

**Enfield Board of Selectmen  
Enfield Center Town House  
Enfield, New Hampshire**

**MINUTES of August 4, 2015**

**Board of Selectmen:** Donald J. Crate, Sr., Chairman; B. Fred Cummings; John W. Kluge

**Administrative Staff:** Steven Schneider, Town Manager; Alisa D. Bonnette, Assistant Town Manager; Jim Taylor, Director of Public Works; Paula Gillen, Recorder

**Others:** James Bonner, Kurt Gotthardt, Douglas and Meredith Smith, Dan Kiley, Scott Osgood, Terri Lynch, Wendy Piper, Marcia Herrin, Alan Strickland, Robert LaCroix and other members of the public

**BUSINESS MEETING**

**I. CALL TO ORDER**

Mr. Crate called the meeting to order at 6 PM.

**II. APPROVAL OF MINUTES**

Mr. Kluge moved to approve the regular and nonpublic session minutes as printed from July 6, 2015. Mr. Cummings seconded. Vote unanimous in favor of the motion.

**III. COMMUNICATIONS**

**DES Best Management Practices Compliance Inspection Report:**

Mr. Schneider stated the report is just informational with a few housekeeping issues.

**Whaleback/UVSSP Letter of Thanks:**

The letter was acknowledged by the Board.

**Trustees of Trust Funds Quarterly Report as of June 30, 2015:**

Mr. Schneider explained the new column titled "Available" displays the impact of the GL investments. The Town is still treating it as money it has but it is restricted. The State indicated since the investigation is ongoing and the Town cannot access the funds, it is wise to treat it as restricted cash. Mr. Schneider stated the other funds are sound and the plan is to ride it out.

**North Country Public Safety Foundations Application for Public Safety Officer of the Year Award:**

Mr. Schneider explained yearly nominations are made by recommendation from selectmen and/or town manager. The deadline for submission is August 14, 2015.

**Tax Collector's Report:**

Mr. Schneider stated 95% has been collected.

**IV. BOARD REPORTS**

**Planning Board:**

Mr. Kluge reported on the July 8 Planning Board meeting.

The Planning Board reviewed the request from Conkey for final approval for closing part of this pit and subdividing it. He had received all necessary State approval and permits. The Board had a lot of questions but the paperwork was in order. The Board unanimously approved that application. This applied to just one part of the pit, the rest will remain in operation.

The Planning Board heard from an individual about a possible commercial building on Route 4.

The Planning Board is still grappling with Family Dollar over the window issue. There is also a drainage problem there.

To prepare for Town Meeting, there need to be changes to the zoning regulations that specify more clearly what the definition of a window is.

**V. TOWN MANAGER'S REPORT**

Mr. Schneider provided some updates.

The Town clerk's office is moving forward with electronic payments through the same company which does work in Hanover and Canaan. The public will be able to pay for property taxes and motor vehicle registration both at the office and on line with a credit card.

Mr. Schneider and Mr. Taylor submitted testing for the NH Department of Environmental Services Drinking Water Sanitary Survey and the Town passed.

The Town has been awarded a grant for improving residents' access to physical activity. It is a \$1,000 to \$3,000 grant. Mr. Schneider will meet with the Upper Valley Regional Planning Commission to see how to incorporate the regional program into that.

Mr. Taylor and Mr. Neily have concerns about a corner of the floor of the Enfield Center Town House. There could be serious issues. There is a crawl space. The Town will work with the Heritage Commission on this matter.

## **VI. PUBLIC COMMENTS**

### **Kurt Gotthardt – Credit Card Fees:**

Mr. Gotthardt inquired about potential credit card fees with the implementation of electronic tax payments. Mr. Schneider replied that this 2.5% fee would be passed along to the individual.

