

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

MINUTES of November 15, 2004

Board of Selectmen: Dominic Albanese, Acting Chairman; Nancy Scovner

Absent: Keith Oppenneer, Chairman

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

Others: Lorie Dacier, Mascoma Valley Health Initiative; Dan Kiley; Joe Cote, Connecticut Valley Spectator; Kurt Gotthardt; Eric Crate; Dwight Marchetti; Alan Strickland, Sue Hagerman, Leigh Davis, Fred Paradis, Enfield Conservation Commission; Jim Taylor, Planning/Zoning/Economic Development Officer; Celie Aufiero

CALL TO ORDER

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

APPROVAL OF MINUTES

November 1, 2004:

The Board of Selectmen reviewed the minutes of November 1, 2004 and made the following changes:

- 1) Page 2, last paragraph, replace the sentence that reads, "There will be no article on the 2005 warrant since there is insufficient time to do what needs to be done for a town meeting vote" with, "There will be continued debate as to whether an article will be included on the 2005 warrant."
- 2) Page 4, second paragraph, change, "...heavier than expected turn out" to "...heavier than expected election turn out."
- 3) Page 4, eighth paragraph, replace the word "day" with "date."
- 4) Page 5, last paragraph, replace the word "how" with "about."
- 5) Page 6, first paragraph, change, "...he asked if the Plumley's would take what the property was appraised for" to "...he asked if the Plumleys would sell their property for what it was appraised for."
- 6) Page 6, seventh paragraph, change "\$9.94" to "\$9.99."

Mr. Albanese moved to approve the minutes of November 1, 2004 with the noted changes; Mrs. Scovner seconded, vote unanimous.

November 10, 2004:

Mr. Albanese moved to approve the minutes of November 10, 2004 as printed; Mrs. Scovner seconded, vote unanimous.

PUBLIC APPOINTMENTS

Lorie Dacier ~ Mascoma Valley Health Initiative:

Ms. Dacier informed the Board that the Mascoma Valley Health Initiative (MVHI) is nearing the time for its annual meeting. There are currently twelve members on the MVHI board and there is room for 15 members. Ms. Dacier invited a member of the Board of Selectmen to serve on the MVHI board in addition to the representation provided by Phil Neily.

Mrs. Scovner moved to nominate Dominic Albanese to the Mascoma Valley Health Initiative Board of Directors; Mr. Albanese seconded, vote unanimous.

Mrs. Scovner thanked Ms. Dacier for the work done by the Mascoma Valley Health Initiative.

ADMINISTRATIVE

Petition & Pole License:

The Board of Selectmen approved a petition & pole license for a pole on Crystal Lake Road with the condition that the pole is located at least 4 feet from the pavement.

It was noted that the streetlight opposite Whitney Hall has been out for a while.

Social Security Agreement:

The Board of Selectmen signed paperwork to follow through on the vote of the 2004 Town Meeting relative to withholding of Social Security from the wages of election workers.

CITIZENS FORUM

Town Offices/Library Needs Assessment Committee:

Dave McIntire can present a preliminary draft plan and an approximate cost estimate on November 30, 2004. The current plans appear to denote no impact or minimal impact to the parking lot.

Mr. McIntire's draft plan for a safety complex includes the illustration of a ladder truck. It was made clear that this was done for design purposes only and as part of a 20-year build-out attempt.

A meeting of the Town Offices/Library Needs Assessment Committee and Enfield Board of Selectmen will be scheduled for Tuesday, November 30, 2004 at 6:00 pm to receive the draft plans.

The Board discussed their desire to keep this project moving along and to better manage priorities in the future.

OLD BUSINESS**Cost of Living Adjustment:**

The Board received a spreadsheet that showed the impact of cost of living adjustments (COLA) of 1%, 1½%, 2% and 3%. The Budget Committee also discussed employee COLA at their meeting on Saturday. It was the consensus of the Board to provide employees with a 2.5% merit increase and a 1% COLA for a total increase of 3.5%.

