

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

MINUTES of August 4, 2003

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

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

Others: Ken Daniels, Director of Public Works; Steve Stancek; Dan Kiley; Kurt Gotthardt; Wayne Claflin; Father Tom Huhn; Henry Cross

CALL TO ORDER

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

APPROVAL OF MINUTES

Mr. Oppenneer moved to accept the regular session minutes of July 21, 2003; Mr. Albanese seconded, vote unanimous.

Mr. Oppenneer moved to accept the non-public session minutes of July 21, 2003; Mr. Albanese seconded, vote unanimous.

PUBLIC APPOINTMENTS

Steve Stancek re: sidewalk in front of St. Helena Church:

The Board received copies of correspondence from Steve Stancek to the Enfield Village Association, April Whittaker to NH Department of Transportation (NH DOT), and NH DOT to April Whittaker.

Discussion ensued regarding the current NH DOT plans for sidewalks and the cost of various types of sidewalk, including asphalt, asphalt with brick imprint and painted surface and dyed concrete with brick imprint. Concrete is the most expensive to install, most difficult to maintain and least resistant to New England weather conditions. Salt cannot be used on concrete.

Painted asphalt sidewalks could last up to 5 years before needing repainting.

Mr. Stancek was agreeable to asphalt with brick imprint and painted surface to be installed from driveway cut to driveway cut, given the valid arguments for asphalt over concrete and the differential in budget costs to the Town of Enfield.

At Mr. Albanese's suggestion and the Board's concurrence, Mrs. Whittaker will contact NH DOT to change the section of sidewalk from dyed concrete with brick imprint to asphalt with brick imprint and painted surface. This will result in sidewalks that are easier to maintain and longer lived. Mr. Albanese recommended inviting NHDOT and the Enfield Village Association to the next meeting to discuss this proposed change. Mrs. Whittaker will also talk to Ray Burton about the proposed sidewalk changes when he's in town on August 15th for a tour of town.

CITIZENS FORUM

Nancy Smith ~ Enfield Village Association (EVA) Update:

Mrs. Smith came before the Board to provide an update on what EVA projects. EVA has started a façade grant program with grants of \$500 available to business properties. Three awards have recently been made: Headstart has installed new windows, Peter Gray has done trim work and the Town of Enfield has installed window boxes on Whitney Hall. The Town has only to provide copies of paid bills to be reimbursed for the cost of the window boxes.

This is National Farmers Market week and Steve Taylor, NH Commissioner of Agriculture, Markets & Food, will be attending the Enfield Farmer's Market on Wednesday at 3:00 PM to kick things off.

Hildegard Ojibway will be leaving EVA October 1st. The job has demanded more evening hours than was anticipated and Hildegard has school age children. EVA has a group to look for a new candidate.

There has been a cry to bring back the Town Directory. The EVA Economic Revitalization Committee has been asked to take on this project. The booklet is funded primarily through advertising. Four or five people have volunteered to work on it.

And lastly, this fall, EVA hopes to kick off a market analysis.

Mr. Albanese asked if the Board of Selectmen would receive copies of EVA's Strategic Plan. Mrs. Smith replied that yes, they would. EVA calls it a work plan. Mrs. Smith also indicated that EVA would like to play an active role in the updating of the Town's Master Plan.

Wayne Claflin ~ Parking Ticket:

Mr. Claflin came to the Board about a situation involving a parking ticket that was issued at the boat launch on Mascoma Lake and the need for improved signage. An individual that assisted with the launching of a party barge also went out on the lake on the party barge. Though, she was not towing or carrying a boat and parked at the boat launch and was ticketed and charged a \$50.00 fine.

When the individual went to the Police Station to have the ticket cleared up, she instead became involved in a verbal altercation.

Mr. Claflin felt that signs at the boat launch and beach parking lot need attention. The beach parking sign says beach parking only, no trailers. The boat launch sign says boat parking only. These signs can be misinterpreted. The individual that was ticketed was not parking to go to the beach, but rather was going boating. She did not bring the boat, however.

Mr. Claflin would like to see the ticket gone and new signage at the beach parking lot and boat launch. The signs at the boat launch used to say vehicles with trailers only – all others park across the street.

In addition, a police officer was having a discussion at the boat launch. There was a boat on a trailer parked in the beach parking area in clear view of the boat launch, yet no action was taken by the officer.

The Board took Mr. Claflin's comments under advisement.

Henry Cross ~ Crystal Lake Association:

Mr. Cross thanked Mr. Albanese for his quick reaction to the wetland's complaint on Crystal Lake. The woman that was doing the filling will be applying for an after-the-fact wetlands permit.

Mr. Albanese asked the status of similar situations. Mr. Cross replied that acting president, Glen Green will get those updates to the Board of Selectmen.