## **VII. BUSINESS**

### **Robert LaCroix:**

Mr. LaCroix met with Mr. Schneider to discuss a project he was considering. Mr. Schneider invited him to speak to the Board. Mr. LaCroix displayed maps of the subject area. He is in the initial planning stages of a fairly good-sized development with two entrances on Route 4 which will be both residential and commercial. He comes before the board tonight to determine the current use penalties. One proposal was to assume a \$25,000 fee with the residential development and an additional \$25,000 with the commercial development. The second option would be using a 10% penalty of the current assessed value of the land in the amount of \$43,000. Mr. LaCroix was informed by Assessor Bernaiche that it was up to the Selectmen to decide which calculation could be used. The developer is asking the Town to provide a current use price. The developer is a large company considering a project that is zoned and permitted in that area but the current use does have an impact on what they spend in developing that land.

Mr. Kluge asked if the State determines current use fees. Mr. Schneider replied the law states it is 10% when the property comes out of current use and he and the Board concurred with Mr. Bernaiche's advice to have the property assessed prior to starting the project to utilize this formula.

The developer was looking to get a sense of whether the Town would welcome the project as this project will impact sewer and taxes. It will consist of a commercial component of approximately 15 acres along Route 4 and 30 acres of residential area behind that. The developer stated they are still in very preliminary planning stages. In reply to a Selectman's query regarding what frontage on Route 4 will be involved, Mr. LaCroix revealed the project will involve tearing structures down, specifically, an old barn, trailer and house, and possibly the apartment house next to the funeral home. Mr. Crate asked what projects the developer has worked on. The developer stated they have been mostly in the Boston area, also Tractor Supply in Lebanon by The Richmond Co. They have substantial experience in commercial and residential. Answering the question of whether they will be welcomed in town, Mr. Cummings replied it is a double-edged sword and Mr. Kluge expressed his approval.

### **Dog Park:**

Marcia Herrin and Terri Lynch represented the committee. Ms. Herrin stated the park will open one week from today and will be open from dawn to dusk. The grand opening will be on September 7, 2015 at 10 AM. Ms. Herrin invited the Selectmen, Mr. Schneider, Mr. Osgood, and Mr. Taylor to attend. The dog park will have giveaways and will send out opening information on the listserv. Ms. Herrin thanked the Board for its support over the two years since the initial discussion.

Mr. Cummings asked about obtaining a final list of the dog park rules as he initially saw a different list. He will be provided a rules list.

Mr. Crate asked Mr. Taylor about field mowing at the dog park. Mr. Taylor replied it will be done before the grand opening.

**“Old Motel Property” - Ad Hoc Committee:**

Mr. Schneider stated the committee continues to meet. He and Mr. Osgood have discussed how to approach the State and get specifics from them as to how exactly they will improve Main Street in terms of drainage, level, straightening, if at all. Also, what it would take to make the access road the new Main Street, how they could permit that, what it would cost, and how long that would take. Along with waiting for the State response, the park property is going to be available for the Town to improve, manage, and develop regardless of what happens on the 'old motel' site. Mr. Schneider stated a request was sent to the State asking what it could do. There is \$697,000 attached to this project that the State is funding. If there is money left over after road work, the Town has asked if they would do site work on the property, potentially contribute toward the lighting, improve the sidewalks, prepare and complete the next level of archaeological work that has to be done there. There are archeological sites identified on that piece, prohibiting any improvements until that archaeological work is completed. The Town is asking the State to potentially improve the access for non-motorized boats. The site may not be an ideal place for swimming but it is an attractive place to launch a sailboat or canoe. The State could potentially assist in building a rest room, putting gates in, etc. This helps the Town determine long-term ownership of the property. A committee volunteer has brush hogged. There is a good supply of wood chips which can be spread there. This work has helped to open up the piece. Mr. Schneider states this work helps give the Town leverage with the State.

The Town is waiting for word from Victoria Chase, project manager from NH DOT. She understands the project, what has been promised in the past and not delivered. Mr. Schneider hopes to have questions answered in time for the September meeting regarding Main Street drainage, what the State feels the time frame and cost would be.

