

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

MINUTES of May 7, 2012

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

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: Courtland Smith & family, Dan Kiley, Dwight Marchetti, Henry Cross

BUSINESS MEETING

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

April 16, 2012:

Mr. Kluge noted a typographical error on page 1 of the April 16th minutes which will be corrected.

Mr. Crate moved to approve the regular session minutes of April 16, 2012 as corrected, Mr. Cummings seconded, vote unanimous in favor of the motion.

Mr. Crate moved to approve the non-public session minutes of April 16, 2012 as printed, Mr. Cummings seconded, vote unanimous in favor of the motion.

III. SWEARING IN

Mr. Schneider introduced Courtland Smith to the Board of Selectmen. Mr. Smith was the unanimous choice of police officer applicants.

Mr. Kluge performed the swearing in ceremony for Courtland Smith, a new police officer on the Enfield Police Department. The Selectmen welcomed him aboard.

Chief Crate informed the Board that Officer Smith went to the Police Academy just over a year ago. He has served in Afghanistan. He will start on the 21st of May and will be ready to go mid-summer. Officer Smith comes with great compliments from the State police.

IV. COMMUNICATIONS

Zoning Board Notice of Public Hearing, May 8, 2012

NH DOT Notice – Assessment of Street Lighting on State Highways

Nancy Smith Letter of Appreciation:

Mrs. Smith thanked Will Shoemaker and the grounds crew for the assistance they provided to the Enfield Gardeners with the flower bed at Huse Park.

Mr. Kluge mentioned that EVA Executive Director, Dolores Struckhoff, also sent an email thanking them for the work they had done on Main Street.

Grafton County Commissioners FY 2013 Commissioner Budget Recommendations:

The budget recommendations show an overall budget increase of 4.76% or \$1,709,384 with an 8.75% or \$1,698,765 increase in the amount to be raised by county taxes. A public hearing on the budget recommendations will be held on May 17, 2012 at 6:00 PM at the Grafton County Administration Building in North Haverhill.

Town Clerk's Report – April 2012:

April revenues are about the same as last year, but year-to-date is trending higher than last year by about \$18,000.

Tax Collector's Report – April 2012:

Taxes are at 97% collected for second issue 2011; good numbers.

V. BOARD REPORTS

Capital Improvement Program Committee:

A meeting of the CIP Committee is scheduled for Monday, May 14 at 6:00 PM and the Public Works Facility.

Planning Board:

The Planning Board has a meeting scheduled for Wednesday, May 9. The Board will hold a public hearing to discuss possible zoning changes in the area affected by the US Route 4 Sewer & Water Extension. They'll be looking into the future, expecting development pressures. The changes will not necessarily be more restrictive. Mr. Kluge recommended attendance of this meeting.

Recreation Commission:

The Commission is getting ready for summer. They're investigating the rental of a van for transporting kids to the beach. They are working with North Country Auto, as last year.

VI. TOWN MANAGER'S REPORT

Upper Valley Royals Basketball Skills Camp:

Upper Valley Royals Youth Basketball has asked the Town to put them under the Town's insurance for a summer Skills Camp. They will hold two 1-week sessions. If the Town of Enfield Recreation Commission collects the funds it is potentially covered by our insurance, but because the camp will be held at the High School in Canaan insurance may be an issue. The Camp is open to more than

Enfield residents. Steve Stebbins and Ed Kehoe are coaching. We will be investigating whether the Town's insurer will cover this program.

It was questioned whether the people running the camp would be making money. They would.

It was mentioned that if the Town of Enfield is going to sponsor the insurance there may, somehow, be a discount for Enfield campers.

Mr. Schneider will look into this further and come back to the Board with an update before proceeding.

VII. PUBLIC COMMENTS

Kurt Gotthardt – Upper Valley Royals:

Mr. Gotthardt asked if the Upper Valley Royals are a registered non-profit or are loosely organized.

Mr. Schneider responded that they are a registered AAU team. He doesn't know if it's a recognized non-profit.

Kurt Gotthardt – Streetlights:

Mr. Gotthardt's understanding is the Town pays for the streetlights on Enfield's State roads.

Mr. Cummings stated the Town does pay for some and those would not be affected.

Henry Cross – Grounds Crew:

Mr. Cross informed the Board that Will Shoemaker and the Grounds crew does a marvelous job at the Veterans Memorial Park. The grass is coming in nice and thick.

Mr. Kluge added that they also did a great job on the skating rink. They take great pride in their work.

