

**TOWN OF ENFIELD
ENFIELD SELECT BOARD
MEETING MINUTES March 4, 2024**

TIME: 6:00 PM

**LOCATION: Public Works Facility & Teams videoconference
74 Lockhaven Road, Enfield**

PRESENT

Select Board: Erik Russell, Kate P. Stewart, John Kluge, Tracy Young

Excused: Alice Kennedy

Administrative Staff: Ed Morris, Town Manager; Alisa Bonnette, Assistant Town Manager

Members of the Public: Dan Kiley, Dave Beaufait, Sharon Beaufait, Kim Quirk (Energy Committee), Jo-Ellen Courtney (Energy Committee), Gary Hubbard, Paul Vianco (Fieldstone Ridge Owners Association, President), Harrison Drinkwater (308 Methodist Hill Rd, Enfield), Jim Taylor (Enfield Public Works Director, via Teams), Jeremy Clay (Department of Public Works Highway Supervisor), Lindsay Smith (Town Moderator, via Teams), Bill Shippen, Richard Martin (Emergency Medical Services Chief, Enfield), Liam Ehrenzweig (Inspection Services & Facilities Planning Administrator and Health Officer), Brad Rich

CALL TO ORDER

Ms. Stewart called the meeting to order at 6:00 pm.

APPROVAL OF MINUTES – February 7, 2024 & February 20, 2024

Mr. Kluge made a motion to approve the February 7, 2024, minutes as printed and the March 4, 2024, minutes as presented. Mr. Young seconded. Vote unanimous in favor of the motion (4-0).

Amendment – February 20 - Line 323 – Stewart to Brown

Amendment – February 20 - Line 19 – add Susan Brown

Mr. Kluge made a motion to approve the February 20, 2024, minutes as printed and the March 4, 2024, minutes as amended. Mr. Russell seconded. Vote unanimous in favor of the motion (4-0).

BOARD REPORTS

Mr. Russell shared that the Planning Board met and had a public hearing about converting some office space in Tardiff Hall (within the Shaker Village) to housing. This application was approved. There was also a meeting with the consultants for the zoning ordinance rewrite project. Public information sessions for the rewrite (as well as the next phase of the Master Plan) have begun.

Mr. Kluge said the Budget Committee has completed its work until the Town Meeting.

Mr. Young noted that with Energy Committee representatives here, he would abstain from comment.

Ms. Stewart shared that the Conservation Commission will meet this Thursday, March 7, 2024, at 7 pm.

TOWN MANAGER'S REPORT

The search for a second certified police officer is ongoing.

The police assistant position search is also ongoing. Of the two finalists, one took another job, and the other did not pass the background check.

The Whitney Hall Renovation project continues on track. Liberty Utilities will not charge the town for three-phase power conversion as part of the renovation. Details of an elevator RFP (request for proposals) are being finalized for this project. The installation of Helical piles (structural stability piers) went well. Demolition continues with no significant surprises. The building's structure has been in good shape. The foundation concrete will be poured soon.

The final phases of the Public Safety building budget are underway. RFPs are out now to obtain final budget numbers, which are expected by the end of March. The groundbreaking will take place in May, as planned.

The Sunapee Selectboard thanked Enfield for their assistance with the Prospect Hill structural fire in January. Enfield is working hard to build relationships with surrounding communities for mutual aid support.

The first stakeholder meeting for the Planning Board zoning ordinance rewrite project (with funding from the NH Housing Opportunity Program grant/HOP) was held on February 29. The Master Planning meetings have begun as well.

The Laramie Farms development proposed behind Jakes/Maple Street has submitted a formal application to the Zoning Board of Adjustment (ZBA) for two variances: to have a building height greater than 35' and to have more than one principal building on a single lot.

There is another developer interested in the 45-acre (behind Pellerin Auto) off Lovejoy Brook Road. Mr. Morris will share details as they come about.

Mr. R. Taylor, Land Use and Community Development Administrator, took place in the Public Service Television feature Community and Consequences. Mr. Taylor, several developers, and a representative of NH Housing participated in this feature to discuss housing options and ideas throughout the state.

