

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

MINUTES of November 3, 2003

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

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

Others: Dan Kiley; District 17 Democratic Representatives

CALL TO ORDER

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

APPROVAL OF MINUTES

Mr. Albanese moved to approved the minutes of October 20, 2003 as printed; Mr. Oppeneer seconded, vote unanimous.

PUBLIC APPOINTMENTS

Democratic Representatives ~ District 17:

The Board of Selectmen, Mrs. Whittaker and the Democratic representatives discussed various issues of concern to the town including:

- * the current State education funding proposal, the ramifications to the Town of Enfield, and the need for public education, such as inclusion of articles in the Town's newsletter and press releases to the local papers;
- * the rumor that the State will not renew sub-contractor agreements for winter snowplowing and the possibility that this could affect the timely clearing of State roads in Enfield and safety for residents and tourists;
- * the State decision to maintain the status quo regarding the taxation of utility poles;
- * welfare downshifting of over \$20,000,000 in costs over 2 years and elimination or reduction of many state welfare and behavioral health services;
- * the State MtBE suit and the City of Dover's attempts to retain the right of municipalities to make a claim and be appropriately compensated;
- * proposed legislation that would change the way the warrant would be presented at Town Meeting;
- * candidates for the Governor's seat;
- * possible redistricting of District 17 that would split it into 2 districts – Hanover & Lyme with 4 seats and Enfield, Canaan, Orange, Dorchester & Grafton with 3 seats. It is believed that the redistricting proposal is an attempt to get more republicans in the seats; and

- * State highway issues, including the lack of mowing on I-89, upcoming hearing regarding the Shaker Bridge, Main Street straightening and NH Route 4A improvements.

The Board of Selectmen thanked the Democratic representatives who left the meeting at 6:21 PM.

APPROVAL OF MINUTES, CONTINUED

October 20, 2003 ~ Non-Public Session:

Mrs. Whittaker proposed a few small changes to the minutes as drafted by Dominic Albanese. Mr. Oppeneer moved to approve the Non-Public Session minutes of October 20, 2003, as amended; Mrs. Reed seconded, vote unanimous.

A review of all non-public session minutes will be done in February to be sure that all minutes that can be released are opened up to the public.

CITIZENS FORUM

Dan Kiley ~ Shaker Hill Road Bridge:

Mr. Kiley heard there is a possibility that the opening of the Shaker Hill Road Bridge to traffic may be postponed until spring. Mrs. Whittaker will contact the NH Department of Transportation and will invite them to the next Selectmen's meeting if there is bad news.

Dan Kiley ~ Town Office/Library Needs Assessment Committee:

Preliminary discussions have taken place regarding a new police impound facility in conjunction with office space. There should be consideration given to holding off on installing one behind the Police Station. While there would be no problem if the impound facility were to be located at the DPW building, while the status of the Town Offices and Library are not determined, it does not make sense to install an impound facility behind the Police Station.

The Committee has considered many alternatives for Town Office and Library space and the need for additional parking space if either Whitney Hall or the Police Station were to expand.

PUBLIC HEARING

Mrs. Reed opened the public hearing at 6:42 PM. Mrs. Reed read the hearing notice aloud, "Per RSA 47:17 VII & VIII, the Board of Selectmen will conduct a public hearing to post "no parking" signs on Smith Pond Road for approximately 400 feet towards the end of the road." (See attached notice.)

The Selectmen reviewed recommendations from Ken Daniels, Director of Public Works, for posting of "no parking" signs for 400 feet on either side of the road, plus a sign reading "public parking for Smith Pond Trail up ahead" alerting people to the availability of a public off-road parking area.

The Board discussed the need for plowing the lot during the winter since it will likely be used as a land place for snowmobilers.

Dan Kiley recommended posting the sign for the public parking area on the same post as one of the "no parking" signs.

There were no further comments from the public.

Mr. Oppenneer moved to close the hearing at 6:46 PM; Mr. Albanese seconded, vote unanimous.

Mr. Albanese moved to ask Ken Daniels to post the "Public Parking Ahead" sign when he posts the "No Parking" signs and to plow out the parking lot during this winter; Mrs. Reed seconded, vote unanimous.

OLD BUSINESS

Town Manager's Report:

The Selectmen received a written copy of the Town Manager's Report. Mr. Albanese recommended a particular format for the Town Manager's Report, that Mrs. Whittaker was happy to try. Mrs. Reed questioned whether department heads would be required to follow the same format. Mr. Albanese replied that if the format works for Mrs. Whittaker, the Board might later ask department heads to try it. If it becomes more work for staff, Mr. Albanese does not want to continue to use it.

The Board discussed financial reporting. They would like to receive a monthly cash flow report, a monthly summary expense report, and a quarterly detailed expense report as opposed to monthly detailing.

Sale of Property:

The Board was asked to look at the property that could be considered surplus for sale in 2004. In some instances, very small parcels could be offered to abutters at no cost in order to get the property back on the tax roles should no bids be received in the initial advertising.