Henry Cross ~ Grafton Pond Draw down:

Mr. Cross spoke with the Selectmen last year regarding the draw down of Grafton Pond. Mr. Gallagher from the State of New Hampshire came in to discuss the draw down. Historically the pond has been drawn down 8 feet. While the town had suggested a compromise of 4 feet, Mr. Gallagher never got back to the town with analysis of the proposed change.

Mr. Albanese recommending sending a letter to Mr. Gallagher suggesting a compromise of 4 or 6 feet, rather than 8 or nothing at all.

Mr. Albanese received a call about a drop pit that was put in on Algonquin Road to collect sand from the road. The pit is now full and the sand is washing over into the lake. Mr. Daniels was asked to investigate.

Kurt Gotthardt – Class VI Road:

Mr. Gotthardt saw on the agenda that someone wants to upgrade a Class VI Road. (Mr. Jellison was on the agenda to request permission to upgrade a Class VI road but did not attend the meeting.) In anticipation of Mr. Jellison's attendance, the Board was provided with a copy of the Town's Class VI Road Policy and background on a previously approved upgrade to a Class VI Road.

Mr. Albanese explained that Mr. Jellison is considering buying a piece of property located off US Route 4. The Planning Board, in the past, restricted access to this property by use of the private road, Morhouse Lane, and prohibited use of Old County Road. This information is provided in detail in a memo from Jim Taylor, Planning/Zoning Administrator to the Enfield Board of Selectmen, dated August 1, 2003.

Mr. Gotthardt informed the Board that he takes personal interest in the town's Class VI roads. He likes to walk them, and is against letting someone upgrade a Class VI road for personal use. He feels that eventually the current or future owner will ask for the road to be upgraded to Class V or discontinued altogether so the public can't use it.

Mr. Gotthardt read section II of the Town Class VI Road Policy, which states, in part: "It shall be the policy of the Selectmen, in accordance with the Master Plan, Zoning Ordinance, Subdivision Regulations, and previous Town vote expressing the intent to preserve Class VI roads as recreational/conservational public ways, to discourage construction on Class VI roads. The Board may take such actions as it deems necessary to insure against the scattered or premature development of land that could involve danger or injury to the public health, safety and welfare, due to the lack of water supply, drainage, access or other public services, or that would necessitate an excessive expenditure of public funds for the supply of such services."

Old County road was designated Class VI in 1948, so the road must be very old. Mr. Gotthardt has walked this road two or three times a year and it's been kept open at least by walkers if not by snowmobilers.

Mr. Gotthardt also heard that someone wants to use Fuller Road as access to a driveway. The Planning Board turned this down.

Whitter Road is a Class VI road that the Selectmen chose not to post with a street sign because it's used as the driveway for a house. Mr. Gotthardt is afraid that's what will happen to Old County Road if an upgrade is allowed.

Discussion ensued regarding the condition of the road. The grade of Old County Road does not seem significantly different than that of Morhouse Lane. It was also noted that there are not property pins at the end of the road making which might make it difficult to find the true location of the road.

Mrs. Whittaker pointed out the issue of liability. Even if the property owner signs a waiver of liability it still leaves the town open to liability from visitors to the property. This puts an onus on the town to inspect the road on a regular basis to be sure it's maintained by the recipient of the building permit on a Class VI road. Questions arose concerning clarity as to what the town can do to enforce maintenance without compromising a Class VI road.

Mr. Albanese stated that it is not an issue of access, he does have access by Morhouse Lane.

Dan Kiley ~ Taxation of Non-profit Organizations:

Mr. Kiley questioned the status of the tax issue for non-profit organizations. Mrs. Whittaker reported that Oak Grove Cemetery Association paid its tax bill, the Sailing Club, Living Waters Bible Church and Humane Society also paid. The Enfield Outing Club has not paid as they are undergoing negotiations for use of the property as a shooting range for the Police Department. She believes Oak Grove Cemetery Association is looking for sponsors for a new bill that would exempt private cemeteries from property taxes.

Steve Stancek ~ Fuller Road:

Fuller Road runs through Mascoma Heights subdivision. There are properties along the road that are effectively landlocked. Mr. Stancek asked if there was a defined policy on how to upgrade a Class VI road. Mrs. Whittaker provided Mr. Stancek with a copy of the Town's Class VI Road Policy. Mrs. Whittaker explained the need to be very careful about the upgrading of Class VI roads and consider the need for an annual review of upgraded roads.

A brief discussion followed regarding discontinuance of a road versus discontinuance subject to gates & bars (Class VI).

ADMINISTRATIVE

Veterans Exemptions:

Mr. Oppenneer moved to approve veterans exemptions for Howard C. Shaffer III and Wayne H. Adams as recommended; Mrs. Reed seconded, vote unanimous.