The BEA (Department of Business and Economic Affairs) grant the town assisted Hub66 with applying for was awarded. This will extend fiber internet access to an additional 55 homes in Enfield. Hub66 is committed to building out Enfield's access at 100% in areas where there is no broadband available.

The Department of Public Works (DPW) continues tree-trimming throughout town, with over 25 lane-miles cleared. This allows safe truck passage and quicker road drying.

The radio-read meter project is going well. The radio-read meters continue to go in, with over ¾ of the town's systems complete. This project has saved a significant amount of staff time and allowed faster meter readings.

The water department has started a lead service line survey, which is required by the Environmental Protection Agency and is valuable for the health of Enfield residents. The service lines are being checked but are not being dug up.

With no further questions or comments, Ms. Stewart moved on to the next agenda item.

BUSINESS**Energy Committee – Update on Enfield Community Power**

Ms. Quirk introduced the Enfield Community Power Coalition and shared a video recap about Enfield Community Power.

Community Power is an opportunity to lower energy supply costs by partnering with other communities (pooled purchasing power for energy supply). Community Power provides affordable rates (rates set every 6 months), access to green power options, and solar and battery storage.

Ms. Quirk shared a comparison of utility default energy service rates versus Enfield's Community Power rates for the six-month period of February 1 – July 31, 2024. Those who opted into the program at its start have Granite Basic and may choose cleaner energy options if desired.

Community power only affects the supply (energy charge). Ms. Quirk reviewed the way to identify the energy charges on both Eversource, NH Electric Co-op, and Liberty customer bills.

Community power has saved Enfield residents \$236,000 from the launch through December 31, 2023.

Mr. Beaufait said that he felt the information for the presentation was good but that some of the spreadsheets included may be difficult to read at the Town Meeting.

Ms. Quirk explained the possibility of adding discretionary funds for Enfield Community Power, a decision for the Select Board (SB) to make. She proposed adding a \$0.005 – Enfield + rate, ½ cent higher than Granite Basic (default), which will continue to be lower than the utility default prices. July 2024 is the first opportunity for discretionary funds. Mr. Kluge commented that the discretionary funds may be considered an added tax, with many questions about tax rates at this time. Mr. Beaufait commented that he felt it would be useful to ask the question of discretionary funds at the Town Meeting. Ms. Stewart stated that as part of the board's process, they would ask Mr. Morris and Ms. Bonnette to investigate if they decided to pursue this.

Ms. Courtney shared that there have been some challenges with obtaining data from Liberty Utilities, which would allow the coalition to send letters to those not signed up for community power (who recently moved, as an example). She proposed that the Community Power Coalition set up a table at Town Meeting to help sign up residents. SB members agreed that this was a good plan.

Ms. Courtney shared a recent press release stating that 12 new communities enrolled in community power, for a total of 28 communities now enrolled.

With no further questions or comments regarding community power, Ms. Quirk moved on to an additional Energy Committee item: a Community Solar Rebate. With HB281 passed in 2023, bipartisan expansion of net metering, Ms. Quirk noted that she is part of the ReVision Energy company to be clear about any possible conflict of interest. Ms. Quirk asked the board if they wished to have the Energy Committee investigate moving forward with this. SB members agreed they would like Mr. Morris to investigate this further and report back.

Mr. Hubbard asked about net-metering and community power. What happens to those who produce more power than they use? Ms. Quirk said that people who have net-metered roof solar are not automatically opted into community power. At this time, it is not recommended to participate in community power until billing issues with utility companies can be resolved.

Ms. Beaufait asked about the potential ½ cent addition discussed earlier with the Community Power Coalition discussion. She said that if this does not go to the Town Meeting for residents to decide, is there any guarantee that the money garnished would go toward energy projects to benefit individual taxpayers and not town-sponsored improvements (such as electric vehicle/EV chargers)? Ms. Quirk stated that the SB would control the use of the funds. Ms. Stewart stated that she could not speculate on this at this time but that all meetings are public.