Conservation Commission Request Re: Map 7, Lot 21:

The Conservation Commission is interested in protecting the recently acquired 167 acres, which was part of Lakeview. The Commission feels the property has many valuable assets and that the town could benefit from it in many ways. It is abundant in natural resources and recently was visited by and documented through the Natural Resource Inventory project. The inventory project is still in the works and more information will be forthcoming. They ask that this property not be sold or subdivided until the Commission brings a proposal to the Board once all the information is complete.

Tanguay Wetlands Application:

The Conservation Commission forwarded an application to change a footbridge into a vehicle bridge. Paul Tanguay's property is in Lebanon, but it appears that the property on one side of the brook belongs to Enfield. The Commission suggested the Selectmen might want to have input. The site is off Johnston Drive and the brook runs into Mascoma Lake.

The original application was for an Expedited Permit. The application was submitted without the signature of the Conservation Commission and must be filed under a standard dredge and fill application.

Mr. Albanese asked if the Selectmen should submit something in support of Mr. Tanguay's project. Mrs. Whittaker did not recommend it. She suggested notifying the Conservation Commission that this application is not under the purview of the Board of Selectmen and should be handled as the Conservation is cited to accomplish per state rules and statutes.

Suki's Marsh:

Mr. Albanese reported that Ken Daniels has delayed the removal of a portion of the beaver dam at Suki's Marsh due to negative feedback from the Conservation Commission. Fred Paradis had expressed his displeasure that the town was trying to fix a problem that benefits the State since Shaker Hill Road is a State road. Mr. Albanese stated that the purpose of lowering the water level at Suki's Marsh is not only to protect the road, but also to protect neighboring properties and the septic systems and leach fields located on them.

The Board discussed the lowering of the water level at Suki's Marsh and agreed that Ken Daniels should proceed with the project. He is authorized to cut a few trees and add some gravel in order to get equipment close enough to the beaver dam to remove a portion of it. In order to protect his safety, Mr. Daniels is not authorized to do the work alone, or by hand. Mr. Daniels should present a plan to Mrs. Whittaker and if it meets with her approval, Mr. Daniels can proceed.

NEW BUSINESS**Mileage Reimbursement Rate:**

Mrs. Whittaker reported the new IRS mileage reimbursement rate is 37.5 cents per mile and recommended an increase in rate of reimbursement to employees based on this IRS figure.

Mr. Oppeneer moved to concur with Mrs. Whittaker's recommendation and to authorize the Town Manager to establish reimbursement for mileage based on the IRS rate, as amended; Mrs. Reed seconded, vote unanimous.

Fringe Benefits:

The Board discussed fringe benefits and how they are recorded. Mrs. Whittaker went on to explain the impact of the laws governing taxable fringe benefits, what constitutes a benefit and what does not. The IRS states clothing, with some exceptions, and use of town-owned vehicles for personal reasons are taxable fringe benefits. The Board agreed that having an IRS representative come to speak to department heads about taxable fringe benefits would be helpful. Mrs. Whittaker will arrange this. She will also inform department heads that this is forthcoming and compliance is expected by January 1, 2004. The Board of Selectmen will also be invited to attend this presentation.

Employee Wages & Retirement:

Mr. Oppeneer stated that he is reserving all thoughts on salaries until the wage study is complete. The Board discussed how the NH Retirement System operates. Fellow selectmen concurred to a "wait and see" review pending receipt of the wage study.

MTBE:

The Board of Selectmen received a copy of correspondence from the NH Municipal Association regarding pending legislation and a suit filed regarding MTBE contamination of water supplies. The State of NH recently filed a lawsuit against manufacturers and refiners of gasoline with MTBE, a contaminant that is appearing at an increasing rate in public water supplies. The State has filed the lawsuit to protect all public water suppliers, communities and citizens of New Hampshire. The Attorney General's office does not consider it necessary for each public water supplier to initiate a separate legal action regarding MTBE contamination. The City of Dover, however, is leading the charge to retain the right of municipalities to make a claim against the manufacturers and refiners of gasoline with MTBE and to maintain the municipalities right to appropriate monetary compensation. Mrs. Whittaker suggests waiting for more information before joining Dover.

Bog Road Gravel Pits:

There will be a meeting next week with Mary Pinkham Langer of the NH Dept. of Revenue Administration. Ms. Langer will be reviewing the gravel pits for compliance with the rules and regulations of the State. All owners of gravel pits must file for new excavation permits.

Enfield Outing Club ~ Tax Exemption Request:

On October 8, 2003, the Enfield Outing Club voted to award 2 scholarships each year in the amount of \$300 each. The Club will work with the school to prepare the rules that must be followed for the application and award process. The Board enumerated the charitable "intent and obligation," namely (i) use by the Police Department for gun and firing training, (ii) Santa gift giving to needy families and (iii) scholarship organization.