Mrs. Whittaker alerted the Board to the problems that have been incurred in the past when employee wages have not kept pace with market wages. She also pointed out that a 3.5% increase awarded in April translates to 2.265% over the whole year because of the April 1 start date for pay raises.

The Board discussed the appointment of a committee to review health insurance options. Mr. Albanese suggested the committee include a Selectman and a member of the public. Mr. Albanese would also like the Selectmen to prepare a charge before the committee gets underway.

Mrs. Scovner moved to institute a pay raise on April 1, dependent on performance evaluations, and back dated to January 1, subject to budget approval at Town Meeting; Mr. Albanese seconded, vote unanimous.

Employee Health Insurance:

The Board received a comparison of 2004 and 2005 employee health insurance rates. This information will also be forwarded to employees so they can have an understanding of the costs incurred by the town.

Discussion ensued regarding employee evaluations and the possibility of revising the form and procedures used, including monthly meetings between department heads and individual employees to review goals, work progress, etc.

Mr. Albanese would like the Selectmen to have the opportunity to provide input on department head reviews during the Town Manager's review process. Mrs. Whittaker advised that a sign-off block could be incorporated.

Grant Process:

The Board discussed the process for grant applications, which shall include a review by the Board of Selectmen and signature/approval of the application by the Town Manager before application submission to the funding agency. The Selectmen asked that the procedure for grant applications state the application will not only be reviewed by the Board of Selectmen but also will be accepted or rejected by the Board. The grant application process will apply to all departments.

Mrs. Scovner moved to add the language to the grant application procedure that the Board of Selectmen must vote to accept or reject the proposed grant application; Mr. Albanese seconded, vote unanimous.

Fire Department:

Mr. Albanese spoke with David Crate and the Fire Department has started the review process of the Standard Operating Guidelines (SOGs). Mr. Albanese informed Mr. Crate that the Town

Offices would provide administrative support. The fire wards have gone through the SOGs provided by Ty Gagnon & Scott Weeden, reading, discussing and editing them, after which they will sign off on the SOGs as amended and sign a gear inventory.

Mrs. Whittaker recommended review of the amended SOGs by Ty Gagnon & Scott Weeden prior to having the fire wards sign off on it.

Next week the firefighters will be doing pump training at Lovejoy Brook.

The Board briefly discussed the leave of absence of one firefighter and pending suspension of the same from the FAST Squad. Mrs. Whittaker will follow up on this if she has not received an update by Friday, November 19th.

PUBLIC APPOINTMENTS

Conservation Commission ~ Bicknell Brook:

The Board of Selectmen met with the Conservation Commission to plans for subdivision and/or conservation of the Bicknell Brook property.

Jim Taylor, Planning/Zoning/Economic Development Officer and administrative support staff for the Conservation Commission, presented a map of Enfield indicating the locations and extent of land that is currently in conservation. This amounts to approximately 5,273 acres or 19% of the total acreage of the town. As requested by the Selectmen, Mr. Taylor also presented a possible subdivision plan for five building lots. Two of the proposed lots would be located in the R1 zone and consist of 1 acre each, with the remaining 3 lots located in the R5 zone consisting of 5 acres each.

Alan Strickland provided some general background on the Bicknell Brook lot including the Selectmen's request for Conservation Commission recommendations regarding the sale of lots 11 years ago, establishment of the Bicknell Brook Trail (which connects with the Colette Trail), addition of maps and diagrams for an interpretive trail, and management of the property by the Conservation Commission. From the Conservation Commission's point of view the property has been under the jurisdiction of the Conservation Commission.

Mr. Strickland continued to explain Kurt Gotthardt's suggestion to designate the property as a Town Forest, a proposal of which the Conservation Commission was not supportive and which the Commission still does not recommend.

Previous discussions have included various options for conservation of the area of the trail and a 300-foot buffer to either side of the trail and brook, as well as possible subdivision of a few building lots. Mr. Albanese came away from a previous meeting with the Conservation Commission believing there was a tentative agreement to sell a few building lots to fund the conservation of the remaining portion of the parcel.

