

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

**MINUTES of October 21, 2002**

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

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

**Others:** Dr. David Beaufait, Moderator; Bruce Prior; Donna Schmanska

**CALL TO ORDER**

Mr. Crate called the meeting to order at 5:33 pm.

**APPROVAL OF MINUTES**

Mr. Oppenneer moved to approve the minutes of September 30, 2002 as prepared; Mrs. Reed seconded, vote unanimous.

Mr. Oppenneer moved to approve the minutes of October 7, 2002 as prepared; Mrs. Reed seconded, vote unanimous.

**BUSINESS**

**Election Setup:**

Dr. David Beaufait, Moderator, reported to the Board accuracy issues with the voting machine. If ballots are mis-marked there can be an error rate of 2-4%. Dr. Beaufait anticipates at least 2 of the fourteen candidates will be within the threshold of a recount. More intensive education is required. Dr. Beaufait suggested having one Republican and one Democrat stationed at the door to the auditorium to inform voters of the correct way to mark their ballot.

One additional Republican Alternate Inspector of Elections is needed.

Election workers will need to be notified that they are needed at Whitney Hall beginning at 7:00am.

Dr. Beaufait asked what the statute is on campaigning on town property other than on the day of elections. This will be investigated.

**NH Retirement System Position Identification Numbers:**

The Board received and reviewed a memo from Wendy Euler, Bookkeeper, dated 10/14/02, regarding the revision of Position Identification Numbers to better reflect the number of officers in the Police Department.

Mrs. Reed moved to approve the new Position Identification Numbering as presented; Mr. Oppenneer seconded, vote unanimous.

**Appointments:**

The Board of Selectmen unanimously approved appointments, each for a two year term, of Fred Altvater, Robert Foley, Judy Kmon and Kathy Decato as Inspectors of Election, and Becky Powell, Sally Cross and Carol Felix as Alternate Inspectors of Election.

An application for a position on the Planning Board was received from Kelley Wescott. The Selectmen will make their decision pending review and comment by the Planning Board.

**Request for Water/Sewer Service:**

Mr. Oppenneer moved to approve the water and sewer service request for Map 38, Lot 16-1 as recommended by Ken Daniels; Mrs. Reed seconded, vote unanimous.

**Resignation Acceptance:**

Sheila Young has submitted her resignation as Welfare Director. Mrs. Whittaker will prepare an updated job description for the position. One individual has already shown interest in the position. Mr. Oppenneer moved to accept Sheila Young's resignation with regrets, effective 10/25/02; Mrs. Reed seconded, vote unanimous.

**Other Business:**

Mrs. Reed moved to accept the application for a Veteran's Tax Credit from Walter Nylund; Mr. Oppenneer seconded, vote unanimous.

Mrs. Reed moved to accept the application for a Veteran's Tax Credit from Peter Bradley; Mr. Oppenneer seconded, vote unanimous.

The Board reviewed and approved a Yield Tax Warrant.

Mr. Oppenneer moved to approve the Authorization to File Application for April Whittaker; Mrs. Reed seconded, vote unanimous. This authorization allows Mrs. Whittaker to process State Revolving Fund documents on behalf of the town.

**CITIZENS FORUM****Development on Lovejoy Brook Road:**

Bruce Prior submitted a letter of concern regarding development and filling of a floodplain on Lovejoy Brook Road and the possibility of increased flooding onto his mother's property. His mother is 82 years old. Mr. Prior feels there is a potential for higher water levels during spring flooding that could prevent emergency vehicles from getting through to his mother's property

should an emergency exist. And it is possible that the Water Department won't be able to get through to the town's well. On average, there are three days per year that the road is impassable. The water has to go somewhere. By filling the floodplain, Mr. Prior believes the water may back up further onto his mother's property and possibly reach her home. Upon inquiry by Mr. Oppeneer, Mr. Prior explained that the parcel in question is about 7 acres and about 1/3 of the property – the portion closest to the brook – has been filled.

Mr. Oppeneer will take a ride out and look at the property.

Mrs. Whittaker contacted Robert LaCroix. Mr. LaCroix had an engineer's report on the potential effects of the fill. According to the report the actual impact is three acres and it will have no impact. The Town has the onus to go back to the engineer should problems develop.

Donna Schmanska concurred with what Bruce Prior has stated. Their mother has a lifeline. Flooding happens every year in the field. Mrs. Schmanska's major concern is that the field is filled and the water will back up more toward her mother's house. Also, if there's a problem with the well, her mother will be the first one affected.

Mrs. Whittaker stated that Mr. LaCroix has met all the requirements. Based on the data, the engineer has done his homework.

Mr. Prior informed the Board that he signed the letter submitted on behalf of his brother, Steve. Steve Prior will be sending an email to the town verifying that he has authorized Bruce to sign for him.

## **TOWN MANAGER'S REPORT**

### **Request to Upgrade Lindopp Lane:**

S.R. Kovacs has withdrawn his request to upgrade Lindopp Lane, a Class VI road.

### **Acceptance of Road by Board of Selectmen:**

Mrs. Whittaker explained the process by which the Board of Selectmen accepts roads. This process is known as "return of highway" and requires one citizen to petition the Board for acceptance of a road. The Planning Board reviews it and submits its recommendations to the Board of Selectmen. If the Selectmen do not want to accept a road, the Planning Board must put on the plat that the Town will not accept the road.

