

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

**MINUTES of February 14, 2005**

**Board of Selectmen:** Dominic Albanese; Nancy Scovner

**Absent:** Keith Oppenneer, Chairman

**Administrative Staff:** April Whittaker, Town Manager; Alisa D. Bonnette, Secretary

**Others:** Phil Neily, Building Inspector/Health Officer; Curtis Payne; Dr. David Beaufait, Moderator; Dan Kiley; Joe Cote, Connecticut Valley Spectator; Captain Richard Crate

**CALL TO ORDER**

Mr. Albanese called the meeting to order at 5:07 pm.

**APPROVAL OF MINUTES**

Mrs. Scovner moved to approve the minutes of February 1, 2005 as written; Mr. Albanese seconded vote unanimous.

In response to Leigh Davis's comments during Citizens Forum on February 1, Mr. Albanese requested clarity that the Conservation Commission has no authority to do anything regarding the Bicknell Brook property without the Selectmen's approval.

Mrs. Scovner agreed the Commission can do fact-finding and can provide input, but cannot make policy.

Mr. Albanese does not want any money spent on surveying the subject property during 2005. If the Commission were attempt to have this work done they would have to submit a purchase order to Mrs. Whittaker for prior approval. Mrs. Whittaker also noted that they would need to hold a public hearing to accept any donated funds.

**BUSINESS**

**2005 Warrant:**

The Board discussed the proposed warrant for the 2005 Town Meeting. Mrs. Whittaker explained a new Article 8, which was added to this version of the warrant pursuant to the Town

Attorney's recommendation. The Town must first vote to adopt the provisions of RSA 162-K (Article 8) prior to adopting the boundaries of the district (Article 9). [This changes the article numbers, but not the content, as voted upon by the Budget Committee on February 7, 2005.]

Mr. Albanese read each article in turn.

**Article 8:** To see if the Town will vote to adopt the provisions of NH RSA 162-K MUNICIPAL ECONOMIC DEVELOPMENT AND REVITALIZATION DISTRICTS. By adopting the statute, the town would thereafter have all the authority, powers, duties, and responsibilities set forth in Chapter 162-K, including the power for the Town Meeting to establish development programs and tax increment financing plans, including adoption of Article 9 at this year's 2005 Annual Town Meeting.

Mr. Albanese moved to recommend Article 8; Mrs. Scovner seconded, vote unanimous.

**Article 9:** To see if the town will vote to establish a municipal economic development and revitalization district for an area as shown on map entitled "Enfield Tax Increment Finance District dated February 9<sup>th</sup>, 2005" per revised state statutes Chapter 162-K. This district formation and plan proposes several public infrastructure projects that would be instrumental in contributing to new investment and reinvestment in the area. Further this plan authorizes the Board of Selectmen to appoint a five-member (5) Advisory Board for such a District and to delegate administration of the plan to the Community Development Director in cooperation with the Advisory Board and Board of Selectmen. Said District to be in existence for a period of 15 years unless rescinded or extended by Town Meeting.

Mr. Albanese moved to recommend Article 9; Mrs. Scovner seconded, vote unanimous.

**Article 10:** To see if the town will vote to raise and appropriate forty thousand dollars (\$40,000) for conceptual infrastructure engineering plans for the "Enfield Tax Increment Finance District dated February 9<sup>th</sup>, 2005." This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the conceptual plans are completed or by December 31<sup>st</sup>, 2007, whichever is sooner. (Estimated tax impact 10 cents per \$1000 valuation.)

Mr. Albanese moved to recommend Article 10; Mrs. Scovner seconded, vote unanimous.

**Article 11:** To see if the Town will vote to (i) raise and appropriate the Budget Committee's and Board of Selectmen's recommended sum of four million, eighty-seven thousand, three hundred and eighteen dollars, (\$4,087,318), which represents the operating budget, and (ii) authorize the use of \$12,000 from the public works/equipment capital reserve, and \$10,000 from the Police Equipment Reserve to defray operating budget request. The balance to be raised through general taxation. This article does not include appropriations voted in other warrant articles. (Estimated tax impact \$5.77 per \$1,000 valuation)

Mr. Albanese moved to recommend Article 11; Mrs. Scovner seconded, vote unanimous.

**Article 12:** To see if the Town will vote to raise and appropriate the following sums for Regional Association requests:

<u>Regional Association</u>	<u>Appropriation</u>
Advance Transit	\$ 3,000
Community Action Program (LISTEN)	2,900
Headrest	3,000
Visiting Nurse Association	16,850
Senior Citizens Council	4,750
WISE	2,300
Museum at Lower Shaker Village	4,500
West Central Behavioral Health	1,000
Enfield Village Association	10,000
<b>Total</b>	<b>\$ 48,300</b>

(Estimated tax impact 12 cents per \$1,000 valuation)

Mr. Albanese is not in favor of Article 12, having voted against it at the Budget Committee meeting. Mrs. Scovner is in favor of Article 12. Mr. Oppenheimer has indicated his approval of Article 12 on previous occasions. Since a vote cannot be made to recommend Article 12 at this meeting, Mrs. Scovner moved to approve the inclusion of Article 12 on the 2005 warrant as printed; Mr. Albanese seconded, vote unanimous.

