



**Board of Selectmen
Public Works Facility
74 Lockehaven Rd., Enfield, New Hampshire
Meeting Minutes - December 18, 2017 (Draft)**

Board of Selectmen: John Kluge (via Skype), Meredith Smith, Fred Cummings

Administrative Staff: Ryan Aylesworth, Town Manager; Alisa Bonnette, Assistant Town Manager

Others: Annabelle Bamforth (minutes); James Bonner (video); DPW Director Jim Taylor; Town Planner Scott Osgood; Tim Sidore, Ledgeworks; Bob Cusick, Dan Kiley,

BUSINESS MEETING

I. Call to Order

Fred called the meeting to order at 6:04 PM.

II. Approval of Minutes

Mrs. Smith moved to approve the minutes of the December 4, 2017 meeting, Mr. Cummings seconded, minutes approved.

III. Communications

Wetlands Permit Application: Elizabeth Pollard

The Board reviewed a permit that proposes regrading of existing ground around a trailer at 46 Cogswell Way, which was signed off by the Conservation Commission.

IV. Board Reports

none

V. Town Manager's Report

Mr. Aylesworth said that the Budget Committee meeting scheduled for the following day will review budget requests and presentations from the recreation, executive, finance, and library departments, as well as the regional organization funding requests. Mr. Aylesworth said he hopes to have a comprehensive budget recommendation to present by mid-January. Mr. Kluge asked about a previously proposed joint meeting between the Board and the Budget Committee. Mr. Aylesworth recommended the joint meeting to take place after the meeting with the Center for

Strategic Governance in January and added that he plans to follow up on that meeting date finalization.

Mr. Aylesworth said there have been 3 CIP meetings so far and that he is working on a debt service table with Ms. Bonnette to cover the years 2018-2023, including all requests and what has already been committed.

Mr. Aylesworth said that with the help of Verizon, he has submitted 2 requests for grant funding for water and sewer rate studies. One grant is matching funds up to \$20K, and he made a request of \$17K for that one. For the sewer study, Mr. Aylesworth said that there is a program that offers a loan of up to \$30K in which the principal of the loan could be forgiven; this would require a vote at town meeting to authorize borrowing. This funding would be used for asset management planning, getting help with the sewer rate structure and exploring the feasibility of building a wastewater treatment facility in town.

Mr. Aylesworth said 2 internal candidates have been interviewed for the position of Assistant Highway Supervisor; a decision has not been made yet. He added that there are candidates for the heavy equipment operator position and is, hoping to complete interviews soon.

Mr. Aylesworth discussed new information from a water advisory board that reviews public land transactions on the lake shoreline. This board has expressed concern about the town's likelihood of acquiring land and the town has been advised to reconsider discriminating between non-residents and residents using town shore property. Mr. Aylesworth said he plans to accompany Mrs. Smith in upcoming meetings to discuss these concerns more thoroughly.

Mr. Aylesworth said that he continues to receive input for work at the Enfield Center town hall and that drainage continues to be described as a significant issue. He said the town's RFP will likely ask for costs of structural repairs and a price for moving the building 6 inches or more; Mr. Aylesworth said he plans to request separated proposals.

Mr. Aylesworth discussed a recent meeting with the Comcast Governmental Affairs department, which seeks to establish a new franchise agreement; the franchise agreement in place is no longer current as it expired two years ago. Mr. Aylesworth said that Comcast's draft had some updates that may not be favorable to town; he noted this is a starting point in completing an updated agreement.

Mr. Aylesworth told the Board about a bank note from Mascoma Savings Bank for the Route 4 water/sewer extension that notes an increase set for end of year; he plans to discuss a better rate.

VI. Public Comments

none

VII. Business

Dan Kiley GACIT re: Raising Tolls and CMAQ re: Grant Opportunities

Dan Kiley discussed the state's recent proposal to increase tolls. He explained that

the Everett Turnpike precedes I-93 and is a separate highway that can only use money collected on that road for that road. Mr. Kiley said the toll increase would help accelerate significant construction projects including addressing red-listed bridges, and asked if the Board would be willing to offer written support to the Executive Council.