The Conservation Commission members would prefer not to subdivide, but to put the entire parcel of land into a conservation easement. The Commission feels that a combination of fundraising efforts, an offer of matching funds from Mr. Drake, and the remaining money in the Conservation Fund would be sufficient to pay for the legal costs and costs for the Upper Valley Land Trust to assist with grant writing and fundraising efforts. They anticipate a total cost of

\$8,000. This would not include a survey, which would be unnecessary if the entire lot is put into a conservation easement, but would include the legal work needed to protect the property in perpetuity, plus payment to the Upper Valley Land Trust for stewardship and periodic monitoring of the property. The Conservation Fund currently has a balance of about \$3,000.

Mrs. Whittaker believes, by statute, a warrant article and town meeting vote would be required to approve a conservation easement. Legal review of the easement and warrant article would also be needed. The easement could include certain allowed uses such as timber harvesting.

While Mr. Albanese has hopes of raising money through sale of subdivided lots for the general fund, he is agreeable to subdividing just three lots, two 1-acre lots and one 5-acre lot with its greater length along the road frontage. Kurt Gotthardt and others contend that the initial funds received from the sale of the lots is not offset by the cost of the property should a family with children move in.

Sue Hagerman questioned whether soils have been taken into consideration when proposing the subdivision. Much of the property would not be build-able due to soils. Mr. Taylor responded that he can only address the one-acre lots, as he was involved in a nearby subdivision. He is not familiar with the soils of the remainder of the property. This would be determined by a survey and Planning Board review.

Discussion ensued regarding maintaining the quality of life in Enfield as well as the need for building lots. The potential for at least a portion of land near the Lakeview Condominiums being available for conservation was also touched on.

In response to an inquiry from Mr. Albanese, Celie Aufiero informed the Board that the Bicknell Brook property is in a prime wetland. Sue Hagerman also informed the Board that this area is an incredible wildlife corridor.

When Leigh Davis came onto the Commission she wondered what Enfield could offer citizens for recreation. She stressed the importance of showing how much the town cares about natural resources and drew the Board's attention to the number of citizens that have taken brochures and expressed pleasure with the opportunities for recreation available to them. She would like to preserve the entire parcel, but if the town has to sell lots, then that's what it has to do.

Mr. Albanese gave members of the audience the opportunity to briefly present their views.

Celie Aufiero pointed out that the conservation areas on the map presented by Jim Taylor are not necessarily permanent. State owned land could be sold. The Bicknell Brook property is a major wildlife corridor, which hunters think is a gem. On the Natural Resource Inventory the entire area from the lake to Grafton Pond shows a lot of wildlife corridors. She suggested the town could sell the property to the Conservation Commission for \$1. The Commission is allowed to own property, already owning two lots on Mud Pond Road.

Joe Cote said that if you did subdivide the five lots, 17 acres would not be available for hunting. Mr. Albanese replied that only three lots could be subdivided instead of five. Subdivision of three lots would be reduced the area potentially unavailable for hunting to 7 acres.

Dwight Marchetti asked how long the Colette Trail had been there. Mr. Strickland informed him that it has been there since 1998. The Bicknell Brook trail was built in 1993 and opened in 1994. Mr. Marchetti noted that the Selectmen just began talking about this property this year in order to turn some revenue over to the town. Now suddenly there's an interest in the property. Mr. Marchetti pointed out that houses are not going to stop wildlife; they will go where they want. He feels the Conservation Commission should be happy with a portion of the lot. Almost 20% of the town is in conservation now. How much does the Commission want?

Dan Kiley noted that the subdivided lots would constitute less than 10% of the property. He has heard that if you put in development it costs more than if you leave the land wild. If that were the case the New Hampshire community with just three developed lots would be the richest in New Hampshire. The property was taken by tax deed and tax deeded properties are normally sold. Had it been sold there could have been 50 houses. Funds raised by the sale of lots could be used to clean up the pit and get money into the town's coffers.