Mr. Crate understands that Ken Daniels, Director of Public Works, gave preliminary approval to the Zoning Board of Adjustment and did not consult the Selectmen first. Before someone makes a commitment on behalf of the Town, the Board of Selectmen should be consulted.

Mr. Oppeneer expects that Mr. Daniels stated that he did not have a problem with it and the Planning Board saw it as carte blanche.

Mrs. Whittaker stated that it would be a courtesy to the Board of Selectmen to consult them first. There is a process to accepting roads and the town granted the Selectmen the authority to

approve town roads. Mrs. Whittaker cautioned the Board not to be arbitrary. Provided a road meets the town's standards, the Board is hard-pressed to not accept the road.

Discussion followed regarding problems with previous developments, conditions of the development, road standards, road acceptance and performance bonds. Mrs. Whittaker stressed the importance of roads meeting the town's standards or a performance bond being posted before building permits are issued.

A status report was requested on Eagle Estates. Mr. Daniels has provided Mr. Fitzgerald with a punch list of things to complete.

Mr. Crate stated that he feels Ironman should meet Town road specifications. If he were still a selectman when the time comes, he would not approve Hillcrest Drive. He is not against the development, he just wants it done right.

Mrs. Whittaker recommended having the Upper Valley Lake Sunapee Regional Planning Commission review applications for large projects such as the Ironman Development. They can greatly assist the town. When an applicant comes in with an attorney, it should be a red flag that the Town should obtain professional assistance.

Part of the Return of Highway is the documentation that is required and is then filed with the Town Clerk, including an as-built.

#### **Other Items:**

The Police Department arrested Stephen Gillingham on drug possession charges. The Sheriff's Department assisted in this investigation. A press release has been issued.

The Retirement System has increased the Town's rates for employees to 5.9% and police to 7.87%.

Health Trust premiums have increased 5%. If the Mascoma school district is a member of the Health Trust, it may be possible for the Town to join their pool and realize considerable savings in premiums. Mrs. Whittaker will investigate this possibility.

A request for a website hyperlink was received from govlink. This site has over 180 pages of state and federal information. Mrs. Whittaker thinks this is a case where the Town can approve a link. A proposed Website Hyperlink Policy was submitted for consideration. Mr. Oppenheimer moved to adopt the Enfield Website Hyperlink policy as proposed; Mrs. Reed seconded, vote unanimous.

Mrs. Whittaker has sent the Budget Committee an overview of where the Town stands. The overview includes updates on legal cases, plus a revenue report. Copies were provided to the Selectmen.

#### **Selectmen's Concerns:**

After attending Planning Board meetings a couple of times, Mr. Oppenheimer is proposing the Planning Board consider the RSA that covers the Capital Improvements Program. This RSA allows either the Planning Board as a whole to prepare the CIP, or a Capital Improvements

Planning Committee to do so. The Capital Improvements Planning Committee would consist of a representative from the Planning Board, Budget Committee and Board of Selectmen. Mr. Oppenneer proposes that the Planning Board appoint a Capital Improvements Planning Committee to get some of these boards to think of the town as a whole. The Conservation Commission could do a lot for the Town if they broadened their viewpoint.

Mrs. Reed and Mr. Crate are both supportive of a Capital Improvements Planning Committee.

Mrs. Whittaker would love to see the Conservation Commission put together a Master Plan. They should look at what the Town's needs are for conservation easements, etc.

Upon Mr. Crate's inquiry, Mrs. Whittaker confirmed that the Conservation Commission does have to hold a public hearing before they buy property. She did note, however, that even if there is strong opposition the Commission could still go ahead with the purchase of the property.

According to a transportation newsletter, Canaan received money for sidewalks. Mrs. Whittaker stated that this is on her to-do list.

Mr. Crate had previously brought this to Peter Giese's attention, but the State and telephone or utility company placed the utility poles along Main Street in the center of the sidewalk. This was also done near St. Helena's. There is no way to maintain these sidewalks. George's store has also lost a lot of business due to the construction. Mr. Crate feels the State should not start the other bridge until they've made headway on the one they've started.

The Board received correspondence from Republican candidates. This letter stated that they would not come to a Selectmen's meeting unless invited to do so. The Board agreed to not set up a meeting with the Republican candidates. Mr. Oppenneer would prefer to meet with those individuals that are elected.

### **NON-PUBLIC SESSION**

Mr. Oppenneer moved to enter non-public session at 7:02pm. for a pending litigation briefing, RSA 91-A:3 II (e); Mrs. Reed seconded. Roll call vote: Mr. Oppenneer – aye, Mrs. Reed – aye, Mr. Crate – aye, motion carried.

Mr. Oppenneer moved to come out of non-public session at 7:50pm.; Mrs. Reed seconded, vote unanimous.

Mr. Oppenneer moved to accept the proposed agreement with Living Waters Bible Church; Mrs. Reed seconded, vote unanimous.

### **INFORMATIONAL ITEMS**

Public Hearing re: health and possible removal of trees at Huse Park – October 24, 2002, 7:00pm. at Whitney Hall. Funding for tree replacement could come from State grant (Division

of Forests & Lands). Granite State Electric was a contributor to the fund, but is not granting funds directly to municipalities.

A copy of the Lake Mascoma Tributary Study is available for viewing.

Anne's Place Groundbreaking – Friday, October 25, 2002 at 1:00pm.

**ADJOURNMENT**

Mr. Oppeneer moved to adjourn at 7:51pm.; Mr. Crate seconded, vote unanimous.