



**BOARD OF SELECTMEN**  
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**BOARD MEETING MINUTES**  
**March 30, 2015**

Present: Mrs. Silverman, Ms. Carney  
7:00 pm: Ms. Carney called meeting to order.

Also Present: Paul Kotila, Ms. Sable, Dorothy Zug, Mr. Lindquist

**PRIMARY:**

\*\*\* **APPROVE MINUTES** Ms. Carney made motion to approve. Mrs. Silverman seconded. Approved 2-0

\*\*\* **APPROVE MANIFESTS** Ms. Carney made motion to approve. Mrs. Silverman seconded. Approved 2-0.

\*\*\* **ARTICLE 24:** Board approved to use letter as a template.

\*\*\* **GRANT:** Board reviewed grant. Board determined this grant is not for moving records.

**7:15 MEET WITH ED GOODRICH, JIM and CATHIE TALBERT**

**Re: Survey** Ms. Carney stated that we are here to review what had happened. Mr. Goodrich stated that it is legally important to have documentation to back up verbal information. Mr. Goodrich stated that the Town's Deed does not tell us a lot. Mr. Goodrich gave the Board the summary of his notes and stated facts. Mr. Goodrich presented a map and explained points of interest and the Talbert's property, the Railroad lot and the Wheeler lot and that the town had received these two tracts of land. Mr. Goodrich stated the history of the Town and that the Town was originally divided into 100 acre lots. Mr. Goodrich stated that the tax map today still show some of these boundary lines. Mr. Goodrich stated that the Railroad lot is lot 12, range 11 and consists of 79 acres. In 1896 the Railroad lot sold and 77 acres were documented yet it was deeded originally for 100 acres. Mr. Goodrich stated that the Railroad lot is a clean lot as far as he is concerned. Mr. Goodrich said that the Wheeler lot had more value during agriculture days and that the Deed sold to Blodgett has a grassy meadow and was surveyed with a Varian distance. The Wheeler lot then went to Prescott dyes and Mr. Goodrich stated that it was a sloppy sale and deeded for 58 acres. When New England lumber company owned the property, Bill House did a rough survey and the Wheeler was surveyed for 50 acres in a rectangular shape yet the map was never finished. Mr. Goodrich stated that in 1973, John Calhoun surveyed Talbert's lot which was is really Dwight Jennings survey which was not a good survey. Then Bill House accepts this survey and the error is perpetuated. Mr. Goodrich stated that there is a white quartz rock on top of the stonewall, at edge of meadow, which matches up with the distance. Mr. Goodrich stated that he also found another white quartz rock and the distance from rock to brook does come out to the center of the brook which follows the survey of 1840. Mr. Goodrich stated that in the State of NH one can only own property with a piece of paper and the piece of paper can be a deed, a will, and a judge award. Mr. Goodrich stated that the Talbert's paper goes back to Prescott and that the 12 to 15 acres in question, on the west side, has been miss-surveyed. Mr. Goodrich stated that there is the Doctrine of Adverse possession and the four things that prove title-ship. Mr. Goodrich stated that in his opinion, the title belongs to town of Fitzwilliam and that even though the Talbert's have been paying taxes, it does not mean that these acres in question belong to the Talbert's. Mr. Goodrich stated that it is his job to bring potential problems out into the light and that the Prescott deed changed when it went through his heirs and that the Talbert's deed goes back to 1973. Mr. Goodrich stated that the Town has a good title and that the Talbert's have a faulty title. Mr. Talbert asked what happens now. Mrs. Silverman stated that the line needs to be surveyed. Mrs. Talbert asked why the Conservation Commission is here. Dorothy Zug said that the Conservation Commission hired Mr. Goodrich to do this work. Mr. Goodrich stated that he has not been out on this property since last fall. Mr. Goodrich stated that Rick Brackett has placed marker flags. Mr. Talbert asked where do we go from here. Mrs. Silverman stated that the town does not want to go to court over this and that the map cannot be changed without a survey. Mr. Talbert asked if there is a rule for length of time someone pays taxes on land, then it becomes theirs. Mr. Goodrich stated there is adverse possession after 20 years. Mrs. Silverman stated it is clear various errors were copied forward. Mr. Talbert asked if he should get a survey done. Mrs. Silverman stated yes, and that a survey can define the boundaries. Ms. Carney stated having a survey done would be the next step. Mr. Lindquist said the key is to get it properly marked. Mr. Goodrich said that ditches were used as boundary lines and there may be patterns of these on an aerial photo. Mrs. Talbert stated that they bought their property from the Hill's. Mrs. Silverman stated that technically the Talbert's did not pay for these 12 to 15 acres because of the faulty survey. Mr. Lindquist suggested getting some markers on it that we all can agree upon. Mrs. Silverman asked if one line should be surveyed. Mr. Goodrich stated both northern and western lines need to be surveyed. Mrs. Talbert asked for clarification of the lines that need to be cleared up. Mr. Talbert said they will engage a surveyor and then bring the survey to the Board of Selectmen. Mrs. Silverman stated that that will be great. Mr. and Mrs. Talbert received a copy of the map Mr. Goodrich brought into the meeting.