Mr. Cummings spoke about the importance of fixing the boat launch before spending funds on this project. He would like projects completed. He is concerned that Town money will be spent on new projects before completing prior projects. Mr. Schneider stated no Town money has been spent on this project to date. Mr. Kluge reminded the Board about the time issue associated with this project. Ms. Smith stated it is a continuation of the Main Street project begun in 1998 before the Shaker Bridge was rebuilt. She stated there is a strong team of volunteers committed to finishing the Main Street project. They have had to switch gears many times regarding bridge removal issues. Mr. Cummings expressed frustration at being unable to move forward with a solution to fix the underpass while at the same time making plans for the other parcel.

Ms. Smith read a portion of an email from Ms. Chase outlining her support of the project.

Mr. Cummings requested the committee obtain an answer from Ms. Chase regarding two options, either improve the current Main Street or turn the access road into the permanent road.

Mr. Kluge stated this is what Mr. Schneider is doing. Mr. Cummings would like an answer from the State and prefers the focus to be on that, not developing a lakefront park. He was reminded by Mr. Kluge that the project is not utilizing town resources, it is a volunteer effort.

Mr. Cummings asked if Wendy Piper could intercede. She has spoken with Ms. Chase but clarification is needed regarding the bridge.

After much discussion, as the Selectmen were not in agreement over a potential solution, it was suggested Mr. Schneider, Mr. Osgood and Ms. Piper meet with Ms. Chase in a preliminary meeting and present their results to the Board. The Board agreed with this approach.

Mr. Cummings added that Richard Crate was interested in serving on the Mascoma Lake Public Access Task Force. Ms. Smith expressed agreement.

**Community Revitalization Tax Relief Incentive Application – EVA/Greeley House:**

Mr. Schneider referenced the request from EVA regarding the Greeley House. He reviewed the process involved: An application is made. If the Selectboard feels there is public benefit, a public hearing is scheduled. A presentation is made by the applicant and the deed language is negotiated as it becomes part of the deed language on the property. The agreement can vary depending on the use of the property. The Town abates the taxes on the improvement to the property. The structure is taxed on its original purchase price, which in this case was \$76,500.

Mr. Cummings moved to schedule a public hearing at the September Selectboard meeting on the application from the Enfield Village Association for tax relief on the Greeley House under the Community Revitalization Tax Relief Incentive. Mr. Kluge seconded. The vote was unanimous in favor of the motion.

**Harris Brook Scenic Area:**

Mr. Cummings asked Alan Strickland to update the Board about the Harris Brook Scenic Area. Mr. Strickland stated the parking lot is finished and the sign is up. There was a hike during Old Home Days on the trail around the reservoir. Everything is going very well. Mr. Schneider asked if the Board would agree with the Town bringing in some hard pack to the area if requested. The Board agreed.

**Tax Exemption Request/Payment in Lieu of Taxes:**

Mr. Kluge will not vote on this subject.

Mr. Schneider stated Visions for Creative Housing Solutions, Inc., Sunrise Farm, is asking for a charitable exemption. Mr. Bernaiche does not believe they qualify for a charitable exemption because they are a charitable nonprofit housing project and that classification requires they go through PILOT (Payment in Lieu of Taxes) with the Town. It is too late to be in effect this year but it can be negotiated for next year. They can file for an abatement after they pay their tax in November. The PILOT is supposed to not exceed 10% of the rent but it is also something the Selectboard can abate or modify.

Mr. Schneider explained PILOT (Payment in Lieu of Taxes). It is for something that is still going to utilize Town services. This is a payment for that utilization. Mr. Schneider will negotiate with the group and bring the matter before the Board.

**Abatement Request – Mascoma Housing Associates:**

Mr. Schneider stated based on Mr. Bernaiche's calculations, based on the revenue they produce, the assessment is valid.

