



**BOARD OF SELECTMEN**  
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**BOARD MEETING MINUTES**  
**February 9, 2022**  
**7:00 P.M.**

**Selectmen Present:** Robyn Bates, John E.F. Craig via Zoom Brian Doerpholz

**Guests:** in person - Richard HKS Thackston, Dana Pinney via Zoom – Robert Ford, Jean Ford

Ms. Bates called the meeting to order at 7 p.m.

**PRIMARY:**

**PUBLIC COMMENT**

Ms. Bates asked to hold all public comments to the end of the meeting to be more efficient, unless a member of the Board of Selectmen asked for a comment.

**\*\*\* APPROVE MANIFESTS**

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

**\*\*\* APPROVE MINUTES**

- January 12, 2022 – Public and Non-Public
- February 1, 2022 – Public and Non-Public

Mr. Craig made a motion to approve both public and non-public minutes of January 12, 2022 and February 1, 2022. Mr. Doerpholz seconded. Ms. Bates - Yes, Mr. Doerpholz – Yes, Mr. Craig - Yes. Approved – 3-0

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

**\*\*\* CONSTRUCTION PERMIT**

- Map 38, Lot 7
- Map 12, Lot 34-2-2
- Map 33, Lot 22
- Map 25, Lot 5

**Map 38, Lot 7** – Ms. Bates made a motion to approve the Permit for Map 38, Lot 7. Mr. Craig seconded. Ms. Bates - Yes, Mr. Doerpholz – Yes, Mr. Craig - Yes. Approved – 3-0  
The Selectmen agreed that an Occupancy Permit was needed.

**Map 12, Lot 34-2-2** – Mr. Doerpholz made a motion to approve the Permit for Map 12, Lot 34-2-2. Mr. Craig seconded. Ms. Bates - Yes, Mr. Doerpholz – Yes, Mr. Craig - Yes. Approved – 3-0  
The Selectmen agreed that an Occupancy Permit was needed.

**Map 33, Lot 22** – Mr. Craig made a motion to approve the Permit for Map 33, Lot 22. Mr. Doerpholz seconded. Ms. Bates - Yes, Mr. Doerpholz – Yes, Mr. Craig - Yes. Approved – 3-0  
The Selectmen agreed that an Occupancy Permit was needed.

**Map 25, Lot 5** – It was noted that the project meets the setbacks but the accessory dwelling cannot exceed 800 square feet. The garage is 40X28 with a 12X20 deck with stairs. The Selectmen denied the Construction Permit Application as presented, until the Applicant changes or goes to ZBA for a variance.

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### 7:10 MEET WITH BARBARA YOUNG – ASSESSING

Barbara Young, Dan Sutton, Suzanne Gray, Tom McHugh and Skip Hagstrom met to discuss assessing. Barbara Young shared that she has been recently reminded on the Planning Board about this same topic which she had met with the Selectmen a year ago to discuss. Ms. Young stated that there seems to be a number of after the fact cases of Construction Permit Applications, and when she met with the Board of Selectmen, previously, she had made a suggestion that in our contract with Avitar could help identify and communicate such activity with the Town Administrator, Board of Selectmen and Land Use. The contract update wasn't going to happen last year, but we are getting close. Ms. Young felt it was important as these cases come before the Planning Board. Suzanne Gray shared that this is one way to get this information back to the Selectmen's Office and Land Use. Ms. Bates shared that we could ask Avitar if this is something they can do, but this isn't in our current contract but maybe going forward it could be added. Dan Sutton shared that someday there will be a case that requires what was built illegally to be torn down. Mr. Sutton mentioned having an advance fee if someone comes in after the fact. He also suggested doing an article in the newsletter. Mr. Sutton also mentioned having a grace period for people to come in. Everyone agreed that education is key. It was noted that on the website it needed to be changed to construction instead of building. It was also mentioned that the instructions needed to be changed to include wetlands. Ms. Bates stated the plan of action was to contact Avitar.

