

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

**MINUTES of May 1, 2006**

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

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

**Others:** Ken Daniels, Director of Public Works; Richard Crate, Jr., Chief of Police; Joe Cote, Connecticut Valley Spectator; Dan Kiley; Henry Cross; Dwight Marchetti; David Stewart

**BUSINESS MEETING**

**I. CALL TO ORDER**

Mrs. Scovner called the meeting to order at 5:00 pm.

**II. APPROVAL OF MINUTES**

The Board reviewed the minutes of April 17, 2006. The following amendments were made: page 4, paragraph 1 shall read, "Mr. Albanese received a phone call asking if the Selectmen were trying to run George's market out of town. He replied to the caller that they were not. In the context of a discussion of an Enfield Village Association survey, George's market was not interested in participating." Page 7, paragraph 4 should read, "Mr. Albanese stressed that he wants to keep the lines of communication with the Lions Club open."

**Mr. Albanese moved to accept the regular session minutes of April 17, 2006 as amended; Mrs. Scovner seconded, vote unanimous.**

**Mr. Albanese moved to accept the non-public session minutes of April 17, 2006 as amended; Mrs. Scovner seconded, vote unanimous.**

**III. COMMUNICATIONS**

**Dredge & Fill Application:**

NHDOT ~ I-89, Exit 16: Dredge channel & construct sediment basin.

**Enfield Village Association:**

Signs for self-guided walking tour of historic Enfield sites. The Board is supportive of the plan for installation of these signs as proposed by the Heritage Commission.

**NH DOT ~ Veterans Memorial Park signs:**

The NH Dept. of Transportation has previously declined a request to install signs alerting drivers to the location of the Veterans Memorial Park, but has now offered to include the Park on the Purple Heart Trail. Henry Cross, instrumental in the development of the Veterans Memorial Park would decline this offer. The Board of Selectmen took no action.

**UVLSRPC ~ Bernie Folta correspondence:**

Mr. Folta expressed concern about the amount of funds in reserves of the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC).

Dan Kiley stated that the Connecticut Valley Spectator ran a story on it.

The Town of Enfield has had some concerns about service provided by UVLSRPC to the Town of Enfield.

Mr. Schneider stated that UVLSRPC is short-staffed right now.

Sandra Akacem, Enfield representative on the UVLSRPC Board, will be asked if she feels the value provided by UVLSRPC is worth the dues paid by the Town.

**WCNHRHSCC Agreement:**

Phase I: Assessment and Development & Phase II: Financial Engineering is included in the revised agreement with PacketFront, a firm with experience in wiring a rural community for Internet access. The plan will help the group prepare a governing structure. The firm will also try to find investors and other funding sources to lessen the financial burden on the towns as much as possible.

The contract calls for 50% payment before the project begins and the final 50% upon completion. A public hearing is required before money can be expended from the Technology Capital Reserve Fund for this purpose. Mr. Albanese asked that the Budget Committee members be informed of the Town's plans, as this expense was not included in the 2006 budget.

Mrs. Scovner's only concern is that the City of Lebanon is not participating. Mr. Schneider replied that there would be discussion of the project at an upcoming Lebanon City Council meeting.

**Mrs. Scovner moved to authorize Steven Schneider to sign the contract; Mr. Albanese seconded.**

Mr. Schneider explained that the Town's \$13,000, in conjunction with that contributed by the other participating towns, creates the governing structure and establishes real partners in the project. The agreement completes Phase I and Phase II, but does not include infrastructure. Mr. Schneider will have the agreement reviewed by the Town's attorney before signing it.

Mr. Payne arrived at this time (6:17 PM) and was provided a summary of the preceding discussion.

**The Board considered the motion made by Mrs. Scovner to authorize Mr. Schneider to sign the contract; vote unanimous.**

**Planning Board Public Hearing Notice:**

The Board received a Planning Board Public Hearing notice for the meeting on May 10, 2006, which will include a Phase III Site Plan review and Phase III Site Plan Amendment.

Mr. Albanese asked that the Planning Board place conditions on new businesses, that include outdoor activities, to be required to clean up the site if the business closes.

