



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
January 8, 2020
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

Dana Pinney gave an update to the Selectmen regarding Broadband. Mr. Pinney shared the emails that he had from committee members in Westmoreland and Chesterfield. He extended an invitation if they would help us. Brad Roscoe (Chesterfield) shared that it took them 3 years. Mr. Roscoe guided the Westmoreland group. Mr. Roscoe was available on the 10th or 18th and was willing to help us but now wasn't a good time. Mr. Snowden has a presentation on February 1st for Westmoreland residents and has invited Fitzwilliam and 2 other towns, then they would go into bond hearing work. Mr. Pinney stated this would be valuable to anyone going through this process. Westmoreland has had 3 requests for assistance from three towns. The meeting after the presentation would delve into the nuts and bolts of their process. Mr. Pinney felt that would be helpful to join the February 1st meeting and then to attend Mr. Roscoe's meeting here in February. Mr. Pinney stated the presentation was 1 ½ hours and then assisting towns. Mr. Pinney would ask what time that meeting would be held afterwards. Mr. Baker stated that it would be important for us to have a committee put together. Ms. Bates stated that February 1st was the School District's meeting. Mr. Pinney mentioned it would be helpful if a small core group could attend.

It was noted the town residents that were interested in serving on the committee were: Susan Silverman, Kim Heald, Mr. Pinney Matt Buonomano, and Steve Reinhart. Mr. Baker asked if Ms. Gray would know who would be interested in chairing the Committee. Ms. Bates stated at the January 22nd meeting they could discuss attending the February 1st meeting in Westmoreland. After discussion, the Selectmen agreed to name the committee and have them meet with the Selectmen on January 22nd and mention the February 1st meeting in Westmoreland. It would be helpful to find out who was interested in serving on the committee from Suzanne Gray and have them attend the January 22nd meeting. Mr. Pinney shared that securing a bond would be a process that someone would need to learn and that an Attorney would be needed.

The Selectmen agreed to set the meeting for February 18th. Ms. Favreau asked Mr. Pinney to confirm the date with Mr. Roscoe so she could put this information in the newsletter. The meeting would consist of an overview for residents and a deeper dive for committee members.

The Selectmen thanked Mr. Pinney for the update.

***** APPROVE MINUTES**
- January 2, 2020

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

***** APPROVE MANIFESTS**

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

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

BOARD MEETING MINUTES

January 8, 2020

7:15 MEET WITH PAUL KOTILA, CHAIR CONSERVATION COMMISSION - Approval of Appraiser for Buonomano property

Paul Kotila, Chair Conservation Commission met with the Selectmen to obtain approval to hire an appraiser to determine the value of the Buonomano (Schupack) pinnacle property that Mr. Buonomano was interested in selling. Mr. Kotila stated that Mr. Buonomano had met with the Conservation Commission as he was interested in selling this piece of property. Mr. Buonomano shared with Commission members that he wasn't in a hurry. Mr. Kotila stated it was 115 acres and Mr. Buonomano stated that he was willing to sell for \$85,000. Mr. Kotila had shared with Mr. Buonomano that the Town wouldn't proceed without an appraisal. Mr. Kotila contacted the Conservancy who has a list of appraisers that are experienced with easements on properties. A realtor can't do a comparable sales analysis as these properties are unique. Ms. Bates asked if Mr. Buonomano's property already had an easement. Mr. Kotila contacted two appraisers from the list. He received an estimate from both – one was \$2,600 and the other was \$2,900. Mr. Kotila went back to the Conservancy to find out if the cost was normal. He was told that it was because of the work involved. Mr. Kotila stated that both were highly recommended by the Conservancy. Mr. Kotila stated that he doesn't have an issue with either one and was only surprised by the cost. Mr. Kotila stated that he would pick the lowest bidder. Mr. Kotila shared that there wasn't a rush and he wasn't trying to prepare something for the March meeting. Mr. Kotila noted that the appraisal would determine where the funds would come from. Mr. Kotila was concerned with the age of the appraisal. He stated that the Conservation Commission could pay for the property with their funds, which he wouldn't want to do because it would diminish their funds. Mr. Favreau asked if the appraisal would be confidential. Mr. Kotila stated that the Selectmen would be the requestors of the appraisal. Mr. Kotila shared with the Selectmen an issue that happened in the past with a confidential appraisal. Mr. Baker asked if the appraisal came in at \$115,000 and Mr. Buonomano was willing to sell for \$85,000. Mr. Kotila stated that wouldn't be an issue and that would be a reason why you would want to keep it confidential.

