

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

**MINUTES of November 1, 2004**

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

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

**Others:** Cindy Hollis, Chris Christopolous, Shirley Green, Police Captain Richard Crate, Police Chief Peter Giese, Dan Kiley, Steve & Jane Plumley, Town Clerk Carolee T. Higbee, Steve Stancek, Leroy Neily, Mark Mills, Ken Daniels, Nicole Hamilton, Becky Powell, Sandy Akacem

**CALL TO ORDER**

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

**APPROVAL OF MINUTES**

**October 14, 2004 ~ Regular Session:**

Page 2, Solid Waste Committee Request, should read, "Following discussion, the board requested that a meeting be set up with the committee preferably at their business meeting of November 1 so as to gain a sense of discussions to date and future direction."

Mr. Albanese moved to approve the regular session minutes of October 14, 2004 as amended; Mrs. Scovner seconded, vote unanimous.

**October 14, 2004 ~ Non-Public Session:**

Mrs. Scovner moved to approve the non-public session minutes of October 14, 2004 as printed; Mr. Oppenneer seconded, vote unanimous.

**October 18, 2004:**

Mrs. Scovner moved to approve the minutes of October 18, 2004 as printed; Mr. Albanese seconded. Mrs. Scovner and Mr. Albanese in favor, Mr. Oppenneer abstained, motion carried.

**ADMINISTRATIVE**

**Petition & Pole License:**

The Board reviewed and approved a petition and pole license for Potato Road.

**Disable Exemption:**

The Board reviewed and approved a disabled exemption.

**Enfield Community Building Board of Director Appointments:**

The Board signed appointments for members of the Enfield Community Building Board of Directors previously appointed.

**PUBLIC APPOINTMENTS****Cindy Hollis ~ Trustee of Trust Funds Candidate:**

Mr. Albanese moved to accept Walter Paine's resignation as Trustee of Trust Funds with regrets and many thanks for his years of service; Mrs. Scovner seconded, vote unanimous.

The Board spoke with Ms. Hollis regarding her qualifications for the position. Ms. Hollis summarized her years of experience in accounting, as a business manager, and now owner of a payroll service.

Mrs. Scovner moved to appoint Cindy Hollis as Trustee of Trust Funds; Mr. Oppenheer seconded, vote unanimous.

Ms. Hollis' term runs until the next election of officers in March 2005.

**ADMINISTRATIVE****No Parking Zone:**

Mrs. Whittaker asked for support for a request to NH Dept. of Transportation for consideration of a "no parking" zone at the curb cut of the Whitney Hall parking lot. Engineering standards require 12' of sight distance. Election day requires an individual posted at the entrance to assist individuals exiting from the parking lot.

The Board of Selectmen signed a letter to the State of New Hampshire requesting exploration of a "no parking" zone.

**Acceptance of Phase 1 Billing Terms ~ The Architectural Studio:**

The Board read the draft letter of acceptance to The Architectural Studio, as well as correspondence from the Town Office/Library Needs Assessment Committee. Mrs. Whittaker stated that if the Selectmen accept the letter it would be using funds as allocated.

Mr. Albanese stated that the money was to be used to study facilities for the Town Offices and Library. The first track the Committee was working on is strictly that track. The second track would be renovating Whitney Hall for the Library and the Police Department for the Town Offices and building a safety complex for Police, Fire and Ambulance. Phase II is still within that purview. There will be no schematics produced and just a rough quote.

The Board discussed a proposed meeting of the Committee and the Selectmen's vote at a previous meeting that appointed Marjorie Carr and April Whittaker as liaisons to the Committee. Mr. Albanese, as the alternate Selectmen's representative, also wants to be on the Committee's contact list. There will be continued debate as to whether an article will be included on the 2005 warrant. The Board discussed the time frame for completion of the Committee's work and presentation to the voters. April Whittaker will talk to Dave McIntire of The Architectural

Studio regarding turnaround time. It was the consensus of the Board to have something by year's end.

