

**Enfield Board of Selectmen
Public Works Facility
Enfield, New Hampshire**

MINUTES of October 17, 2016

Board of Selectmen: John W. Kluge; B. Fred Cummings, Meredith C. Smith

Administrative Staff: Steven Schneider, Town Manager; Alisa Bonnette, Assistant Town Manager; Richard Crate, Chief of Police; Jim Taylor, Director of Public Works; Karol Hammer, Recording Secretary

Others: James Bonner (video); Marcia Herrin, Keith Thomas, and others.

BUSINESS MEETING

I. CALL TO ORDER

The Chairman called the meeting to order at 6:00 PM.

II. APPROVAL OF MINUTES

Mr. Kluge offered two corrections to the October 3, 2016 draft minutes, as follows:

- On page one (1), in the first paragraph under IV. Board Reports, the word “Road” should be inserted into the last sentence of the paragraph. The revised sentence should read: “He said the most significant proposal was to modify a propane tank site on Whaleback Road;...”
- On page two (2), the last sentence should be modified to read: “Mr. Kluge said the resident was glad his dog wasn’t out when the data collector came to his house.”

Mrs. Smith made and Kluge seconded the motion to accept the minutes as corrected. The motion passed unanimously.

III. COMMUNICATIONS

Mr. Schneider noted that the Tax Collector’s % Collected report for year to date through September showed 97% collected. He said collections were in good shape.

Mr. Schneider also noted that Town Assessor Norman Bernaiche had written letters to two residents who expressed dissatisfaction with the assessment data collector.

IV. BOARD REPORTS

Mr. Schneider said that at its meeting the previous week, the Budget Committee had heard budget proposals from the Recreation and Planning & Zoning departments. The next meeting, to be held during the week, would be with the Library, Administration, and possibly the Building Inspector.

The Budget Committee planned to meet each of the following three (3) to four (4) Thursdays.

Mr. Kluge asked if there had been any big surprises so far. Mr. Schneider said there hadn't. There had been some discussion regarding recreation, that the Town's program was still small, despite growth. Its revenue was in the neighborhood of \$25,000.

He noted that the Town was being cautious regarding Recreation Department growth. It shouldn't become so big that its operations have negative impacts on or hamper private economy. Years down the road, he said, growth could mean that Recreation Department classes undercut private businesses.

Such a possibility was many, many years down the road, but he felt it should be noted that the subject was raised in Committee.

Mrs. Smith observed that many of the Recreation Department programs were self-supporting. Mr. Schneider agreed.

Some instructors, rather than being contractors for the next year, were going to become part-time Town employees. This included the dance instructor and possibly some theatre camp personnel, for the week of camp.

Mr. Kluge asked for confirmation that their salaries would be covered by program fees. Mr. Schneider said the program fees would be more than enough to pay salaries. The fees would, in fact, pay salaries, overhead, and other program costs.

The more the Town has done, the more ideas people have had. Mr. Schneider felt it was smart to think ahead and not stifle other opportunities.

Mrs. Smith said the Town programs were affordable for those who might not otherwise be able to participate in such programs.

V. TOWN MANAGER'S REPORT

Mr. Schneider said that he had been contacted by Mr. Plante, who wondered if a response had been received from the Town Attorney. The response had been received, but Mr. Schneider wanted the Board to have an opportunity to discuss the timing of releasing the information.

Mr. Kluge and Mr. Cummings felt it should be released. Mrs. Smith nodded.

Mr. Schneider announced that tax rates had been set – earlier than usual – and that bills would be going out soon.

Ms. Bonnette said the earliest taxes could be due was December 1. Mr. Schneider agreed, saying the Town typically allows a month and tries to make it before Christmas.

The rate increase was not quite \$1.50, he said, or about 5%. Of that, the Town increased by \$0.40, the County \$0.24, School District \$0.91 and State Education decreased by \$0.09. The bottom line increase worked out to about \$5 per week for a \$200,000 home.

VI. PUBLIC COMMENTS

A gentleman in the audience observed that he thought the School tax rate was supposed to go down.

Mr. Schneider explained that the School District tax rate was apportioned based on attendance from each town. Enfield's increase was going to be less than last year's, going from \$14.29 to \$15.20.

VII. BUSINESS

Marcia Herrin – Dog Park Signage:

Ms. Herrin told the Board that an Eagle Scout hopeful wanted to build a kiosk in each of the two (2) major parks at the Dog Park, and intended the effort to be his Eagle project. She showed the Board renderings of kiosks at other parks, including Watson Park in Hardford, VT.

