



BOARD OF SELECTMEN
P.O. BOX 725
FITZWILLIAM, NH 03447
(603) 585-7723 Fax: (603) 585-7744
Email: fitzwilliamnh@fitzwilliam-nh.gov

BOARD MEETING MINUTES
October 16, 2019
7:00 P.M.

Selectmen Present: Daniel Baker, Robyn Bates, Charles Kenison

Mr. Baker called the meeting to order at 7 p.m.

PRIMARY:

7:00 PUBLIC COMMENT

Ms. Bates gave an update on the Historic District Commission. Ms. Bates reported that Claire B. went to an employee (Southgate Steeplejacks) and mentioned doing a great job preserving it. She was told that it was not being preserved, it was being replaced. Ms. Bates asked Ms. Favreau that the newsletter article be more informative. Ms. Bates shared that enforcement of obsolete vehicles on properties, hazardous properties was also brought up at the Historic District Commission meeting. Ms. Bates shared that she explained to Commission members how the Selectmen have tried enforcing. Ms. Favreau shared that the Selectmen have discussed the issue throughout the years. Ms. Favreau explained that an inventory was done by the Police Department (what they can see) and the Selectmen send a letter noting the violation. Ms. Favreau shared that it creates a lot of work for the Selectmen and that due to the length of the Selectmen's current meeting, the Selectmen determined priorities and they have postponed this issue. Mr. Baker stated that for the Selectmen to take this on, their Agendas already being four hours, people would be lining up at the door to speak with the Selectmen. Mr. Baker stated the need to prioritize this issue for next year. Ms. Bates asked if a letter to the Historic District Commission could be written stating the trash notice. Ms. Favreau shared that it could be added to the newsletter.

Mr. Baker asked if this wasn't outside of the boundaries of the Historic District Commission. Mr. Kenison agreed. Mr. Kenison acknowledged that he expected to hear about the steeple. Mr. Baker shared that what could be saved would be. Ms. Bates asked for a letter from the Selectmen. Mr. Baker asked that the letter state the points, and mention that it would be a three month process. Mr. Kenison discussed what should be included in the letter. The Selectmen agreed.

***** APPROVE MINUTES
- October 10, 2019**

Mr. Kenison made a motion to approve the minutes. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

***** APPROVE MANIFESTS**

Mr. Kenison made a motion to approve the manifests. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

***** REVIEW SIGNATURE FOLDER – The Selectmen reviewed and signed.**

***** CONSTRUCTION PERMIT
- Map 23, Lot 21 – Demolition**

Mr. Baker shared with Suzanne Gray and Dan Sutton that the Demolition Application was for the property at 74 Keene Avenue. The Selectmen didn't know if the demolition would impact the wetlands. Mr. Baker asked if we wanted them to demo. Dan Sutton explained what the ZBA wanted and he noted that it needed to go to the Conservation Commission. Ms. Favreau explained what the process has been. Mr. Sutton explained what happened with the Construction Application. The Selectmen agreed to defer action until seen by the Conservation Commission, Planning Board and possibly the ZBA. Mr. Baker suggested having procedures on the process for obtaining permits and how an applicant needs to flow through the various board/commissions for approval and wanted to schedule a meeting to review.