**7:15 MEET WITH CONSERVATION COMMISSION**

**Re: Survey**

**Prime Wetlands study**

Ms. Carney asked the Conservation Committee if they had put any thought into it. The Board gave the Conservation Commission the binder of information to review. Mrs. Silverman asked if the Conservation Commission had someone they would like to work with. Mr. Kotila stated as a town, we should advertise, evaluate applicants, and conduct interviews for Rick Brackett's proposal with his timeline and what the job might entail. Mr. Lindquist discussed the evaluation criteria. Mr. Kotila asked if we have had a RFP in here. Mrs. Silverman asked for input for parameters that would be best in terms of what would be best to focus on and stated that vernal pools are usually not included but the Board felt that vernal pools are important. Mrs. Silverman stated that Sandra Gillis has had training with GIS, and this is helpful for mapping and locating and that the Conservation Commission may feel that this is helpful and important. The Board and Conservation Commission discussed that Rick Brackett could identify drift aquifers. Mr. Kotila stated that we need to know the prime wetlands to know what to prioritize, identify values, and collectively decide what is the most important, using criteria. Mr. Kotila stated first, get the information by a map based collection. Mr. Lindquist stated that vernal pools have to be done by fieldwork. Mr. Kotila stated to start, ask people what they see. Mrs. Silverman suggested putting something in the newsletter to engage people. Mrs. Silverman stated next step is to write a request for proposal to do this work and asked the Conservation Commission if they want to be involved in the evaluation process. Mr. Kotila stated yes. Ms. Carney stated that the Conservation Commission would be helpful to write the proposal, and to make sure they are all actively involved in this. Mr. Kotila stated that the RFP is a completely different project and that we need to put in what we expect this project to do. The Board and Conservation Commission discussed mailing and emailing directly to wetlands scientists. Mrs. Silverman asked for a timeframe. Mr. Kotila stated he can do this easily. Mrs. Silverman asked the Conservation Commission to come up with a draft and the Selectmen will review it and let's keep moving forward and that the Selectmen can help facilitate getting the RFP out to people. The Conservation Commission said that Rick Brackett can do this RFP and that he deals with these all the time. The Selectmen and Conservation Commission agreed to meet again in two weeks April 20<sup>th</sup>, 7:15 pm.

**\*\*\* KINDER MORGAN MEETING**

**Request to schedule April 27 at 8:00 pm** Board agreed to this schedule. Ms. Carney stated that she will be attending a pipeline meeting in May.

**\*\*\* LETTER OF RESPONSE CHESHIRE COUNTY**

**Re: Pipeline** Board reviewed letter. Cheshire County Conservation is working on this.

**\*\*\* PROPERTY TAX EXEMPTION APPLICATION**

Mrs. Silverman made a motion to approve. Ms. Carney seconded. Approved. 2-0.