She said the kiosks would be for posting of Park rules, lost and found listings, and other notices. The original idea was to have a single kiosk between the parks, but after watching traffic patterns, the Park Supporters group decided it would be better to have one inside each of the major parks.

Having them inside the parks would give pet owners more time to read the postings and notices, she said.

She was approaching the Board because she wanted to know if a permit would be required, noting that the kiosks would not be visible from the road.

Ms. Herrin said another project, for a donor acknowledgement signage, was targeted for Spring, but that plans were not developed enough yet to share.

Mr. Schneider asked Ms. Herrin to confirm that the kiosks would be more an internal signage. She said that was correct.

Mr. Taylor said that the Town had never required permits for signage not visible from the Right of Way.

Mr. Schneider agreed, saying that permits would not be required. He encouraged Ms. Herrin to let the Town Zoning Officer know about the project and provide a sketch. Ms. Herrin agreed.

She concluded that the Park had held its first anniversary party the previous weekend. The first year had seen the Park being well used by a variety of people, and the Supporters had received a lot of comments.

Mr. Kluge thanked Ms. Herrin.

Fieldstone Ridge:

Mr. Schneider said that there were two (2) parcels of land, one (1) owned by the Town and another owned by Fieldstone Ridge LLC. The LLC was requesting permission to include the Town's lot in a property auction of its parcel.

Mr. Schneider said the Town hadn't owned the property long enough to get all proceeds from such a sale. The Town would receive only the amount associated with back taxes and administrative costs. The sale would, however, put the land back on the tax rolls.

Keith Thomas asked if the Town would specify a minimum sale price for the parcel. Mr. Schneider said he didn't think so.

Mr. Schneider said there was not enough time to include the parcels in the planned November 19 property auction; they probably would be sold during the winter.

Mr. Cummings made and Mrs. Smith seconded the motion to approve the sale. The motion passed unanimously.

Tentative Ordinance – Display of Fireworks:

The Board reviewed a draft Fireworks Ordinance and permit.

Mr. Cummings asked who would be responsible for approving permit requests.

Mr. Schneider said it could be any number of people; it could be the Fire Inspector, for example. The situation was still fluid.

Mr. Kluge asked who was the current Fire Inspector; Mr. Schneider replied that it was Phil Neily.

Mr. Cummings said he would be more comfortable with the Town Manager and Board of Selectmen doing the approving.

Mr. Schneider said one town had its Fire Wardens doing it. Mr. Cummings was not comfortable with that idea.

Mr. Schneider said an initial inspection would be needed to make sure people were following the rules.

Mr. Cummings said that would fall to the Fire Inspector.

Mr. Schneider mentioned that Fire Wardens already were doing that. Mr. Cummings said they were, but for burn permits, not fireworks.

Mr. Kluge said he was not convinced that the Fire Wardens were easy to get a hold of.

Mr. Cummings said he didn't want to see this as a money making venture. There was a lot to be said against having permits. No matter which way the Board went, one group would be angry. People were being 'fee'd to death.' He would not be supportive of a fee system.

Mr. Schneider reminded the Board that the draft had been presented for comment and review; it wasn't set in stone.

Mr. Thomas said it didn't matter to him; he didn't want to make it difficult, and he disputed others' claims about the amount of 'stuff' going into the lake. He had seen more of other types of debris in and along the lakeshore – things like milk and worm containers, soda bottles, hats, gloves, building materials, and plastic tubes. This discussion, he felt, shouldn't be a matter of debris. The amount of fireworks debris he had found was miniscule.

Mr. Thomas continued that the problem was more focused on the noise – the booms – on weeknights and late at night.

As far as getting permits went, he felt someone would have to ask a week ahead of time to get somebody out to do an inspection. Then inspectors would need training.

Mr. Schneider said he felt the Town had training covered.

Mr. Cummings asked if anyone realized the amount of work the Board would be putting on someone to do the inspections.

Mr. Schneider said there would be days with no permits, but yes, there would be heavy hitters, when most people display their fireworks.

Mr. Thomas agreed, saying that would involve the entire week around July 4.

Mr. Cummings didn't want to commit Town resources to inspect for fireworks.

Mr. Kluge said it could fall to the Inspector or a designee. However, people could simply get a permit and be registered with the Town. The Town then would know when and where the fireworks were supposed to be; an inspection wouldn't add or deter from the process.