BOARD MEETING MINUTES
October 16, 2019

7:15 MEET WITH BUDGET COMMITTEE

Ms. Bates discussed the FireWards meeting and mentioned the need for the options to be part of budget consideration. Members of the Budget Committee: Carl Hagstrom, Chair, Winston Wright, Martin Nolan and Andy Wood, met with the Selectmen to discuss expenditures to date. Ms. Favreau shared that as of this date 80% of budgets spent would be on target. Ms. Bates asked about the spend for the salt and sand. Mr. Nolan stated this was the time of year to purchase sand. Mr. Baker thought about getting late term expenditures, as Department Heads were stating that they were running tight. It was noted that insurance was a savings but wage increases weren't anticipated. Mr. Nolan thought that raises were included in budgets. Ms. Favreau shared that some departments included increases in their budgets. Ms. Favreau noted that repairs to the ambulance would be from the ambulance revolving fund and she mentioned that the Fire Department was overspent due to unanticipated vehicle repairs. Discussion was held on ambulance service. Mr. Nolan asked about the status of the meetings with the three towns. Ms. Bates stated it has been hard to schedule the meetings. There are several options on the table but nothing definitive. Ms. Bates shared what the discussion has been with DiLuzio. Discussion was held on the time commitment for answering calls and volunteerism. It was acknowledged that most line items were on point. The Fire Department budget overspend was due to unanticipated repairs. Ms. Favreau shared that the ambulance budget was underspent and funds could be transferred to the Fire Department to help cover the unanticipated repair expenses. Mr. Baker shared that in looking forward, the December tax bill would be the full amount of the school funding shift and mentioned that the Selectmen have done some estimates of what the increase might be. It is estimated that the increase could be \$3-4 per \$1,000 of evaluation. Mr. Baker shared that the Town would be getting additional funding from the State. It was noted that budgets look good, except for maintenance/repairs.

7:30 MEET WITH CHIEF DISALVO

At 7:42 p.m. Ms. Bates made a motion to go into non-public session under RSA 91-A:3 II(c). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 7:58 p.m. Mr. Kenison made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Ms. Bates seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

Chief DiSalvo explained what he had done to cover the speeding complaint on Richmond Road. Chief DiSalvo reported that the status on the speed trailer from September 27th to October 10th indicate that 6,000 vehicles went through Richmond Road at an average speed of 31.13. The most severe violation was a 50 mph speeder, which Sergeant Jeffry Clark had stopped. Twelve vehicles had top speeds of 46-50 mph, 125 vehicles were between 41-15 mph. Chief DiSalvo stated that people speed and shared that the speed board is a fantastic tool to gather that data. Chief DiSalvo shared that people use Richmond Road because they think it is quicker but it isn't. Chief DiSalvo discussed tagging Richmond Road as "no thru traffic" but it would be difficult to enforce. The thought was that a good motorist would go around. Mr. Kenison stated that GPS sends traffic down Richmond Road. Chief DiSalvo thought it might be worth a try and asked if the residents on the road would need to be notified. The Selectmen thought it would be less invasive. Mr. Baker asked if heightened presence should be kept in place. Chief DiSalvo agreed to do. Chief DiSalvo stated that there were 500 cars that travelled Richmond Road per day during the time period. Ms. Bates agreed to have more presence on the road. Mr. Baker suggested giving a warning. Chief DiSalvo shared that he had discussed the "no thru traffic" posting with Gene Cuomo and he was in agreement.

Ms. Bates would like there to be more Police presence in Town. She shared that people noticed that Chief DiSalvo was out at the steeple removal. Ms. Bates mentioned doing a newsletter article – every month. Chief DiSalvo had talked with Ms. Handy about the speeders. Ms. Bates asked Chief DiSalvo to share some of those stats. Ms. Bates also asked that Chief DiSalvo have Ms. Handy put something together.

The Selectmen thanked Chief DiSalvo for meeting with them.

8:00 MEET WITH SUZANNE GRAY

- Personnel
- Review e-mail from Amy Manzelli

Suzanne Gray and Dan Sutton met with the Selectmen to discuss:

Personnel – Mr. Baker wanted to meet to discuss the LUA job posting. Mr. Baker mentioned that he was concerned regarding the reporting relationship. Mr. Baker stated this position should report to the Town Administrator as it serves multiple boards. Mr. Baker stated this shift would also assist in performance improvement but the boards could direct the work product of the LUA. Mr. Baker explained that a single report was a better way to assist/gage performance when there were multiple boards. Mr. Baker stated the boards were in such turmoil, he felt unable to protect a staff member because as it stands it was out of the hands of the Selectmen. Mr. Baker would like the job description to be changed to indicate that the position reports to the Town Administrator. Ms. Bates asked Ms. Favreau what she found out at her Town Administrator

BOARD MEETING MINUTES October 16, 2019

meeting. It was noted that an attorney had been asked this question and they were told that reporting was usually by the Selectmen.

