

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

~ DRAFT UNAPPROVED ~

MINUTES of December 6, 2004

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

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

Others: Peter Giese, Chief of Police; Paula Rowe; Tara Bamford, UVLSRPC; Tony Lozeau; Bill Warren; Bob LaCroix; Wally Andrew; Jim Taylor, Planning/Zoning/Economic Development Officer; Eric Crate

CALL TO ORDER

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

APPROVAL OF MINUTES

November 22, 2004:

The Board reviewed the minutes of November 22, 2004. Mr. Albanese asked that the following be included on page 2:

“Mr. Albanese questioned whether the Board of Selectmen and townspeople more generally had a clear understanding of what could be developed on Rt. 4 if TIF is implemented. Discussion ensued around the current zoning laws and the number of houses that could be built in combination with any commercial development that would be driven by the creation of a TIF district.”

“When asked, Mr. Daniels indicated that he could continue with engineering work required to plan for Sewer & Water expansion (to Canaan town line) with available funds regardless of TIF decision. He indicated that he had about another year’s worth of engineering work to do before actual digging could begin.”

Mr. Albanese moved to accept the minutes of November 22, 2004 as amended; Mrs. Scovner seconded, vote unanimous.

ADMINISTRATIVE

2004 Property Tax Abatements:

The Board reviewed and approved property tax abatements for 2004.

Mr. Albanese moved to accept the veterans tax credits as presented; Mrs. Scovner seconded, vote unanimous.

PUBLIC APPOINTMENTS**Peter H. Giese, Chief of Police:**

Chief Giese provided the Selectmen with a copy of the RSA that pertains to public functions. In accordance with this RSA he can, as Chief of Police, send an officer to any public gathering and bill the host of the gathering. He will take a closer look at the application for use of the Community Building if alcohol will be involved. If it's a BYOB affair with 350 people there will likely be an officer present. If it's an anniversary party with a champagne toast an officer probably won't be present.

Smoking is a similar situation. Currently, minors age 12 to 18 caught smoking are ticketed and must appear in court. If someone is smoking on town property where the law says smoking is prohibited and they won't put it out when requested they'll be arrested. The laws are clear.

Mr. Albanese understands smoking at the Community Building is a very contentious issue. The Lions Club has voted not to give up the right to smoke in the room designated for their use. It is unclear what they mean by this. Mr. Albanese recommended having Phil Neily meet with the Lions Club to walk through what needs to be done to accommodate a smoking area.

Mrs. Whittaker suggested the Selectmen seek a legal opinion.

Mr. Albanese stated that if someone inside the Lions Club objects it then becomes a club problem. He does not feel this is a battle worth fighting.

Chief Giese suggested mounting a nice brass plaque in the entry of the Community Building giving recognition to the Lions Club and/or individuals instrumental in the construction of the building. The Selectmen agreed this would be nice, and noted that it should be the Lions Club that selects who to recognize.

Mr. Albanese stressed the need to work together. He also heard a rumor that Lions Club members are not welcome in parts of the Community Building. This is not so.

Jerry Zoller, NH Dept. of Transportation:

Mr. Zoller came before the Board to discuss the Main Street bridge nearest the Lutheran Church. The State was not able to complete the bridge painting, so this project is going out for contract. Typically, a contract for a project of this sort provides a 45-day window to from the date of award to project completion. Mr. Zoller expects the project could be completed in 3 weeks time.

Discussion ensued regarding the process of containment, the painting itself, contract access to the work site and traffic flow. Access from the roadway is ideal for the contractor, but may discourage people from visiting the downtown area. This is a major concern for the Selectmen since the businesses on Main Street have already had a lot of construction to contend with and two businesses will just be starting out.

A stop and yield system was deemed to be sufficient for this low traffic area. Temporary lighting will be put up to illuminate cars at the stop and yield. These lights would later be removed.

Mr. Albanese said that some of the older residents still remember the covered bridge that was located there. Will this project extend the life of the bridge?

Mr. Zoller replied that it would extend the life of the bridge 30 years, and the structural improvements will extend its life even further.

The Selectmen preferred that all reasonable attempts be made to keep the bridge open. Restricting access to the bridge from the ends, off the roadway, would slow the project. Mr. Zoller suggested a compromise – close the window from 45 days to 25 days and allow direct access from the bridge.