Mr. Kiley informed the Board about the Congestion Mitigation and Air Quality Improvement Program grant (CMAC) which provides funding for projects that reduce congestion and help improve air quality. He noted that the only counties that receive this grant last year were in the southern tier of the state, and that the grant spread statewide this year. Mr. Kiley noted that Claremont received one for work on Washington Street.

Mrs. Smith motioned to intend to work with Mr. Aylesworth to explore CMAC funding opportunities, Mr. Kluge seconded, motion passed.

Tim Sidore, Ledgeworks re: Blacksmith Alley Easement

Tim Sidore of Ledgeworks explained that Ledgeworks owns 60 & 62 Main Street, as well as 10 Blacksmith Alley. Mr. Sidore explained previous approval to convert commercial space at 62 Main to residential space, noting the planning board's stipulation its approval was to ensure that Ledgeworks reach an agreement Bruce Hettleman to access 62 Main. Mr. Sidore said he and Mr. Hettleman discussed this issue, and Mr. Hettleman had suggested purchasing a wedge of land that would offer more parking space and an area for dumpsters. Mr. Sidore said that he understood the Board is not interested in selling the land; Mr. Sidore requested an easement or agreement to officially use that wedge of land to finalize an agreement.

Mrs. Smith said Ledgeworks owner Mike Davidson has been making many improvements in White River Junction buildings and asked if there are plans to do the same in Enfield. Mr. Aylesworth said he has spoken with Mr. Davidson and also has had site visits, and said that Mr. Davidson has expressed commitment to having middle-class rentals in that space.

Mr. Sidore agreed that Mr. Davidson has invested a lot in remodeling apartments, and noted that the proposed remodeling style on Main Street is modeled after the studio apartments in Lebanon's old middle school.

Mr. Kluge asked if the land agreement between the town and Ledgeworks would solve the parking issue. Mr. Sidore confirmed, and added that they are looking at assigning parking spaces to tenants to further help with the issue.

Mr. Aylesworth agreed to work with Mr. Sidore to draft a lease agreement.

Public Hearing to discuss and act upon the setting of Municipal Water and Sewer Rates

Mr. Kluge moved to open the public hearing at 6:39 PM, Mrs. Smith seconded, motion passed.

Mr. Cummings said he had been asked by a member of Lakeview condo why Lakeview residents are included in paying down the sewer deficit.

Mr. Aylesworth noted this was a difficult situation, and explained that Lakeview residents will be connecting to the town's entire system which includes many years of infrastructure as well as the deficit that has accumulated. Mr. Kluge said that upon reviewing past meeting minutes, the deficit problem goes back 10 years or perhaps more. Mr. Kluge added that some town residents hooked onto the system many years ago while some connected only a few years ago, and all users of the system will be charged regardless of when they connected.

Jim Taylor said that once the Lakeview tie-in is done, there will be a great deal of infrastructure being used by Lakeview residents. Mr. Taylor said he understands they're putting some of their own infrastructure in, but they're attaching to a larger, established infrastructure previously paid for, essentially inheriting an investment.

Mr. Aylesworth shared the current rates for water and sewer and the following four rate change options:

Current rates

QUARTERLY WATER / SEWER CHARGES

Base Charge - \$20.83 / \$23/day
Meter Charge (5/8") - \$2.32 / \$0.03/day

Adopted: April 17, 2017 Effective: July 1, 2017

Class	Flow Category Limits (gal/qrtr)	Water Fixed Cost Share	Sewer Fixed Cost Share	Water Consumption Charge per 1000	Sewer Consumption Charge per 1000	Water Class Charge	Sewer Class Charge
W1	0-9999	\$33.00		\$1.95			
S1	0-1,999		\$10.00		\$14.62		\$0.00
W2	10,000 +	\$132.00		\$1.95			
S2	2,000-5,999		\$25.00		\$14.62		\$29.24
S3	6,000-14,999		\$40.00		\$14.62		\$87.72
S4	15,000-23,999		\$65.00		\$14.62		\$219.30
S5	24,000-44,999		\$90.00		\$20.41		\$350.88
S6	45,000-59,999		\$140.00		\$20.41		\$759.08
S7	60,000 +		\$190.00		\$20.41		\$1,065.08

