

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

**MINUTES of February 24, 2003**

**Board of Selectmen:** Donald J. Crate, Sr., Chairman; Ilene P. Reed; Keith Oppenneer

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

**Others:** Richard Henderson; Dwight Marchetti; Dominic Albanese; Henry Cross; Mary Murray, Connecticut Valley Spectator; Dan & Sharon Kiley

**CALL TO ORDER**

Mrs. Reed called the meeting to order at 5:30 pm.

**APPROVAL OF MINUTES**

The minutes of February 3, 2003 were deferred until the next meeting.

**ADMINISTRATIVE**

**Applications for Exemptions:**

Mrs. Reed moved to accept the veteran's exemption for William Walker; Mr. Oppenneer seconded, vote unanimous.

The Board reviewed and approved an application for an elderly exemption as submitted.

**Local Health Officer Nomination:**

Mr. Oppenneer moved to accept Philip K. Neily's application as Enfield Health Officer; Mrs. Reed seconded, vote unanimous.

**Property Tax Abatement:**

The Board reviewed and approved a property tax abatement for property protected under bankruptcy law.

**CITIZENS FORUM**

**Dwight Marchetti:**

Mr. Marchetti had three issues he wished to address with the Board of Selectmen.

1) Mr. Marchetti understands from rumors that there are going to be two separate budgets presented at Town Meeting.

Mrs. Whittaker explained that one budget is going to be presented, that of the Selectmen. The Budget Committee's budget is \$18,190 less than the Selectmen's recommended budget.

Mr. Marchetti's understanding is that Enfield adopted the Municipal Budget Law (Chapter 32). Mr. Marchetti read from RSA 32:5 regarding the presentation of the budget at a public hearing.

Mrs. Whittaker explained that the budget presented at the hearing was the Board of Selectmen's budget. The Budget Committee later voted on the Selectmen's budget. A public hearing was duly held.

2) A month ago Meredith Smith and Marjorie Carr came before the Board and asked for more time to assess the status of the High Street property, known as the "Craig" property. Mrs. Smith believes this structure to be an historic schoolhouse. The Selectmen agreed to hold off on the decision of disposition of the property. Mr. Marchetti had some concerns about the stay on the demolition of the building because it has been condemned by the Town. He asked Richard Henderson for assistance. Mr. Henderson did considerable research, including a trip to North Haverhill and Concord, and can find no evidence that the "Craig" property was ever a schoolhouse. Mr. Marchetti would like the Selectmen to seek legal council and to be sure they have proof of the building's historic status before making a decision.

Mrs. Whittaker had spoken with Marjorie Carr regarding proof of the historic status of the building. Mrs. Carr was going to talk to Walter Backofen regarding the documentation he has regarding the building. Once other documentation is produced the Board of Selectmen can decide where to go.

Mr. Marchetti's concern is that the bridge downtown is under construction and there is very little traffic on High Street right now. Mr. Marchetti also mentioned safety and liability concerns. He feels that during the bridge construction is the opportune time to have the "Craig" property demolished, when there is little vehicular or pedestrian traffic.

Mrs. Reed replied the Selectmen agreed to wait 6 months. She does not think the Town can, in all fairness, tear the building down now.

Mr. Marchetti contended that if the building is not historic there's no need to wait. He recommended listening to what Mr. Henderson found during his research.

Mr. Henderson has viewed a 1998 report by the NH Historic Sites Commission that is on file at the Town Offices. This report stated that the 1-1/2 story structure is possibly a schoolhouse. Mr. Henderson has copies of deeds that mention a schoolhouse was on the opposite side of the street in 1853 and gone in 1858. Godfrey probate documents make no mention of a school. Mr. Henderson feels the "Craig" property is a hazard.

There is money in the 2003 budget to demolish the building if the Selectmen so choose. Mrs. Whittaker stressed that the building must either be fixed or demolished. If the property were

decided to someone it would be renovated within 12 months or would not be allowed to remain standing.

Mr. Marchetti said the Selectmen need to weigh the public safety with the needs of individuals. There is no parking there. Mr. Marchetti is not trying to undercut anyone. Before the Board of Selectmen act they need to ask for documentation. The building is a liability to the town and taxpayers.

Mrs. Whittaker replied that Mr. Backofen is aware that the town needs documentation quickly.

Dan Kiley mentioned that Richard Blain's house, across the street from the "Craig" property was the schoolhouse. Mr. Blain found evidence of an old classroom behind the sheetrock when he was renovating.

Mrs. Reed noted that everyone seems to have a problem with the town giving away a piece of property, specifically the May Street property that the Selectmen were going to donate to Habitat for Humanity. Mrs. Reed does not see a problem if Meredith Smith is willing to buy the "Craig" property and fix it up.