**Captain Richard Crate ~ Tazers:**

Capt. Crate did a presentation on the use and effectiveness of tazers as a method of non-lethal force. A tazer is a stun gun that can be operated up to 20' away from the intended target. The Selectmen viewed a CD presentation and discussed the merits of tazers, as well as their drawbacks. The benefits of using tazers versus other methods of subduing an individual were also discussed.

The Police Department is trying to save lives and prevent injury to the public and its officers. If the department had tazers previously, some injuries could have been prevented.

Discussion ensued regarding the need for a policy on the use of tazers, the necessary training of officers and the benefits to outfitting each officer with their own tazer rather than having officers share equipment. Mr. Oppenpeer suggested phasing in the purchase over a couple of years.

Capt. Crate will obtain additional information including the cost for cartridge replacement and how use of a tazer might affect an individual with a pacemaker.

Mrs. Scovner moved to approve the purchase of tazers for the Police Department; Mr. Oppenpeer seconded, vote unanimous. The intent of this motion is to support the appropriation of funds and purchase of tazers in 2005.

**PUBLIC HEARING ~ EXPENDITURE OF CAPITAL RESERVE FUNDS**

Mr. Oppenpeer called the public hearing to order at 5:54 PM and proceeded to read the public hearing notice (see attached).

The Board reviewed a summary of technology expenditures (see attached). Mrs. Whittaker informed the Board that with coupons and a "reward check" the town can purchase a \$299 inkjet printer for just \$183. This printer would be for use by the staff at the Public Works facility to enable them to print color photos. This addition would bring the total technology expenditures to \$18,831.09.

Mr. Oppenpeer moved to approve the withdrawal of \$18,831.08 from the Technology Capital Reserve Funds to offset the expenditures as presented; Mrs. Scovner seconded, vote unanimous.

When no questions or comments were forthcoming from the public, Mr. Oppenpeer called the public hearing to a close at 5:57 PM.

**NEW BUSINESS****Election Day Parking Ordinance Draft:**

Chief Giese arrived at this time. He was informed the purchase of tazers was approved for Budget Committee consideration. Chief Giese asked that a public hearing be held. The Board agreed this would be appropriate.

Chief Giese distributed a letter from Homeland Security regarding elections security. Chief Giese does not foresee any problems. In response, Chief Giese will have an officer, supplemental officers and rangers to assist.

Chief Giese enacted a parking regulation for November 2<sup>nd</sup> Elections limiting parking in the Whitney Hall and Police Parking lots to 1 hour. This is in response to heavier than expected election turn out.

Mrs. Whittaker has drafted an Election Parking Ordinance for the Selectmen's review. A public hearing must be held, so this ordinance would not be ready for the November 2<sup>nd</sup> presidential election. The ordinance would apply to the following election days: New Hampshire Primary Day, Town meeting Election of Town Officers, September State Primary and November General Election. The Board of Selectmen approved the scheduling of a public hearing for this purpose.

Paul Mirski stated his opposition to an Election Parking Ordinance on the grounds that it makes it difficult for individuals to challenge incumbency and the status quo. These people are not allowed in the lobby and would not be able to warm up in their cars.

Mr. Oppenneer stated that this is not a public hearing. Mr. Albanese acknowledged that Mr. Mirski does have a good point. It was suggested that the conference room might be utilized as a place in which to warm up.

Carolee Higbee stated that these individuals could come into the building if they're out of the public area. The Moderator could set up a room.

## **PUBLIC APPOINTMENTS**

### **Carolee Higbee, Town Clerk:**

Ms. Higbee came before the Board to discuss the budget for the Deputy Town Clerk. The budget has been exhausted and allows the Deputy to work only on election day and for a week or two around the tax due date. Ms. Higbee requested authority to exceed her budget in order to allow the Deputy, Sandy Romano, to continue to work.

The budgeted hours for the position and expenditures to date were discussed. No overtime was allocated because it was not needed before. Mr. Albanese has asked all departments to stay within budget and does not feel he can make an exception in this case. The other Selectmen concurred.

## **OLD BUSINESS**

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

The Board of Selectmen received monthly reports from the Town Clerk, Tax Collector and Building Inspector.