Tax Rate:

The Town has an appointment to set the 2003 tax rate on Monday, November 10, 2003. Taxes will be due around Christmas. Following discussion of the above the Board determined that the Enfield Outing Club now qualified for a charitable exemption, motion by Dominic Albanese, second by Keith Oppeneer, vote 3-0 in favor.

Oak Grove Cemetery Association ~ Tax Exemption Request:

The Oak Grove Cemetery Association is meeting tonight to discuss ways to achieve tax exempt status as a charitable organization. Mrs. Whittaker provided the Board of Selectmen with a copy of a letter written by the New London Board of Selectmen to the local newspaper regarding this same issue of tax exemptions in general.

Mr. Albanese would like to find a way to grant tax exemption to Oak Grove Cemetery Association. Mrs. Whittaker pointed out how difficult this may be for the Association to achieve given the current language in the statute.

Mr. Albanese advised that there is rumor that the town wants the money that the Oak Grove Cemetery has in trust. Mrs. Whittaker replied that is simply not the case. In any event, the money is in trust and can only be used for the purpose for which it was intended as per all trust fund monies no matter who has custody. Additionally, only the interest can be spent, the principal cannot be touched, unless the Trust specifically cites instances of when the principal could be tapped.

Mr. Albanese wished to make it clear that it is the consensus of the Board of Selectmen and the Town Manager that the town has no interest in taking over the cemetery or the cemetery trust. The Board simply wants the Oak Grove Cemetery Association to tell them why they are tax exempt, or provide suggestions for charitable exemption status.

Mascoma Lake Boat Ramp:

The boat ramp at the corner of the Shaker Bridge and NH Route 4A need repair. The Board was informed that this is a Class VI road. Further research will be done into the status of the boat ramp before repairs are undertaken.

NH Municipal Association Volunteer Awards:

Mary Quintana is the winner to the NH Municipal Association 16th Annual Volunteer Award for the Grafton County area. Ms. Quintana is being honored at an awards banquet for her work in organizing the town's cemetery records and continuing to volunteer her time even after her term as Cemetery Trustee expired. Because Ms. Quintana will be unable to attend the awards banquet, Fred Altwater, Cemetery Trustee, will accept the award in her stead.

Employee Benefit Liability:

According to the town's Personnel Policy, employees may carry no more than one year's vacation into the next year. The Selectmen were informed of three employees that have vacation time that they must use or lose before December 31, 2003. The only way to carry over more than one year's vacation into the next year is with approval of the Selectmen or Library Trustees, as applicable. The Board briefly discussed the use of personal time and sick time policies both for Enfield town employees and employees at other organizations.

Committee Memberships:

Keith Oppenneer is reducing the number of committees that he participates in and is leaving the Mascoma Valley Health Initiative. Phil Neily was considered as a possible replacement if he is interested in the position.

Mr. Albanese moved to appoint Keith Oppenneer as the Selectmen's representative on the Joint Loss Management Committee; Mrs. Reed seconded. The Board discussed representation of the Board of Selectmen on the Joint Loss Management Committee. Mr. Oppenneer will accept the position if someone else will take over as the Selectmen's liaison to the Conservation Commission. Mr. Albanese moved to relieve Keith of his duties as the Selectmen's liaison to the Conservation Commission and to ask Ilene Reed to do so for the remainder of her term as Selectman; Mr. Oppenneer seconded, vote unanimous.

Anne's Place:

Keith Oppenneer noted that affordable housing does not always mean children. There is also a need for affordable housing for the elderly. Mrs. Whittaker noted that Anne's Place, per the grant, is transitional housing and only provides temporary relief while the individuals get back on their feet.

2004 Budget:

Dominic Albanese compiled a list of 30 questions regarding the 2004 budget. Mr. Oppenneer liked the questions and will add a few more.

The Board discussed benefits and the benefit package options that are available, including a cafeteria plan that caps the percentage of money the town contributes to employee plans and allows the employees to pick and choose those plans that would be most beneficial to their individual situations.

Job Descriptions:

Mr. Oppenneer noted that there has been difficulty finding a job description for the position of Town Manager. The duties of the position are regulated by the RSA's, hence the current lack of a written description. Mr. Oppenneer prepared a short, one page list of duties that he would like the Town Manager to perform in addition to those listed by the RSA's.

Sanitary Survey:

The Board asked that the latest Sanitary Survey be included in the next town newsletter.

Junk Yards:

Mrs. Whittaker reported that the department heads are almost done with the current issues on this project.

INFORMATIONAL ITEMS

Cash Flow Summary through September 2003

NH Municipal Association Conference Agenda, November 19-21, 2003

Draft Standard Operating Procedure for Snow Removal and Ice Control for review by the Selectmen. A copy has been sent to the town's attorney for review.

Next Selectmen's Meeting to be held on Monday, November 10, 2003 at 5:30 PM in the Whitney Hall Conference Room. This meeting will be a Budget Workshop and a few minor administrative items and a non-public session.

ADJOURNMENT

Mr. Albanese moved to adjourn at 8:28 PM; Mrs. Reed seconded, vote unanimous.