Mr. Cummings asked if anyone had reached out to the Fire Chief to get his take on the situation.

Mr. Schneider said no, the concept was brought to the Selectboard for consideration, review and direction before going to the departments.

Mr. Cummings was curious as to what the Fire Chief would think.

Mr. Schneider was not certain what the Board wanted to do; he was looking for direction.

Mr. Cummings disagreed that this was the right approach; he felt the Town should reach out to the Fire Chief.

Mr. Kluge said that permitting could be reasonable.

Mr. Cummings asked who would collect the fees.

Mr. Kluge said that was a separate issue.

Mr. Cummings said that a discussion did need to be had about fees, because the Town would have to pay the people administering the rules. He didn't want the Police Department to be the 'fireworks police.' He felt it might take a full time inspector.

Mr. Kluge asked what Mr. Cummings felt would be a happy medium. He agreed that it wouldn't be fair to expect the Fire Chief to simply handle it.

Mr. Cummings said he didn't agree that it should be the Fire Wardens, either.

Mrs. Smith asked if a starting point might be to establish time limits on when fireworks could be displayed.

Mr. Cummings thought that was reasonable, saying he'd been to a wedding in Quechee where fireworks were shot, and all stopped at 10:00 PM. An ordinance with time limit might be a small starting point; it could incorporate language about fines.

Mr. Schneider asked if the Board were considering permitting every day up to 10:00 PM.

Mr. Thomas thought 10:30 might be more reasonable.

Mrs. Smith said she'd been kept awake many nights over the past summer.

Mr. Kluge said he could see extending to 10:30 on July 4.

Mr. Thomas thought people shouldn't shoot fireworks on weeknights.

Mr. Cummings suggested banning fireworks Monday through Thursday, and allowing them only Friday, Saturday and Sunday.

Mrs. Smith agreed, saying there also needed to be limits on time. That, she felt, would be a starting point.

Mr. Cummings said he had taken to hear Mr. Kluge's statements at a previous meeting about not being a fan of adding more and more requirements, and felt there had to be an easier way than the inspections and permitting process.

Mrs. Smith agreed, saying time limits would be a good start. She also felt people would have to be educated regarding things going into the lake.

Mr. Thomas said the DES prohibited cutting trees within 50' of the lake, but that has caused more weeds, etc. to go into the lake, creating another kind of problem.

Mr. Cummings made and Mrs. Smith seconded a motion to establish an ordinance banning fireworks Monday through Thursday, except on holidays. Fireworks would be allowed Friday, Saturday and Sunday up to 10:00 PM. The holidays excepted from the rule would be July 4 and New Year's, when fireworks would be allowed until 10:30 PM.

Mr. Cummings acknowledged that New Year's would be tough because people shoot fireworks at midnight.

Mr. Kluge offered that the 10:30 extension should apply to all major holidays. Mrs. Smith seconded the motion as amended.

Mr. Thomas asked about going still later on New Year's. Mr. Cummings suggested leaving it at 10:30, saying that once the Town started making exceptions... People would set off fireworks regardless.

Mr. Schneider asked which would be considered major holidays, suggesting Memorial Day, July 4, and Labor Day.

Mr. Cummings added New Year's.

Mr. Kluge asked if this meant the lake issue was being put off. Mrs. Smith said that really was an education issue.

Mr. Schneider asked if the Board wanted to specify the rule as a Class C ordinance.

The Board agreed.

Mr. Cummings said that Class B, or professional fireworks should be banned, commenting that even the Fire Department used Class C.

Mrs. Smith asked what Bob Cusick used. Mr. Cummings said Class C.

Mr. Cummings reiterated the modified motion: Fireworks would be banned in Enfield Monday through Thursday. Fireworks were allowed on Friday, Saturday and Sunday, until 10:00 PM. The exceptions to this rule would be major holidays, including New Year's, Memorial Day, July 4, and Labor Day, when fireworks would be allowed until 10:30 PM. Mr. Kluge seconded the motion. The motion passed unanimously.

Mr. Cummings made and Mrs. Smith seconded the motion that Class B fireworks were to be fired in Enfield only by licensed professionals and with the prior approval of the Chiefs of the Fire Department and Police Department. The motion passed unanimously.

Mr. Cummings made and Mrs. Smith seconded the motion to amend the general fireworks rule to limit the allowed fireworks to Class C only. The motion passed unanimously.