### 7:15 MEET WITH ECONOMIC COMMITTEE

Beth Lorenz and Barbara Young shared that an application was put in for the Farmers Market and the Garden Club for the same day. The Common Committee stated that the Farmers Market would need to be held on the side of the Town Hall. Ms. Favreau shared that Bill Davis told her that everyone was in agreement that they would all be on the common together. Ms. Young didn't understand why the Common Committee stated this. Mr. Craig shared that he also received a call regarding the two groups working together. Ms. Young shared that they have worked together and are willing to be on the common together. Ms. Young asked if the Farmers Market needed to go through the Common Committee. Ms. Favreau shared that rental of the Town Common goes through the Board of Selectmen and a copy is sent to the Common Committee. Ms. Bates shared that we look to the Common Committee for guidance on aesthetics, upkeep and general activities but they don't have the say on who uses that public property. Mr. Doerpholz shared that it is up to the Board of Selectmen to approve the use. Mr. Craig shared that the concern is that the Garden Club usually uses the area near the fountain and it is pretty full, and the Farmers Market could use the area to the south. Ms. Young shared that the two groups have done a site walk and have worked out a plan for that day. Beth Lorenz shared that the Farmers Market wanted to work closely with others that use the common and work together to enhance the events. Ms. Young shared what the layout would be for the Garden Club and the Farmers Market. Ms. Lorenz asked about having power for music for the Farmers Market.

Ms. Gray shared that the Economic Committee looked at the Town's website and it includes the business listing, which needs to be updated. Ms. Gray asked if the Economic Committee could give Ms. Favreau a spreadsheet to upload to the website. Ms. Gray mentioned that it isn't clear that the calendar is there. Ms. Gray shared that members of the Economic Committee have some website experience. Ms. Favreau shared that the format is the format and the picture can't be changed. Ms. Lorenz asked if there wasn't any discussion to be had to make changes to the website. Ms. Favreau shared that we use Civic Plus and there are only two companies that work with municipalities. Ms. Lorenz asked about permissions to the website and Ms. Favreau shared that they can be given. Mr. Lorenz mentioned that the website isn't user friendly and you need to go looking and digging for information. Ms. Bates asked if they had a proposal for something else. Ms. Gray shared that the calendar is being updated and you can click on the star and it brings up the meeting information. Ms. Gray asked if Lori Nolan, Land Use Coordinator could do that for the Economic Committee. Ms. Favreau shared that she could. Ms. Gray noted that they want people to use the website. Ms. Bates asked if Ms. Gray wanted to give a recommendation of changes and present them to the Selectmen.

Mr. Craig mentioned that a welcome packet is being worked on and it was mentioned having a tab on the website that says "Welcome".

### 7:30 MEET WITH FITZWILLIAM VILLAGE WATER DISTRICT

John Fitzwilliam, Ben Thomas, Ken Beckwith and Tom McHugh of the Fitzwilliam Water District met with the Selectmen to discuss grant monies. Ben Thomas shared that Mr. Craig had mentioned that there may be some funds available from the Federal Relief Act. The Village Water District has always been separate from the Town and Mr. Thomas referred the Selectmen to the presentation that the Village Water District created. Mr. Thomas reviewed the google map that indicates the area covered by the Village Water District. Mr. Thomas mentioned what the needs were and discussed how they operate. Mr. Thomas also discussed the bigger picture of how Fitzwilliam wanted to bring water to its residents. He noted with all of the federal talk of major infrastructure funding it might be something the Town can take advantage of and it would be a broader picture. Mr. Thomas shared that if we can improve individual septic systems that are near a body of water, maybe we could do a bigger project. Mr. Thomas shared that they have gotten quotes of repairs and upgrades that they would like to do and he reviewed the projects and associated costs. Mr. Thomas mentioned the issue on Templeton Turnpike with the water line. Ms. Bates asked if the items were in priority order. Mr. Thomas replied that they were and noted that the water tank replacement is in their budget this year. Mr. Thomas discussed that wells are on different properties and shared how they

