

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

MINUTES of June 21, 2004

Board of Selectmen: Keith Oppenneer, Chairman; Dominic Albanese; Nancy Scovner

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

Others: Alan Sutphen & Michael Sisto, Adelphia Cable; Ken Daniels, Director of Public Works; Joe Cote, Connecticut Valley Spectator; Dan Kiley; Nancy Smith, Enfield Village Association

CALL TO ORDER

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

APPROVAL OF MINUTES

Minutes of May 17, 2004:

Mr. Oppenneer moved to accept the regular session minutes of May 17, 2004 as presented; Mrs. Scovner seconded. Mr. Oppenneer and Mrs. Scovner in favor, Mr. Albanese abstained, motion carried.

Mr. Oppenneer moved to accept the non-public session minutes of May 17, 2004 as presented; Mrs. Scovner seconded. Mr. Oppenneer and Mrs. Scovner in favor, Mr. Albanese abstained, motion carried.

Minutes of June 7, 2004:

Mr. Albanese moved to accept the regular session minutes of June 7, 2004 as presented; Mrs. Scovner seconded. Mr. Albanese and Mrs. Scovner in favor, Mr. Oppenneer abstained, motion carried.

Mr. Albanese moved to accept the non-public session minutes of June 7, 2004 as presented; Mrs. Scovner seconded. Mr. Albanese and Mrs. Scovner in favor, Mr. Oppenneer abstained, motion carried.

PUBLIC APPOINTMENTS**Alan Sutphen & Michael Sisto ~ Adelphia Cable:**

Mrs. Whittaker expressed the frustration customers are having reaching a live person at Adelphia. She reported that complaints have been received regarding a recent advertisement for a low monthly rate that only stated that it was strictly for new customers in the fine print. This has led existing customers to believe they might be eligible for the reduced rate.

Mrs. Whittaker stated that the Town of Enfield does not charge franchise fees because prior Boards of Selectmen did not want these charges passed on to Enfield cable customers. Mrs. Whittaker request written assurance that Enfield customers are not charged the same amount as other towns that *do* collect a franchise fee. Enfield customers should be paying a lower monthly fee for the same services or at least Adelphia should provide proof that such a fee is charged to those communities that do receive franchise revenues.

Mr. Sutphen assured the Board that franchise fees are not passed on to Enfield customers. Mrs. Whittaker reiterated that she would like written assurance of that.

Mr. Sutphen also stated that he had no control over the advertisement as it was a national campaign, but that he would highly suggest that the “new customers only” portion be printed in bold.

Mr. Sutphen presented the Selectmen with maps of the Adelphia service area in Enfield as requested.

General discussion ensued regarding Adelphia upgrades and system expansion. The backbone of the system is now fiber optic cable. According to the town’s franchise agreement with Adelphia, expansion is required when there are 20 homes or more per mile or 13 guaranteed customers per mile. Mr. Albanese asked if the number of homes is monitored so Adelphia is aware when new construction has increased the density to meet expansion criteria. Mr. Sutphen will have to look into it. Once a new line is put in and activated, tags are left at each home along the line to inform them that cable services are now available to them.

High-speed Internet access was discussed. Adelphia offers high-speed Internet access to those individuals that are within their service area. Customers can subscribe to Internet access without subscribing to the television cable services.

Mrs. Whittaker reported frustrated customers that have only been able to reach a call center in Florida when they have problems with their service. Mr. Sutphen replied that call centers are here to stay; that will not change.

Eric Englehart complained about the high rates he’s paying for service and contends that he is paying more for than other customers for the same levels of service. He also expressed frustration with the frequent change in management at Adelphia. Mr. Sutphen offered to meet with Mr. Englehart to go over his bill and explain the charges and make adjustments to the plan so he is getting what he wants for service. Mr. Englehart refused Mr. Sutphen’s offer.

John Auble explained that last October he heard about the new line coming into Enfield and made inquiries. He was told to wait since they were doing upgrades, but was later told things weren't "working out well." After 4 or 5 months of positive feedback he saw a map that had the words "do not build" in a polygon drawn around his house and that of his neighbor. Mr. Auble admitted that shared driveway is quite long, 400 feet to a T and then another 400 feet to his home. It's another 250 feet from the T to his neighbor's home. Mr. Sutphen asked Mr. Auble for some additional specifics and said he would see what he could do.