Ms. Gray shared that the Planning Board felt strongly that this position report to the Planning Board and it has always been that way. Ms. Favreau shared that the position used to report to the Selectmen. Ms. Gray asked what the advantages were. Ms. Favreau thought that the reporting structure changed when Sandra Gillis was hired. Ms. Favreau shared that it was a decision between the Selectmen and Terry Silverman, who was Chair of the Planning Board at that time. Dan Sutton asked for clarification in that the LUA would be under the general administrative supervision of the Town Administrator and the Selectmen. Mr. Baker stated the Selectmen have a vesting interest in the records of the Town and the amount and value of the work. Mr. Baker shared that there was no way, currently, to evaluate the position and it needed to come through the Selectmen before he felt comfortable in signing off. Mr. Baker would like to have the Construction Permit Application go back to the LU office. Ms. Bates asked if Mr. Sutton knew of the rewrite to the job description. Ms. Gray shared that she had sent Mr. Sutton the information that contained the revisions. Ms. Gray asked to review the job description. She stated for the technical issues – the direction would be through the Chair of the boards – research, and work product. The Selectmen agreed. Ms. Gray stated that Ms. Favreau shouldn't have to know all of land use rules and regulations. Mr. Baker stated it would make sense that Ms. Favreau understood what was going on and it would be a benefit because it comes in here. Mr. Kenison stated it was clear in describing as technical and administrative. Ms. Favreau mentioned that if changing the reporting structure, she would like to receive a meeting packet of the boards/commissions so that she would know what was going on. Ms. Gray asked how that would help. Both Ms. Bates and Ms. Favreau explained the benefit for having that information. Ms. Bates felt that over communication was key. Ms. Gray shared that researching was a big part of the work product and she didn't want the Selectmen's office to interfere with the work that needed to be done in the land use office. Mr. Sutton stated there could be a time that multiple boards might need research and the Chairs of the boards/commissions would need to decide what the priority was based on what board/commission was meeting first and would need the information.

Mr. Baker mentioned the rewriting of the process and procedures. Ms. Gray shared the procedures were in the ordinances. Ms. Bates mentioned the need to put into laymen's terms and not in RSA terms. Ms. Favreau shared that Mr. Baker and she were discussing this and they found that the flow would never be perfect. Mr. Baker stated the WPOD procedure – the State has recommendations on how to do that. Discussion was held on the procedures, protecting the applicant, the normal flow, and preliminary consultations. Determining what the issues were – would determine where the applicant went next. Mr. Kenison noted that was what Mr. Silverman stated last night, but the ordinance wasn't written that way. Discussion was held on the State's procedures. Mr. Baker asked if a change needed to go on a Warrant Article. Ms. Gary stated that was in the ordinance – WPOD and it has to go to Town meeting. Ms. Gray reminded the Selectmen that the ordinances were being reviewed. Mr. Baker asked in practice if we could do it differently. Mr. Sutton stated the LUA could send the applicant in a certain direction. Ms. Favreau shared that in the past the Selectmen thought that all applicants didn't need to go to the Planning Board for a consultation. A question was asked if the LUA determined that it was just a variance that was needed. Ms. Gray shared that the LUA would call the Chair to review. Ms. Gray thought it was an okay way to do in order to know before it was changed. Ms. Gray mentioned having Carol Ogilvie come in and do some work and has been trying to contact her. Ms. Gray didn't know what Ms. Ogilvie could do but she understands land use. Ms. Ogilvie might be able to do some office hours. Mr. Baker asked Ms. Gray to work with Ms. Favreau on the best solution for this. Ms. Favreau shared that we needed to move forward and get the position hired as budget season was her busiest. Ms. Gray shared that the title would be Land Use Coordinator and she reviewed the job description and asked to make the position full time. Mr. Baker asked Ms. Gray to show him what the work was. Ms. Gray shared that she has a lot of time studies. Ms. Gray stated that the Conservation Commission can't be added to the position and keep it at 25 hours per week. Ms. Bates asked if a better option was to increase the starting salary to get more of an experienced land use person as opposed to increasing the hours. Ms. Gray stated that they had 20 hours per week for minute taking and attending the meetings. Ms. Gray reviewed the time study that Laurie Hayward compiled. Mr. Baker stated that the Selectmen have no way to track. Ms. Gray stated that all of the work can't be done in 25 hours per week. Ms. Bates mentioned getting a better recording device. Mr. Baker stated that he didn't like recording meetings and didn't understand the editing that was being done. Ms. Gray stated that Attorney Steve Buckley was clear that the Planning Board meeting minutes needed to be clear on the discussion to show how they reached their decision. Dan Sutton shared that it doesn't need to be verbatim. Everyone agreed.