**Thomas Monmaney correspondence ~ Enfield Shaker Museum:**

The Board took no action. The Museum has paid a large portion of past due taxes and is no longer subject to deeding.

**Town Clerk Report ~ April 2006**

**Community Development Director's Report ~ April 2006**

**IV. BOARD REPORTS**

**Planning Board:**

The Planning Board held a work session and reviewed the Site Plan regulations and zoning district boundaries.

**Heritage Commission:**

Mr. Schneider attended his first Heritage Commission meeting. The Commission brought up their desire to apply for Conservation License Plate Grant funds intended for the restoration of historic structures. The grant funding appears to be fairly open ended. The Commission suggests using the funding for Whitney Hall, in a way that won't interfere with any future plans the Town may have for the building. The Town Facilities Committee can discuss this in greater detail on May 8<sup>th</sup>.

**V. TOWN MANAGER'S REPORT**

Mr. Schneider reviewed his report for the month of May with the Selectmen.

**Whitney Hall:**

The next meeting of the Town Facility Committee meeting will be held on May 8 at 5:30 PM, with the Board of Selectmen having a brief meeting at 5:00 PM.

**Henry Cross Property:**

Mr. Cross has met with Mr. Schneider a couple of times this spring regarding the drainage issue on his property on Crystal Lake.

Mr. Cross presented pictures of the drainage onto his property for viewing by the Selectmen. Mr. Cross indicated that he has in his possession a photo of the problem area on the shores of Crystal Lake that dates back to before the problem existed.

Mr. Daniels reported that he has a base map from Sewell that encompasses a good portion of area in question, however he does not have maps of the complete drainage basin and as such cannot make a decisive decision on a plan to rectify the situation. Mr. Daniels is awaiting contour lines to define the watershed area.

Mr. Daniels is to prepare a plan in time for the fall budget process, so work can be completed budgeted and completed in 2007. If Mr. Daniels has difficulty obtaining the necessary data to prepare the plan, he is to notify the Board of Selectmen.

Mr. Cross requested something in writing on how the project is going to proceed. Mr. Albanese replied that it would be in the minutes.

Mr. Schneider offered to walk the property within the next couple of days.

**Oak Grove Street:**

Mr. Daniels has spoken with the NH Dept. of Environmental Services (NH DES), who is awaiting a contract commitment prior to approval of the emergency permits. Mr. Daniels has obtained the contract commitment from Morrill Construction for May 10<sup>th</sup> and completion in 10 days. Mr. Daniels must file a dredge & fill application, but supporting information was submitted previously as part of the hazard mitigation plan to the State and will not have to be redone.

**Stump Dump:**

Representatives of NH Fish & Game were invited to attend this Selectmen's meeting to discuss the Stump Dump, but have not shown. The Town will open the Stump Dump for the season on Tuesday, May 2<sup>nd</sup> and will continue normal operations until the Town reaches a resolution with the State.

**Strategic Plan:**

The Board of Selectmen scheduled another Strategic Plan meeting on May 13 at 9:00 AM. The meeting will focus on organizational issues and will follow the same format as the Strategic Plan meeting held in April of this year.

**VI. PUBLIC COMMENTS****Henry Cross ~ Civil Issue:**

Mr. Cross discussed problems he has been having with a certain individual in town. Mr. Cross had a state approved septic design and was having the system installed, when this individual came onto his property with complaints about the work. Mr. Cross was in Florida at the time and he believes she knew this. Mr. Cross strongly expressed his irritation with this individual. Mr. Cross now has no trespassing signs on his property and intends to stop her behavior legally.

Mr. Albanese informed Mr. Cross that the individual came onto his property as a private citizen and the issue is out of the Selectboard's hands.

Police Chief Crate reported receiving a couple of complaints about this individual within the last 6 to 8 months, the second being Mr. Cross's complaint. She was sent a letter and Chief Crate has since had a discussion with her. Sgt. May investigated Mr. Cross's complaint. If it happens

again she will be prosecuted. The Police Department just has to be sure to have a solid case and probably cause.

Mr. Albanese reported the receipt of 3 or 4 reports from the NH DES. Leigh Davis, Conservation Commission Chairman, notes that conditions for Henry Cross's application have been met. These reports date back a few months and will be presented at the Conservation Commission on May 4<sup>th</sup>. Mr. Albanese will be attending this meeting.