The completion date was anticipated on October 15, 2005. Ken Daniels recommended moving that up to before school lets out for the year and before summer residents arrive to limit the impact of the project on traffic flows.

The Selectmen were agreeable to the lane closure if the project window is shorted to 25 days and the completion date is moved up the mid-June.

ADMINISTRATIVE

Elderly Exemptions:

Julie Huntley prepared a report of elderly exemptions currently granted and options the Selectmen could take to help alleviate the impact of the sharp increase in assessed values. Since assessments have risen sharply, but exemption amounts have not changed, there are a number of elderly property owners, some on fixed incomes, having difficulty with their taxes. This proposed was prepared in response to concerns voiced to Mrs. Huntley.

The Selectmen discussed the options presented to them as well as other alternatives such as requiring each to apply for hardship abatements or finding out if exemptions approved at town meeting in 2005 could be applied retroactively.

Mrs. Scovner moved to provide the full abatement on a one-time basis; Mr. Oppeneer seconded.

Mr. Albanese feels this action may open up a “can of worms” and wondered if there was a way to provide it only to those that ask. It was pointed out that many of these individuals are from a generation that is unlikely to ask for help, even when they sorely need it.

Mr. Albanese voiced his preference to provide \$500 relief to each. Mrs. Scovner felt strongly about providing maximum relief and Mr. Oppeneer preferred to err on the high side.

The Board voted unanimously on Mrs. Scovner’s motion to provide the full abatement on a one-time basis.

Mrs. Whittaker was asked to address this issue on the 2005 warrant.

Quitclaim Deed:

The Board signed a quitclaim deed for property for which redemption is anticipated.

PUBLIC HEARING

Election Parking Ordinance:

Mr. Oppeneer called the public hearing to order at 6:09 PM and proceeded to read the published notice of the same.

It was deemed appropriate that the Moderator should have full power to grant exceptions to the ordinance at his discretion.

Wording was needed to clarify that the restricted parking is only applicable to the parking lot at whichever venue is the posted voting site.

Mr. Albanese questioned whether the Board wants to have something that triggers this ordinance. Mrs. Whittaker suggested that it is important to remain consistent in order to avoid confusion.

Mr. Oppeneer recessed the hearing at 6:20 PM. The hearing will be reconvened at a later date.

Mrs. Whittaker will make the necessary changes for consideration at the next Selectmen's meeting.

PLT 2008 Resolution:

The Board reviewed a proposed resolution to accept the offer of the Local Government Center Property-Liability Trust to enter into the Trust's Multi Year Rate Guarantee Program.

Mr. Albanese moved that the Board of Selectmen adopt the resolution as proposed by the Local Government Center; Mr. Oppeneer seconded, vote unanimous.

New Street Name:

The Board reviewed a proposal for a new street name for a driveway off NH Route 4A that will serve three lots. Jim Taylor explained to the Board that the State has allowed a single curb cut. Because the driveway splits off to one of the three lots while still within the State's right-of-way there is no conflict with local regulations. The proposed street name is Hart Drive. This street name works with the town's system.

Mr. Albanese moved to approve the naming of the drive "Hart Drive"; Mrs. Scovner seconded, vote unanimous.

CITIZENS FORUM

There were no citizens who wished to speak.

OLD BUSINESS

Town Manager's Report:

The Board was provided monthly reports from the Town Clerk, Tax Collector, Public Works, Planning/Zoning & Economic Development, and Building Inspection Departments.

Mrs. Whittaker provided a monthly expense report and explained some overages, including Elections & Registrations due to an overage on salary, \$519 in miscellaneous expenses in the Cemetery Department for which a detailed report is necessary, property-liability insurance increases due to the addition of the Community Building, an ATV, increase in expenditures, and increase in the number of vehicles which will be looked into further. A report on the insurance cost on each vehicle will be sought. Ambulance is over due to an increase in the use of mutual

aid, making it abundantly clear how much Charlie Harrington and Barbara Dow did for the town by answering so many daytime calls. Discussion ensued regarding the time spent by J. Pellerin on Fire Department duties vs. working on grants. Sanitation has seen an increase in hours. While the budget impact of the new hours was expected to be minimal it has increased more than Mr. Albanese anticipated. The Health Dept. was over by \$118 primarily due to mileage costs. An old cruiser could be used as an inspection vehicle saving on mileage reimbursements.