Mr. Kotila explained that the Monadnock Conservancy owns the easement and they do a site visit each year to make sure the easement language is upheld. If not, the Conservancy could sue the owner to bring back to the status of the easement. Mr. Kotila stated the advantage to the Town would be to use the property for recreational purposes but the Town couldn't do anything not included in the easement. Ms. Favreau shared the recent sales of the property. Mr. Kotila stated it was his understanding that the appraisal was to protect the Town from overpaying for property. Mr. Kenison mentioned that the property has been nearly clear cut. Mr. Kotila stated that the timber appraisal would have to be part of the appraisal. Mr. Baker mentioned he has a hard time purchasing for the Town with the easement but from a recreational standpoint it would need to be more on the conservancy side. Mr. Kotila stated the land could be posted, so if a private owner – could say no public access. Mr. Kotila also stated the recreational part has diminished because no one has maintained the trails.

Mr. Kotila asked about contacting an appraiser. Mr. Baker asked if we could get an agreement from Mr. Buonomano to sell the property to the Town. Mr. Kotila thought it might be worth exploring. Maybe having a right of first refusal with a deadline would be a good idea. Mr. Baker stated we could say within 3 years. Ms. Bates stated that would give Mr. Buonomano a soft commitment. Mr. Kotila shares with the Selectmen that the Conservation Commission made it pretty clear to Mr. Buonomano that they couldn't approve the commitment and all that was done was that Commission members stated they were interested and would meet with the Selectmen to discuss further. Mr. Kotila mentioned that the Town could have first right of refusal; the Selectmen would have to decide the deadline and Mr. Buonomano would need to approve. Mr. Baker supported the Conservation Commission if they felt it was a priority. Mr. Kotila shared that the Conservation Commission felt it was a prime location; was irreplaceable and in the middle of Town. Mr. Kotila stated the Conservation Commission wasn't thinking of restoring the ski area. They were thinking it would be unique to the town, use for timber or used for agricultural purposes. Mr. Kenison asked about the price. He didn't think there would be any point to do an appraisal. Mr. Kotila stated that the appraisal purpose was to determine if that price was reasonable. Mr. Kenison asked if the appraisal meant anything. Mr. Kotila stated that to him it meant that would be the maximum the Town should pay for the property. The Conservation Commission's value wasn't based on price but the potential value of the property for the Town in the future. Discussion was held on the need for an appraisal, the property being timbered, cost paid in 2015, our assessment was \$120,000 but it wasn't known how much the easement was factored into the market value, and the property having two points of access.

Mr. Kotila stated an easement devalues the property and he mentioned the tax implications/benefits when donating property to the conservancy. Mr. Kotila noted that Mr. Buonomano hasn't discussed donating any part of the easement. Mr. Kotila stated the tax appraisal doesn't have anything to do with the easement assessment, which has to be done by a qualified appraiser. Mr. Kotila stated the value was removed when the easement was put into place.

Mr. Baker asked if in agreement to approach Mr. Buonomano about first right of refusal. Mr. Kotila agreed that would be a next step and then the next step would be to approach an appraiser. Mr. Baker would like the Conservation Commission to handle this and bring a recommendation to the Selectmen. Mr. Kotila stated that he was uncomfortable with the real estate aspect of it. Mr. Baker felt the Conservation Commission would be the experts in evaluating the property. Mr. Kotila wasn't comfortable writing a purchase and sales agreement. Mr. Baker stated an attorney would handle that. Mr. Kotila stated that he was comfortable with talking with Mr. Buonomano to discuss the terms, to everyone's satisfaction. The Selectmen stated

BOARD MEETING MINUTES

January 8, 2020

they would support and hire an attorney to draw up the paperwork. Ms. Bates shared that she didn't know if she should recuse herself because she in the area. Ms. Bates stated she was all for conservation and open space for Fitzwilliam. Mr. Kotila shared that the property was unique and development was going on all around. Mr. Kenison was in favor of setting up the agreement but not with the appraisal. Mr. Kenison thought we should make our own assessment of the property. Mr. Kotila asked if the Town could purchase a property above appraised value. Mr. Kotila understood where Mr. Kotila was coming from but didn't know the legal requirement to have an appraisal. Mr. Kotila shared that the Conservation Commission would have another meeting with Mr. Buonomano. Ms. Bates wanted to know who timbered the property. Mr. Kotila stated the timber tax would be part of the value because it was timbered. Mr. Kotila would follow-up with the Selectmen after meeting with Mr. Buonomano.