RECOMMENDED FOR ADOPTION BY TOWN MANAGER & DPW DIRECTOR

5-year Deficit Reduction for Sewer / Two Consumption rates for Water

QUARTERLY WATER / SEWER CHARGES

Base Charge - \$20.83 / \$23/day
Meter Charge (5/8") - \$2.32 / \$0.03/day

Adopted: Dec 18, 2017 Effective: Jan 1, 2019

Class	Flow Category Limits (gal/qrtr)	Water Fixed Cost Share	Sewer Fixed Cost Share	Water Consumption Charge per 1000	Sewer Consumption Charge per 1000	Sewer Deficit Charge (Exp. Dec 31, 2022)	Sewer Class Charge
W1	0-9999	\$34.00		\$2.00			
S1	0-1,999		\$25.00		\$16.08	\$5.85	\$0.00
W2	10,000 +	\$135.00		\$2.50			
S2	2,000-5,999		\$50.00		\$16.08	\$5.85	\$32.16
S3	6,000-14,999		\$70.00		\$16.08	\$5.85	\$98.48
S4	15,000-23,999		\$100.00		\$16.08	\$5.85	\$241.20
S5	24,000-44,999		\$135.00		\$22.45	\$6.15	\$385.92
S6	45,000-59,999		\$210.00		\$22.45	\$8.16	\$867.37
S7	60,000 +		\$285.00		\$22.45	\$8.16	\$1,194.12

5-year Deficit Reduction for Sewer / Single Consumption rate for Water

QUARTERLY WATER / SEWER CHARGES

Base Charge - \$20.83 / \$23/day
Meter Charge (5/8") - \$2.32 / \$3/day

Adopted: Dec. 18, 2017 Effective: Jan. 1, 2018

Class	Flow Category Limits (gal/qrtr)	Water Fixed Cost Share	Sewer Fixed Cost Share	Water Consumption Charge per 1000	Sewer Consumption Charge per 1000	Sewer Deficit Charge (Exp. Dec. 31, 2022)	Sewer Class Charge
W1	0-9999	\$34.00		\$2.00			
S1	0-1,999		\$25.00		\$16.08	\$5.85	\$0.00
W2	10,000 +	\$135.00		\$2.00			
S2	2,000-5,999		\$50.00		\$16.08	\$5.85	\$32.16
S3	6,000-14,999		\$70.00		\$16.08	\$5.85	\$96.48
S4	15,000-23,999		\$100.00		\$16.08	\$5.85	\$241.20
S5	24,000-44,999		\$135.00		\$22.45	\$8.16	\$385.92
S6	45,000-59,999		\$210.00		\$22.45	\$8.16	\$857.37
S7	60,000 +		\$285.00		\$22.45	\$8.16	\$1,194.12

10-year Deficit Reduction for Sewer / Single Consumption rate for Water

QUARTERLY WATER / SEWER CHARGES

Base Charge - \$20.83 / \$23/day
Meter Charge (5/8") - \$2.32 / \$3/day

Adopted: Dec. 18, 2017 Effective: Jan. 1, 2018

Class	Flow Category Limits (gal/qrtr)	Water Fixed Cost Share	Sewer Fixed Cost Share	Water Consumption Charge per 1000	Sewer Consumption Charge per 1000	Sewer Deficit Charge (Exp. Dec. 31, 2027)	Sewer Class Charge
W1	0-9999	\$34.00		\$2.00			
S1	0-1,999		\$25.00		\$16.08	\$2.93	\$0.00
W2	10,000 +	\$135.00		\$2.00			
S2	2,000-5,999		\$50.00		\$16.08	\$2.93	\$32.16
S3	6,000-14,999		\$70.00		\$16.08	\$2.93	\$96.48
S4	15,000-23,999		\$100.00		\$16.08	\$2.93	\$241.20
S5	24,000-44,999		\$135.00		\$22.45	\$4.08	\$385.92
S6	45,000-59,999		\$210.00		\$22.45	\$4.08	\$857.37
S7	60,000 +		\$285.00		\$22.45	\$4.08	\$1,194.12