PUBLIC APPOINTMENTS

David Saladino ~ Planning Board Alternate Candidate:

The Board spoke briefly with Mr. Saladino who appears to be eminently qualified to serve on the Planning Board having engineering qualifications.

Mr. Albanese moved to appoint David Saladino as an alternate to the Planning Board; Mr. Oppenheimer seconded, vote unanimous.

Tara Bamford, Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC):

The Board discussed what the town receives from UVLSRPC for its annual dues. Ms. Bamford provided the Selectmen with a copy of their annual report, a summary of services and a Commissioners' Handbook.

The Town of Enfield is entitled to two representatives on the Board of Commissioners. Sandra Akacem is filling one of those positions, with one remaining vacant.

Mr. Albanese has heard there has been less than stellar follow-up on requests for assistance and there are concerns about the delays with updating the Master Plan. In addition, Mr. Albanese received correspondence from UVLSRPC regarding possible dues increases which Mrs. Whittaker and Mr. Taylor knew nothing about. This lead Mr. Albanese to believe the UVLSRPC doesn't know who their audience is.

Ms. Bamford explained that some requests could not be fulfilled on a timely basis because their work plan does not allow it. They are short staffed. She went on to explain what issues the Commission addresses for the town, including transportation, prioritization of transportation needs as federally required, affordable housing, and assistance with planning and prioritizing the transportation plan and being sure if gets heard in Concord.

By being incorporated into an economic development district the town become eligible for grant funding.

Mrs. Whittaker requested follow-up by Ms. Bamford on grant information that she was promised but that she never received.

Ms. Bamford explained the savings the town has realized by being a member including \$8,700 for work on the Master Plan based on the reduced rate for members.

Further discussion took place regarding a request for maps and a traffic counter.

The Board discussed potential candidates for the vacant Commissioner position. Mr. Oppenheimer volunteered to fill the slot. Jim Taylor was asked to attend the next Commission meeting.

Mr. Albanese recommended putting the funding for 2005/2006 dues into the 2005 budget with the understanding that both the Town and UVLSRPC would be on notice with close attention will be paid to the benefits and service the Town receives. The Town wants to move forward with the Master Plan, TIF planning and water/sewer grant. After further discussion Mr. Albanese withdrew his support for 2005 funding not wanting to commit now, but to consider it further.

Mr. Oppenheimer called the discussion to a close.

The Board took a 5-minute break before meeting with CLD Consulting Engineers to discuss the TIF district (Tax Increment Financing)

PUBLIC APPOINTMENTS

CLD Consulting Engineers:

Ken Rhodes, Scott Williams and Charlie Hirshberg of CLD Consulting Engineers came before the Board to discuss a Tax Increment Finance (TIF) District and their role in the process. Mrs. Whittaker explained that when you apply for water and sewer grants you need a third party engineer. An elaborate interview system was needed and CLD were the unanimous top choice. CLD will assist the Town with infrastructure needs and future planning.

Ken Rhodes explained that a TIF District is a valuable tool to complement the town's Master Plan and zoning plans for infrastructure improvements and to support planned development. He went on to present an example of a successful TIF District in Hooksett

The Board heard support for a TIF District from the members of the public, including local business owners.

Mrs. Scovner expressed concerns about adequate school funding for any children that might move into the TIF district since a portion of tax revenues would go to the TIF fund. If the amount of building, improvements and new business is not what the town anticipates additional school funding burdens could be shifted to other taxpayers.

Sharon Carr noted that because everyone else would pick up the cost of the kids in school they would be paying their share for the improvements that could, in the end, benefit everyone.

Mr. Albanese expressed concerns about an increased tax burden on homeowners located within the district.

It was explained that the TIF district does not affect the assessment or taxes of properties within the district but that it funnels a portion of the tax revenues to a TIF fund. Home construction or improvements are assessed and taxed the same as all other properties within the town. At the time the TIF district is formed the existing property values within the district are used as a baseline value. The difference between this baseline value and increased values due to improvements and new construction within the district is what determines the amount of tax

revenue that will be funneled into the TIF fund. TIF districts provide a mechanism for funding improvements.

The costs of bonding was discussed, including the effect this would have on taxpayers if insufficient income were to be received from the TIF district to cover the costs.

Mr. Albanese is unsure that the town has a vision for the town and is unsure if the town is administratively ready for this project.

It was noted that there is no risk in creating a TIF district. Bonding does not have to be done at the same time the district is established.