**Dwight Marchetti ~ Delinquency Report:**

Mr. Marchetti obtained a report from the Tax Collector of unpaid taxes, which showed an outstanding balance of \$461,000 as of April 6, 2006. Mr. Marchetti inquired about the process of deeding and asked how many properties met the criteria for deeding.

Mr. Marchetti was informed that two properties were subject to deeding. These deeds were presented to the Selectmen at this time. Mr. Albanese understands there may have been some talk generated because the Selectmen were willing to negotiate with the Enfield Shaker Museum, but Mr. Albanese has no plan, on his part, to talk to private landowners.

Discussion ensued regarding water and sewer arrearages and the process for collection. Mr. Marchetti was informed that if payment is not made, the water is turned off.

Mr. Marchetti inquired about the rate changes in water and sewer. Mr. Albanese explained how the rates were calculated, including meeting expenses and raising \$15,000 for reserve funds for future repair and replacement of infrastructure. There had not been an amount previously designated for reserves, but rather any surplus in the budget was rolled into surplus. Unfortunately, the Water Department has been running at a deficit for the past 2 years, and that situation needed to be corrected, thus the increase.

Sewer rates, in contrast, were lowered due to the new agreement with the City of Lebanon.

The Board of Selectmen will look at rates on an annual basis to avoid this type of problem in the future.

**Dwight Marchetti ~ Board & Committee Appointments:**

Mr. Marchetti stated that the Selectmen have certain boards under their control. Mr. Marchetti encouraged the Board to police the people they appoint and the boards themselves. The minutes of April 3<sup>rd</sup> indicated that two individuals were reappointed to boards and committees, while other applications received were not discussed. Mr. Marchetti stressed the need for professionalism.

Mr. Marchetti also recommends possible term limits, as others that want to serve shouldn't have to wait for someone to pass away in order to create a vacancy in the office. In addition, if the Board is going to appoint someone, Mr. Marchetti feels they should talk to them first.

Mr. Albanese responded that he did talk to one of the individuals in question. This individual changed his mind a couple of times about whether he wished to continue to serve.

Mr. Marchetti then spoke about the notification of individuals that received write-in votes for elected positions. He suggested sending a letter to the individuals that received write-in votes, to be professional.

Mr. Marchetti then suggested the Selectmen keep in touch with their boards so they know when a member is inactive. Mr. Albanese responded that he has been in touch with Leigh Davis, Conservation Commission chairman regarding the status of one of their members, and follow-up was done with the Planning Board.

Mr. Cross said, in defense of the Town Hall, he did receive a letter that he received the most write-in votes for the Cemetery Trustee position.

David Stewart asked if anyone had been appointed to the Cemetery Trustee position. He knows that some people declined the position. No one has been appointed to date.

Mrs. Scovner stated that while State law designates the Board of Selectmen as the appointing authority, the Board feels more comfortable asking for the input of the Cemetery Trustees. The Trustees made their recommendations, and the Selectmen are honoring those recommendations.

**Dwight Marchetti ~ Countryside Cemetery:**

Mr. Marchetti asked if anyone has done test digging at Countryside Cemetery to see if there's ledge, if it's all clay, etc. He was informed that this is in the jurisdiction of the Cemetery Trustees, an elected body, and that he should do talk to them.

Mr. Daniels pointed out that there are ledge outcroppings.

**Dwight Marchetti ~ Skateboarders:**

Mr. Marchetti reported that there's an organization in town that would be interested in building a skateboard park at no cost to the Town. He was informed that no one has approached the Town.

Discussion ensued regarding skateboarders on Main Street. Chief Crate stated that it's not a felony, they're kids. It's only an issue if they're impeding traffic.

Mr. Marchetti believed one of the reasons for not approving a skateboard park was concern over liability, and pointed out that there's liability at the basketball court.

Mr. Marchetti will go back to the organization that has indicated a willingness to build a skateboard park.

Mrs. Scovner feels that even if there is a skateboard park, kids will still skateboard near their homes.