2003 Property Tax Refund:

The Board reviewed and approved refunds for the overpayment of property taxes by Frank Caparaso & Josephn Bongioro, Chase Commercial Bank, and Raymond Martin & Alexandra Bailey.

OLD BUSINESS

Housing Standards Ordinance:

The Housing Standards Ordinance, which follows the RSA's, is proposed to help Phil Neily in his role as Health Officer. Mr. Albanese asked why heating oil is not included. Mrs. Whittaker explained that is covered under environmental law. The proposed ordinance has been reviewed and approved by town attorney.

Mr. Albanese moved to approve the Housing Standards Ordinance as presented; Mr. Oppenneer seconded, vote unanimous.

Driveway Regulations:

Mrs. Whittaker explained that these regulations are in reaction to a complaint about a neighbor's culvert. The adoption process is by the Planning Board. These regulations are on the Planning Board's docket for the end of August.

Mr. Albanese stated he has a difference of opinion with Mrs. Whittaker on this policy, but that he would bring it up at the Planning Board hearing.

Mr. Oppenneer noted that Section II says the driveway must be a 5 feet from the property line. This should be amended to 5 feet from side property lines.

Ken Daniels will be preparing an Appendix B to address driveway design. Jim Taylor will do Appendix C for street numbering.

Sewer Sub-Committee Report:

Mr. Albanese stated that a copy of the Sewer Sub-Committee report should be sent to everyone that signed the petition for the 2003 Town Meeting warrant article regarding Sewer Commissioners. This report of the Sewer Sub-Committee addresses only the second part of the Committee's charge. The first part of their charge will be fully addressed pending receipt of the data from the aerial mapping.

Mr. Albanese moved to accept the recommendations of the Municipal Sewer Sub-Committee regarding the management of the sewer system; Mr. Oppeneer seconded, vote unanimous.

Release of Information Policy:

The Release of Information Policy provides a summary of the Right-to Know law and directs inquiries for information to the Town Manager as the principal spokesman and information source for the town. Mr. Albanese recommended a cover letter that states this summary of the policy.

The policy calls for annual review.

Mrs. Whittaker will provide the policy to every committee and ask for a public reading of the policy, pending Town Counsel's review.

Mr. Albanese moved to accept the Release of Information Policy and Application of the Right-to-Know Statute as a policy of the Town of Enfield; Mr. Oppeneer seconded, vote unanimous.

Bus Shelter:

Mrs. Whittaker expressed her thanks to Ken Daniels for sterling work above and beyond the call of duty in getting the bus shelter up. Mr. Daniels was thanked unanimously and individually by the Board of Selectmen.

The Town will receive a check in the amount of \$2,568 for services rendered through July 1, 2003.

Willow Tree Marker/Plaque:

Mrs. Struckoff was asked about the significance of the willow at Huse Park. She replied that the tree had sentimental value only. The Planning Board, when asked by Mr. Albanese, could name no historical significance.

The Recreation Department has asked to a replacement tree, with possibly a small plaque in remembrance of the old willow. The Selectmen concurred with this idea, with the only stipulation being that the replacement tree not be a willow.

Purchase Orders in Excess of \$3,000;

The Board received copies of purchase orders in excess of \$3,000, including one to Red Hed, supplier of water pipes, etc., and one from Northeast Waste for recycling and trash disposal for June 2003.

NEW BUSINESS

Public Works Sign:

Mrs. Whittaker presented a proposed sign design, which she hopes can be used as a standardized design for all town buildings.

Lighting of the sign was discussed. The ideal lighting would be mounted on the sign itself.

There is need for a streetlight at the end of the driveway. It should be shaded or somehow muted to prevent light from being intrusive to neighbors.

The sign will be installed and appropriate lighting will be installed at the same time if possible.

Revenue Review & Explanation:

The Board of Selectmen will meet on the 2nd Monday of October at 6:00 PM in the Public Works Facility to discuss revenue structure. The Budget Committee will be invited to attend. A Selectmen's budget workshop will follow.

1992 Truck Bids:

Two bid were received for the 1992 truck with dump body, plow & sander: \$1,656 and \$4,007. Mr. Oppeneer moved to approve the high bid for the sale of the truck; Mrs. Reed seconded, vote unanimous.

September Meeting Schedule:

The Board will meet on Tuesday, September 2nd and Monday, September 15th.

Barrows Letter to the Editor in the Valley News:

In deference to the newspaper article and Mr. Barrows' contention that the Town is jeopardizing his operation with its high sewer rate, Mrs. Whittaker provided the Board of Selectmen with a bar graph of Mr. Barrow's water usage over a period of time. According to water usage records, Mr. Barrows' usage dropped off in 2000 when the Canaan Laundromat opened up. Water usage since that time has been fairly steady. The real telling point will be in the next quarter. Mrs. Whittaker stated that she is not trying to demean Mr. Barrows' concerns, but he has recourse that the Town does not have without offending other sewer users.

