

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

MINUTES of December 1, 2014

Board of Selectmen: Fred Cummings, Chairman; John W. Kluge

Absent/Excused: Donald J. Crate, Sr.

Administrative Staff: Steven Schneider, Town Manager; Alisa D. Bonnette, Executive Assistant; Jim Taylor, Director of Public Works; Richard A. Crate, Jr., Chief of Police

Others: Dan Kiley, Kurt Gotthardt, James Bonner, Alan Strickland, Marcia Herrin and other Mascoma Valley Dog Park Supporters (MVDPS)

BUSINESS MEETING

I. CALL TO ORDER

Mr. Cummings called the meeting to order at 6:00 PM.

II. APPROVAL OF MINUTES

Mr. Kluge moved to approve the minutes of November 17, 2014 as printed, Mr. Cummings seconded, vote unanimous in favor of the motion.

III. COMMUNICATIONS

Tax Collector's Report – October 2014:

There is little to report as the tax bills have just gone out.

Zoning Board of Adjustment Hearing Notice:

The Town received a ZBA hearing notice as an abutter. Liberty Utilities is requesting a Special Exception for utility work. They will be replacing and installing new poles in their right of way. This will impact a cumulative area of 22 square feet in protected wetland areas. Only one pole will actually be impacting a wetland. The Conservation Commission has reviewed the request and is OK with it.

IV. BOARD REPORTS

None.

V. TOWN MANAGER'S REPORT

None.

VI. PUBLIC COMMENTS

Kurt Gotthardt – Bicknell Brook Trail Parking:

Mr. Gotthardt asked if Public Works could plow the Bicknell Brook parking lot at some point to keep it open for winter use.

Mr. Cummings said we wouldn't want to plow it until the ground is frozen.

Mr. Gotthardt said that at some point last winter they stopped plowing and you had to park in the street and climb over the snowbank.

VII. BUSINESS

Dog Park:

Mr. Schneider shared the Town Attorney's comments regarding the agreement between the Town of Enfield and the Mascoma Valley Dog Park Supporters (MVDPS) with the Marcia Herrin of MVDPS. Approval at Town Meeting allowed the dog park at the space but didn't give authority to enter into a multi-year lease. The current version of the agreement allows the agreement to be terminated at any time by the Selectboard. This protects the Town. The Town's Attorney also was not comfortable with an automatic renewal on an annual basis without end, therefore the current version allows automatic renewal on an annual basis for a period of 10 years.

Under Section 10, Town of Enfield's Remedies on Default, the Town Attorney felt 90 days was too long to remedy a default. That has been shortened to 30 days.

The Town's Attorney had no issues with the MVDPS charging a fee to dog trainers to use the training area for fee-based obedience and other classes. Someone informed Mr. Cummings after the last Selectboard meeting that we do that at the Community Building with fee-based exercise classes.

It was questioned whether there was a need for the MVDPS being to come back on an annual basis to sign an agreement renewal. It was explained that the agreement would be automatically renewed for up to 10 years. The other option is to go to Town Meeting for approval to enter into a multi-year agreement. It was decided that the way the agreement is currently written is fine.

It was noted that there are several places in the agreement that refer to approval of the Town. The MVDPS have been to the Selectmen and Planning Board and will be going to the Zoning Board of Adjustment for construction of the pavilion. Could these references for approval be more specific?

Mr. Cummings did not think there was a need for them to go to the ZBA. Also, where it calls for Town approval they can assume it's approval by the Board of Selectmen who are the agents for the Town.

The MVDPS were informed they would need a building permit for the structure but that would be through the Building Inspector and not the ZBA.

Under Section 2d the agreement requires all printed information or promotional materials to be reviewed and approved by the Town prior to their posting or release. Does this include the web? And can there be an agreeable time frame for approval?

The Board agreed that it would include only printed materials, not web postings and that the Town Manager has the authority to approve written materials.

Deletion of Section 2g was suggested as the same information is included in Section 8 and it's redundant. The Board concurred.

Section 4a addresses the elimination of groundcover. Ms. Herrin wanted it to be clear that there may be some areas where the grass will get worn and the ground muddy where they will have to put down some gravel. Some groundcover may be eliminated, but they would try not to.

Mr. Kluge said that normal wear and tear from animals would be acceptable, but no bulldozing.

Ms. Herrin said there might be some bulldozing done during the landscaping. This would only be during construction and not regular maintenance. The Board voiced no objections.

Mr. Kluge moved to accept the Memorandum of Agreement between the Town of Enfield and Mascoma Valley Dog Park Supporters for the Petsafe Shaker Field Dog Park, with proposed changes, Mr. Cummings seconded, vote unanimous in favor of the motion.

It was questioned if the Board wanted to review the Rules & Regulations. It was agreed that could be addressed at a later date.