With no further questions or comments, Ms. Stewart moved on to the next agenda item.

Methodist Hill Property Discussion

Ms. Stewart asked those present to focus on new discussions versus continuing to discuss concerns and comments that have been brought up throughout the process of the Methodist Hill Property Use discussions.

The last meeting regarding this was on January 8. Mr. Morris spoke with legal about whether any subdivision or property survey work could be recouped during the sale of the property; these fees can be added to the total cost.

A petition has been filed regarding selling the property to the Hinshaws, and Mr. Bosworth, a trustee of the former owner, has contacted the town with questions about redeeming the property. There is a process that would allow redemption of the property.

Ms. Stewart invited each lead petitioner to discuss their petition with the board.

Mr. Vianco presented the interests of residents on Methodist Hill Road who are members of the Fieldstone Ridge Owners Association (FROA). He stated that FROA residents wished to voice their opinion on what happens with the Methodist Hill Road property. The FROA Board of Directors did not endorse the petition but provided approval for Mr. Vianco to solicit signatures for the petition. The FROA Petition asks:

In accordance with RSA 80:80 Section VI(b) that declares an abutters priority for land purchases, the recommendation is made to establish a suitable purchase agreement with the Hinshaws, who are abutters to parcel 002-029 ("Lot #29"), which will fulfill these objectives:

- 1. Conserve the land in perpetuity, in potential collaborations with such organizations as the Upper Valley Land Trust and the Society for the Protection of New Hampshire Forests, as well as in the cooperation with the Enfield Conservation Commission.*
- 2. Allow access to the land by the citizens of Enfield for the purpose of recreational activities – hiking, horseback riding, cross-country skiing, etc.*
- 3. Provide an agreeable monetary compensation to the Town of Enfield, including, but not limited to, additional revenues received by the placement of a single out-building adjoining the Hinshaw property.*

Mr. Drinkwater presented a petition very similar to that of the FROA. He concentrated on Methodist Hill property owners who were not associated with the HOA. Mr. Drinkwater shared that he had a petition signature rate of about 96%. Those property owners feel strongly about asking the SB and Town Manager to work with the abutters to fulfill the requests outlined by the FROA petition (above).

Ms. Stewart asked the SB how they wished to move forward with the decision on this property. Mr. Young asked Mr. Morris what other information could be given from the discussion with the attorney.

Mr. Morris said they provided estimated costs associated with redeeming the property by the Methodist Hill Realty Trust.

Mr. Russell said the town is not interested in taking property from owners for any reason. If the property can be redeemed, he felt the town should pursue that solution. Mr. Morris noted that there is a timeline and process in place for redeeming the property. He said that he felt they should make the subdivided lots as small as possible, with an interest in conserving as much as possible. Mr. Kluge and Mr. Young agreed that the representative of the former trust had the right to redeem the property. Mr. Morris clarified that there is a redemption process with timelines in place; if the SB decides to sell the property, that process would run concurrently with pursuing the sale. Ms. Stewart said that she would like the board to decide about selling the property, given that this would start the clock on the redemption process.

Ms. Stewart said that she is interested in honoring what the Methodist Hill Property Use Committee proposed, to sell the property at auction at a cost to cover back taxes owed plus administrative and legal fees associated with the sale. That process would be overseen by Mr. Morris. Mr. Morris said that if the board would like to move forward in this fashion, he would put out an RFP for proposals, with a bulleted list in the RFP of what will be given preference in that process. He stated he would also suggest doing the same with the Shedd Street property. Ms. Stewart said that she felt the RFP process is inclusive of the Hinshaws, and that this provides an open process where everyone gets a chance. This also honors the work that the MHPUC has done. Mr. Morris added that it would be an open RFP, with suggestions that those with certain items (listed in the RFP) will make proposals more favorable.

Mr. Young stated that allowing the property to go through the open RFP process could allow the potential calculation of tax revenue, which could go toward a potential pilot payment.