10-year Deficit Reduction for Sewer / Two Consumption rates for Water

QUARTERLY WATER / SEWER CHARGES

Base Charge - \$20.83 / \$23/day
Meter Charge (5/8") - \$2.32 / \$3/day

Adopted: Dec. 18, 2017 Effective: Jan. 1, 2018

Class	Flow Category Limits (gal/qrtr)	Water Fixed Cost Share	Sewer Fixed Cost Share	Water Consumption Charge per 1000	Sewer Consumption Charge per 1000	Sewer Deficit Charge (Exp. Dec. 31, 2027)	Sewer Class Charge
W1	0-9999	\$34.00		\$2.00			
S1	0-1,999		\$25.00		\$16.08	\$2.93	\$0.00
W2	10,000 +	\$135.00		\$2.50			
S2	2,000-5,999		\$50.00		\$16.08	\$2.93	\$32.16
S3	6,000-14,999		\$70.00		\$16.08	\$2.93	\$96.48
S4	15,000-23,999		\$100.00		\$16.08	\$2.93	\$241.20
S5	24,000-44,999		\$135.00		\$22.45	\$4.08	\$385.92
S6	45,000-59,999		\$210.00		\$22.45	\$4.08	\$857.37
S7	60,000 +		\$285.00		\$22.45	\$4.08	\$1,194.12

Mr. Cummings asked why the water rates were being proposed to increase and asked if there was a deficit. Mr. Aylesworth said in regards to capital improvements, it's easy to eat through 6-figure reserves quickly. He said that while the water department is in better shape than the sewer in regards to revenues, he would like to avoid pitfalls especially as costs continue to go

up. Mr. Cummings asked if the town could wait to raise rates until the pending water study is done.

Mr. Kluge said that he firmly believed in a two-rate structure for water as it has encouraged water conservation. Mr. Cummings disagreed and said users should pay for what they use; users who don't conserve pay more.

Mrs. Smith recalled Mr. Taylor's concern about 100+ year-old pipes that would need to be replaced. Mr. Aylesworth said that that's a big part of why there are plans to look at asset management for water to determine the needs of the water system.

Mr. Aylesworth said that the water department came close to running a deficit but it had been avoided due to some underspending in the department; had the department spent what was budgeted, there would have been a deficit, which shows that the current water rates are not covering budgeted operating expenses.

Public comment:

Bob Cusick said that Lebanon increases their rates more than they need to in order to level off, and added that increasing allows a margin to protect against unexpected cost increases.

Mr. Cummings said the increase in the sewer rate is significant and was looking for a way to offset the increase.

Eric Russell, a resident in the village, shared his concern that this is the second time a significant deficit was acknowledged. Mr. Russell said it appears that there was clearly a long term problem that wasn't addressed.

Brian Dugenan, who noted that he recently bought the local laundromat, commented that he understood the need of the deficit being eliminated and asked what would happen after the five year plan. Mr. Cummings said the plan is if the new rate and plan is adopted, the "Sewer Deficit Charge" line is expected to go away.

Mr. Dugenan asked about the town's capacity. Mr. Cummings said that won't be an issue and that even with Lakeview, the town is using about 40% of what has been allotted by Lebanon to Enfield. Mr. Dugenan said that the previous laundromat owner went through about 1.2 million gallons last year. Mr. Cummings suggested that Mr. Dugenan meet with Mr. Aylesworth and Mr. Taylor.

Mr. Aylesworth said once the deficit is gone, a rate structure will be in place that keeps pace with expenses.

Mr. Cusick said Lebanon increases their own rate each year.

Bruce Prior asked if the deficit charge being proposed is a flat rate. Mr. Aylesworth said that the deficit charge is based on consumption; he explained that the proposal is adding a 10% overall rate increase on all classes, and multiplying each of those numbers by 40% to establish the deficit charge.

Mrs. Smith motioned to close the public hearing at 7:21 PM, Mr. Kluge seconded, motion passed.

Mrs. Smith motioned to adopt the 5-year deficit reduction plan and rates recommended by the Town Manager and DPW Director, Mr. Kluge seconded, motion passed.