**Dan Kiley ~ Historic Marker Signs:**

In reference to the signs for self-guided walking tour of historic Enfield sites as proposed by the Heritage Commission, Mr. Kiley asked if the Town had a sign ordinance. Mrs. Scovner informed him that the Town did have a sign ordinance and the signs as proposed are legal.

Mr. Kiley expressed concern about cutting into the sidewalk to install signs, such as the one proposed at the Copeland Block, and the problems this might cause for clearing snow in the winter.

Mr. Albanese replied that the signs have been approved; the Public Works Department will be doing the installation.

The Public Forum was called to a close at 6:37 PM.

## **VII. OLD BUSINESS**

### **Solid Waste Ordinance:**

The Board received a revised Solid Waste Ordinance that has been reviewed by the Building Inspector and Director of Public Works. This proposed ordinance incorporates the authority for Jim Taylor, Phil Neily or the Police Department to commence with enforcement, to avoid placing the burden for enforcement on any one person.

The Board scheduled a public hearing on May 15<sup>th</sup>.

## **VIII. NEW BUSINESS**

### **Cemetery Trustee Appointment:**

The Board tabled this issue until the next meeting. In the meantime, Mr. Albanese will talk to Evelyn Palmer, the proposed appointee; to be sure she is still interested.

### **Enfield Outing Club Charitable Exemption:**

**Mr. Albanese moved to accept the tax exemption for the Enfield Outing Club for 2006; Mrs. Scovner seconded, vote unanimous.**

### **Conservation Easement Deed for "Bicknell Forest":**

The Board has received an opinion from the Town's attorney. The Board is not prepared to sign the agreement as drafted. Rather than send a copy of the attorney's opinion to Upper Valley Land Trust (UVLT), a letter will be sent from the Board explaining to UVLT the reasons for not signing the agreement.

## **IX. OTHER ITEMS**

### **Tax Collector's Deeds:**

**Mr. Albanese moved to sign two Tax Collector's deeds as presented; Mrs. Scovner seconded, vote unanimous.**

### **Conservation Commission Appointment:**

Mrs. Scovner received a letter from Tim Lenihan asking to be appointed to the Conservation Commission as an alternate. **Mrs. Scovner moved to appoint Tim Lenihan to the Conservation Commission as an alternate; Mr. Payne seconded, vote unanimous.**

**Humane Society Charitable Exemption:**

Mrs. Scovner moved to accept the Humane Society's Charitable Exemption. There was no second.

In light of the fact that the Humane Society will now be charging the Town for strays brought in, Mr. Albanese requested an opinion from Julie Huntley, Assessing Administrator, regarding this exemption.

Chief Crate stated that he has received no bill to date. He believes the Town is only charged if the pet owner does not pay the cost.

Mr. Albanese stated that he wants to be consistent and be sure they meet the 4 corners of the statute.

**Other Items:**

The Board reviewed and approved the following documents: Gravel Tax Levy, Timber Tax Levy, and Veterans Tax Credit.

**Mrs. Scovner moved to appoint Steve Schneider as liaison between the School Board and the Town; Mr. Payne seconded, vote unanimous.**

**CONFERENCE****I. FISH & GAME ~ STUMP DUMP**

NH Fish & Game contacted Ken Daniels stating where and when they wanted to meet. Mr. Schneider, in turn, relayed information back to Fish & Game about having a public meeting with the Board of Selectmen at a regular meeting. No one from Fish & Game appeared at this evenings meeting.

The Town will open the Stump Dump as scheduled.

**II. NON-PUBLIC SESSION**

**Mrs. Scovner moved to enter non-public session at 6:55 PM, RSA 91-A:3 II (c); Mr. Payne seconded. Roll call vote: Mrs. Scovner – aye, Mr. Payne – aye, Mr. Albanese – aye.**

**Mr. Albanese moved to come out of non-public session at 7:17 PM; Mrs. Scovner seconded, vote unanimous.**

**Mrs. Scovner moved to seal the minutes; Mr. Albanese seconded, vote unanimous.**

**III. ADJOURNMENT**

**Mrs. Scovner moved to adjourn at 7:15 PM; Mr. Payne seconded, vote unanimous.**