Ms. Stewart asked board members if they were in favor of seeing what Mr. Morris would bring back to their next meeting regarding the RFP process. Mr. Kluge commented that the RFP process would include conserving the majority of the property and leaving it open to the public. Board members agreed that this course of action would be the fairest to the taxpayers.

Mr. Morris will move forward with suggested open RFPs for both the Methodist Hill and Shedd Street properties. No motion was necessary for this step.

With no further comments, Ms. Stewart moved on to the next agenda item.

Sidewalk Paving Discussion

Mr. Taylor shared that there is funding of \$40,000 for sidewalk repair. Stamped pavement is considerably more expensive. Mr. J. Taylor suggested moving the entire sidewalk system back to asphalt, including the areas downtown with stamped pavement that require significant repair.

Mr. Clay provided quotes for sidewalk improvement:

1952 linear feet, at 5 ft wide, can be done with black asphalt

909 linear feet, at 5 ft wide, can be done with stamped and painted updates

Currently, there are 1733 feet of sidewalks in total.

The existing stamped/painted portions of the sidewalk (about 1200 feet) are nearly beyond repair. Mr. Clay stated that he believed the failure of those sidewalk portions was due to frost heaves and water.

Mr. Young felt that a proper sidewalk sealing program would need to be in place if black asphalt is chosen. Mr. Clay suggested a crack-sealing and fog-sealing program and said that he and Mr. Taylor have

discussed and want to implement this. Mr. Morris added that the black asphalt sections can easily be repaired by the Department of Public Works (DPW) rather than needing repair by a contractor.

Board members agreed that the black asphalt is the best decision for safety, finances, and ease of repair.

Mr. Kluge made a motion to go with the black asphalt material for sidewalks as presented. Mr. Young seconded. Vote unanimous in favor of the motion (4-0).

Town Meeting Preparation Discussion

Ms. Bonnette reviewed scripts, recognitions, and the overall plan for the flow of the Town Meeting.

Ms. Bonnette reviewed the format for each article.

For Article 3, Ms. Bonnette noted that the total balances provided are slightly high based on the way the funds are held. The balances of the funds, if closed, are what would go to the general fund. The available funds total about \$114k (and the final numbers will likely be between \$114k-\$186k). Ms. Stewart suggested clarifying “estimated available” funds for transparency. For the presentation/explanation of Article 3, Mr. Kluge will explain.

For Article 4, Ms. Bonnette explained that the sum (listed as \$186,291) may be something the board wishes to amend (to the lower amount). A specific amount has to be listed (the language “amount from article 3” cannot be used). Mr. Morris recommended the sum of \$114,667 be used (and the difference would be in the general fund, which could be moved next year). Ms. Bonnette said that in the past, there has been a motion on the floor to bring the item up for discussion, with another immediate motion to amend and then an explanation as to why. Ms. Bonnette added a motion to amend Article 4 (by Mr. Russell) with a second by Mr. Kluge. Mr. Kiley, Capital Improvement Program/CIP Chair, will explain Article 4.

For Article 5, if Articles 3 and 4 pass, an amendment to the amount will be needed. That amount can be an even number, such as \$100k, or the exact number from Articles 3 and 4. Mr. Young stated that he felt keeping the numbers the same is ideal for easy reference. Ms. Stewart suggested a discussion on the floor regarding the amendment at the Town Meeting for community members to decide what they want best. Mr. Kiley said that he felt they should take out the entire \$114k to be consistent with what has been discussed thus far. Ms. Bonnette noted that Mr. Kiley will explain Article 5 (and the amendment if needed). Using the \$114k will show they are taking what they are entitled to within the plan.

For Article 6, Mr. Young will explain.

For Article 7, Mr. Russell will provide 3 slides to Ms. Bonnette to include in the presentation for his explanation.

For Article 8, Ms. Bonnette will add the items for which the money was to be borrowed. Mr. Kluge will explain this article.

For Article 9, Mr. Russell will explain.

For Article 10, Ms. Kennedy will explain.

For Article 11, Ms. Stewart will explain.

For Articles 14 and 15, Ms. Bonnette changed the lead petitioner to Tim Lenihan.