Mr. Cross said they deserve a pat on the back.

Kurt Gotthardt – Dartmouth Sailing Club:

Mr. Gotthardt asked if the Enfield sailing club is able to use the Dartmouth facility. He was informed by Mr. Kluge that they absolutely could not use those facilities. Dartmouth does not have room for the boats.

VIII. BUSINESS

2012 Charitable Tax Exemptions:

Mr. Schneider spoke with Spencer Simonds of the Dartmouth Real Estate office. They will be back to see the Board on May 21st with a proposal for Enfield residents. The question is how would Enfield membership work with their program? The number of Enfield memberships is in the low teens.

Charitable tax exemptions are reviewed annually. Mr. Kluge, aside from Dartmouth, would approve the same level of exemptions as last year.

Mr. Schneider explained there were some changes to the Chosen Vale property. The parsonage is taxable, but the outbuildings are still used for storage for the church. Norm Bernaiche does not feel the Enfield Outing Club is an exempt use, but it is up to the Selectmen to decide.

Mr. Kluge noted that if a building is rented the ones renting it must be members to maintain the exemption.

Mr. Schneider agreed, as long as they aren't charging rent to the general public.

It was noted that the money that is received in rent goes to support their mission.

Mr. Kluge pointed out that some establishments are important cultural entities in the community. How are they able to support themselves? They should be able to keep that income.

The Board further discussed the Chosen Vale exemption and taxable property. Chosen Vale has close to \$2 million in assessed property value. They are paying taxes on the converted upstairs portion of one building because that space is being rented. About \$103,000 in property value is being taxed at about \$2,000/year.

Mr. Crate is leaning towards Mr. Kluge's opinion – this property is part of the history of the Town.

Mr. Kluge added that the work they do to clean up and maintain the property, the demands of that property, is enormous. There are 10 years of hard work ahead putting that property in good shape and then it will start all over again.

Mr. Crate moved to exempt the Chosen Vale property at 100%, Mr. Kluge seconded. Mr. Crate stated this is because of the property being part of the history of the Town. Mr. Cummings abstained because he has a different opinion. Mr. Crate and Mr. Kluge voted in favor of the motion, motion carried.

Mr. Crate would like additional information on the activities of Living Waters Bible Church.

Mr. Cummings stated that if Living Waters is a registered church it would be hard to segregate them out.

Mr. Crate wants to confirm that Living Waters is an active church.

Mr. Schneider will make some inquiries.

Discussion ensued regarding an exemption for the Humane Society. No application has been received from them.

Mr. Marchetti asked if it is standard procedure for charitable organizations to fill out a form. He was informed by Mr. Schneider that, yes, there is a form they must submit.

The Board reviewed the application from Living Waters Bible Church. Two acres of land, the church/parsonage are exempt. Forty-eight excess acres of land is taxable. The exemption claim form identifies Living Waters Bible Church, Inc. as a Christian Pentecostal church. The church/parsonage is used for church services, bible study groups and prayer meetings. The parsonage has 3 rooms for

living space, the remainder is church space. One 10' x 10' room houses the Christian radio station – WVFA.

Mr. Crate does not believe the radio station ever materialized.

Mr. Gotthardt wondered if the Town can ask how often they meet and how many people attend.

Mr. Cross asked if they are registered with the Federal government/IRS.

Mr. Cummings recommended tabling action on Living Waters Bible Church until the next meeting. Mr. Crate and Mr. Kluge concurred.

Mr. Crate moved to grant exemptions to Enfield Community Church Corp, Enfield Historical Society, Enfield Outing Club, LaSalette of Enfield, St. Helena's Church, Union Church of Enfield Center and United Methodist Church at the same levels as 2011, Mr. Kluge seconded, vote unanimous in favor of the motion.

The Board discussed the exemption for Dartmouth College.

Mr. Marchetti stated that the school is open 9 months of the year and they get a 100% exemption. The Dartmouth property is advertised as open 3 months of the year and received a 75% exemption. Mr. Marchetti stated that, mathematically, there is something wrong with that formula. The statutes are clear that the Board of Selectmen, as the governing body, decides on the exemption amount. We're dealing with a facet of a multi-million dollar college. They get millions in donations and academic fees. People in Enfield are struggling to make ends meet. He feels 25% is generous and encourages the Board to limit the exemption on the Dartmouth College property to 25% to 30%.

