



Board of Selectmen
Public Works Facility
74 Lockehaven Rd., Enfield, New Hampshire
Meeting Minutes – February 6, 2018

Board of Selectmen: John Kluge, Meredith Smith, Fred Cummings

Excused: none

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

Others: Annabelle Bamforth (minutes), Jim Bonner (video), Kim Quirk, Dan Kiley, Kurt Gotthardt, Katherine Stewart, Linda Jones, Charles Depuy, Jo-Ellen Courtney

I. Call to Order

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

II. Approval of Minutes

Mr. Kluge motioned to approve the minutes of the January 22nd meeting, Mrs. Smith seconded. Motion passed 3-0.

III. Communications

The Board reviewed the Tax Collector's Report and Town Clerk's Report for January 2018. Mr. Aylesworth noted January was a slow month for motor vehicle registrations, approximately \$10K lower than January 2017.

IV. Board Reports

none

V. Town Manager's Report

Mr. Aylesworth discussed the Strategic Governance presentation held on January 27th, attended by members of town departments and members of the Board of Selectmen and Budget Committee.

Mr. Aylesworth informed the Board about a letter of deficiency from DES, which deemed riprap installation as "not permitted nor was included as part of the approved plan" at the Lovejoy Brook project site. The letter presented a request to obtain a certified wetland scientist, as well as develop a restoration

plan. Mr. Aylesworth said he is hoping to have DES complete a site visit instead of meeting in Concord, and noted that DES had the opportunity to visit the site throughout the project phases.

Mr. Aylesworth said he received a new solar purchase draft agreement and is still reviewing; he noted the draft will be sent to town counsel for review as well.

Mr. Aylesworth announced that the NH Supreme Court issued a decision on the Foley case, which upheld the variance denial.

Mr. Aylesworth noted that a police report from the Lebanon Police Department, regarding an Enfield police cruiser involved in accident at the Route 4/4-A intersection in December 2017, was vague; he said he is waiting for a complete report.

Mr. Aylesworth stated that the town newsletter for February has been published. He noted that Marcia Herrin wants to present to the Board at the February 20th Board of Selectmen meeting. He added that town counsel will review the draft policies and determine what role, if any, the town should have in disputes at Shaker Field Dog Park.

Mr. Aylesworth said that some Lakeview residents have expressed frustration with the deficit reduction charge on their sewer bills; he noted this will also be discussed at the February 20th meeting.

VI. Public Comments

none

VII. Business

2018 Town Meeting Warrant:

Mr. Aylesworth thanked Ms. Bonnette for her hard work on the town meeting warrant preparation. Mr. Aylesworth suggested reviewing the warrant articles one by one.

Article #1 is a standard election article.

Articles # 2, 3 and 4 pertain to proposed zoning ordinance amendments.

Article #5 is an article for residents to vote to allow keno games in Enfield. Mr. Aylesworth said the RSA language made it appear that this should be on the official ballot, but town counsel clarified that it has to be part of the deliberative session and on a paper ballot.

Article #6 pertains to the lease of 2 municipal vehicles; one police cruiser and one dump truck, using the CIP Capital Reserve Fund (CIP-CRF) to pay the principal and interest for these vehicles.

Mr. Kluge moved to recommend Article 6, Mrs. Smith seconded; Article 6 recommended 3-0.

Article #7 pertains to a bundle of items including:

- Crystal Lake Road improvements, \$58,000
- Fire Station and Shedd St. garage furnace and insulation upgrades, \$20,000
- Huse Park basketball court improvements, \$15,000
- Resurfacing Whitney Hall parking lot, \$15,000
- Transfer station trailer replacement, \$6,500
- Community building locks and upgrades, \$3,000

The total of this package is \$117,500, using the CIP- CRF to pay principal and interest of these items. Mr. Aylesworth noted that the items would be paid over 7 years with a 2.6% interest rate.

Mr. Kluge moved to recommend Article 7, Mrs. Smith seconded. Mrs. Smith asked why these items were bundled; Mr. Aylesworth said the intent was to obtain a low interest rate by combining them into one loan. Article 7 recommended 3-0.