Harris Brook Reservoir:

The Board of Selectmen asked at their last meeting to have the Canaan Police Department informed and involved in the Town's plans for development of the Harris Brook Reservoir property as a park. Alan Strickland, spoke with Chief Frank of Canaan. The Selectmen's point was well taken. Chief Frank had received calls from Canaan residents and was caught a bit off guard. He's OK with the plans. They don't have a choice in Canaan as they have no regulations. Chief Frank expressed concern about what's happened in the past, but with the gate lower there have been fewer problems.

Mr. Strickland researched and looked for guidance for regulations, including those used at Goose Pond, and provided the Board with a rough draft. The draft prohibits swimming.

Mr. Kluge said it would be nice if people could swim there.

Mr. Strickland said at the Shakoma Beach the sign says that after hours, when a lifeguard is not on duty, you may swim at your own risk.

Mr. Kluge would allow swimming at one's own risk.

Mr. Gotthardt asked if "no swimming" could just be eliminated from the list, but was informed that noting that swimming at your own risk was necessary.

Mr. Schneider wondered about no jumping off the concrete structure.

Mr. Taylor said that's a valve house/bunker.

Mr. Strickland said the reservoir really isn't good for swimming as it's too silty, but good enough for wading.

The draft regulations prohibit the dumping of aquariums or abandoning of turtles. Mr. Kluge asked if that was a problem.

Mr. Strickland is unsure, but Goose Pond regulations mention it.

Lakeview Condominium Association Sewer:

The Board received a letter from Lakeview Condominium Association relative to the septic and leach fields at Lakeview Condos which are in progressive failure and will require significant capital costs to address typical lifecycle repairs. They would like to explore all avenues available to facilitate a connection with the Town's sewer system.

The second sentence says they were told that if Lakeview's extensive septic and leach field systems were to fail, the Town would be obliged to undertake steps toward providing Lakeview with access to the Town's sewer system. Mr. Kluge asked that Mr. Schneider expand on that. He was informed by Mr. Schneider that he is trying to recall what was said at that meeting 8 years ago, which probably took place at one of the Lakeview board member's homes. He doesn't know if he said we'd be obliged, but we'd entertain what we could do. It's a big risk to Mascoma Lake if the systems fail.

Mr. Kluge would like to find out how much they've put into this and would like to see financial statements over the last 10 years.

Mr. Schneider reported that Phil Neily, Building Inspector/Health Officer, has been out there meeting with the abutting owner as well as the NH Department of Environmental Services (DES). The days of that system are numbered. The Town's role may be just through water/sewer funds or it may be through taxation. The sewer extension on Main Street used TIF funds.

Mr. Kluge asked if we could declare that its own TIF district. He was told that would be difficult.

Mr. Taylor and Mr. Schneider have looked into funding sources. The Town is eligible for a 45% grant.

Mr. Cummings pointed out they pay a significant amount of taxes and the Town does not provide plowing of their streets, etc. They've invested significant money into their septic and leach field system.

Mr. Gotthardt asked, if a developer proposed a new condo development today and wanted to connect to the municipal water and sewer systems, who would pay for it? He was informed by Mr. Schneider that the developer would.

Mr. Kluge noted that the sewer line ends at the Museum. How much farther is it to Lakeview Condos. He was informed it was about 1-1/2 miles. The line could either go along 4A or go cross-country and pick up lakefront properties.

Mr. Taylor has received inquiries from homeowners about the potential for municipal sewer. He estimates 130 Lakeview connections, 22 to 24 at Wilson's Mobile Home Park and 60 to 70 single family homes.

Mr. Kluge questioned the rough cost. He was informed it would likely be seven figures.

Mr. Taylor estimates in the \$3,000,000 to the \$5,000,000 range depending on how many homes are picked up.

Mr. Schneider said it's not inexpensive. He and Mr. Taylor also looked at the possibility of our own wastewater treatment system. Is it at a point that we build our own plant? These things are necessary to explore to give this discussion its proper due.

Mr. Taylor spoke with the Town's engineer about doing a feasibility study as to what that sewer might look like. It may not be possible. We would probably have to build a couple of pump stations. We would also want to avoid too much digging up of NH Route 4A.

Mr. Cummings noted the letter states Lakeview must now present a plan to NH DES to avoid a mandatory shutdown, which would leave at least 45 of Lakeview's households without the ability to use water.

Mr. Taylor informed the Board that Phil Neily has not heard anything about anyone under any DES order at this point. And the Town would have received notice.

Mr. Kluge pointed out that anything we were to do would be years out.

Mr. Schneider agreed, fifteen months at least.

Mr. Cummings asked what they would do if it fails in the meantime. He was informed they would have to pump their tanks like everyone else in that situation.

Mr. Kluge asked how the Town would fund \$3 million to \$5 million.

Mr. Schneider explained the funding would be partly private funding, including Lakeview and homeowners, grant funding, etc. The Town was eligible for 40% for the Route 4 project. We never got that money, though we're approved.

Mr. Taylor said the Town is still eligible for those funds if it comes through.

There are federal dollars through USDA; 45% funding would be roughly \$2.5 million. And there are low cost loans as well.

Mr. Kiley asked if the Town can set up a separate water/sewer district for the life of the loan.