Mr. Cross asked how the sailing club comes under education. He was informed that they have a school team and do physical education there. Physical education is a requirement for graduation.

Mr. Cross noted that Dartmouth College gets \$30 million in funding and we're not able to get a new school.

Mr. Gotthardt noted that sports and physical education – that's an active part of sailing. They have access to the water at the boat ramp. It's the land and structures that are getting the exemption but it's the act of sailing that's the physical education.

Mr. Gotthardt went on to ask if the Enfield sailing club could moor their boats there. He was informed by Mr. Cummings that technically they can moor anywhere, but Dartmouth does not have to provide them access over their property.

Mr. Kiley stated that the "Enfield Sailing Club" is a red herring; the majority of members are not Enfield residents.

Mr. Gotthardt asked if an Enfield resident could moor his boat offshore and park on the Dartmouth property. He was informed by Mr. Kluge they could if they bought a membership at a cost of \$250.

Mr. Kluge stated "we're looking at a law; there's a legal obligation" if we said not to any exemption at all we'd lose in court.

Mr. Crate moved to allow a 25% exemption to Dartmouth College for 2012, Mr. Cummings seconded the motion.

Mr. Kluge is not sure 25% meets the statutes. He'd be more comfortable with 50%.

Mr. Cummings noted that by Mr. Marchetti's reasoning the appropriate exemption would be 33%. Last year Mr. Cummings recommended a 50% exemption as a compromise. He'd now be more comfortable with a 30% or 35% exemption using Mr. Marchetti's rationale.

Mr. Crate voted in favor of his motion to allow a 25% exemption to Dartmouth College for 2012, Mr. Cummings and Mr. Kluge voted against the motion, motion failed.

Mr. Cummings moved to allow a 30% exemption for Dartmouth College for 2012, Mr. Crate seconded the motion.

Mr. Kluge feels 30% is too low.

Mr. Marchetti asked, if you look at the schools, how can you justify more than 30% when an academic school gets 100% for 9 months of the year? He asked the Board to think about the people of this Town and the burden this is on them. Prior Boards have not been able to provide Mr. Marchetti how they arrived at a 75% exemption. How does the Board come up with 75%?

Mr. Kluge stated that 75% came from A) past history and B) because the law may demand it. He feels that the Town will pay lawyers to defend the lower exemption amount and it would not be productive.

Mr. Marchetti asked if the reason for granting a larger exemption is because of the fear of getting sued.

Mr. Kluge responded that he has experience with private schools. The KUA rink is 100% exempt and is leased every available minute.

Mr. Kiley noted that the Thompson Arena is used about 4 months of the year and is 100% exempt.

Mr. Marchetti doesn't believe Dartmouth College will sue the Town.

It was pointed out by Mr. Kluge that Dartmouth College owns so much property they have a vested interest in maintaining the exemption or they set a precedent.

Chief Crate asked what is being talked about in tax dollars. He was informed that the property taxes amount to about \$5,000 per year so 50% is about \$2,500.

Dartmouth College has two choices for appeal – Superior Court or the NH Board of Tax & Land Appeals.

Mr. Cummings asked if Mr. Schneider has contacted the Town's attorney. Mr. Schneider informed him that he has not.

Mr. Cummings withdrew his motion for a 30% exemption.

The Dartmouth College exemption will be discussed further at the Board's May 21st meeting.

Mr. Cumming noted that if the exemption granted to Dartmouth is too low they are likely to fight it. If other towns do this they stand to lose a lot of money.

Mr. Taylor pointed out that KUA has been very generous to the kids of Plainfield.

\$250 a season is the rate anyone is charged to use the Dartmouth property in Enfield. Mr. Schneider's conversation with them seems they are going to consider a break for Enfield residents.

Mr. Cummings said they aren't disputing the value of the property. They're disputing the exemption amount.

Abatement Request – Fenner:

The Board reviewed the assessor's recommendation of denial of the abatement request.

Mr. Cummings moved to go with the assessor's recommendation, Mr. Crate seconded, vote unanimous in favor of the motion.

Sewer Connection Request – 19 Flanders Street:

Mr. Cummings moved to approve the sewer connection request for 19 Flanders Street, Mr. Crate seconded, vote unanimous in favor of the motion.