**Article 13:** To see if the Town will vote to raise and appropriate the sum of forty thousand dollars (**\$40,000**) for the Community Building site construction. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the site construction is completed or by December 31<sup>st</sup>, 2008, whichever is sooner. (Estimated tax impact 10 cents per \$1000 valuation.)

Mr. Albanese moved to recommend Article 13; Mrs. Scovner seconded, vote unanimous.

**Article 14:** To see if the Town will vote to raise and appropriate the sum of forty thousand dollars (**\$40,000**) for reconstruction of the so-called Whaleback Mountain Road Bridge. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the bridge is completed or by December 31<sup>st</sup>, 2006, whichever is sooner. (Estimated tax impact 10 cents per \$1000 valuation.)

Mr. Albanese moved to recommend Article 14; Mrs. Scovner seconded, vote unanimous.

**Article 15:** To see if the Town will vote (i) to raise and appropriate the sum of two hundred and seventy four thousand dollars (**\$274,000**) (ii) to purchase the following Public Works vehicles, (iii) to authorize the amount of fifty-nine thousand dollars (**\$59,000**) to be withdrawn from the Public Works Vehicle/Equipment Capital Reserve fund established for this purpose, and (iv) to authorize the use/transfer of fifty thousand dollars (**\$50,000**) of the December 31<sup>st</sup>, 2004 fund balance for this purpose. (Estimated tax impact 40 cents per \$1000 valuation.)

- 12 yard Dump Truck with plow, wing and spreader \$146,000
- 7 yard Dump Truck with plow, wing, and spreader \$128,000

Mr. Albanese moved to recommend Article 15; Mrs. Scovner seconded, vote unanimous.

**Article 16:** To see if the Town will vote to (i) raise and appropriate forty-eight thousand dollars (**\$48,000**) for aerial photography, planimetric mapping and digitization of the town’s tax maps and (ii) authorize withdrawal of thirty-eight thousand dollars (**\$38,000**) from the Technology Capital Reserve Fund established for this purpose. (Estimated tax impact 2.5 cents per \$1000 valuation.)

Mr. Albanese moved to recommend Article 16 Mrs. Scovner seconded, vote unanimous.

**Article 17:** To see if the Town will vote to (i) raise and appropriate the sum of twenty thousand dollars (**\$20,000**) for the acquisition of a GPS unit, and (ii) authorize withdrawal of ten thousand dollars (**\$10,000**) from the Technology Capital Reserve Fund established for this purpose. (Estimated tax impact 2.5 cents per \$1000 valuation.)

Mr. Albanese moved to recommend Article 17; Mrs. Scovner seconded, vote unanimous.

**Article 18:** To see if the Town will vote to raise and appropriate the sum of one hundred and thirty-eight thousand dollars (**\$138,000**) to be placed in previously established Capital Reserve Funds, as follows:

<b>Capital Reserve Account</b>	<b>Appropriation</b>	<b>Estimated Tax Impact Per \$1,000 Valuation</b>
Technology Services <sup>(2)</sup>	30,000	7 cents
Ambulance <sup>(2)</sup>	10,000	2.5 cents
Fire Vehicle/Equipment <sup>(1)</sup>	40,000	10 cents
Public Works Vehicle/Equipment <sup>(2)</sup>	50,000	17 cents
Sidewalk Construction <sup>(2)</sup>	8,000	2 cents
<b>Total</b>	<b>\$138,000</b>	<b>33 cents</b>

Authorization to expend: <sup>(1)</sup> Town Meeting, <sup>(2)</sup> Board of Selectmen, <sup>(3)</sup> Water & Sewer Commissioners (Board of Selectmen), <sup>(4)</sup> Cemetery Board of Trustees, <sup>(5)</sup> Library Board of Trustees.

Mr. Albanese moved to recommend Article 18; Mrs. Scovner seconded, vote unanimous.

**Article 19:** To see if the Town will vote (i) to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of bridge construction, (ii) to raise and appropriate the sum of five thousand dollars (**\$5,000**) to be placed in this fund, and (iii) name the Board of Selectmen as “Agents to Expend.” (Estimated tax impact is 1 cent per \$1,000 valuation.)

Mr. Albanese moved to recommend Article 19; Mrs. Scovner seconded, vote unanimous.