Article #8 pertains to the creation of an Employee and Retiree Benefits Trust Fund for the funding of employee and retiree benefits, and appointing the Town Manager as the agent to expend from this fund.

Mr. Aylesworth noted that this trust fund does not currently exist and the article also calls for \$25K to be placed in the fund. He said that if Article 8 passes, a corresponding \$15K will need to be removed from the operating budget under personnel administration. Mr. Aylesworth said the intent is to smooth out the budgeting for this expense, and that he recommends building this trust fund, as some employees are close to retirement.

Mr. Kluge moved to recommend Article 8, Mrs. Smith seconded; Article 8 recommended 3-0.

Article #9 is the article to raise and appropriate the Budget Committee's recommended sum of \$6,429,592 for the general operating budget.

Mr. Kluge moved to recommend Article 9, Mrs. Smith seconded; Article 9 recommended 3-0.

Article #10 pertains to the wastewater asset management loan.

Mrs. Smith moved to recommend Article 10, Mr. Kluge seconded; Article 10 recommended 3-0.

Article # 11 pertains to 2 projects: one is the Strategic Governance planning process, the other is the purchase of new municipal and permitting software; the combined cost is \$76K. Mr. Aylesworth said this was first written as a transfer from CIP reserves to the municipal reserves, but that cannot be done, as the Dept. of Revenue Administration (DRA) informed the Town that it may not transfer from one reserve to another. Mr. Aylesworth said that since the town is anticipating a positive fund balance, one option is to use the available fund balance to pay for the strategic governance project and software.

Mr. Cummings said he disagreed with taking from the general fund, especially in light of not knowing what the fund balance amount is. Mr. Kluge agreed. Mr. Aylesworth said he understood and found it odd that the town can't move money from one fund to another, as it's allowed in other states.

Mr. Kluge said he hoped to find another way, as he supports the article but not in this way.

Mr. Cummings said the article should be on the ballot for voters to decide but without use of the fund balance. Mr. Aylesworth said the article could be amended to remove the language related to the unassigned fund balance.

Mr. Kluge moved to recommend Article 11, amended to remove the stipulation of using the unassigned fund balance; Mrs. Smith seconded; Article 11 recommended 2-0.

Article # 12 pertains to authorizing the Board to purchase the Mascoma Lakeside Park from the State of New Hampshire.

Mr. Cummings asked if there was a way to word this article to ensure everything done with this property will be done without tax dollars or impacting the tax rate. Mr. Aylesworth said that voters at one town meetings can't vote to limit the decisions made at future town meetings. Mr. Cummings said that taxpayer dollars used for the park have been a concern of residents. Ms. Bonnette noted that the Town is already providing minimal maintenance such as mowing. Mr. Aylesworth and Mr. Kluge voiced the opinion that concerns about future operating costs could always be addressed in that particular year's budget, meaning that a vote to authorize purchase of the property did not mean that Town Meeting was relinquishing its ability to constrain the extent to which operating budget funds were dedicated to the park in the future.

Kurt Gotthardt asked if the Town could use the land acquisition fund. Mrs. Smith said that fund is Town money, and the Town has committed to not use Town money.

Mrs. Smith said there is no question the land will be sold. She said that Enfield is first in line, but that land has been declared surplus and someone will buy it. She added that there have been substantial donations coming in; the question is does the Town want this.

Mrs. Smith moved to recommend Article 12, Mr. Kluge seconded; Article 12 recommended 2-1.

Article #13 refers to a requirement from DRA to address a previous deficit.

Mr. Aylesworth said he has talked to DRA about the town's current situation and the unofficial projection of a positive fund balance, which essentially means the deficit is being addressed. He noted the corresponding RSA that states when Selectmen have been made aware of a deficit, they must prepare a reduction plan. Mr. Aylesworth said the town is anticipating a positive balance; if for some reason the town has a negative balance, this article could be amended to reduce that deficit. Mr. Aylesworth said the \$1 figure is there because he doesn't anticipate a negative balance.

Mr. Kluge moved to recommend Article 13, Mrs. Smith seconded; Article 13 recommended 3-0.

