



BOARD OF SELECTMEN
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Fitzwilliam Town Hall
13 Templeton Turnpike, Fitzwilliam, NH 03447

BOARD MEETING MINUTES
January 19, 2023
8:30 A.M.

Selectmen Present: Brian Doerpholz, John E.F. Craig, Martin Nolan

Guests: Dana Pinney

AGENDA:

A. Call to Order

Mr. Doerpholz called the meeting to order at 8:30 a.m.

B. Appointments

C. Consent Agenda

• **Payroll and Vendor Manifests**

Mr. Craig made a motion to approve the Consent Agenda. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

D. Continued Business

• **Budget Work**

- **Review Library updated budget**

The Selectmen reviewed the revised Library budget to show the full-time position starting May 1st. The savings is \$1,300.

- **Review CIP recommendations**

The Selectmen reviewed the CIP final recommendations and made their recommendations as follows:

Fire Department:

Expendable Trust Equipment Replenishment (1969) – Mr. Nolan made a motion to recommend \$10,000. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Equipment Replace 16 SCBAs & radios – Mr. Doerpholz made a motion to recommend \$10,000. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Maintenance Equipment & Vehicle Expendable Trust – ongoing – Mr. Doerpholz made a motion to recommend \$5,000. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

General Government:

Revaluation – Sales Study (every four years) – Mr. Doerpholz made a motion to recommend \$5,000. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Maintenance of Town Buildings Expendable Trust – Mr. Doerpholz made a motion to recommend \$25,000. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Highway:

Repair Roads – Mr. Craig made a motion to recommend \$287,000. Mr. Nolan seconded. Mr. Doerpholz – No, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 2-1

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Capital Reserve Highway – Equipment Purchase – Mr. Nolan made a motion to recommend \$60,000. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Equipment Repair Expendable Trust – Mr. Doerpholz made a motion to recommend \$20,000. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Bridge & Culvert Repairs Expendable Trust – Mr. Doerpholz made a motion to recommend \$25,000. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Transfer Station:

Equipment Expendable Trust – Mr. Craig made a motion to recommend \$10,000. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0
It was noted that there is money in the trust. It can be used as extra funds to purchase 2 containers.

Police Department:

Cruiser Replacement – Mr. Doerpholz made a motion to recommend \$15,000. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Police Equipment Expendable Trust – Mr. Craig made a motion to recommend \$5,000. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Library:

Building Expendable Trust Fund – Mr. Doerpholz made a motion to recommend \$10,000. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Conservation Commission:

Purchase Land Expendable Trust – Mr. Doerpholz made a motion to recommend \$3,000. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Cemetery Expendable Trust:

Cemetery Expendable Trust – Mr. Craig made a motion to recommend \$6,000. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Document Preservation – Mr. Nolan made a motion to recommend \$0. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Economic Development Sign – Mr. Craig made a motion to recommend \$500. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

- **Discuss 2023 Mileage Rate**

Mr. Doerpholz shared that the IRS has increased the mileage rate to 65.5 cents per mile. The Selectmen agreed that the new rate would be effective February 1, 2023.

Mr. Doerpholz made a motion to approve the new mileage rate of 65.5 cents per mile, effective February 1, 2023. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

E. New Business

The Selectmen set their February meeting schedule: Wednesday, February 1 – 6 p.m., Thursday, February 9 – 8:30 a.m., Wednesday, February 15 – 6 p.m., and Thursday, February 23 – 8:30 a.m.

F. Public Hearing – none

G. Other Business

- **Follow up on Code issues discussed with Planning Board**

Mr. Craig shared his comments of the meeting. Mr. Craig felt it was an opportunity to be more efficient. There are three areas of concern where he thought we could make changes. Ms. Favreau shared that no case is the same. Mr. Doerpholz agreed and didn't know why we needed to give something in writing to the Planning Board because enforcement isn't from them. It was noted that no complaints came from the Planning Board, it with the Selectmen or others. The largest Planning Board complaint is Turnkey. Mr. Doerpholz shared there is a conflict of interest from abutters and those that sit on the Planning Board. Mr. Nolan didn't think Turnkey was aware that it was going to go to the magnitude it is. The Planning Board approved Turnkey. Mr. Nolan noted that there is light and noise, which can be dealt with to a point. Mr. Doerpholz shared that it is in a commercial area and there is residential behind it.