Water / Sewer: Transfers to Capital Reserves

Mrs. Smith motioned to transfer \$25,000 to water capital reserves, Mr. Kluge seconded, motion passed.

Route 4A Sewer Extension / Shaker Landing Sewer Update

Mr. Taylor said that the offsite work is complete, the line has been tested and passed; he added that some manholes are taking water but the state advised to fix those in the spring. Mr. Taylor said that he expected some units will enter sewer system through pump station within the next week or two.

Policy to Accept & Establish Trusts from Private Funds/Sources

Mrs. Smith motioned to approve a policy for accepting and establishing trust funds from private funds and sources (see attached document for full motion), Mr. Kluge seconded, motion passed.

Mascoma Lakeside Park Trust Fund/Huse Park Improvement Trust Fund

Mrs. Smith motioned to establish a Mascoma Lakeside Park Trust Fund pursuant to RSA 31:19 (see attached document for full motion), Mr. Kluge seconded, motion passed.

Mrs. Smith motioned to authorize the creation of a new brokerage account with Fidelity Investments for the purpose of enabling individuals to make gifts of stock to the Mascoma Lakeside Park Trust Fund (see attached document for full motion), Mr. Kluge seconded, motion passed.

Mrs. Smith motioned to establish a Huse Park Improvement Trust Fund pursuant to RSA 31:19 (see attached document for full motion), Mr. Kluge seconded, motion passed.

Huse Park Improvements Donations

Mrs. Smith motioned to accept donations totaling \$3,032.68, Mr. Kluge seconded, motion passed.

EVA Donation Acceptance

Mrs. Smith motioned to accept \$4,470.85 in donations held by the Enfield Village Association designated for Mascoma Lakeside Park, Mr. Kluge seconded, motion passed.

Cross Country Ski Recreation Program Donation

Mrs. Smith motioned to accept a \$150.00 donation from the Enfield Firefighter's Association for the purpose of issuing scholarships the recreation program's Cross Country ski program, Mr. Kluge seconded, motion passed.

Post Issuance Tax Compliance Policy and Resolution

Mrs. Smith motioned to adopt the following resolution, Mr. Kluge seconded, motion passed:

WHEREAS, the Town of Enfield, New Hampshire (the “Town”) from time to time, on a tax-exempt basis, issues (i) bonds and bond anticipation notes to finance capital projects, (ii) tax anticipation notes to pay the Town’s maintenance and operation expenses and (iii) municipal leases to finance the lease-purchase of certain equipment, all pursuant to the provisions of New Hampshire RSA Chapter 33, as amended;

WHEREAS, the federal income tax laws included in the Internal Revenue Code of 1986, as amended (the “Code), require that issuers of tax-exempt debt comply with certain post-issuance requirements set forth in the Code;

WHEREAS, for purposes of maximizing the likelihood that the Town complies with such requirements of the Code, the Board of Selectmen of the Town (the “Board”) desires to adopt the Post-Issuance Tax Compliance Policies and Procedures, attached hereto as Exhibit A;

NOW THEREFORE, BE IT RESOLVED by the Board as follows:

VOTED: That the Post-Issuance Tax Compliance Policies and Procedures, attached hereto as Exhibit A are hereby approved.

VOTED: That the Board hereby names the Town Manager as the “Coordinator” under the Post-Issuance Tax Compliance Policies and Procedures and that the Town Manager has accepted such nomination.

VOTED: That this resolution shall take effect from and after its adoption.

Requests for Encumbrances

The Board reviewed encumbrance requests from the police, fire and highway departments. Mrs. Smith motioned to approve the encumbrance requests, Mr. Kluge seconded, motion passed.

Administrative Items

The Board discussed a sewer waiver request for property located at 460 US Route 4 that had been previously denied. The property in question is located 295 feet from the sewer line, and a waiver is being reconsidered in light of the location. Mr. Kluge motioned to grant a waiver for 460 US Route 4, Mrs. Smith seconded, motion passed.

