation easement on much of the Bicknell Brook Property and role of Upper Valley Land Trust (UVLT). The Board of Selectmen were under the impression that UVLT would work with third party violators of the easement, however, the agreement appears to leave the responsibility of defending the easement on the Town. There may be a differentiation between pre-existing conditions and new ones. Further review of the proposed easement agreement is needed. Mr. Schneider will work with the Town's attorney to put something together that adequately protects the Town.

The acreage of the proposed building lots was discussed. The Board was primarily concerned with creating salable lots. In light of the zoning in the area and how this affects the potential for subdivision, reports from a septic designer on the viability of septic systems on the proposed lots, and the greater affordability of smaller lots, the Board decided to proceed with the plan for subdivision of two 1-acre lots and one 5-acre lot.

Mrs. Scovner mentioned the steepness of the slope at the road, but was assured that the steep grade is only at the road and then the land slopes more gradually, the same for neighboring lots that are already developed.

**Paintball Business:**

The Board discussed the tires left behind by the paintball business that once resided in a building on the south side of US Route 4. There is a new tenant taking over the space vacated by the paintball business. This new tenant has mentioned to Jim Taylor the desire to potentially hold flea markets in the field by the building. The owner of the property would have to come before the Planning Board for a change of use. In the meantime, the tires in the field, covered by a tarp, are in keeping with the existing use of the property. The tires stacked near the building are not and should be dealt with.

Mr. Schneider consulted the Town's attorney. What the Planning Board has allowed for use remains in force until changed by the Planning Board. The Town is within its rights to initiate action in district or superior court only for the stacked tires.

Mr. Albanese moved to ask the Town Manager to contact the landowner to remove the tires. There was no second. Mr. Taylor informed the Board that notification has been sent to the property owner. It is now up to the Town to proceed with enforcement or not. The tires that are in violation are readily accessible and removal should not be delayed due to weather.

It was considered that the Town Attorney could draft a letter requiring clean up within a 30-day period.

**Mr. Albanese moved to ask the Town Manager to contact the Town's attorney to have the tires removed and to get back to the Selectmen with the cost and options open to the Town; Mr. Payne seconded, vote unanimous.**

#### **Oak Grove Slide:**

The Selectmen were in agreement that if repair of the slide cannot wait until Town Meeting, emergency funding would be sought.

Mr. Schneider replied that it appears to be OK for the time being. An emergency management grant is being sought. The \$60,000 estimate for repairs is still in the ballpark.

#### **Water & Sewer Rates:**

The Board discussed the establishment of new water and sewer rates based on the amount required to cover the 2006 budget for each department, plus the target reserve to be determined by the Board. In order to meet the 2006 budgets and place funds in reserve the water rate would have to rise slightly and the sewer can be reduced.

After careful consideration of the needs to the department and various viewpoints on the amount of reserve that should be raised, **Mrs. Scovner moved to propose a water rate to \$5.87 and a sewer rate of \$7.99; Mr. Payne seconded. This proposal raises \$15,000 for reserves in each fund. Mrs. Scovner and Mr. Payne voted in favor of the motion. Mr. Albanese was opposed, as he would prefer to raise just \$10,000 for reserves. Motion carried.**

A public hearing will be scheduled.

Mr. Albanese noted there is a philosophical debate about who should pay for infrastructure improvements and major repairs. The Board needs to think about a strategic plan for drilling wells and the relationship of infrastructure improvements and the reason for the TIF District.

#### **2006 Town Meeting Warrant:**

The Board reviewed the proposed 2006 Town Meeting Warrant.

Operating Budget: **Mr. Albanese moved to recommend Article 4 in the amount of \$4,332,131; Mr. Payne seconded, vote unanimous.**

Discontinuance of Capital Reserve Funds: **Mrs. Scovner moved to recommend Articles 5 through 8 as written; Mr. Payne seconded, vote unanimous.**

Special Warrant Articles: Oak Grove, Public Works vehicles, payments to Capital Reserve, establishment of new Capital Reserve, transfer of funds to Cemetery Maintenance Fund:

**Mrs. Scovner moved to recommend Articles 11 through 15 as written; Mr. Payne seconded, vote unanimous.**

Bicknell Brook Property/Conservation Easement: Mr. Albanese asked if the Board wants to include that it's the Board's intent to subdivide the property even if the conservation easement is not approved? It was agreed that this information would be included in the warrant narrative rather than in the article itself. **Mr. Payne moved to recommend Article 16 as written; Mrs. Scovner seconded, vote unanimous.** The Board asked that the map as presented by Jim Taylor also be included in the narrative.

Zoning Amendment #2/Article 3: The warrant narrative should include the Town Attorney's opinion.

Municipal Building Capital Reserve: The Board unanimously agreed to remove Article 10, to name the Board of Selectmen as agent to expend. Mr. Albanese feels that expenditures from this account should go to Town Meeting.