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Ms. Favreau shared that the Planning Board just kept circling back to Turnkey. Ms. Favreau mentioned that Turnkey met with the Planning Board on December 20th and she has copied the Planning Board on correspondence from the Selectmen.

Mr. Doerpholz shared that Rantilla Lane was mentioned. A member of the Planning Board wanted to review all of the documentation. The Selectmen stated that it was a civil matter and didn't direct anyone to the Planning Board. Mr. Craig suggested that we do something with code enforcement and communication with the Planning Board. There has been a lot of correspondence with Turnkey and a site walk was done. The Planning Board also met with Turnkey. It was noted that the building Turnkey built, was done without a Construction Permit Application. This was mentioned at their meeting with the Planning Board and it was going to be taken down. A sound wall was mentioned, as well as using a different machine to move lumber. They were amenable to this. Mr. Craig suggested sending a letter to Turnkey listing what they agreed to in their meeting with the Planning Board. Mr. Doerpholz shared that the letter to Turnkey should come from the Planning Board.

Discussion was held on violations – perceived or real, code enforcement, the Construction Permit Application process, an occupancy inspection where there are conditions set by the ZBA or the Planning Board, noise at Turnkey, and a decibel reading when Turnkey is in operation versus just the noise from the traffic. Mr. Craig would like us to do something so that we are able to work together. Mr. Craig shared that whatever letter is sent needs to have balance. Mr. Craig felt that the site walk was good. Mr. Doerpholz mentioned that starting off with a simple letter regarding a complaint, can sometimes resolve the issue. If not, another letter is sent, when the first letter is ignored or it doesn't solve the issue at hand. Mr. Craig felt a letter needed to go out whether from the Planning Board or the Selectmen that included what was discussed and agreed to. Mr. Doerpholz shared that the Planning Board had discussions with Turnkey, so they need to put that in writing. If it becomes a violation, the Selectmen would handle. Mr. Craig was hopeful that the correspondence would also be complimentary. Mr. Craig suggested coming up with a procedure. Mr. Doerpholz shared that the procedure would vary depending upon the case. If the Planning Board addresses the issues in their Notice of Decision and it becomes a violation, the Selectmen could meet with them to resolve the issue. Mr. Doerpholz shared that code enforcement isn't as streamlined as a flow chart as it varies depending upon the issues.

Mr. Craig shared that we should have sent correspondence to those that had made a complaint regarding Turnkey. Mr. Craig noted that it was customer service. The Selectmen agreed that we should notify them of what steps have been taken. Mr. Craig shared that it is late but we need to send out the letter. Discussion was held on who should get the letter, since we don't have all of the names and addresses. The Selectmen would address this at their next meeting.

Mr. Doerpholz was asked and he replied that the Planning Board would be sent a response.

Mr. Nolan asked about broadband. Ms. Favreau shared that she has received a static IP address that was needed for the Town Clerk, Heidi Wood and Richard Macomber would come in to install, once we receive our new computers.

H. Non-Public - If Necessary Non-public Session 91-A:3 II a, b, c, d, e, I

- Legal Matter
- Exemption Application

Non-public Session 91-A:3 II(c) - Exemption

At 11:06 a.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(c). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 11:08 a.m. Mr. Doerpholz made a motion to leave non-public session. Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 11:08 a.m. Mr. Doerpholz made a motion to seal the non-public minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

Non-public Session 91-A:3 II(I) - Legal

At 11:08 a.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(I). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 11:56 a.m. Mr. Doerpholz made a motion to leave non-public session. Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 11:56 a.m. Mr. Doerpholz made a motion to seal the non-public minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

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I. Adjournment

Mr. Craig made a motion to adjourn the meeting at 12:03 p.m. Mr. Nolan seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Brian Doerpholz, Chairman

John E.F. Craig

Martin Nolan
Board of Selectmen