The town will incorporate the potential of 30 additional sewer users through inhabitation of "Anne's Place" and the new residences on Cambridgeville Drive off Anderson Hill Road which will be a great benefit to the Town in maintaining revenues for water and sewer funds.

Conservation Commission Letter to Property Owners:

The Board received a draft of a letter the Conservation Commission wishes to send to property owners regarding natural resources. This letter will go to all property owners of over five acres. Mr. Oppeneer noted a grammatical error. There will be an opportunity for the Selectmen to discuss this letter with the Conservation Commission at their August 11th meeting.

Municipal Trail Maintenance:

The Board briefly discussed trail maintenance. Mrs. Whittaker stated that she had to change her position on trail maintenance following a discussion with the town's attorney who states the town probably could be held more liable if we took the extra step of duty of care by installing hand rails on the trail walking bridges.

Mr. Gotthardt stated that the Selectmen should be aware that there is supposed to be a waiver for trail maintenance and safety training for the individual doing the maintenance; in this case Alan Strickland.

Mr. Albanese would like a "Use at Your Own Risk" sign. Mrs. Whittaker suggested that the willow slices might make good trail signs. Mr. Albanese specifically would like something for

Suki's Marsh since it is close to a main road and families are more likely to use it. He questioned if there was a need for consistency from one trail to the next. No, was Mrs. Whittaker's response. The Board of Selectmen had no objection if Mr. Albanese wanted to press the issue with the Conservation Commission.

Mr. Gotthardt mentioned that there is a bridge over the Bicknell Brook connecting the Collette Trail and the Bicknell Brook Trail.

Resignation from Budget Committee:

Larry Gardner has resigned from the Budget Committee. Holly Sanders has resigned as of September 1st. Two positions will be advertised with a closing date of September 2nd. The Town will request letters of interest and qualifications.

Work Without a Permit:

The Wetlands Bureau has issued a notice to Clyde & Cheryl Farewell regarding work done without a permit. Mr. Albanese will mention this to the Conservation Commission on Monday, August 11th.

Legislative Change Sought:

Mrs. Whittaker reported efforts to pursue a legislative change regarding financial liability for accidents involving town employees during the course of their work. Currently, firefighters and police officers are exempt from financial liability. An accident occurred with a town plow during winter storm operations that has affected the driver's personal auto insurance premium. Efforts, if effective, will add highway personnel and ambulance personnel to the statute. It should be considered that highway and ambulance employees are required to work during inclement and, sometimes, severe weather conditions to ensure the public safety and therefore should not have their own personal car insurance premiums compromised by accidents that may occur while being on duty for the town.

Water Softening Update:

Mr. Oppeneer asked if there has been any progress made by the company that has been developing water-softening systems. Mrs. Daniels met with a representative of the company. They have a unit up and running. The unit is the size of a dishwasher and is meant for residential use. It softens approximately 10 gallons per hour. However, an outfit they work with in Louisiana can do up to 10,000 gallons per hour. It is hoped that progress may eventually occur for the McConnell well in Enfield.

Water Quality Report:

Mr. Oppeneer stated that Canaan issues a water quality report. Does Enfield have anything similar? Mr. Daniels informed him that we have a Consumer Confidence Report that provides information on the municipal water system. This report is required by the State of New Hampshire.

Projects & Prioritization:

Using the Town Manager's work plan & goals, Mr. Oppeneer presented a list of projects for the Town Manager including prioritization of those projects on a scale of 1 to 9, with 9 being most important. The first 36 items are from a work list provided by Mrs. Whittaker. Projects beginning at number 36 are from the Town Manager's goals. The last section includes long term

uncompleted business from prior years. This list will be reviewed at the first meeting of each month.

Mrs. Whittaker's confidential evaluation was distributed among the Selectmen. Mrs. Reed would like an opportunity to read the evaluation before taking final action.

Quarterly Advertisement of Town Website:

Mr. Albanese asked that a small ad be run in a local newspaper on a quarterly basis to alert the public to the availability of meeting schedules and minutes on the Town's website. The Board concurred with this proposal.

INFORMATIONAL ITEMS

Public Works memo re: Town of Hartford, VT salt & sand shed construction & planning:

Based on the information provided by the Town of Hartford, Ken Daniels is right on target with what he's asking for construction costs and design for this type of facility.

Mascoma Valley Regional School District re: school payments schedule

Municipal Note for \$188,700 paid in full:

The note for the Whitney Hall & Library renovations has been paid in full.

ADJOURNMENT

Mr. Oppenheer moved to adjourn at 8:05 PM; Mrs. Reed seconded, vote unanimous.