**\*\*\* REVIEW LETTER FROM AVITAR**

**Re: Fairpoint abatement application** Board reviewed application and Avitar is recommending it be denied. Ms. Carney made a motion to accept Avitar's recommendation. Mrs. Silverman seconded. Approved. 2-0.

**\*\*\* REVIEW LETTER FROM WILLIAM PRIGGE**

**Re: Bourne Property** Debbie suggested sending this out to Avitar for recommendation.

**\*\*\* REVIEW PROPOSAL**

**Re: Basketball Court resurfacing** Mrs. Silverman made a motion to approve. Ms. Carney seconded. Approved 2-0.

**\*\*\* REVIEW LETTER FROM RECREATION COMMISSION**

**Re: CW5K** Board reviewed the letter asking to move the Charlie Wallace race to May 30<sup>th</sup>. Mrs. Silverman made a motion to approve. Ms. Carney seconded. Approved 2-0.

**\*\*\* UPDATED BLASTING PERMIT**

Ms. Carney had recommended a change on the first page and Ms. Carney stated that Ms. Gillis has done this. Ms. Carney recommended changing the letterhead. The Board discussed having all forms electronically. Mrs. Silverman stated putting something in newsletter to remind people of what is needed for any blasting.

**\*\*\* REVIEW LETTER FROM SOUTHWEST REGION PLANNING COMMISSION**

**Re: Pipeline** Mrs. Silverman stated that she is planning on attending meeting in Brookline on Wednesday. Board discussed town polling resources for legal needs.

**\*\*\* Anonymous Letter** Board reviewed anonymous letter written to the Selectmen and residents.

**\*\*\* REQUEST TO ATTEND TRAINING**

**Re: NH Preservation Alliance 4/17/15** Board reviewed. Ms. Carney recommended that Mr. Holman be on the historic committee and that this may be useful. Debbie stated that the training budget has spent 90.00 as of date and that in 2014 money spent for training was \$475. The Board agreed that there are more pressing needs. Mrs. Silverman made a motion to use the limited funds we have for training for our office staff. Ms. Carney seconded. Approved 2-0.

**\*\*\* GRANITE STATE DESIGNER & INSTALLERS MEMBERSHIP** Board reviewed and discussed. Mrs. Silverman

stated that she is not sure this benefits the town and that the only aspect the town deals with is failed systems. Ms. Carney made a motion to deny membership. Mrs. Silverman seconded. Approved 2-0.

\*\*\* **REVIEW LETTER OF RESIGNATION** Board reviewed.

\*\*\* **REVIEW VACATION REQUEST** Board reviewed. Ms. Carney made a motion to approve. Mrs. Silverman seconded. Approved. 2-0.

**REVIEW:**

\*\*\* **VARIOUS COMMITTEE MINUTES**

\*\*\* **Tax Collector** Board discussed that appointments can be for any timeframe. Board agreed to make it one year. Board agreed tentatively to meet with Tax Collector next Monday, at 7:30

\*\*\* **Overhead Doors Quote** Ms. Carney stated that each door will cost \$586 and that the ambulance door is used the most. The Board discussed having half the cost come out of the Fire Department's budget and half out of the Ambulance budget. Mrs. Silverman stated approval to do half and half and to get another quote.

\*\*\* **NON-PUBLIC SESSION (9:00 PM-9:17PM)**

At 9:00m, Ms Carney made a motion to go into non-public session, Mrs. Silverman seconded and the motion passed 2-0. Roll Call vote: Mrs. Silverman – yes, Ms. Carney

\*\*\* **Information from Mr. Chipura** Mr. Chipura recently came into office to question the status of his complaint with regard to Mr. Holman. Board reviewed the documents that Mr. Chipura submitted. NHMA stated that library trustees should deal with library. Board agreed to write a letter to Mr. Chipura stating that Facebook is free right to speech and that Library trustees should be pursued.

\*\*\* Debbie will write letters of thanks to applicants and that we will hold their applications for a year.

9:17 pm Mrs. Silverman made a motion to adjourn.

Respectfully submitted by,

Donna Hill

Ms. Nancy Carney, Chairman

Mrs. Susan Silverman

Board of Selectmen