Article #14 pertains to raising and appropriating \$25,000 from municipal water users to be placed in the Municipal Water System CRF; Mr. Aylesworth said this article now needs to be on the town warrant.

Mr. Kluge moved to recommend Article 14, Mrs. Smith seconded; Article 14 recommended 3-0.

Article #15 is to raise and appropriate \$395,968 to be placed in the Capital Improvement Plan CRF. Mr. Kluge moved to recommend Article 15, Mrs. Smith seconded; Article 15 recommended 3-0.

Article #16 pertains to raising \$2,400 from the general fund from the sale of cemetery lots to deposit in the Cemetery Maintenance trust fund.

Mrs. Smith moved to recommend Article 16, Mr. Kluge seconded; Article 16 recommended 3-0.

Article #17 pertains to authorizing the Board to enter into a Power Purchase Agreement.

Mrs. Smith moved to recommend Article 17, Mr. Kluge seconded; Article 17 recommended 3-0.

Article #18 allows the Board to accept gifts of real property.

Mrs. Smith moved to recommend Article 18, Mr. Kluge seconded; Article 18 recommended 3-0.

Article #19 pertains to the Town voting to adopt the All Veterans tax credit. Mr. Aylesworth said the exact financial impact is unknown.

Mr. Kluge moved to recommend Article 19, Mrs. Smith seconded; Article 19 recommended 3-0.

Article # 20 is to see if the town will vote to deposit cemetery lot sales to the Cemetery Maintenance trust fund; Mr. Aylesworth said with the passage of this article, the town will no longer need to continue voting for this article every year.

Mrs. Smith moved to recommend Article 20, Mr. Kluge seconded; Article 20 recommended 3-0.

Public Hearings

Public Hearing #1: relative to a Bond or Note over \$100,000 for a Capital Lease of Vehicles and Equipment for replacement Public Works dump truck and replacement Police cruiser.

Mr. Kluge moved to open public hearing #1, Mrs. Smith seconded; hearing #1 opened at 6:42 PM.

Public Comment:

none

Mr. Kluge moved to close public hearing #1, Mrs. Smith seconded; hearing #1 closed at 6:43 PM.

Public Hearing #2: regarding a Bond or Note over \$100,000 for Crystal Lake Road Improvements (approx. \$58,000), Fire Station and Shedd Street Garage Furnace and Insulation Upgrades (approx. \$20,000), Huse Park Basketball Court Improvements (approx. \$15,000), Whitney Hall Parking Lot Resurfacing (approx. \$15,000), Transfer Station Office Trailer Replacement (approx. \$6,500) and Community Buildings Security/Locks Upgrades (approx. \$3,000) for a total bond amount up to \$117,500.

Mr. Kluge moved to open public hearing #2, Mrs. Smith seconded; hearing #2 opened at 6:43 PM.

Public Comment:

Charles Depuy said that he believed no money should be spent on the Shedd St. property, and that those properties sit on prime real estate; he said the property would be better used as housing. Mr. Cummings said there was nowhere else currently to store the equipment in the building. Mr. Depuy said this was an issue to be addressed by a municipal building study. Mr. Cummings said the study wouldn't solve the current issue of protecting the stored equipment. Mr. Cummings said he hoped the study would help solve the problem in the long term.

Mrs. Smith asked if the CIP's appropriation for the basketball court hinged on receiving grants to pay the remainder of the cost. Mr. Aylesworth confirmed that the CIP's portion was a partial contribution to the total overhaul of the court. Mr. Aylesworth added that the CIP Committee agreed that contributing some funds would be good, but also wanted the Recreation Department to find at least half of the funds with private means. He noted that the project will not move forward if the department does not acquire grant money.

Mr. Kluge moved to close public hearing #2, Mrs. Smith seconded; hearing #2 closed at 6:49 PM.

Public Hearing #3: regarding acceptance of donated funds in an amount greater than \$10,000 in support of the Mascoma Lakeside Park, for deposit into the Mascoma Lakeside Park Trust Fund.

Mrs. Smith moved to open public hearing #3, Mr. Kluge seconded; hearing #3 opened at 6:49 PM.