For Article 16, Ms. Bonnette changed the lead petitioner to Mark Tarantelli.

For Article 18, Ms. Bonnette noted that Mr. Adams Carroll of Advanced Transit is a non-resident who will need to be given permission to speak. If permission is not granted, there is a backup plan for the presentation of this article.

For Article 19, Ms. Smith stated that she has not received requests for discussion from anyone besides the Energy Committee.

For Articles 3, 4, and 5, Ms. Smith asked the board whether it may be useful to have a single presentation and presenter to avoid confusion and explain how these articles relate. Mr. Kiley will present these three articles with a unified presentation.

Ms. Beaufait asked for the petitioner for Article 17. Ms. Stewart stated it was Lisa Buck-Rogers.

Mr. Beaufait asked if the petitioners would have access to screen sharing. Ms. Bonnette asked that items sent to her by the Thursday before the Town Meeting could be included.

Ms. Stewart asked Mr. Morris to review the communication from legal regarding warrant article questions.

Mr. Morris explained that all articles are run through legal counsel James F. Raymond, Upton & Hatfield, LLP. Based on feedback from legal, articles have already been adjusted accordingly. Mr. Morris reviewed legal comments on petitioned warrant articles.

For Article 13, legal advice was that this is an advisory, non-binding article. The residents of town can either give the SB authority to spend or take it away, but they do not have state authority to limit the amount of spending. Mr. Beaufait asked if rescinding the petition would be a change of subject. Mr. Morris said that he would need to check with legal. Ms. Stewart stated that the intent but not the subject can be changed.

For Article 14, legal concluded that this article does nothing, as Town Meeting approval for annual expenditures is already required.

For Article 15, the legal conclusion is that this has already been adopted in 2019.

For Article 16, legal advice stated that this would only be advisory.

For Article 17, the legal conclusion is that this article is only advisory and not enforceable.

With no further items to review, Ms. Stewart moved on to the next agenda item.

Strategic Planning Review and Discussion

Mr. Young suggested more flexibility in guidelines.

As of today, Mr. Morris has received several edits from Mr. Russell and Ms. Kennedy. Mr. Kluge recommended postponing the adoption of the plan until all board members could review it more thoroughly.

Mr. Morris asked for edits to be sent to him by the end of this week. Mr. Morris will return the edited plan to the SB to review prior to their next meeting, with the goal of adopting the plan at the next SB meeting.

Create Emergency Services Advisory Committee

Mr. Morris spoke with each of the emergency services chiefs (Police, Fire, EMS). The overall goal is to create a 7-member board to analyze all emergency services.

The committee shall have seven members appointed by the SB, with the suggestion of the Town Manager, Police Chief, Fire Chief, and Ambulance Chief serving as non-voting staff members for the purposes of providing information.

Mr. Young felt this was an important committee that should have an SB liaison. Ms. Stewart said that typically, there has not been an SB member on these committees, as they report back to the SB, who discuss and make decisions together. Mr. Russell and Mr. Kluge agreed that they felt comfortable with Mr. Morris being a member of the committee and did not need a liaison.

Mr. Young made a motion to approve the formation of an Emergency Services Advisory Committee as described and charged in the organization document presented at the March 4, 2024 meeting, and further authorize the Town Manager to start the application process to fill the committee. Mr. Kluge seconded. Vote unanimous in favor of the motion (4-0).

ADMINISTRATIVE ITEMS

None.

OTHER BUSINESS TO COME BEFORE THE SELECT BOARD**Public Comments**

Mr. Shippen asked what RFP stands for. Ms. Stewart clarified it is a Request for Proposal.

Given the MHPUC recommendation, Mr. Shippen asked if the town had been approached by anyone other than the Hinshaws. Mr. Morris said that he has been approached by several individuals, and one of them was in favor of the MHPUC recommendation. Mr. Shippen asked about the timeline for redeeming the Methodist Hill Property. Ms. Bonnette stated that she did not have the exact timeline but that it would happen concurrently with the town moving forward with RFPs.