**Article 20:** To see if the Town will vote (i) to establish a Non-Capital Reserve Fund under the provisions of RSA 35:1-c for the purpose of a Library Technology Fund, (ii) to raise and appropriate the sum of five thousand dollars (**\$5,000**) to be placed in this fund, and (iii) name the Library Trustees as “Agents to Expend.” (Estimated tax impact is 1 cent per \$1,000.)

Mrs. Scovner moved to recommend Article 20; Mr. Albanese seconded, vote unanimous.

**Article 21:** Shall the Town raise and appropriate the sum of nine hundred dollars (**\$900**) from the undesignated fund balance, for deposit into the Cemetery Maintenance Fund, an expendable general trust fund previously established under the provisions of RSA 31:19-a for the purpose of maintaining cemeteries? This money represents 2004 revenue from the sale of cemetery lots in 2004 and is available to offset the appropriation. (This article has no impact to the proposed 2005 Tax Rate.)

Mrs. Scovner moved to recommend Article 21; Mr. Albanese seconded, vote unanimous.

**Article 22:** Shall we modify the elderly exemptions from property tax in the Town of Enfield based on assessed value, for qualified taxpayers, to be as follows:

for a person 65 years of age up to 75 years, \$ 46,000;  
for a person 75 years of age up to 80 years, \$ 69,000;  
for a person 80 years of age or older, \$ 92,000.

To qualify, the person must have been a New Hampshire resident for at least 5 years, own the real estate individually or jointly, or if the real estate is owned by such person’s spouse, they must have been married for at least 5 years. In addition, the taxpayer must have a net income of not more than twenty thousand dollars (\$20,000) or if married, a combined net income of less than twenty-eight thousand dollars (\$28,000); and own net assets not in excess of seventy thousand dollars (\$70,000) excluding the value of the person’s residence.

Mrs. Scovner moved to recommend Article 22; Mr. Albanese seconded, vote unanimous.

**Article 23:** To authorize the Town of Enfield Fire Department to go to the aid of another city, town, village or fire district within or without the state, for the purpose of extinguishing a fire, rendering other emergency assistance, or performing any detail requested in accordance with New Hampshire Revised Statutes Annotated 154:24.

Mr. Albanese questioned the portion of the article that reads, “without the state”. Mrs. Whittaker explained that this includes HazMat, which is located in Hartford, VT.

Mr. Albanese moved to recommend Article 23; Mrs. Scovner seconded, vote unanimous.

**Article 24:** To hear the reports of agents, auditors, committees, or any other officers heretofore chosen and pass any vote relating thereto.

Mrs. Scovner moved to place Article 24 on the 2005 Warrant; Mr. Albanese seconded, vote unanimous.

**PUBLIC APPOINTMENTS****Dr. David Beaufait, Moderator:**

Dr. Beaufait arrived and discussion of warrant articles ensued.

Mrs. Whittaker, Jim Taylor, and a couple of citizens will be prepared to explain and support the proposed Tax Increment Financing (TIF) Plan.

Carolee Higbee, Town Clerk, will be asked to prepare paper ballots in anticipation of a ballot vote on the TIF questions – Articles 8 & 9.

Dr. Beaufait discussed the proposed procedures, which are adopted by the voters at the beginning of each Town Meeting. Upon approval by the voters, Dr. Beaufait will allow each person 5 minutes to speak, with an additional 2 minutes to respond to subsequent comments. After the question is called, each individual that is standing and waiting to speak will be allowed 2 minutes.

Presentations will be made at the beginning of the meeting as was done at the 2004 Town Meeting.

The presentation of the operating budget was discussed, including the need to provide a clear and concise explanation of the article.

Dr. Beaufait was asked to present to the voters any newly elected officials that might be present at the meeting. Mrs. Scovner thinks it would be nice to also acknowledge other local elected officials such as Paul Mirski & Peter Burling.

Town Meeting will be held in two parts with voting by official ballot for elected officials and zoning amendments on Tuesday March 8<sup>th</sup> at Whitney Hall from 8:00 AM until 7:00 PM, and discussion and action on all other articles on Saturday, March 12<sup>th</sup> at the Enfield Village School beginning at 9:00 AM.

**Phil Neily, Building Inspector/Health Officer:**

The Board of Selectmen received a copy of Phil Neily's findings regarding smoking in the Community Building. Mr. Neily has determined that the Enfield-Mascoma Lions Club has met the requirements of RSA 155:67 with substantial separation with the doors and air cleaners. The two air cleaners are run on low when the room is unoccupied. The doors remain shut and the air cleaners are turned to high when smoking is taking place. The room is segregated from the rest of the building. There is no segregation within the room itself, but that is a Lions Club member issue.