Mr. Aylesworth said the town has received one donation for \$10K, and another for about \$5K.

Public comment:

Mr. Gotthardt asked if there are stipulations on the gifts. Mrs. Smith said the town has established that the gifts are to be used for acquisition, etc. of property and there are no conditions attached to the donations. Mr. Aylesworth noted that in event that the Lakeside Park property was not purchased for any reason (such as the Town voting down the Town Meeting article to approve the land acquisition or if the private fundraising efforts failed to raise sufficient funds), the gifts would be returned to the donating party.

Dan Kiley suggested that the town might hold off on accepting the donations until after the town votes to approve the acquisition.

Mr. Aylesworth said that from a record-keeping standpoint, he is concerned about sitting on checks. He added that one concern from the Lakeside Park fundraising committee was the ability to accurately report on the progress of donations.

Jo-Ellen Courtney spoke to lend support for the Lakeside Park project.

Linda Jones asked how the vote on purchasing land relates to accepting funds. Mr. Cummings said he voted against Article 12 because there's no assurance that tax dollars will never be used. Mr. Kluge noted that the town could make a guarantee today and in the future things might change. Mrs. Smith noted that there has been a commitment of \$2K each year to go toward maintenance.

Mr. Kiley said that the town had a building donated and in the years since, the town has spent lots of money from taxpayer dollars on that building. Mrs. Smith said land is different than a building.

Mr. Aylesworth said that if the land was purchased and there ended up not being enough in private funds to upkeep maintenance, then this expense could go before Board and/or Budget Committee to be addressed. He noted that the Town is already paying for minimal maintenance.

Mr. Depuy asked if Huse Park was donated; Mrs. Smith confirmed, and added that Whitney Hall and Enfield Town Center Hall were donated as well.

Mr. Kluge said that residents have little access to the lake, and the town appears to support this project.

Mr. Kluge moved to close public hearing #3, Mrs. Smith seconded; hearing #3 closed at 7:05 PM.

Public Hearing #4: regarding acceptance of \$16,500 in Asset Management Planning Grant funds.

Mr. Kluge moved to open public hearing #4, Mrs. Smith seconded; hearing #4 opened at 7:05 PM.

Public Comment:

Mr. Gotthardt asked what the grant was for. Mr. Aylesworth said that the grant was to have an expert consult the water department for asset management and analysis of the town's water system to make sure the infrastructure is sound.

Mrs. Smith moved to close public hearing #4, Mr. Kluge seconded; hearing #4 closed at 7:10 PM.

Mrs. Smith moved to accept the Asset Management Planning Grant funds, Mr. Kluge seconded; motion passed 3-0.

Mrs. Smith moved to accept the donated funds to support the Mascoma Lakeside Park project, Mr. Kluge seconded; motion passed 3-0.

Draft 2018 Budget Review:

Mr. Aylesworth said that the general operating budget reflected a 1.66% increase; the projected tax rate is between \$7.38 and \$7.58. The final estimate will be discussed at the Budget Committee’s hearing on Thursday.

20 Moore Street Sewer Hookup Request:

Mr. Kluge moved to approve the request, Mrs. Smith seconded; motion passed 3-0.

Route 4A Sewer Extension / Shaker Landing Sewer Update:

Mr. Aylesworth said that Kingsbury completed the remaining connections and the pump station is functioning as intended. He added that it was important to note a dispute with Kingsbury regarding the substantial completion certification, noting that December 24, 2017 was the initial agreed-upon substantial completion date but that there was still work to be completed beyond that date. Mr. Aylesworth said that Kingsbury asked to extend the date based on discovery of ledge. Mr. Aylesworth said that the town’s position is that Kingsbury had already been granted an extension.

VIII. Next Meeting:

Tuesday, February 20, 2018, 6:00 PM, Public Works Facility

IX. Adjournment

Mrs. Smith moved to adjourn the meeting, Mr. Kluge seconded; meeting adjourned at 7:18 PM.

B. Fred Cummings, Chairman

Meredith C. Smith

John W. Kluge
Enfield Board of Selectmen