Mr. Cummings would like to see that, and to try to get the grant funding as well to prepare for this.

Mr. Schneider explained that USDA needs to see some documents.

Mr. Taylor said this is why there's a need for a study of the feasibility of the system. Mr. Taylor added that the landowner on whose land the leach fields are located reported to DES that the systems are failing.

Mr. Kiley pointed out that the Town needs to think about the cost of connections as part of it that forces people to connect. If the line goes by the property they have to hook up. A certain number of users are needed in order for this to work.

Mr. Kluge feels that a cost for Lakeview for hookup is fair. If an individual homeowner's leach field fails they bear the total cost. But he also agreed that a feasibility study is worthwhile. But what are Lakeview owners contributing?

Mr. Schneider informed the Board that if the Town seeks a loan we have to go to Town Meeting. The Town may not make the payments on the loan, but could act as the backer.

Mr. Cummings pointed out that they take care of their own roads.

Mr. Gotthardt asked what Eastman does.

Mr. Cummings informed him they have a separate tax.

Chief Crate pointed out that Route 4A is plowed.

Mr. Kluge was not convinced by Mr. Cummings' reasoning. Individual homeowners pay their taxes, plow their own driveway and replace their own septic.

Lebanon Sewer Inter-Municipal Agreement (IMA):

The Selectmen have had time to review the IMA. Mr. Schneider asked if they had any concerns apart from the elimination of the acceptance of septage.

Mr. Taylor informed the Board that Lebanon accepts septage from a number of towns but doesn't have formal agreements except with Enfield. He will double check this. He doesn't think we should bail until we have someplace lined up to take septage.

Mr. Cummings asked what there is to negotiate.

Mr. Schneider responded, septage and odor management.

Mr. Cummings stated, what if they say no to our proposals, we're backed into a corner because we rely on them. Negotiations are fruitless. If they say no we don't have a backup plan.

Mr. Taylor explained that we own a part of that plant. If they don't take our septage and it backs up it could contaminate their drinking supply.

Mr. Cummings said it's a convoluted system and we're backed into a corner.

Fire Truck Bids:

There is nothing to report. The Fire Wards are still working on this.

Health Insurance Bids:

Steven Schneider, Alisa Bonnette and Wendy Huntley have been reviewing the five separate bids for health insurance. Network coverage and the possible need to change doctors is a factor. There's another good week of crunching data before we can make a recommendation.

Water/Sewer Rates:

There is still work to be done. A public hearing will be scheduled for the next meeting to set the rates.

Mr. Cummings asked for time to look over the proposed rates prior to the hearing.

Mr. Schneider said he would give the Board a couple of choices to review.

2015 Budget:

The Budget Committee reviewed the Police, Recreation and Library budgets at the last meeting. Saturday they will review Public Works, Ambulance and Fire at which point Department reviewed will be done. The CIP Committee meets with them on December 17th. Mr. Cummings hopes to have the final number for the fire truck by then.

The Budget Committee decided at their last meeting where they want the budget to come in. They agreed on a goal of not more than 2% increase. Mr. Cummings believes this can be achieved. Mr. Cummings noted the Police Department presented a very lean budget.

Enfield Community Building Acoustics:

Mr. Taylor sent out two sets of building plans and the energy study which includes positions of the sprinklers, and is waiting to hear from the vendors from Vermont and Maine.

Mascoma Lake Boat Launch:

\$10,000 was budget for the Mascoma Lake boat launch project. The intent was to pay for this project from the CIP Capital Reserve fund. The Board of Selectmen are agents to expend.

Mr. Kluge moved to expend \$10,000 from the CIP Capital Reserve fund for the boat launch project, Mr. Cummings seconded, vote unanimous in favor of the motion.

Administrative Items:**Second Issue Property Tax Warrant:**

The Board reviewed and approved the 2nd Issue Property Tax Warrant as presented.

Grant Agreement:

The Board received a grant agreement for review. This is a NH Emergency Management Performance Grant application for Police Department vehicle radio repeaters.

Chief Crate explained the repeaters boosts the 5 watt radios to 100 watt radios. The Town of Canaan and the Town of Enfield are both getting these repeaters. Matching funds will be provided by the Byrne Foundation so there will be no expense to Enfield taxpayers.

Mr. Cummings moved to accept the terms of the Emergency Management Performance Grant (EMPG) as presented in the amount of \$7,500 for the purchase of radio repeaters. Furthermore, the Board acknowledges that the total cost of this project will be \$15,000, in which the Town will be responsible for a 50% match (\$7,500), Mr. Kluge seconded , vote unanimous in favor of the motion.

VIII. OTHER ITEMS

Next Meeting:

Monday, December 15, 2014, 6:00 PM, Whitney Hall Conference Room, 23 Main Street

CONFERENCE

I. ADJOURNMENT

Mr. Cummings moved to adjourn at 7:00 PM, Mr. Kluge seconded, vote unanimous in favor of the motion, meeting adjourned.

B. Fred Cummings, Chairman

Donald J. Crate, Sr.

John W. Kluge
Enfield Board of Selectmen