Fire Department Truck:

Fire Chief David Crate obtained several quotes for new trucks. He has spoken with Lee Carrier of the CIP Committee regarding the purchase of a new truck vs. a used one with 70,000 miles for \$17,000. Miller Auto has a Chevy Silverado that meets the Fire Department's specifications. It has 4WD, 5.3 liter V8 engine, 4-door, red, bed liner and more. The price is \$26,807.51 but Fire Chief Crate believes he can get them to "sharpen their pencils." He also looked at 2013 trucks, but the price is slightly higher and the Department would have to wait at least another 4 months to get one. \$20,000 of the purchase price would come from capital reserves with the remainder coming from the Fire Department new equipment budget. The truck will go to the Enfield Center Fire Station.

Mr. Cummings moved to allow the purchase of the Chevy Silverado from Miller Auto at a price not to exceed \$26,807.51, Mr. Crate seconded, vote unanimous in favor of the motion.

Ambulance Update:

Billing – Mr. Schneider presented a sample letter to Town residents regarding the changes coming. Along with the letter will be a sample statement that would go to anyone transported by Enfield Ambulance.

Mr. Schneider met with Sam Provenza, Richard Martin and Comstar. They discussed another billing issue. Currently we are waiving charges for everyone, residents and non-residents, who are transported by the Enfield Ambulance. Medicare & Medicaid pay a portion of the total charges. Medicare & Medicaid allow non-residents, including those just passing through town, to be treated differently than residents. We can bill non-residents and send them to collections.

Mr. Kluge inquired about those who own property but aren't legal residents. How would they be treated?

Mr. Schneider explained they can be treated as residents.

Mr. Cummings is not 100% sure we want to go to collection. He and Mr. Crate would prefer to wait and see how many non-residents use the services of the Enfield Ambulance. The Board agreed that bills can be sent to non-residents, but they would not be sent to collections. The Board of Selectmen will still have the authority to write off charges to residents.

On-Call Status – Mr. Schneider met with the FAST Squad last week and a question arose regarding on-call pay. There are a couple of members that are available during the day. In the past they have called dispatch to inform them they were available and that if they haven't responded to the first tone to then send an ambulance from Lebanon. Would this qualify for on-call pay as well?

Mr. Cummings says no. The Board tried to fix that issue with hiring full-time daytime staff and it was voted down.

The Board agreed that on-call pay is for *scheduled* on-call time. The Board approved the sample letter to residents regarding the implementation of ambulance billing.

Huse Park Paving:

The Board received bid results for the paving of the gravel parking lot at Huse Park, plus an overlay on the existing paved area. Twin State Paving came in with the low bid at a cost of \$18,700 and \$10,750 respectively. The TIF Committee has authorized up to \$25,000 from the TIF fund for this purpose. About \$4,500 can be taken from existing Community Building or Huse Park maintenance lines.

Mr. Crate asked Jim Taylor if he had checked work done by Twin State Paving and how soon they could do the work. He was informed by Mr. Taylor that he had. Twin State Paving did all of Centerra, and most recently, Jesse's parking; they looked fine. They can do the paving by June 1st.

During the paving, people will be able to park at Whitney hall and walk over.

Mr. Crate asked about the base on the gravel side. Mr. Taylor informed him the companies thought they could use the material that's there as a base.

The Board approved the paving by Twin State Paving.

Winter Sand Bid Results:

Only one bid, from Don Crate & Sons Excavating, was received for \$6.00/cubic yard.

Perambulation of the Enfield/Grantham Boundary:

The Board received a request from the Town of Grantham to perambulate the Enfield/Grantham boundary. In 2005 the Selectmen appointed Kurt Gotthardt to perform the perambulation on the Town's behalf. Mr. Gotthardt is willing to continue to perform perambulations for the Town.

Mr. Crate moved to allow Kurt Gotthardt to continue to perform perambulations of the Town boundaries, Mr. Kluge seconded, vote unanimous in favor of the motion.

Committee Memberships:

The Enfield Energy Committee recommends appointment of alternate member Phil Vermeer to the vacant regular member position.

Paul Mirski has volunteered to serve on the Heritage Commission as an alternate member rather than a regular member as he is not able to attend meetings as often as he'd like. This will open up a regular member position for appointment.

Mr. Cummings moved to appoint Phil Vermeer to the regular Energy Committee member vacancy, Mr. Crate seconded, vote unanimous in favor of the motion.

Mr. Cummings moved to appoint Paul Mirski as an alternate member of the Heritage Commission, Mr. Crate seconded, vote unanimous in favor of the motion.