Mrs. Scovner noted that she has been trying to have the pit reclaimed for years. It was the consensus of the Board that this should be a priority.

Kurt Gotthardt clarified that he approached the Conservation Commission in May 2002 to propose preservation of the Bicknell Brook lot in its entirety, to which he got a lukewarm response. That's when he approached the Selectmen about a Town Forest. As a Town Forest it would not be as protected as it would be if it was under a conservation easement. He inquired into the amount of protection the State owned land has. The State owns the property fee simple. Fish & Game manages the property. Fish & Game rules allow fishing, hunting and trapping. The State could sell the property outright. It's not like a land trust whose sole purpose is to protect the property. The Society for the Protection of Forests land is permanently protected by conservation easement.

Mrs. Whittaker has not experienced consistency in the monitoring performed by the Society for the Protection of Forests due to the volunteer nature of monitoring.

Mr. Gotthardt went on to say the Town is not in the business of developing houses. He feels the private sector is handling that quite well. The Town's goal is to keep the tax rate low and preserve the quality of life. Mr. Gotthardt went on to explain the higher long-term cost of households with children vs. open space. He also noted the 1995 Master Plan speaks several times about protecting the Bicknell Brook lots. Reasons to conserve include passive recreation for residents and non-residents and protection of one mile of shoreline on Bicknell Brook that feeds into Crystal Lake, maintenance of a buffer for Bicknell Brook.

Mrs. Whittaker discussed possibilities, including just surveying the lots in 2005 and followed with a legal opinion as to whether a warrant article would be needed in 2006 for the sale the subdivided lots and conservation of the remaining portion of the property, or if it can be dealt with by the Board of Selectmen.

Mrs. Scovner would prefer to keep the parcel whole, but does not want to go against a decision made by a previous Selectboard.

Should the issue require a vote of Town Meeting the Selectmen would like the support of the Conservation Commission. The Conservation Commission must first discuss the issue amongst its members.

Discussion ensued regarding the role the Upper Valley Land Trust plays in monitoring the conservation easement to determine if the easement is being violated, and whether this type of monitoring would be needed on a voluntary easement on public lands.

Leigh Davis inquired what time line the Selectmen were striving for. Mr. Albanese suggested the Commission submit their comments and recommendations to the Board for their second meeting in January.

Ms. Aufiero requested clarification regarding the reclamation of the pit area. She has heard talk of taking the spoils from the Route 4A project there. Mr. Albanese replied that the Board will follow up on it, but promised the town won't make it worse.

Upper Valley Lake Sunapee Regional Planning Commission:

The Selectmen briefly discussed the town's membership. Mr. Albanese pointed out the need for a position paper.

CITIZENS FORUM

Dwight Marchetti ~ Safety Concerns & Flag Lighting:

Mr. Marchetti had some safety concerns to bring to the Board.

1) Main Street near Estey Place has no crosswalk in spite of the fact that the sidewalk ends on one side of the street and begins again on the other side and directs people across the road. And there is no streetlight at this location.

Fred Paradis noted that the lights on Main Street appear dimmer than they have been in the past. And the lights on the bridge aren't working. Mrs. Whittaker replied that the Town is working on the bridge light issue.

2) The American flag in front of Whitney Hall is not lit and should be. There is also insufficient light at the front of the building for people parked at curbside.

Mrs. Whittaker informed the Board that the State has approved no parking to either side of the drive between the Police Station and Whitney Hall, essentially eliminating two parking spaces. Mrs. Whittaker also mentioned the need for better signs for the Town Offices.

Mr. Paradis also noted that the flag at Lakeview Cemetery has no light. Either the flag should be lit, and there is no power up there, or it should be put up in the morning and taken down at night. The flag can be taken down for the winter season when the cemetery is closed.

Conservation Commission Administration:

Mrs. Whittaker requested clarifications of the Board's expectations regarding Jim Taylor's administrative duties for the Conservation Commission.

