

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

MINUTES of December 15, 2003

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

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

Others: Kurt Gotthardt, Dwight Marchetti, Dan Kiley

CALL TO ORDER

Mrs. Reed called the meeting to order at 5:35 pm.

APPROVAL OF MINUTES

December 1, 2003 ~ Regular Session:

Mr. Oppeneer moved to accept the minutes of the regular session of December 1, 2003 as printed; Mr. Albanese seconded, vote unanimous.

December 1, 2003 ~ Non-Public Session:

Mr. Oppeneer moved to accept the minutes of the non-public session of December 1, 2003 as printed; Mr. Albanese seconded, vote unanimous.

PUBLIC APPOINTMENTS

Kurt Gotthardt ~ Town Forest Designation of Bicknell Brook Lot:

Mr. Gotthardt provided the Selectmen with a fact sheet that included the State statutes regarding Town & City Forests, history of the Bicknell Brook lot, financial cost of owning a Town Forest, financial benefit of owning a Town Forest and possible management options.

The Board discussed the ramifications of Town Forest designation. If the Town voted to designate this property as a Town Forest it would remove the Selectmen's authority to sell the property. The voters can reverse this decision at a subsequent Town Meeting.

Mr. Albanese asked Mr. Gotthardt to work with the Conservation Commission on this project. Mr. Gotthardt replied that he has attempted to do so over the past 1 ½ years, but no progress has made. Mr. Albanese understands Mr. Gotthardt's frustration, but wants the Conservation Commission to take a position on this proposal.

Alan Strickland has been working with Kurt Gotthardt on a natural resources inventory for the lot and is currently undecided on what he would recommend.

Mr. Gotthardt has arranged a review of the Bicknell Brook property with John Hartland on Wednesday, December 17th. Mr. Hartland is not a licensed forester, but has 4 years of college education in the field and runs a forestry business from his home. Jeff Carney, a Granite State Electric employee, is a licensed forester and has been invited to accompany them.

Mr. Gotthardt has received verbal support of his proposal from other citizens as long as the property remains open for public use. Mr. Gotthardt also does not think the proposal would be well received by the public if it is presented as a Conservation Commission project, thus his attempts to have the Selectmen present the article for Town Meeting vote.

Dwight Marchetti asked what the benefits of designating the lot as a Town Forest would be, other than stopping the potential sale and getting tax revenue from the lot. The lot can already be used recreationally and the Town can harvest timber from the lot. Mr. Oppeneer explained that it would prevent the Board of Selectmen from selling the lot without prior approval from Town Meeting.

Mr. Marchetti asked if the Town has a tree warden and, if not, does one need to be hired. He was informed that the Town does not have a tree warden and a tree warden is not required. RSA 31:112 was reviewed.

Mr. Albanese would like to discuss this issue with all of the parties involved and therefore suggested a joint meeting of the Conservation Commission, the Board of Selectmen and Kurt Gotthardt. Mrs. Whittaker will approach the Conservation Commission about a meeting on January 8, 2004 at 7:00 PM at the Public Works Facility.

ADMINISTRATIVE

The Board reviewed and approved the following documents: Sales Analysis Survey, 2003 Property Tax Abatements, Yield Tax Warrant and Certification of Yield Taxes Assessed.

Mr. Albanese has been informed that the Cemetery Trustees want to open Countryside Cemetery. Before the Town does this and takes on this new level of expense, Mr. Albanese would like to look at alternatives, such as directing people to Oak Grove Cemetery to purchase lots. Town Counsel has previously provided an opinion regarding use of Oak Grove Cemetery by the Town. A copy of the opinion will be forwarded to the Board for review together with relevant statute stating that municipalities shall provide one or more cemeteries for interment purposes.

CITIZENS FORUM

Dwight Marchetti ~ Suki's Marsh / Beaver Dam:

Mr. Marchetti asked where the Board stands on the issue of the beaver dam at the marsh on Shaker Hill Road. Mr. Albanese replied that the Board is at a disagreement with the Conservation Commission regarding maintenance and what Ken Daniels, Director of Public Works, did to alleviate concerns of flooding of neighboring properties. Mr. Daniels performed work exactly as the Selectmen requested. The Conservation Commission's contention is that it's a prime wetland and a backhoe should not have been taken out there. This was disputed. The opening in the dam was limited to the width of the backhoe bucket.

Discussion ensued regarding the purchase of a beaver baffle and a difference of opinion as to whether or not the Conservation Commission was prepared to pay for the baffle from their own funds. Mr. Albanese asked Mrs. Whittaker to get official confirmation that the Conservation Commission wants to obtain the beaver baffle with their funds and the town will install it. The only caveat is that the Selectmen reserve the right to lower the water level again if they determine it is needed.

Mr. Albanese explained to Mr. Marchetti that the water level was lowered by Mr. Daniels and that Mr. Daniels should lower the level again if he feels it's necessary. Lastly, Mr. Albanese would like Mrs. Whittaker to finalize with the Conservation Commission that they do want this, that they'll pay for it and that the Public Works Department will get the materials and do the installation. Installation will be by paid town forces rather than volunteers to avoid liability. The Board concurred. Mrs. Whittaker will correspond with the Commission. If the Town does not hear from them, the Town will proceed.