Mr. Marchetti feels the problems lie with the location of the building.

3) Mr. Marchetti filed a formal complaint with the Board of Selectmen against Celie Aufiero, Chairman of the Conservation Commission. Mr. Marchetti asserts that Ms. Aufiero has failed to comply with State statutes to keep accurate records of meetings and actions. Packets of information were provided to the Selectmen.

Mr. Marchetti read a letter to the Planning Board, dated September 25, 2002, and signed by Ms. Aufiero as Chairwoman of the Conservation Commission on Conservation Commission letterhead. The subject of the letter was the height of telephone poles on Oak Hill Road. The next meeting of the Conservation Commission, 8 days later, the subject of the poles and the September 25<sup>th</sup> letter to the Planning Board were discussed. Mr. Marchetti read from the Conservation Commission minutes of October 3, 2002. Mr. Marchetti then read from the Conservation Commission minutes of November 7, 2002 the corrections to the October 3<sup>rd</sup> meeting.

What Mr. Marchetti derived from this information is that Ms. Aufiero apparently wrote the letter to the Planning Board, purportedly from the Conservation Commission. Mr. Marchetti researched back a year from September 25, 2002 and finds nothing relating to this issue. Specifically, this letter was written prior to any reported vote or discussion of the Committee. Mr. Marchetti's letter is directed to the Board of Selectmen ~ there has been a grievous violation of State statutes. Mr. Marchetti called for a request to Ms. Aufiero by the Board of Selectmen for her voluntary resignation. Barring a voluntary resignation, Mr. Marchetti requested the Selectmen begin removal proceedings.

Mr. Oppenheimer moved to take Mr. Marchetti's complaint under advisement; Mrs. Reed seconded, vote unanimous.

**Ross Allen:**

Mr. Allen came before the Board as a concerned resident and property owner regarding some disturbing comments made by Celie Aufiero and recently quoted in the newspaper in an article pertaining to accusations of entering onto private property.

Mr. Allen relayed an event he was witness to. Mr. Allen's neighbors, Raymond and Susan Stanford, were building a house and had all of the necessary permits posted at the end of their driveway. Ms. Aufiero stopped at the end of the neighbor's driveway and read the postings, after which she went up the driveway to where the house now stands. Ms. Aufiero was on the property for 15 to 30 minutes. The Stanfords were not at home. A letter followed to the Stanfords from the Conservation Commission, signed by Ms. Aufiero as Chairwoman, stating that there appeared to be a violation of NH Wetlands rules. The letter also sited the Stanfords for installing a dock without the necessary permits.

Raymond & Susan Stanford wrote a letter, dated November 27, 2002, stating their belief that Ms. Aufiero overstepped her authority as a Commission member in her dealings with them. All of the improvements to their property were being made in compliance with permits issued by the State of New Hampshire and Enfield Board of Selectmen. Ms. Aufiero entered onto the Stanford's property without their permission to personally inspect improvements that were being made. It was noted in the letter that other representatives of the Conservation Commission and the Public Works Director did ask permission to look at the Stanford's property, which was granted.

Mr. Oppeneer stated that these concerns should be communicated to Ms. Aufiero, stating the Board's concerns. Mrs. Whittaker stated that Ms. Aufiero also needs to be informed that this issue can be addressed in public or private forum.

Mary Murray, report for the Connecticut Valley Spectator, wrote the article to which Mr. Allen referred. She pointed out that meetings are long and stories must be abbreviated. She informed Mr. Allen that he might have gotten a different impression if he had attended the meeting.

Mr. Marchetti is not sure everyone understands what curtilage is, it is the area around the house. Mr. Marchetti also found a document identified as (Ref 3A 12/7/89 minutes) of the Conservation Commission entitled Policy of Entering Land by Conservation Commission Members, a copy of which Mr. Marchetti provided to the Board of Selectmen.

Mrs. Reed stated that she understands what is being said, however the Board of Selectmen passed the policy regarding access to private property at their last meeting and in all fairness to Ms. Aufiero Mrs. Reed feels Ms. Aufiero is willing to follow this policy.

Henry Cross relayed an incident he had back in 1990 regarding a cease & desist order he received from the Board of Selectmen for work he was doing. Mr. Cross had an engineer draw new plans for the second floor of his house. The Building Inspector came and approved a building permit. Later, Ms. Aufiero came onto Mr. Cross's property to inspect it, without having obtained prior permission. It is Mr. Cross's contention that Ms. Aufiero should have known how to conduct town business back in 1989. A year later she broke the rules.

Mr. Marchetti stated in closing that his complaint has nothing to do with trespassing, it has to do with nitpicking and lack of records.

Mr. Crate closed Citizens Forum at this time.