Mr. Albanese reported on the fire truck rust repair and explained the time it was taking was directly related to David Crate's desire not to take more than one truck out of service at a time. Engine 5 was out for a year. When that truck came back Engine 4 went out for repair. When it

was torn down they discovered more rust damage than expected. The cost will be about \$1,000 more than anticipated.

Mrs. Whittaker explained that if there's a purchase order and invoice then the funds can be carried over and encumbered. Mr. Albanese explained they would use the money intended for Engine 3 on Engine 4 and get a new quote on Enfield 3, which will be repaired in April. David Crate does not want to have an engine out of service during the winter months when there are a greater number of calls due to chimney fires.

Enfield Center Fire Station has an additional expense of \$1,900 for surveying that Mrs. Whittaker suggested be taken from the legal line due to the need for the survey in order to finalize the deed. The Board concurred.

Mr. Albanese requested preparation of a set of deliverables, "what do you need from the Fire Department and when?" He would then like the Board of Selectmen to meet with the Fire Wards to see if they can provide it. If they can't, then the Board of Selectmen can meet to decide what to do. Mrs. Whittaker pointed out that town's most recent insurance quote is \$12,000 less than it normally would be provided the town meets audit trail procedures. The Board discussed expectations to date.

## **PUBLIC APPOINTMENTS**

### **Recycling & Solid Waste Committee:**

Members of the Recycling & Solid Waste Committee came before the Board to provide a status report of progress to date. The Committee has discussed curbside pickup, interviewed vendors, looked at Pay As You Throw articles and publications, and looked at disposal options. They also plan to look into turning trash into energy at a future date. They have not looked at the Transfer Station. The Committee requested an extension for the submission date of their report. Since the Board of Selectmen entered a 3-year contract extension with Northeast Waste there is less urgency, and due to the complexity of the task assigned to the Committee they felt they needed additional time.

Mr. Albanese asked the Committee if they could have a report for the Annual Report? Mr. Stancek replied that a status report would be good. Mrs. Whittaker agreed that it would provide good publicity for the project.

The Committee was asked to provide minutes for inclusion on the town's website.

The Committee would like to prepare three recommendations in the coming year, one preferred option and 2 alternatives, in order to provide the Selectmen with the flexibility to present one, or all three options, to the voter.

The Board of Selectmen allowed an extension until June 2005 for a Town Meeting presentation in March 2006.

### **Steve & Jane Plumley ~ Property Assessment:**

Steve and Jane Plumley came before the Board to discuss the assessment process in general and specifically about their assessment, assessment hearing and follow-up to their hearing. The

Plumley's expressed their concerns about changes in their assessment, specifically the condition factor, to Norm Bernaiche at an assessment hearing. They were displeased with Mr. Bernaiche's response to their concerns, feeling it was unprofessional and a form of intimidation; specifically when he asked if the Plumley's would take what the property was appraised for. Mr. Bernaiche also did not come out

Mrs. Whittaker explained standard practice at the Board of Tax and Land Appeals and explained that this question is very typical. She then went on to explain the process: First the property owner is notified of the new assessment. They are then given the opportunity to meet with an assessor to review their assessment. If they are still unsatisfied with their assessment they must wait until after the second issue tax bill is received, at which time, and up until March 1 of the following year, they can file for an abatement with the Selectmen. If they are unhappy with the decision of the Board of Selectmen they can appeal to the New Hampshire Board of Tax and Land Appeals or the Superior Court, but not both.

Mrs. Whittaker explained that property values have been increasing by 5% per month, and more for waterfront property. Any appraisal more than 3 months old is too out-of-date to be valuable for assessing purposes.

Mrs. Whittaker explained that the condition factor might have changed because what was once considered detrimental is now less so given the increases realized for waterfront property.

An appointment will be set up with Norm Bernaiche and Steve & Jane Plumley at a time convenient for the Plumleys.

## **CITIZENS FORUM**

### **Dan Kiley ~ Election:**

Mr. Kiley inquired is there was a ballot for a blind person. He was informed that he should ask the moderator.