Mr. Marchetti drew a diagram for the Board to illustrate the history and current conditions at Suki's Marsh. In the 50's the area in question was wooded. Realignment of Shaker Hill Road created a small marshy area. Beavers moved in and created the large marshy area that exists today. The marsh has only been in existence for 25-30 years. Mr. Marchetti pointed out areas of potential property damage both on the opposite side of Shaker Hill Road and further north at Esterbrook Drive.

The Selectmen would like the water level controlled, but Mr. Albanese and Mrs. Reed both stated they do not want the beavers harmed.

OLD BUSINESS

Town Manager's Report:

Mrs. Whittaker presented the Selectmen with the updated 2003 Public Works Plan. Other departments are working on their reports.

Recreation Commission Appointments:

The Board approved appointment of the current Recreation Commission members for terms to expire per previous elections.

NEW BUSINESS

NH Dept. of Transportation Public Hearing Update:

Mrs. Whittaker reported on the public hearing held Monday, December 8, 2003 by the NH Dept. of Transportation (DOT) regarding improvements to NH Route 4A, Shaker Bridge and Main Street.

Surprisingly, there were a number of individuals that thought the bridge should not be rebuilt and should be torn down for a number of reasons, including not being able to get sailboats through, wanted to reduce noise and wanting to prevent through truck traffic. Also to prevent through truck traffic, some individuals do not want the current underpass removed. Others do not want the underpass removed because they would like to retain it as an historic structure. These later individuals have not opposed a new underpass for the realigned roadway.

There were individuals that proposed the town take over Main Street to allow the town to prohibit through truck traffic and to post lower speed limits. Neither April Whittaker nor Ken Daniels supports this proposal, as it would leave the Town liable for bridge maintenance and replacement.

Current plans for the Shaker Bridge renovation include a sidewalk on only one side. Mrs. Whittaker's recommendation is to plan for a sidewalk down both sides given the number of uses of the bridge. Mrs. Whittaker also recommended glare-proof lighting that is similar in style to that used further down Main Street, but favors "calming" lighting on the bridge similar to the Ledyard Bridge lighting.

Due to the recreational uses of the area, Mrs. Whittaker recommends scheduling of the construction to minimize disruption to summer activities by starting construction in September. Additionally, there was discussion by DOT of doing the bridge and underpass projects separately, first one, then the other, to limit the impact on neighboring residents.

Mrs. Whittaker suggested politicizing the need to keep the trees on the shoreline. The State has plans to remove the trees, lessen the steepness of the slope and add rock, but Mrs. Whittaker feels the trees would be more desirable due to their ability for erosion control and as a visual and noise buffer. However, she was not unsympathetic to the 1:1 slope ratio described by the engineers.

Mr. Albanese asked Mrs. Whittaker to summarize her comments here and to forward them to DOT for consideration.

The Board discussed the preservation of the existing railroad underpass as an historical structure. It had previously been discussed by DOT that the roadway would be straightened and a new underpass would be created for vehicular traffic.

The use of the Shaker Bridge Motel property as a Town beach was discussed. During the construction, DOT plans to use the property as a landing.

DOT has put a lot of consideration into assuring this project remains environmentally sound.

Rob Rudd of the Shaker Museum is interested in obtaining old Shaker timbers from the bridge for exhibit.

Mr. Oppeneer asked that DOT price out underground utilities from NH Route 4A, across the bridge and to the first residences. Mr. Albanese looks on this suggestion favorably.

The Selectment made it clear that removing the bridge is not an option.

Another public hearing will be held by DOT in the Spring.

Mrs. Whittaker suggested looking at options for the swimming area, including the possibility of putting in pea gravel. The bottom of the lake is a bit muddy in this area, but the site location is favorable.

The bridge will probably be shut down for 15 to 18 months.

Sewer Sub-Committee:

Mrs. Whittaker reported that the Sewer Sub-Committee is split as to whether they should proceed with investigation of a sewer bulk rate. The Board was asked if the Committee should proceed with the project. The Board was informed that the City of Lebanon has done away with their bulk rate. As a result, Lebanon laundries have paid for the installation of sewer meters.

Mrs. Reed stated that of the 159 names submitted on the petition, only about 80 of the individuals are on the checklist. A large number of the signatures are from businesses.

Mr. Oppenneer stated that he would like to wait to see how things shake out with negotiations with Lebanon.

Non-Public Session:

Mr. Oppenneer moved to enter non-public session at 7:16 pm, RSA 91-A:3 II (a) and 91-A:2; Mr. Albanese seconded. Roll call vote: Mrs. Reed – aye, Mr. Oppenneer – aye, Mr. Albanese – aye.

Mr. Oppenneer moved to come out of non-public session at 7:58 PM; Mr. Albanese seconded, vote unanimous.

Recreation Appointments:

The Board of Selectmen reviewed and approved appointment of the current Recreation Commission members to terms expiring on the same dates as previously voted at Town Meetings.

INFORMATIONAL ITEMS

Dredge & Fill Application ~ Maryellen Konior, Crystal Lake – replace sand lost to erosion

Primex Unemployment Compensation Program 2003 Return of Contribution

Petitioned Warrant Article for Zoning Amendment

ADJOURNMENT

Mr. Oppenneer moved to adjourn at 7:59 PM; Mr. Albanese seconded, vote unanimous.