#### **IWORQ Systems Agreement:**

The IWORQ System is a project management system for the Public Works Department. The program includes a database of each piece of equipment, each sign, road miles, etc. The program will issue reminders for road improvements and can track repairs and improvements to infrastructure. Mr. Schneider has asked Ken Daniels to look for users of the system to find out if they are happy with it or not. This system is used primarily in the west. Since Enfield would be the first NH town using the program a discount will be provided. Mr. Albanese expressed approval of the system. Mrs. Scovner concurred.

#### **IX. NEW BUSINESS**

##### **Inspector of Election:**

David Stewart requested appointment as an Inspector of Election. **Mr. Albanese moved to appoint David Stewart as an Inspector of Election Alternate; Mr. Payne seconded, vote unanimous.**

Water Bill Abatement Request:

The Board considered a request from Brenna McDonald for abatement of her water bill. Ms. McDonald's water meter was replaced and the old one tested. Based on the results of the meter test, the Director of Public Works does not recommend an abatement of the water bill.

**Mr. Albanese moved to deny the abatement; Mrs. Scovner seconded. Mr. Payne added that the denial is without prejudice and Ms. McDonald should submit proof of a no fault leak if she would like this decision reconsidered. Vote unanimous.**

##### **Granite Blocks:**

The Board considered a request from Jim Proctor for the granite blocks located behind the Enfield Center Fire Station. **Mrs. Scovner moved to allow Jim Proctor to take the granite blocks under the conditions that the Fire Wards also approve the request, a donation is made to the Town and that Jim Proctor cover any damage should any result from the removal operations; Mr. Payne seconded, vote unanimous.**

**Administrative Items:**

The Board reviewed and approved the following documents: Yield Tax Warrant, Exemptions and Tax Credits.

**X. OTHER ITEMS****Anne's Place:**

Mrs. Scovner asked Jim Taylor to obtain the yearly report of police and fire calls to Anne's Place.

**Ironman Development:**

Mr. Taylor reported that the new owners of the "Ironman Development" have been in contact with him every couple of weeks. They are currently looking at their options.

Mr. Albanese asked that the Selectmen be informed when they are in town or at a Planning Board meeting.

**US Route 4 Development:**

There is no new information on the possibility of development of the land behind the Enfield Garage. Any development is on hold indefinitely.

**CONFERENCE****I. CEMETERY TRUSTEES**

Mr. Albanese informed Fred Altvater and Cemetery Trustee Richard Henderson that the Board has chosen not to act on Henry Cross's suggestion to disband the Cemetery Trustees.

The Board discussed the need for the Board of Selectmen or Town Manager to have authorization to perform a burial if the Cemetery Trustees are not available to sign the required paperwork. Safeguards need to be in place. Mr. Henderson replied that this could be written into the cemetery rules and regulations.

Mr. Henderson pointed out the need for greater communication between staff and the Cemetery Trustees.

Mr. Henderson provided some history on the creation of the Cemetery Board of Trustees as we know them today, as governed by RSA 289. Mr. Albanese replied that the Selectmen have chosen specifically and deliberately not to challenge the status of the Cemetery Board of Trustees. He also mentioned that if the Trustees are not getting what they need from the staff, they should first let the Town Manager know, then the Board of Selectmen.

Mr. Henderson discussed problems with lot ownership. When burials occur, proof of ownership of the lot is required and must be verified before the burial takes place.

There was a brief discussion of trust and capital reserve funds available to the Trustees and the Town. The proposed Cemetery Department budget for 2006 was discussed. The Board of

Selectmen expects that while the operating budget is minimal that some capital reserve funds might be available for special projects, such as tree trimming. Mr. Henderson was asked to contact Mr. Schneider for complete information on the funds available.

Cemetery Board of Trustee membership was discussed. Paul Putnam's 3-year term expires in March. Henry Cross's term would have expired in two year's time. The ballot will include voting for one Cemetery Trustee for a 3-year term and one Cemetery Trustee for a 2-year term to fill these positions.

## **II. MICHAEL BATES**

The Board asked Mr. Bates to return at the next Selectmen's meeting pending review of the RSA's pertaining to non-public sessions.

The availability of documents under the Right-to-Know Law was briefly discussed.

## **III. NON-PUBLIC SESSION**

Mr. Scovner moved to enter non-public session at 7:40 PM under RSA 91-A:3 (a); Mr. Albanese seconded. Roll call vote: Mrs. Scovner – aye, Mr. Albanese – aye, Mr. Payne – aye. Motion carried

Mr. Payne moved to come out on non-public session at 7:45 PM; Mrs. Scovner seconded, vote unanimous.

## **IV. ADJOURNMENT**

The meeting was adjourned at 7:45 PM.