

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

**MINUTES of July 21, 2003**

**Board of Selectmen:** Ilene P. Reed, Chairman; Keith Oppenneer; Dominic Albanese

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

**Others:** Dan Kiley; Kurt Gotthardt; Wendy Huntley; Mike Dudley; Henry Cross; Don Roberts; Ken Daniels, Director of Public Routes

**CALL TO ORDER**

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

**APPROVAL OF MINUTES**

Mrs. Reed moved to approve the minutes of 7 July 2003 as printed; Mr. Albanese seconded, vote unanimous.

**PUBLIC APPOINTMENTS**

**Don Roberts ~ Proposed Acquisition of 18 High Street:**

Mr. Roberts is in the process of collecting data for a title search. There are no records for two parcels, Map 31 Lots 17-1 & 29, that were part of the four-lot annexation. Mr. Roberts thinks they (Peter Flanagan and himself) will find something in Woodsville. Because of the lack of records in the town's files, Mr. Roberts requested a 2-week extension for the closing. Mr. Oppenneer suggested an extension to September 1. The Board concurred.

Mr. Roberts explained that 18<sup>th</sup> century schoolhouses are usually "Plain Jane" buildings. He plans to remove the sheetrock and install plasterwork, and to expose beams. There used to be a porch on the river side of the building when the Canfield's owned it. He'd like to put that back. He'll replace the floors with old pine flooring and hopes to add a dormer if the Selectmen will grant approval. Mr. Roberts hopes to find some old pictures of the building and will be talking to a number of individuals that have information on the history of the building.

Mrs. Whittaker recommended putting in a building permit application for assessment of the above issues by the Building Inspector & Planning/Zoning Administrator. She also questioned whether the boat that was parked on the lot was still there, and if it belong to Mr. Roberts. She

was told that the boat is still there and it does not belong to Mr. Roberts. She will contact Chief Giese to track down who owns it and ask for its removal.

Discussion of renovations of the building continued. Mr. Roberts thinks a year might be close for time to complete all renovations. Mr. Albanese stated that it is probably OK for Mr. Roberts to exceed one year as long as the exterior looks good and the renovations have been substantially completed.

## **ADMINISTRATIVE**

### **Selectmen's Meeting Location:**

Mr. Oppeneer moved to permanently meet at the Public Works Facility; Mr. Albanese seconded, vote unanimous.

### **Sale of Property ~ Completion of Paperwork:**

The Board signed deeds and transfer tax documents relating to the sale of 23 May Street and 18 High Street.

### **Veterans Tax Credit:**

Mr. Albanese moved to approve a veterans tax credit for Mark Greenan; Mr. Oppeneer seconded, vote unanimous.

### **Corrective Warrant:**

The Board reviewed and approved a corrective warrant for the refund of an overpayment on property taxes.

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

Mrs. Whittaker would like to support Phil Neily's Health Officer role with a written housing ordinance. The Board was provided with a draft Housing Standards Ordinance for consideration at the next meeting. This ordinance is based on the RSA's and generic text from the Department of Public Health.

It was agreed that a deputy Health Officer would be beneficial.

### **Sewer Hook-Up Request:**

Mr. Oppeneer moved to approve sewer and water service for Map 11, Lot 34 with conditions as recommended by Ken Daniels, Director of Public Works, in the memo dated July 21, 2003; Mrs. Reed seconded, vote unanimous. A copy of the memo to be placed in the property file.

### **Driveway Regulations:**

Mrs. Whittaker is currently preparing driveway regulations for construction, curb cut and property owner's responsibilities. The Town has been in the habit of replacing private culverts; this should be the homeowner's expense. Beyond the right-of-way the Town has no jurisdiction. Under statute driveway regulations have to go to the Planning Board for public hearing and approval.

**Streetlight Placement Policy:**

Mrs. Whittaker asked if the Selectmen would like her to work on this type of policy. The Board agreed that it would be a good idea to have guidelines to follow to make the process fair to everyone.

**Sewer Sub-Committee:**

The Board of Selectmen received a draft report from the Sewer Sub-Committee entitled Municipal Sewer Sub Committee, First Recommendation to the Board of Selectmen, Town of Enfield, New Hampshire and dated July 2003. This will be discussed further at the next meeting.

Mr. Albanese asked if the committee had looked at expansion of the system. Mrs. Whittaker explained that part one of the charge has been addressed by the committee; they have approved going ahead with figures based on the aerial mapping. Part two is address by the draft report submitted to the Board this evening.