It was agreed that Jim Taylor might not need to attend all of the Commission's meetings, but should attend the next 4 meetings, assist with the agenda and methods to follow-up on decisions made and actions to be taken by the Commission. The Board can then revisit his duties after that time.

Mrs. Scovner pointed out the need to restrict public comment to Citizens Forum rather than allowing it throughout the meeting.

David Saladino ~ Letter of Interest in Planning Board Alternate Position:

Mike Dudley speaks very highly of David Saladino. Mr. Saladino will be asked to meet with the Board of Selectmen at their December 6th meeting to discuss his interest in serving on the Planning Board.

Town Manager's Report:

Mrs. Whittaker informed the Board that Jerry Rich has reneged on his bid for the property in Eastman. He will be sent a letter informing him that the town will retain his deposit in accordance with the bid documents. This property can be included in the next sale of property, perhaps in the spring of 2005.

The Town has received notice from the City of Lebanon, in accordance with the current agreement, providing one year's notice of termination of dispatch services on January 1, 2006 if a new agreement is not reached before that time.

Mrs. Whittaker recommended 2005 funding for a needs assessment and recommendation for future dispatching needs, whether to continue with Lebanon or to go in another direction. She recommends hiring a third party consultant with no financial interest in the outcome. Not, for instance, an equipment vendor. An agreement can be negotiated in tandem with this consultant review. She would expect the consultant to cost between \$5,000 and \$8,000. Mrs. Whittaker, Chief Giese and Captain Crate would need to prepare a scope of services. Mrs. Whittaker is aware of a firm out of Pennsylvania that has a New Hampshire representative.

In the case of Jerry Rich v. Town of Enfield, the town's attorney is deposing Mr. Rich and the case can be expected to go to court in 2005.

Mrs. Whittaker received an interpretation of the Shoreline Protection Act from the Department of Environmental Services. She recommends a shoreline overlay district as a separate chapter in the zoning ordinance.

February 1, at the Courtyard by Marriott at the Grappone Center in Concord there will be a useful seminar regarding employee handbooks. She asked for approval of the Selectmen to attend this seminar. The Board had no objections.

NH Fish & Game has declared a municipal well is a "commercial business". Under the terms of federal funding received by the state commercial business is prohibited. Mrs. Whittaker would like to bring in Ray Burton and Peter Burling to help with this proposal. It was recommended to Mrs. Whittaker that she invite all of the town's representatives to assist.

The Board briefly discussed the hours and pay of the Assistant Emergency Management Director and to which departments these costs would be expensed. Mrs. Whittaker was charged with developing a plan for next year.

Mr. Albanese moved to determine the non-firefighting hours for John Pellerin and to move all of them from the Fire Department line to the Emergency Management line; Mrs. Scovner seconded, vote unanimous.

Second Issue Tax Bills:

Mrs. Scovner moved to approve the inclusion of the Enfield Permit stickers with second issue tax bills; Mr. Albanese seconded, vote unanimous.

Fire Department Budget:

Mrs. Whittaker explained her decision not to reflect support for scuba-diving training for the Fire Department in her Town Manager's budget. This was not meant to imply any decision of the Board of Selectmen, but is simply part of the budget review process in the Town Manager column as per all other departmental budgets.

Non-Public Session:

Mrs. Scovner requested an update on the wastewater agreement with the City of Lebanon.

Mrs. Scovner moved to enter non-public session at 7:55 PM, RSA 91-A:3 II (e); Mr. Albanese seconded. Roll call vote: Mrs. Scovner – aye, Mr. Albanese – aye, motion carried.

Mr. Albanese moved to come out of non-public session at 9:20 PM; Mrs. Scovner seconded, vote unanimous.

INFORMATIONAL ITEMS

Thank You Card ~ Alda Terino

Ribbon Cutting Ceremony ~ Enfield Community Building, November 27, 2004, 2:00 PM. Mrs. Whittaker will bring the ceremonial ribbon cutting scissors.

ADJOURNMENT

Mr. Albanese moved to adjourn at 9:20 PM; Mrs. Scovner seconded, meeting adjourned.