Dan Kiley stated that the cost of cable has increased greatly over the years. It used to be, between his phone, electric and cable bills that the cable bill was the lowest. Now the phone bill has gone down, the electric bill has remained about the same, but the cable bill has tripled. Mr. Kiley stated that the problem was lack of competition. Mr. Sutphen explained that more channels have been added so the price has risen. Michael Sisto added that certain providers, such as Disney and Warner Brothers, have increased their costs, which then have to be passed on to the customer.

Mr. Englehart recommended that the Selectmen meet with Verizon and get DSL. Verizon is offering high-speed Internet access for just \$29.95.

Mr. Oppenheer asked Mrs. Whittaker to arrange for a Verizon representative to meet with the Selectmen to discuss the possibility of DSL service for Enfield residents.

Mr. Oppenheer thanked Mr. Sutphen and Mr. Sisto for coming.

ADMINISTRATION

Elderly Exemption:

Mrs. Scovner moved to approve the elderly exemption as presented; Mr. Albanese seconded, vote unanimous.

Other Administrative:

The Board reviewed and approved the following documents: Timber Tax Levy, Property Tax Levy – Supplemental Warrant, Veterans Tax Credit.

CITIZENS FORUM

Dan Kiley ~ Town Offices/Library Needs Assessment Committee:

Mr. Kiley told the Selectmen to expect a story in the Connecticut Valley Spectator regarding the Committee. The Committee is putting out a request for proposals to put an extension on Whitney Hall. They are hoping, that with the cooperation of Verizon, the town can acquire the land behind the telephone building to expand the Whitney Hall parking lot. The Committee has decided to go forward with this plan until they find that it is not feasible.

Discussion ensued regarding the need for alternates for the Selectmen's representative and the Library's representative.

Mr. Oppenneer moved to appoint Dominic Albanese as the alternate ex-officio member on the Town Offices/Library Needs Assessment Committee; Mrs. Scovner seconded, vote unanimous. Mr. Oppenneer moved to authorize the Library Trustees to select an alternate Library representative from among the Library Board of Trustees; Mrs. Scovner seconded, vote unanimous.

NEW BUSINESS

Temporary Alternative Duty Policy & Fitness for Duty Policy:

Mrs. Whittaker advised adoption of the Temporary Alternative Duty Policy and Fitness for Duty Policy. These policies were developed upon the recommendation of the town's insurer.

Mr. Oppenneer stated that an 18-month temporary alternative duty seems long. Mrs. Whittaker replied that this timeframe follows Department of Labor rules.

Mrs. Scovner moved to approve both the Temporary Alternative Duty Policy and the Fitness for Duty Policy as presented; Mr. Oppenneer seconded, vote unanimous.

Mrs. Whittaker informed the Selectmen that these policies would be incorporated into the town's personnel policy when it is redrafted.

Downtown Revitalization CRF Withdrawal:

Mrs. Whittaker reminded the Board of last year's discussion of the retaining wall by the Copeland Block. The Selectmen discussed use of capital reserve funds for this project.

Mr. Oppenneer moved to withdraw \$9,750 from the Downtown Revitalization capital reserve fund for the purpose of paying for the construction of the retaining wall on Main Street; Mrs. Scovner seconded, vote unanimous.

Wellhead Protection:

Efforts are ongoing to negotiate with Bob LaCroix for protection of the Prior 1 wellhead. The Town has offered to purchase a gate to limit general access, but allow access by Mr. LaCroix to land he owns within the wellhead protection area, a 400 foot protection zone.

Mrs. Scovner inquired about the costs involved. Mrs. Whittaker estimated \$1,500 for a wetlands permit and culver and an additional \$500 for a gate. The Town will not be blocking Mr. LaCroix's land, but he will be giving the town an easement to protect the land from development.

Mr. Albanese moved to support Ken Daniel's letter to Bob LaCroix to proceed with wellhead protection; Mr. Oppenneer seconded, vote unanimous.