Mr. Oppenneer read the minutes of the July 7<sup>th</sup> Selectmen's meeting and noted the discussion about the possibility of a new charge for the Sewer Sub-Committee. The discussion of the new charge for the Sewer Sub-Committee was deferred from the last meeting. Does the Board want to give the new charge to the Sewer Sub-Committee regarding whether or not fees should be charged for undeveloped parcels which would be served by sewer?

Mr. Daniels, in reply to a question posed by Mr. Oppenneer, reported that there are probably less than a dozen undeveloped lots within the boundaries of the existing sewer system in the village.

Mr. Albanese does not feel good about the new charge. He would rather harness the group to help with planning of new lines. Discussion followed regarding the small amount of revenue gained versus the work to obtain it.

It might be financially prudent to expansions of the system in steps, beginning, maybe, with expansion along Route 4 to the Canaan town line. And when the first project is completed to begin work on the next project. A cost benefit analysis would be helpful, but is best done by a developer, engineer or planner.

**CITIZENS FORUM****Kurt Gotthardt ~ Planning Board Meeting/Open Space:**

Mr. Gotthardt made a statement to the Board regarding what he sees as a misunderstanding by some members of the public regarding comments he made or questions he asked, at a recent Planning Board meeting, regarding Open Space requirements for the Ironman Development.

Mr. Gotthardt has come concerns regarding some of the requested uses for the Open Space lots within the development.

Mr. Gotthardt provided a copy of his statement, a copy of the Enfield Ordinance, section 405 Cluster Development, Declaration of Restrictions...Laramie Farm Estates and State of New Hampshire Current Use Criteria. Mr. Gotthardt also read from the June 11, 2003 Planning Board minutes.

Mr. Albanese feels that on a project of this size that there needs to be greater, more proactive communications between April Whittaker & Jim Taylor.

Mrs. Whittaker explained that the first reaction to this issue was that it is too late in the game to bring up new information regarding past issues. Later, it was found that the issue being discussed was open space that was supposed to be re-written in the future, albeit that the subject was raised in the Laramie Farms discussion.

When asked by Mr. Albanese why the open space issue was brought up during the Ironman portion of the meeting, Mr. Gotthardt replied that it was because the covenants say they need to be approved by the Planning Board and Mr. Gotthardt questions whether some of the uses of Open Space are not permitted uses. The old ordinance, talks about being left with natural cover, with natural vegetation.

Discussion and disagreement followed regarding whether or not installation of underground utilities is a permitted use in an Open Space. Mrs. Whittaker recommended getting information from some other towns regarding Open Space definitions, rules & regulations.

**Kurt Gotthardt ~ Town Forest:**

Mr. Gotthardt understands that it has to go to Town Meeting for a vote, but asked the Selectmen to consider designating the Town-owned Bicknell Brook property as a Town Forest according to RSA Chapter 31. He is aware that this must be approved by Town Meeting.

Mr. Albanese noted that an inventory of town land has been forwarded to the Public Works Department, Planning Board and Conservation Commission for comment.

**Kurt Gotthardt ~ Municipal Trails:**

Mr. Gotthardt explained to the Board that there are two Class VI roads in Enfield Center; one at the end of Goodhue Hill Road and one at the Enfield of Hackett Road. These two sections of Class VI Road intersect and continue up the hill. Designation as a Municipal Class A or Class B Trail must be approved by town meeting.

Mrs. Whittaker recommends staying away from Class B trails.

RSA 231-A:1 states, in part, that a Class A trail "...shall not have the status of a publicly approved street, and shall not be used as a vehicular access for any new building or structure, or for the expansion, enlargement, or increased intensity of use of any existing building or structure."

Designation as a municipal trail will restrict use of property abutting the trail.

Mrs. Whittaker expects some property owners to be opposed to designation of the Class VI road as a municipal trail. But her biggest concern is the possibility of a class action suit for a "taking". It is a very controversial decision.

Mr. Gotthardt is willing to push for one warrant article per year, starting with the town forest.

**PUBLIC HEARING ~ To Accept Funds From The Enfield Center Town Hall Association.**

Mr. Oppenneer moved to open the public hearing at 6:39 PM; Mr. Albanese seconded, vote unanimous.

Mrs. Reed read the hearing notice, announcing the purpose of the public hearing, pursuant to RSA 31:95-A to accept funds from the Enfield Center Town Hall Association, which had now disbanded.