7:30 MEET WITH RICHARD DWINELL - *Cancelled*

- **On-going Issues - Garage and the water in his cellar – wants the Selectmen to go to his property and look at the damage**
- **Concern that required posting of Planning Board and ZBA meetings are not current**

*** REVIEW CITY OF KEENE'S HOUSEHOLD HAZARDOUS WASTE COLLECTIONS COMMITMENT LETTER

The Selectmen reviewed, discussed and agreed to commit.

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

*** DISCUSS FIRE DEPARTMENT INVOICES

Ms. Favreau shared that there were some very large invoices for purchases and she wanted the Selectmen to be aware of them. Ms. Favreau also shared that there was a purchasing policy and the Selectmen needed to approve the purchase. Discussion was held on the equipment purchased and the possible cost difference that was noted by a Selectman. After discussion, the Selectmen asked that Fire Chief Dubriske come in and meet with Ms. Favreau to discuss the invoices and the purchasing policy.

*** BUDGET WORK

Ms. Favreau asked if the Selectmen could continue review the budgets that they needed to approve. See notes on budget sheets.

Ms. Bates asked Mr. Kenison what he could comment on for the Fire Department and Ambulance budgets. Mr. Kenison was waiting to see what would be discussed at the Budget Committee on Thursday evening. Mr. Kenison did question why there was a budget increase of more than \$40,000 for the Fire Department and an increase of \$3,000 for the Ambulance over last year. Discussion was held on the cost of training - \$2,500, lights - \$5,000, air pack maintenance - \$5,500, and salaries being \$34,000 more than was spent last year. Ms. Favreau would touch base with Fire Chief Dubriske.

*** REVIEW ARTICLES FOR THE NEWSLETTER

The Selectmen reviewed and approved as edited.

*** NON-PUBLIC SESSION - RSA 91-A:3 II(e) – LEGAL

- **Latest Filings with the Court**
- **Responses to Questions**

At 9:19 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 9:23 p.m. Mr. Baker 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.

*** DISCUSS MEETING SCHEDULE

- **Budget Meeting 1/9/20**
- **Selectmen switch to 01/29/20**

Mr. Kenison and Ms. Bates would sit in on the Budget Committee meeting for Mr. Baker. Ms. Favreau shared that the Selectmen's meeting on January 30th needed to be changed. The Selectmen agreed to meet on Wednesday, January 29th at 9 a.m.

BOARD MEETING MINUTES
January 8, 2020

Ms. Bates asked what she needed to say at the Historic District Commission meeting tomorrow night. After discussion, Ms. Bates would stay the course with her commentary. She would share that the Selectmen did look at the gazebo and noted that it needed some repairs.

ON-GOING BUSINESS:

- *** **STEEPLE PROJECT**
- *** **PRIME WETLANDS PROJECT**
- *** **AMBULANCE SERVICE**
- *** **SOLAR**
 - **Notice of Public Meeting**
- *** **TOWN-WIDE ISSUES TO BE ADDRESSED AND THEIR ENFORCEMENT**
 - **Unregistered vehicles**
 - **Debris and junk in yards**

INFORMATION

- *** **THANK YOU NOTE FROM CVTC FOR DONATION**

Meeting Schedule:

- 9:00 a.m. - Thursday, January 2, 2020**
- 7:00 p.m. - Wednesday, January 8, 2020**
- 9:00 a.m. - Thursday, January 16, 2020**
- 7:00 p.m. - Wednesday, January 22, 2020**
- 9:00 a.m. - Wednesday, January 29, 2020**

Ms. Bates made a motion to adjourn the meeting at 9:25 p.m. Mr. Kenison 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