Mr. Hubbard asked about the amount of money the town recoups from the sale of the property. Mr. Morris said that the town could recoup taxes due, penalties, and any costs associated with the property. Anything beyond this is returned to the property owner. There was some additional discussion around the process for handling the property.

Mr. Drinkwater asked if the wording of the open RFP would be available at the next SB meeting. Ms. Stewart said that it would be and that he could also request access to a copy from the Town Manager's Office ahead of that meeting.

Mr. Martin asked where an application for the Emergency Services Advisory Committee could be found. Mr. Morris will make these available shortly.

With no further comments or questions, Ms. Stewart moved on to the next agenda item.

Other Business

None.

Select Board, acting as Department of Health, Annual Meeting with Health Officer

Mr. Ehrenzweig presented his annual update and provided an overview of the Health Officer duties within the town.

Cyanobacteria bloom issues were significant this year (3 on Mascoma Lake, 2 on Crystal Lake warnings/advisories). The State of NH has a cyanobacteria plan for the first time, to be rolled out in 2024 with a focus on education and stormwater runoff. There are educational webinars planned, with a high focus on fertilizer use. Best practices at this point are educational. Ms. Stewart asked if Mr. Ehrenzweig could attend a Conservation Commission meeting to discuss this further with the commission, who has been recently discussing cyanobacteria issues and fertilizer use/stormwater runoff issues. Mr. Russell stated that it may also be useful to invite the Lake Associations to this meeting.

There is an enhanced concern about trash in Enfield, in particular in the downtown vicinity. A total of 12 complaints throughout this area for various properties were received. The solid waste ordinance is beneficial for any action toward compliance and property cleanup.

There have been 5 septic system issues, which is average for each year.

There were no investigations for mold.

There were no COVID questions.

The usual health officer inspections for daycare centers (lead paint, protected outlets, etc.) and a foster home inspection (required anytime a new foster home application is received) took place.

There was an amendment to RSA 147, with some wording changes to keep local health officer responses to local concerns versus state and national concerns.

The state launched a map for determining healthy/safe swimming areas, which includes those areas that may be undergoing testing. Mr. Young asked if, when there are bacteria outbreaks, is there anyone who tries to identify the source. Mr. Ehrenzweig said that the state tests for concentrations but not the source. Mr. Young asked if there would be a benefit in conducting a survey of lakefront property owners as to whether they have a septic system. Mr. Ehrenzweig said the state has a website for septic systems and is working to upload older paper files to an electronic format. The town property records would also include this information. Systems installed prior to state septic laws coming into effect between 1968-1970.

Mr. Beaufait asked if, in Mr. Ehrenzweig's interactions regarding cyanobacteria, an unrecorded bloom was discovered and taken to the Town Offices but never picked up. Mr. Ehrenzweig clarified that the Lake Associations typically send these samples to a lab they regularly work with. Mr. Rich said he believed this information was recently updated on the website.

Mr. Russell made a motion to nominate Mr. Ehrenzweig for Health Officer and Mr. Neily for Deputy Health Officer appointments by the State of New Hampshire. Mr. Kluge seconded. Vote unanimous in favor of the motion (4-0).

Non-Public Session RSA 91-A:3 II:

Mr. Kluge made a motion to enter non-public session pursuant to RSA 91-A:3 II (c), (a), (l) at 8:24 pm. Mr. Young seconded. Roll call vote unanimous in favor of the motion (4-0).

(c) Health Officer issue that could adversely affect the reputation of a person

(a) for Town Manager Annual Evaluation

(l) Legal Opinion

At 8:55 PM Tracy Young made a motion seconded by John Kluge. A role call vote was taken which was unanimous to exit (4-0).

ADJOURNMENT

Mr. Kluge made a motion to adjourn at 8:56 pm. Mr. Russell seconded. Vote unanimous in favor of the motion (4-0).

The meeting was adjourned at 8:56 pm.

Katherine D. P. Stewart, Chair

Erik Russell, Vice-Chair

John W. Kluge

Alice Kennedy

Tracy Young
Enfield Select Board