The Selectmen were provided a copy of the hearing notice, RSA 31:95-b, and the March 10, 1998 vote authorizing the Board of Selectmen to accept unanticipated funds.

Mrs. Whittaker recommended accepting the funds amounting to just over \$400 and placing it in a separate escrow account to be sure it is used for the purpose for which it was intended ~ Enfield Center Town Hall.

There being no audience discussion either for or against acceptance, Mr. Albanese moved to close the public hearing at 6:44 PM; Mr. Oppenneer seconded, vote unanimous.

Mr. Albanese moved to accept the funds from the Enfield Center Town Hall Association; Mrs. Reed seconded, vote unanimous.

**BUSINESS ~ TOWN MANAGER'S REPORT****Media Protocols:**

Mrs. Whittaker is working on proposed media protocols and will have a draft submission for the Selectmen's review at their next meeting.

The Board received a suggestion from Dolores Struckhoff of a marker for the old willow tree came down in Huse Park in June.

The Selectmen are not aware of any historical significance that tree may have had and will ask Mrs. Struckhoff of the significance of the tree to her.

**Health Trust:**

Mrs. Whittaker provided the Selectmen with information regarding the Health Trust Slice of Life Program. Enfield has been chosen to participate in the new pilot promotional program. The new program will provide discounts for Weight Watchers and health clubs. Health Trust, through the Slice of Life program is trying to be pro-active with its membership.

**Town Hall/Library Needs Assessment Committee:**

Mr. Albanese received a call about the Needs Assessment Committee. There is still some confusion regarding the membership and the Library Trustees.

The Board is of the consensus that there is one Library Trustee member on the committee. They can all attend, but get only one vote, and only one should sit at the head table with other

committee members. Anyone attending a meeting that is not a member of the board or committee should sit in the audience.

**Good Neighbor Clinic:**

Mr. Oppenneer requested consideration of a donation to the Good Neighbor Clinic Outreach Program to help Canaan and Enfield residents with prescriptions. Similar requests are being submitted to the other town in the school district. Enfield's share is \$380.

Mr. Albanese has heard good things about them, but they should go through the budget process. Mr. Oppenneer responded that this would be a one-time request for funding.

Mr. Oppenneer moved to approve payment of \$380 to Good Neighbors Clinic for the Outreach Program for Enfield and Canaan and to charge the funds to the appropriate line in the Welfare budget; Mrs. Reed seconded, vote unanimous.

**Habitat for Humanity:**

Habitat for Humanity has asked if the Selectmen would be willing to remove the asphalt at 23 May Street; property they are in the process of purchasing from the Town. The consensus of the Board is not to remove the asphalt from the 23 May Street property.

Mr. Oppenneer noted that they would also be interested in having the water and sewer connection charges waived.

Mr. Albanese stated that he has no problem with Habitat for Humanity but can't support it; it would be setting a precedent, and would be burdensome to other water and sewer users.

Mr. Cross asked if the Selectmen would do this for a private citizen? The answer was no. Mr. Albanese asked if we have given free hookups to anyone else? The answer was, again, no.

It was the consensus of the Board not to waive water & sewer hookup fees for Habitat for Humanity.

**Henry Cross ~ Non-Public Session:**

Mr. Cross requested a non-public session under RSA 91-A:3 II (c). Mr. Oppenneer moved to enter non-public session at 7:00 PM, citing RSA 91-A:3 II (c); Mrs. Reed seconded. Roll call vote: Mrs. Reed – aye, Mr. Oppenneer – aye, Mr. Albanese – aye, vote unanimous.

Mr. Albanese moved to come out of non-public session at 7:30 PM; Mr. Oppenneer seconded, vote unanimous.

Mr. Albanese moved to seal the minutes of the non-public session for a period of one year; Mr. Oppenneer seconded, vote unanimous.

**Budget Workshop:**

By consensus of the Board, the review of revenues will be taken up at the Selectmen's budget work session. It was also agreed that the Budget Committee should be invited to attend a single meeting with the Board of Selectmen to avoid having to go over the same material multiple times.

**INFORMATIONAL ITEMS**

Second quarter report from the Trustees of Trust Funds.

Planning Board Notice ~ 23 July 2003 meeting

Pike Industries ~ Notice of Resurfacing Project

**ADJOURNMENT**

Mr. Albanese moved to adjourn at 7:35 PM; Mr. Oppeneer seconded, vote unanimous.