Mr. Baker asked if they had any insight and was the number of cases an indicator. Mr. Sutton shared that if a trend of cases – that would justify increasing the hours. Ms. Gray stated that has been the case and there have been 12 preliminary consultations so far this year. This was a lot more work than in the past. Ms. Gray noted that on November 3rd there would be three site plan reviews. Discussion was held on cost of benefits. Ms. Favreau shared that between Ms. Gillis and Ms. Hayward, they weren't working anywhere near 34 hours per week. Ms. Gray cautioned the Selectmen on the importance of not having any case go to court. Mr. Baker asked what needed to be done to satisfy that this position needed to be full-time. Discussion was held on the work load in the Selectmen's office. Mr. Baker mentioned if the position went to full time that maybe we could utilize that position to help in the Selectmen's office. Ms. Gray shared the resumes weren't of the caliber they needed. Ms. Bates asked if it would help to increase the salary. Ms. Favreau would ask some Towns about their wage scale for the land use position. Discussion was held on the salary range; investing in the land use expertise; the Planning Board determining the outcome of the case, not the land use person; would the land use person pull together the relevant RSAs and

BOARD MEETING MINUTES

October 16, 2019

case law; the land use person would need to have those skills – NH RSAs; and applicants having legal standing if not handled correctly. Ms. Favreau shared the salary range of the position. The Selectmen agreed to list the salary range in the ad.

Ms. Bates thought the position could be advertised at 34 hours per week. Mr. Kenison stated he was comfortable with 35 hours per week as was Mr. Baker. Ms. Bates asked if this person could rewrite the ordinances in draft mode. Ms. Gray stated they have been sent out to Christine Filmore. The Selectmen and Ms. Favreau were surprised. Ms. Favreau asked if an estimate had been received. Ms. Gray shared that she received a ball park figure and the total was \$5-7,000. Ms. Gray shared they have \$3,000 in their budget. Mr. Baker asked where they were getting the money for a full time hire. Mr. Kenison shared that was one reason Ms. Hayward resigned was because she was going to look at the ordinances and the Planning Board wanted to go with Ms. Filmore. Mr. Baker asked to make sure there were no conflicts in the ordinances. Ms. Gray shared that Ms. Filmore was familiar with the ordinances as she helped the Planning Board with a case. Mr. Baker asked to get a final proposal from Ms. Filmore. Ms. Gray would contact Ms. Filmore to find out the status. Ms. Filmore was doing an overview of the ordinances. Ms. Favreau noted that she was looking at SWRPC doing the ordinance work, as there was a grant opportunity. Ms. Favreau shared that the grant money from the State would be to pay SWRPC to redo our ordinances. with a grant from the State. Ms. Gray would get clarification from Ms. Filmore.

After discussion, everyone agreed to add to the job description: based on case load, other administrative duties would be assigned.