Donated Bench ~ Main Street Bridge:

Mascoma Saving Bank donated a nice bench to Don Crate for his eightieth birthday. Unbeknownst to Mascoma Savings Bank, the Town has been trying to maintain some consistency. The Town also wants something durable. The Enfield Village Association feels metal benches would meet this criteria. The State of New Hampshire has stated that the Town is

responsible for maintenance of the bench. Typically, the town would bring benches in for the winter, but the State requires that it be bolted to the bridge. There are concerns that the bench will deteriorate due to snow being plowed onto it during the winter, and that children climbing on the bench may be in danger of falling over the bridge railing. Discussion ensued regarding alternative locations for a bench, such as at the Community Building on Route 4. Mr. Oppenneer will talk to Don Crate's daughter about potential liability issues and Mrs. Whittaker will respond to Mr. Christie of Mascoma Savings Bank.

Property Liability Trust Notice of Proposed Changes:

Mrs. Whittaker explained one of the highlights of proposed changes: There will be no protection for public officials acting under the influence of drugs or alcohol while otherwise working or acting within the scope of his or her duties. And the scope of volunteer acts does not include a volunteer while acting under the influence of drugs or alcohol.

The importance of these changes must be clearly understood by all town officials and volunteers. Mrs. Whittaker will prepare a memo for signature by both the Selectmen and herself for distribution to all parties affected by this change.

Northeast Waste Services:

The Town's contract with Northeast Waste Services for curbside rubbish removal runs out in July. The Selectmen reviewed options for continued services.

The Board also reviewed Plastics container rates. Mrs. Whittaker explained that the cost for rental of a Plastics container is offset by the savings in man-hours and transportation previously supplied by the Town, as well as the benefit of having the manpower available for other jobs.

The Board noted that solid waste tonnage has been drastically reduced at the Transfer Station since the change in the hours of operation. It is believed to be the direct result of reduced infiltration from residents of surrounding communities that have no Sunday transfer station hours and were depositing their rubbish in Enfield.

Mr. Albanese moved to ask the Town Manager to negotiate for Option 2 for Enfield, including Eastman, for a 3 year agreement; Mr. Oppenneer seconded, vote unanimous.

Option 2 provides curbside rubbish removal in Enfield, including Eastman, and provides a 3-year agreement with payments on a graduated scale: Year 1 - \$119,763, Year 2 - \$128,745, Year 3 - \$135,182.

Request for Service:

Mr. Oppenneer read a memo from Ken Daniels recommending approval of a request for water & sewer service for property on Map 37, Lot 13. Mr. Oppenneer moved to accept and approve the request for service; Mrs. Scovner seconded, vote unanimous.

Any Other Business & Press Questions:

Mrs. Whittaker reporting taking a "junkyard tour" with Jim Taylor and Phil Neily. During this tour, two zoning violations were found, including a tent recreation area and a camper site.

Transfer Station Hours:

Mr. Albanese thinks the new hours are working fine, but wonders about being open Mondays. A public hearing will be scheduled for the first meeting in August. A major consideration is the requirement that attendants must be certified and 2 are need to staff the Transfer Station each day. Mr. Oppenneer noted that summer residents have concerns. Mr. Albanese suggested the possibility of summer hours.

Crystal Lake Dam:

Mrs. Scovner requested a sign be put back up at the Crystal Lake Dam for no swimming. Mr. Albanese asked for something other than “no swimming”. Mrs. Whittaker replied that it should say whatever the State sign says for the Shaker Bridge; she will look into it.

Administrative Assistant to Public Works:

There is a vacancy in the Public Works Dept. for an Administrative Assistant to work with the Director of Public Works, Planning & Zoning Office and Building Inspection Office, due to the resignation of the current secretary. Mrs. McVicar will stay on until a replacement is found.

Vital Statistics:

Mr. Oppenneer presented a spreadsheet that he prepared of births, deaths and marriages in Enfield over the past 10 years, as well as a projection into 2007.

ADJOURNMENT

Mr. Oppenneer moved to adjourn at 6:27 PM; Mrs. Scovner seconded, vote unanimous.