VIII. Next Meeting

Monday, January 8, 2018, 6:00 PM, Public Works Facility, 74 Lockehaven Road, Enfield

IX. Adjournment

Mrs. Smith moved to adjourn the meeting, Mr. Cummings seconded, meeting adjourned at 7:41 PM.

B. Fred Cummings, Chairman

Meredith C. Smith

John W. Kluge
Enfield Board of Selectmen

**ENFIELD BOARD OF SELECTMEN
POLICY TO ACCEPT & ESTABLISH TRUSTS FROM PRIVATE FUNDS/SOURCES
(RSA 31:19)**

Whereas, the legislative body granted the Board of Selectmen the authority until rescinded to take and hold in trust gifts, legacies and devises made to them for public purposes (RSA 31:19) at the 1998 Town Meeting;

Whereas, the Board of Selectmen desire to establish guidelines for the orderly acceptance and establishment of these trust funds;

Therefore, we the Board of Selectmen establish the following guidelines:

1. ACCEPTANCE PROCEDURE: The Board of Selectmen will hold a public hearing on all gifts, donations and trusts of \$10,000 or more noticing the amount and purpose; for amounts valued under \$10,000 the Board of Selectmen will note on their agenda the amount of the donation and the public purpose on a regular meeting agenda.
2. GIFT INSTRUMENT (i.e., trust, will, letter, or other document signed by the original donor) should include the following:
 - a. Purpose: Gift instrument specifies the public purpose of the gift.
 - b. Restrictions: Gift instrument indicates whether the donation is:
 - i. Unrestricted – principal and income can be fully used for the specified public purpose;
 - ii. Temporarily restricted – restricted only until the specified public purpose is achieved; or
 - iii. Permanently restricted – can only expend the income (not principal) for the specific purpose
 - c. Authority to Expend: Gift instrument defines who has the authority to expend the money. Typically if the money is left to the Town, then the governing body (i.e., Board of Selectmen) is designated as the authority to expend
3. ADMINISTRATION: In accordance with RSA 31:37 these trusts are managed by the Trustees of the Trust Funds

ENFIELD BOARD OF SELECTMEN

B. Fred Cummings, Chairperson

Meredith Smith

John W. Kluge

Date Signed: December, 18, 2017

Mascoma Lakeside Park Trust Fund*Trust Fund Establishment*

I make a motion to establish a Mascoma Lakeside Park Trust Fund pursuant to RSA 31:19 that will be funded with private donations, gifts, legacies, and other sources of non-municipal funds. This will be a temporarily restricted trust fund and the Enfield Board of Selectmen will be the agents to expend from the fund. Principal and interest accruing to this fund will be used to offset the costs associated with the following three activities:

- The Town's acquisition of two parcels of land (Map 32, Lots 44 & 46) currently owned by NHDOT;
- Construction of facilities and other legally-permissible improvements to the two subject parcels intended to make the parkland more accessible and enjoyable to Enfield residents and visitors, and;
- Operations and maintenance expenses associated with the parkland.

Brokerage Account Establishment

I make a motion that the Board of Selectmen authorize the creation of a new brokerage account with Fidelity Investments for the purpose of enabling individuals to make gifts of stock to the Mascoma Lakeside Park Trust Fund. The Town Manager will be the primary authorized party on this brokerage account. In creating this new brokerage account, the Town will give standing instructions to Fidelity Investments to immediately sell the shares of stock they receive from donating parties so that cash gifts in the corresponding amounts can be deposited in the Mascoma Lakeside Park Trust Fund being administered by the Trustees of the Trust Funds via a newly established account with Mascoma Savings Bank.

Huse Park Improvement Trust Fund

I make a motion to establish a Huse Park Improvement Trust Fund pursuant to RSA 31:19 that will be funded with private donations, gifts, legacies, and other sources of non-municipal funds. This will be a temporarily restricted trust fund and the Town Manager will be the agent to expend from the fund. Donations that have already been collected for this fund – which total \$3,032.68 – will be used to offset the costs associated with making structural repairs to the existing playground equipment, completing landscaping improvements needed to enhance public safety, and procuring and installing new playground equipment. Any subsequent donations, gifts, legacies, or other sources of non-municipal funds deposited into this fund will be available for additional improvements to Huse Park.