Mr. Kenison made a motion to make the position full-time and to post with a reasonable salary range. Mr. Baker seconded. Mr. Baker – Yes, Ms. Bates - No, Mr. Kenison - Yes. Approved – 2-1

Review e-mail from Amy Manzelli – The Selectmen reviewed the quote for an archeological study. Ms. Bates thought that it was decided that this wasn't a high priority. Ms. Gray shared that the State has some input from other people. Attorney Manzelli suggested that we get our own report instead of relying on the State reports. The Selectmen approved contingent upon receipt of a letter in support of funding.

*** JUNKYARD VIOLATIONS - VEHICLES

The Selectmen reviewed and signed.

*** BUDGET ITEMS - Health Insurance Rates

Ms. Favreau noted that insurance was up 7% and the Town was in a pool. Ms. Favreau shared that the Town's plan has worked out really well and the \$500 deductible has been used three times.

Ms. Bates asked with the rates going up 7% did the Selectmen want to consider the COLA out. Ms. Favreau shared that employees' pay 12%, so their portion would go up a little. Ms. Favreau also shared that only full-time employees get health insurance and asked if we were penalizing part-time employees that don't get health insurance. Ms. Bates asked if we could give the COLA and have employees absorb some of the insurance increase. Ms. Bates wanted to be creative with some of the increases. Mr. Baker stated the COLA was economic and a raise was different. Ms. Favreau shared that employees paid a higher percentage. Mr. Baker stated there has been a pretty stable workforce.

Mr. Baker stated there would be a 1.6% increase for Social Security. Ms. Favreau shared that based on last year's total salaries, the COLA increase would be \$13,150 and the insurance increase would be \$8,197 for a total increase to the Town of \$21,347. Ms. Favreau shared that retirement percentages for the State decreased. Ms. Bates wanted to show this year versus last year's costs.

Ms. Bates made a motion to approve the Health Trust transmittal for all employee's health care. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

*** NEWSLETTER ARTICLES

The Selectmen reviewed. Ms. Bates asked Ms. Favreau to add something on Consolidated Communications. Mr. Baker shared that we weren't doing much for our Town regarding internet. Ms. Favreau shared that in the past, there was a group trying to get better internet for the Town. Mr. Baker thought that other Towns were doing something as well. Mr. Baker wanted to prioritize issues that the Selectmen needed to address. Ms. Bates thought that internet should be added to the MOU.

Dana Pinney mentioned the article in the Sentinel regarding bonds for Towns to bring in internet service.

**BOARD MEETING MINUTES
October 16, 2019**

***** LETTER TO PLANNING BOARD
Re: Clarification of Ordinance**

The Selectmen agreed that the letter wouldn't be sent as the Planning Board was aware of the issue.

***** LETTER TO CONSOLIDATED COMMUNICATIONS
Re: Internet Service**

The Selectmen reviewed and signed.

***** NOTICE OF BENCH TRIAL**

At 10:12 p.m. Mr. Baker made a motion to go into non-public session under RSA 91-A:3 II(e). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 10:15 p.m. Mr. Kenison made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Ms. Bates seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

***** COMPLAINTS – Deferred until next week's meeting**

ON-GOING BUSINESS:

***** STEEPLE PROJECT -**

***** PRIME WETLANDS PROJECT**

***** AMBULANCE SERVICE –** The need to look at other options was noted. DiLuzio has two options. Discussion was held on the committee looking into a collaboration. Mr. Baker would suggest to John Holman to schedule a meeting. Mr. Kenison shared that the proposal received last year that wasn't shared with anyone would cost Fitzwilliam \$50,000. Discussion was held on having DiLuzio provide ambulance service for Fitzwilliam, Troy and to house at the Fire Department.

INFORMATION

Meeting Schedule:

**7:00 p.m. - Wednesday, October 2, 2019
9:00 a.m. - Thursday, October 10, 2019
7:00 p.m. - Wednesday, October 16, 2019
9:00 a.m. - Thursday, October 24, 2019
7:00 p.m. - Wednesday, October 30, 2019**

Mr. Kenison made a motion to adjourn the meeting at 10:15 p.m. Ms. Bates seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Daniel Baker, Chairman

Robyn Bates

Charles Kenison
Board of Selectmen