Truck Bids: Plow Package Update:

The Department of Public Works has order the International trucks offered by SG Reed as discussed at a previous Selectboard meeting. The trucks will arrive in a couple of months. The DPW investigated both an Osgood plow package and a Fairfield plow package. They looked at a truck installation Osgood had set up for the Town of Charlestown and it was very good. The quality of the plow package and the "quick hitch", which allows one man to mount or remove the entire plow system in less than ten minutes, more than makes up for the difference in price of about \$13,000. The SG Reed International truck with the Osgood plow package was recommended. The Board concurred with the recommendation.

TIF Water/Sewer Extension Update:

A preconstruction meeting was held last Tuesday for the Tax Increment Finance (TIF) Water/Sewer Extension project. Attendees included representatives of the school, Fire Department, Public Works Department, Police Department, Town Manager's Office, CLD Consulting Engineers, RD Edmunds, NH Dept. of Environmental Services and NH Dept. of Transportation.

The start date for the project is scheduled for May 29th, but the State does not allow construction to begin until 12:00 PM the day after a holiday, so effectively the start date will be May 30th.

A walk-through with the contractor, engineers and Town staff will take place soon. Discussion of signs and existing infrastructure will take place.

Traffic is the biggest think people will notice. The Police Department will monitor traffic where the detour comes out. Traffic remaining on US Route 4 and not taking the detour will be given priority going westbound until 1 PM at which time the traffic headed eastbound will have priority. The detour is not mandatory and all businesses will remain accessible, but not taking the detour could result in delays.

The Police Department will monitor the traffic situation at least at first. We don't want to expend \$70/hour for police traffic control if it's not necessary. Should police traffic control be necessary the construction company will be billed for the services. The contract price includes a budget for this purpose.

Mr. Kluge noted that the Enfield Village Association would like input on signage. Mr. Schneider replied, absolutely, EVA will be involved.

FastRoads Update:

A letter was sent last week to folks who had not signed up initially for connection to the network. A connection agreement must be submitted during this initial phase in order to be connected for free.

Administrative Items:

The Board reviewed and approved the following documents: Current Use Land Use Change Tax, Current Use Application, Timber Tax Levy, Property Tax Refund – Gusha

IX. OTHER ITEMS

Utility Pole Taxation:

Mr. Crate asked if the Town taxes the telephone company for poles. If so, how much do we get? People are seeing rate increases. Mr. Crate was informed that the Town is authorized to tax poles. This has been an ongoing issue with the State.

Street Sweeping:

Mr. Crate asked if the streets would be swept this year. He was informed by Mr. Taylor that the State has already done street sweeping. Mr. Crate feels they did a terrible job, only sweeping the dirt into the curb. He then inquired about the sweeping of side streets. Mr. Taylor informed him there is nothing in the budget for that. Mr. Crate replied that they need to be swept.

Main Street Grounds Work:

Mr. Crate asked if the Grounds crew will be doing the bark mulch around the shrubs on Main Street before Memorial Day. He was informed they would and that this type of maintenance is the crew's main focus in preparation for Memorial Day.

Tax Collector's Deeds:

The Board received a list of seven properties which are up for deeding due to non-payment of taxes. Mr. Marchetti asked if Whaleback was one of the properties. He was informed they were not.

Boat Landing at Shaker Bridge and NH Route 4A:

Dwight Marchetti had spoken to the Board about improvements to the boat landing at the Shaker Bridge. He hasn't been down in a while, but there was a pile of rocks in the parking lot. He was informed by Mr. Cummings that as of this morning the pile is gone. Mr. Marchetti has done some work with NH Fish & Game and they were talking \$60,000 just to put a ramp in.

Next Meeting:

May 21, 2012, 6:00 PM. Whitney Hall Conference Room.

CONFERENCE**I. NON-PUBLIC SESSION**

Mr. Crate moved to enter non-public session at 7:40 PM, RSA 91-A:3 II (a) and (c), Mr. Cummings seconded. Roll call vote: Mr. Crate – aye, Mr. Cummings – aye, Mr. Kluge – aye. Vote unanimous in favor of the motion.

Mr. Kluge moved to hold off on signing tax deeds pending property owner discussions and payment plans with the Town Manager, Mr. Cummings seconded, vote unanimous in favor of the motion.

Mr. Crate moved to come out of non-public session at 8:15 PM, Mr. Cummings seconded, vote unanimous in favor of the motion.

II. ADJOURNMENT

Mr. Crate moved to adjourn at 8:15 PM, Mr. Cummings seconded, vote unanimous in favor of the motion, meeting adjourned.