## **NEW BUSINESS**

### **2004 Tax Rate Calculation Estimated:**

The tax rate is scheduled to be set on November 10<sup>th</sup> at 2:30 PM. The Board reviewed Mrs. Whittaker's calculations for an estimated town tax rate of \$5.94. This figure is significantly lower than the \$9.99 value estimated at the beginning of the year, but property values have increase. Mrs. Whittaker does not recommend using any surplus because the town's unreserved fund balance is below the target amount of \$1 million.

The Selectmen expressed approval of the \$5.94 town tax rate pending any reason to change it.

Mr. Oppeneer passed out a chart of assessments. The values have averaged a 10% increase, and exemptions have not kept pace. Exemptions should be reviewed. Mrs. Whittaker agreed and advised that Mr. Bernaiche and Mrs. Huntley will be tabulating effects of increases to the current base levels for exemptions for the Board's review. Any differences will require a public hearing prior to ballot printing for March elections.

Mrs. Scovner moved to authorize a \$5.94 town tax rate; Mr. Oppenheer seconded, vote unanimous.

**Snow Removal & Ice Control Policy:**

Mrs. Whittaker noted that on page 3 the adoption of this policy rescinds other policies and ordinances. There has also been a change to the section pertaining to damage to private property. There is also a portion that specifically addresses damage to mailboxes.

Mrs. Scovner moved to adopt policy #200-001-2003, Snow Removal & Ice Control Policy; Mr. Albanese seconded, vote unanimous.

**Glyn & Shirley Green ~ Algonquin Road Tree Removal:**

Shirley Green explained to the Board what has transpired regarding the cutting of trees on Algonquin Road. One of the trees recently cut was dead, but another was healthy and provided a buffer between their home and the road. Mrs. Green reported fill that has been added that has smothered at least one tree, and a stonewall that has been covered. The fill is being pushed in with the grader and has become a problem over the past 3 or 4 years.

While the law does not require it, it was agreed there should be a policy of notification of tree removal.

Mrs. Whittaker suggested setting up a tree warden. Mr. Albanese suggested a stipend of \$500.

Mrs. Whittaker will look into ways the town can make reparations, maybe by planting a new tree, and to review with the Greens the question of fill.

**Other Business:**

It was reported that the Enfield Center Fire Department is very pleased with Phil Neily. He is a delight to work with and always has good ideas.

The Budget Committee has set dates to meet with department heads to review facilities.

Mrs. Whittaker reported some communications problems for fire and ambulance regarding tones.

Mr. Albanese will bring up the issue of on-call pay to the Budget Committee. Mrs. Whittaker will check with the Dept. of Labor.

Mrs. Scovner thanked Alisa Bonnette for the first place Local Government Center Annual Report Award.

**Peter H. Giese, Chief of Police ~ Radio Communications:**

Chief Giese provided the Board of Selectmen with insight into the radio communication network. The town's fire and ambulance are called using tones and pagers. Fire and ambulance radio communications from Lebanon are transmitted from a tower on Storrs Hill which results in a "shadow effect" on the other side of Shaker Mountain affecting NH Route 4A and Bog Road. The Police use the state tower on Moose Mountain. One alternative for fire and ambulance is to purchase space on the Moose Mountain tower. Any solution is likely to result in considerable

expense. Another alternative is the Choate Road relay tower, or tower located on Vale Church's property.

Chief Giese discussed possible solutions, such a microwaves and a repeater. He recommended avoiding landlines and T-1 lines.

Chief Giese discussed radio hardware. Motorola has the State contract.

The Board of Selectmen approved continued research into possible solutions. The Board also provided authorization for Chief Giese to talk to Ernie Morse.

Chris Christopolous, Enfield resident, Enfield Budget Committee member, and Lebanon Firefighter, stated that the problems on NH Route 4A are not unique to Enfield. Complaints forwarded to him will be heard. He takes them very seriously.

Preparation of a shadow map was discussed. Capt. Crate reported that Lebanon already has one. Mr. Christopolous said their operations just did one at a cost of \$170.

### **INFORMATIONAL ITEMS**

Brian & Tina Stearns letter of thanks.

Summary of Inventory Comparison 2003-2004

### **ADJOURNMENT**

Mr. Oppenneer moved to adjourn at 8:18 PM; Mrs. Scovner seconded, vote unanimous.