Mr. Cummings moved to deny the Mascoma Housing Associates abatement request. Mr. Kluge seconded. The vote was unanimous in favor of the motion.

**Comcast Franchise Agreement Renewal:**

Ms. Bonnette and Mr. Schneider met with Comcast. The agreement is up for renewal. The Board agrees to keep the same agreement.

**Mascoma Community Healthcare Clinic:**

Mr. Schneider stated the group requested the Town provide a list of property taxpayers who pay more than \$6,000 per year. This is public information. The Board is not in support of providing this list.

**Vacancies – Supervisors of the Checklist and Enfield Rep on School Board:**

Mr. Schneider provided a letter of interest from Bob Cusick, who would like to be the Town's representative on the Mascoma School Board.

Mr. Cummings moved that a letter be sent to the Mascoma School Board giving full endorsement to Bob Cusick as the Enfield appointed representative until the next election. Mr. Kluge seconded. Roll call: aye, aye, aye. The vote was unanimous in favor of the motion.

**Tabled Tax Deedings – Status Report:**

The Town has received payment from two property owners. The party on Ibeys Road has been unable to obtain refinancing. Mr. Schneider will check on what the party plans to do now that refinancing has fallen through. They are making payments but not in a sufficient amount. The Board suggested Carolee Eisener, Tax Collector, reach out and develop a plan. Mr. Kluge mentioned a property in town that was for sale but has not sold. Mr. Schneider had no update on that.

**Lakeview Septic Systems:**

Mr. Schneider provided a draft of the Memorandum of Understanding between Lakeview and the Town. Mr. Neily, Mr. Taylor and Ms. Bonnette have reviewed it. The Town is acting as the fiscal agent or sponsor, will coordinate public funding, will submit forms, advertise and hold public meetings as needed. The Town will own the pipe that is in Route 4A and will work on a formula by which Lakeview can recoup costs if future users tie in. Lakeview will do the engineering on all materials on their property. The Town is not committed to outlaying any resources or Town funds.

Mr. Cummings asked if there will be a bond in the event Lakeview defaults. Mr. Kluge asked about Line 1e on the MOU, "...our end goal." Mr. Schneider explained it was the Town's end goal. Mr. Schneider will add a performance bond.

**Expense Report:**

Mr. Schneider reported 7 months through the Town is performing well.

**Administrative Items:**

The Board reviewed and approved the following documents:

- Dog Warrant
- Application for Exemption
- Veterans Tax Credits

**VIII. OTHER ITEMS**

Mr. Cummings stated when the Town starts looking at developing the Route 4 property, it needs to look at impact on other public services, not just sewer and water, but, for example, fire department needs. He stressed the need to look at some kind of impact formula in future planning and development.

It was commented that zoning has height limits, 35 feet at highest point.

Mr. Crate asked about the status of installing a camera on the recreational field. Mr. Schneider replied that he and Chief Crate are working on it.

**IX. MISCELLANEOUS**

**Next Meeting:** Tuesday, September 8, 2015, 6 PM at the Whitney Hall Conference Room

**CONFERENCE**

**I. NON-PUBLIC SESSION**

Mr. Cummings moved to enter non-public session at 7:31 PM, RSA 91-A:3 II(a), Mr. Kluge seconded the motion. Vote unanimous in favor of the motion.

Mr. Cummings moved to come out of non-public session at 7:52 PM, Mr. Kluge seconded, vote unanimous in favor of the motion.

## II. ADJOURNMENT

Mr. Crate pointed out the need for manhole repair on NH Route 4A. Gate valves throughout the village need repair.

Mr. Kluge moved to adjourn at 7:59 PM, Mr. Cummings seconded, vote unanimous in favor of the motion, meeting adjourned.

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Donald J. Crate, Sr., Chairman

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John W. Kluge

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B. Fred Cummings  
Enfield Board of Selectmen