**OLD BUSINESS**

**2003 Goals:**

The 2003 Goals were deferred.

**NEW BUSINESS**

**Fire Truck Bids:**

One bid was received from Tom LaCroix for the fire truck #2 pumper in the amount of \$2,100. David Crate asked if the bid could be deferred. The new truck is in Connecticut for repairs. Mrs. Whittaker told Mr. Crate that the other mutual aid towns should be informed that we are one truck down. The gentleman has ten days to collect the pumper, the new truck should be back in service by then.

Mr. Crate moved to accept the bid from Tom LaCroix for the fire truck #2 pumper in the amount of \$2,100; Mr. Oppenheimer seconded, vote unanimous.

The Selectmen agreed that Mrs. Whittaker should advertise for bid the tanker for which no bids were received this time, as well as the 1961 truck.

**Sewer Sub-Committee:**

The deadline for applications to the Sewer Sub-Committee was February 20, 2003. Six individuals have shown interest: Wayne Claflin, Karen Taylor, Jim Martel, Alice Taylor, Tim Jennings and Craig Daniels.

The Board considered the votes to be taken at Town Meeting on March 15<sup>th</sup>, as well as whether to appoint a committee of five or a committee of all six interested members.

Mrs. Reed moved to appoint all six individuals to the Sewer Sub-Committee. There was no second.

Mr. Oppenheimer moved to appoint five individuals to the Sewer Sub-Committee. There was no second.

Further discussion ensued. Mr. Crate preferred to appoint only five members. Mrs. Reed preferred to appoint all six.

Mr. Oppenheimer moved to amend his motion to appoint all six individuals to the Sewer Sub-Committee; Mrs. Reed seconded. Mr. Oppenheimer and Mrs. Reed were in favor, Mr. Crate abstained, motion carried.

The new Sewer Sub-Committee members will be invited to the next meeting to meet with the Board.

**DPW Update:**

Mrs. Whittaker reported that the Public Works Department has been battling weather and has had water pipe problems. Ken Daniels, Director of Public Works, went out for bids for the proposed new town trucks subject to non-appropriation clause to determine if the warrant article would require amendment.

**Capital Improvements Program (CIP) Committee:**

Mr. Oppeneer called a CIP Committee meeting on Wednesday. He wants to inform the members of the committee that there's a Sewer Sub-Committee. Mrs. Whittaker offered to contact Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) regarding the appropriation amount of \$10,000, not \$22,000. The Town can have UVLSRPC do only a portion of the plan.

Discussion followed regarding membership of this Committee. Mrs. Reed does not recall previous discussion of this committee or appointment of members to the committee. Mr. Oppeneer remembers the committee being discussed at a previous Selectmen's meeting and will gather information, including names of the members participating. Mr. Oppeneer is serving as the Selectmen's representative.

**Seiler Subdivision:**

Mrs. Reed reported that George Seiler had a soil scientist write another letter for submission to the Planning Board. Craig Daniels voted at the Planning Board meeting to waive the fees for Mr. Seiler's new request; Mrs. Reed seconded that motion. Mr. Taylor said there would be out of pocket expenses for abutter's notices. Mrs. Reed proceeded to read from the Planning Board minutes. The Planning Board voted in favor of the motion to waive all but the out-of-pocket expenses.

**Non-Public Session:**

Mr. Oppeneer moved to enter non-public session at 7:09pm, citing RSA 91-A:3 II (c); Mrs. Reed seconded. Mr. Oppeneer – aye, Mrs. Reed – aye, Mr. Crate – aye, motion carried.

Mrs. Reed moved to come out of non-public session at 8:10pm; Mr. Oppeneer seconded, vote unanimous.

Mrs. Reed moved that the minutes be sequestered and sealed for one year; Mr. Oppeneer seconded, vote 3-0.

**INFORMATIONAL ITEMS**

Tax Collector's report of potential tax deeds.

Monthly Department Reports: Mrs. Whittaker asked each department head to submit a monthly report. The Police Department Report was provided to the Board of Selectmen.

CDBG Audit Report: Anne's Place

Action Bulletin re: Retirement System Rate Hikes-A Status Report

Dick & Selma Sanborn correspondence re: Increased Sewer Rate

Karl Finsterbusch III correspondence re: Increased Sewer Rate

Preliminary Application for Highway Safety Project Grant ~ Hydraulic Rescue Tool for Enfield Fire Department

Town of Enfield Hazard Mitigation Plan prepared by UVLSRPC ~ October 2002

NH Governor's Recycling Program Changes ~ New Contact Information

**ADJOURNMENT**

Mr. Oppenheer moved to adjourn at 8:10pm; Mrs. Reed seconded, vote unanimous.