Mr. Cummings made and Mrs. Smith seconded the motion to set a fine schedule for violations of the new fireworks rules to be a warning for first offense, \$250 fine for second offense, and \$500 fine for third offense, all at the discretion of the Police Department. The motion passed unanimously.

Mr. Thomas said that the Board had previously talked about holding public hearings. He felt the summer residents should have input.

Mr. Schneider said the process was not yet complete.

Mr. Cummings said the Selectboard had the authority to set ordinances. He felt the Town should see how things go under these new rules; if problems, then public hearings could happen.

Mr. Schneider said that public hearings still were needed to finalize adoption of the new rules.

Mr. Thomas said it was stated at the last meeting that there would be public hearings, saying that the summer residents pay taxes, too.

Mr. Kluge said that people who were not legal residents wouldn't have much of a voice, since they couldn't vote.

Mr. Cummings would like the hearings to happen sooner than later, since some of the summer residents were still in the area.

He continued that he felt it would be easier to start with these less restrictive rules (than a permitting process). If they don't solve the problems, then more restrictions can be added.

Ms. Bonnette said a public hearing required seven (7) days' notice.

Mr. Kluge suggested having a draft to review.

Mr. Cummings moved that a draft be reviewed by e-mail.

Ms. Bonnette said that decisions could not be made in non-public session/communication.

Mr. Kluge asked if the public hearing could happen at the first November meeting.

Mr. Schneider said the Town hadn't adopted new ordinance in a long time, and that it was important to observe the process.

Ms. Bonnette said that amendments could be made after the public hearing.

Mr. Schneider said the Public Hearing would be warned for November 7.

Property:

Mr. Schneider said that the Stewarts had paid most of their delinquent taxes. The Camps also were complying with requirements. All was good.

Mr. Cummings said as long as they live up to their end of the bargain, the Town would live up to its.

Mr. Schneider said a couple more would come up in November.

Mr. Cummings said he'd seen that Mrs. Nyland had passed away.

Mr. Schneider said the auctioneer was ramping up ads for the property sale and that things looked good for November 19.

2017 Budget:

Nothing more to discuss.

CIP:

The CIP had met the previous week and would meet again Wednesday to get updates on figures.

Mr. Thomas had attended his first meeting and also had met with Lee Carrier to get all the work he had done.

Lakeview Sewer Extension:

Mr. Schneider anticipated a meeting during the week.

Mr. Cummings asked if the fields had been turned back on. They had. Mr. Cummings thought that explained a new odor in the area.

Mr. Taylor said no, the odor was from a separate issue.

Lakeside Park:

Mr. Schneider and Mrs. Smith had met with the Federal Co-Chair of the Northern Borders organization and department of revenue. The Northern Borders appeal had been denied, but both Mr. Schneider and Mrs. Smith felt the meeting was beneficial. The process and issues were explained, and there was good discussion about long-term ownership of the property.

Mrs. Smith said the officials had been very impressed.

Mr. Schneider agreed, saying the Town was in line for future money.

Administrative Items:

The Board handles three administrative items; a Yield Tax Levy, an Elderly Exemption Application, and a Veterans Tax Credit Application.

Other Business:

Mr. Cummings asked if the Huse Park fence project was progressing. Mr. Taylor thought Springfield fence deposit might be in the works. Mr. Schneider said yes, it had been paid and the project was on target.

Mr. Thomas said the State had done a great job on the Shaker Hill repaving project.

Mr. Kluge agreed, adding that the Boys Camp Road Bridge also looked great. Mr. Schneider agreed. The new bridge is wider, straighter and safer.

Mr. Cummings asked how often the bridge planking would need to be replaced. Mr. Taylor said it was rated to need replacing only every 20 years.

Mr. Schneider said the bridge could be paved. Mr. Taylor didn't see a need; planks were easier to replace, and the existing 2" thick ones should last well.

Mr. Schneider suggested getting pictures for the Town Report. Ms. Bonnette thought that was a good idea.

Mr. Kluge asked if everything was set for the coming elections. Mr. Schneider said it would be discussed at the next meeting, to be held the night before election day.

Next Meeting: Monday, November 7, 2016, 6:00 PM Public Works Facility Conference Room

Adjournment:

Mr. Cummings made and Mrs. Smith seconded the motion to adjourn at 7:58 PM. The motion passed unanimously.

John W. Kluge, Chairman

B. Fred Cummings

Meredith C. Smith
Enfield Board of Selectmen