Mr. Albanese moved to allow smoking in the Lions' room by the Lions pursuant to RSA 155:67 II for as long as they continue to follow the letter of the health officer dated January 25, 2005; Mrs. Scovner seconded, vote unanimous.

Mrs. Whittaker read aloud RSA 155:69 regarding policies & procedures, and asked that an employee be designated to handle complaint procedures regarding the indoor smoking act.

Mr. Neily has no problem with the health officer fielding complaints. The resources are there to take care of it. If a problem were found, the health officer would come to the Board of Selectmen. Complaints can be verbal and they can be kept confidential.

Mr. Albanese agreed that it would come to the Board of Selectmen rather than go to the Board of Directors, as this is a policy issue.

## **CITIZENS FORUM**

No citizens wished to speak at this time.

## **OLD BUSINESS**

### **Town Manager's Report:**

Mrs. Whittaker presented a proposed contract form Norm Bernaiche for assessing services in 2005. The contract price has been increased from 20,075 to 29,960. Mr. Bernaiche has not had an increase in 5 years. This equates to about \$60/hour, typical for a private assessor.

Mr. Albanese asked if when 1/5<sup>th</sup> of the town is reassessed does he visit every house? Mrs. Whittaker replied that yes, he does. She does not currently know what section he's in, but suggested that a small advertisement be composed, alerting residents to the areas that he's covering.

The Town Attorney has reviewed the contract and Mrs. Whittaker recommended acceptance. The Board concurred.

### **2005 Regional Dinners:**

Three reservations will be made for the Board of Selectmen at the 2005 Regional Dinner, sponsored by the Local Government Center. One reservation will be for the new selectman voted in at Town Meeting in March.

## **NEW BUSINESS**

### **George Seiler re: wetlands definition:**

The Board received correspondence from George Seiler regarding a petitioned warrant article for the 2005 Town Meeting relating to the definition of wetlands. Mr. Seiler requested a response from the Selectmen regarding the proposed wetlands definition. Mrs. Whittaker will draft a response for the Selectmen's consideration noting that Mr. Seiler does receive a reduced value on his assessment due to the wetlands located on his property and that there is some value to wetlands, though they may have limited uses, such as a privacy buffer.

### **Regional Transportation Improvement Program:**

Mrs. Whittaker asked the Board if there is anything they want added to the Transportation plan. Mr. Albanese feels this should be transitioned to the professionals rather than have this done by volunteers.

Mr. Albanese moved to direct Jim Taylor to be the Town's representative to the Upper Valley Lake Sunapee Regional Planning Commission Board of Directors; Mrs. Scovner seconded, vote unanimous.

**Other Business:**

A written Town Manager's report and some department reports were not received this month. Mrs. Albanese wondered if quarterly reporting might be better.

Mrs. Scovner moved to congratulate the Police Department on their recent drug bust – the Selectmen are very proud of the Town's Police Department; Mr. Albanese seconded, vote unanimous.

**Non-Public Session:**

Mrs. Whittaker requested a non-public session to discuss a resignation.

Mr. Albanese moved to enter into non-public session, under RSA 91-A:3 II (b), at 6:18 PM; Mrs. Scovner seconded. Roll call vote: Mr. Albanese – aye, Mrs. Scovner – aye, motion carried.

Mr. Albanese moved to come out of non-public session at 6:45 PM; Mrs. Scovner seconded, vote unanimous.

Mr. Albanese moved to accept the resignation of Police Chief Peter Giese with heartfelt thanks and deep regrets for his years of service, effective April 1, 2005. Mrs. Scovner seconded the motion and added that Chief Giese has been with the Town for 27 years and the town is a much better place today. Congratulations were added for moving into retirement. All were in favor of the motion.

Mr. Albanese moved to name April Whittaker as the official spokesman for the replacement of the Chief of Police; Mrs. Scovner seconded, vote unanimous.

Mrs. Whittaker stated to the public at this juncture the Town would have discussions regarding the search for a new Chief. Assistance will be obtained from the Police Chiefs' Association, the Local Government Center, local law enforcement and the Enfield Police Department. The Board will investigate and review the best ways to make the decision and answer questions they, or the public, may have. How do we become objective for looking within the department or looking outside of the department? Mrs. Whittaker may provide a synopsis at a later date.

**INFORMATIONAL ITEMS**

- LCHIP Potential Projects Inventory for 2005-2006:  
Mrs. Whittaker submitted a request for funding for Whitney Hall renovations.
- Lynch Education Plan (from TheWMURChannel.com)
- Tax Collector's Trial Balance Report
- Town Clerk's Report Mail-In Registrations Report
- Town Clerk's Year to Year Comparison



**ADJOURNMENT**

Mr. Albanese moved to adjourn at 6:49 PM; Mrs. Scovner seconded, vote unanimous.