It was also pointed out that a TIF district doesn't give you vision, it's the Master Plan, and zoning districts that determine the area that the town wants to have for commercial development. As a theory, a TIF allows improvements in an area acting as a method of funding. Vacant and idle land is more likely to be developed.

Timing of establishment of a TIF district was discussed. It was pointed out that delaying the establishment of a TIF district would cause the town to lose the benefit of any value increases that are seen prior to that date.

The Board of Selectmen was undecided about whether or not to pursue a TIF district in 2005. Wally Andrew is prepared to sell the project but only if the Selectmen support the concept.

Discussion ensued regarding bonding and the need for a preliminary design so a solid estimate could be made. If money is approved to get design approval, bonding could be done the following year. The Board may consider budgeting for preliminary plans in 2005.

Mr. Oppenneer brought discussion to a close at 8:40 PM.

OLD BUSINESS

Town Manager's Report:

Mrs. Whittaker provided the Selectmen with copies of the architect's proposal for a Whitney Hall expansion along with notes from a recent staff meeting regarding the same.

Mrs. Scovner requested a copy of the pros and cons of TIF that Mrs. Whittaker had given to Bob LaCroix.

The Board of Selectmen passed a Snow & Ice Policy last month. The policy reviewed by the town's attorney. There was some confusion regarding who would be responsible for snow removal around hydrants. Mrs. Whittaker and Mr. Daniels will work on this.

The Board was provided with an inventory of technology equipment.

Mr. Daniels prepared an estimate of \$5,000 to \$8,000 for paving at the Depot Street ambulance building. Mr. Albanese will bring this information to the Budget Committee.

The Selectmen adopted a sewer extension policy in 1998, which they may want to consider rescinding. This issue will be placed on the next agenda.

Mrs. Whittaker provided the Selectmen with updates of various on-going legal cases.

Mrs. Whittaker presented a quote for borrowing 4 million for building construction/renovation as an informational item.

The Lutheran Church has offered the donation of a used organ to the town. While the Selectmen are not sure they want to accept it, the offer will be forwarded to the Enfield Community Building Board of Directors.

Phil Neily issued a Certificate of Occupancy for the Enfield Community Building on December 2, 2004.

During a recent storm event some trees came down on private roads. The Enfield Highway Department removed them from the roadway. Mr. Daniels prepared a bill to the homeowners for the Board's consideration. Mr. Albanese feels this is an unusual event and the town is helping out taxpayers. He would prefer not to charge them. Mr. Oppeneer and Mrs. Scovner concurred.

Mr. Daniels has a member of his department that would like to take a \$300 college course. It was suggested to the Selectmen that an amendment be made to the personnel policy that the employee is responsible for tuition fees, but that the town will provide up to 50% of the cost upon successful completion of the course. Successful completion would require a grade of C or better and the employee's supervisor must provide approval in advance. Mrs. Whittaker was asked to prepare a motion for approval by the Board at its next meeting.

Ken Daniels Memo ~ Green Property:

In response to concerns voiced by Glyn and Shirley Green, the town has developed a tree removal policy. Mrs. Whittaker will write a letter to the Greens with the outcome.

Mr. Daniels stated that looking at the monumentation the location of the road is fine.

Fire Department:

Mrs. Whittaker reported on documents she's compiled for the Fire Department, including statutes, calendars, what their jobs are and work plans. Mr. Albanese would like to include something about the building as well. Mrs. Whittaker had included organization of an appropriate training room, and was going to add 2 separate policies as attachments. Mr. Albanese asked to be able to review the materials when Mrs. Whittaker has them all together.

Enfield Community Building Open House:

An Open House has been scheduled for Friday, December 17th from 1:00 PM until 6:30 PM with a snow date of Saturday, December 18th from 10:00 AM until 2:00 PM.

Non-Public Session:

Mr. Albanese moved to enter into non-public session at 9:10 PM, RSA 91-A:3 II (d); Mr. Oppenneer seconded. Roll call vote: Mr. Albanese – aye, Mrs. Scovner – aye, Mr. Oppenneer – aye.

Mr. Albanese moved to come out of non-public session at 9:35 PM; Mr. Oppenneer seconded, vote unanimous.

ADJOURNMENT

Mr. Albanese moved to adjourn at 9:35 PM; Mr. Oppenneer seconded, vote unanimous.