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have handled things in the past. Mr. Thomas mentioned the line under Route 119 and the associated cost of \$12,500. Ms. Bates shared the next step is to take the list and determine the best allocation of the ARPA funds. The Selectmen would take under consideration to determine what could be allocated with those funds. Mr. Craig asked if there were any general questions that the Selectmen had. Ms. Bates asked if they would ever expand their footprint. Mr. Thomas replied probably not but mentioned years ago there had been discussion of getting a lot and putting in a well. It would be nice to upgrade all of the piping. Mr. Thomas shared that some of the pipes were put in in 1969. Ken Beckwith shared that some pipe was put in in the 1950s and if expanding, the existing pipes would need to be replaced. Mr. Thomas shared that in looking at potential federal infrastructure funds to put in a new system and adding septic, it would cost millions of dollars. They are just trying to maintain their system. Ms. Bates shared that the Selectmen did review the presentation that was put together. We need to put a little in to help maintain. Ms. Favreau asked if anyone has looked to see if the Village Water District was eligible for any federal grants. Mr. Craig asked if Ms. Favreau would be a resource for getting this information. Ms. Favreau shared that there were some funds in the Federal Clean Water Act and she would check with FEMA as well. Ms. Bates shared that those are three things that the Selectmen can do for them. Mr. Doerpholz asked to get a copy of the handout.

Mr. Doerpholz asked if the Village Water District was looking for complete funding or a split. Mr. Thomas shared that in their budget they have funds to replace their pressure tanks and that could come from ARPA funds. Anything that could come from that fund could help with the rates of the rate payers. Ms. Bates shared that when the Town gets unanticipated funds, the Selectmen have to accept. The Village Water District would probably have to do the same but not necessarily a public hearing.

### 8:15 MEET WITH CHIEF DISALVO Re: Prosecutor

Chief Leonard DiSalvo shared with the Selectmen that the Town's prosecutor, Martha Jacques, has resigned effective March 1<sup>st</sup>. He has talked with Attorney Mark Beausoleil based out of Antrim and he has one slot available. Attorney Beausoleil is willing to take on the Town of Fitzwilliam. It would be at the same rate as Attorney Jacques. Chief DiSalvo noted that Attorney Jacques recommended Attorney Beausoleil. The Town of Antrim would bill quarterly. Attorney Beausoleil does everything that Attorney Jacques does. Chief DiSalvo went over what Attorney Beausoleil could represent the town with and Chief DiSalvo shared that he has known Attorney Beausoleil for years and he is a much squared away guy. The problem is finding people that do what he does. Mr. Craig asked if we needed to get references. Ms. Bates asked if we needed to get two other proposals. Ms. Favreau shared that she didn't think that we needed to have three proposals. Chief DiSalvo didn't think it was possible. Mr. Doerpholz didn't view it as a vendor and it sounds like it would be difficult for us to find someone. Chief DiSalvo shared who the Town's prosecutors were in the past. Attorney Beausoleil would be on call for us 24/7. Ms. Bates asked if he was tough on crime. Chief DiSalvo shared that usually the prosecutors go on the Chief's advice. They work closely with the Police Department. Chief DiSalvo shared that the Town had a three year contract with Attorney Jacques and mentioned that the Town Administrator for Antrim had stated that a contract wasn't needed. Chief DiSalvo was asked if he would feel more comfortable having a contract. Chief DiSalvo responded that he could talk with the Attorney but didn't feel that would be an issue.

Ms. Bates made a motion to have Attorney Mike Beausoleil serve as our interim attorney to support the on-going cases at the lapse of Attorney Jacques' tenure and to make a decision at a later date. Mr. Doerpholz seconded. Ms. Bates - Yes, Mr. Doerpholz - Yes, Mr. Craig - Yes. Approved - 3-0

Ms. Bates asked Chief DiSalvo to keep the Selectmen in the loop. Mr. Doerpholz asked if we wanted to have a meet and greet in a non-public session to discuss the on-going cases. Chief DiSalvo shared that Attorney Jacques has already spoken with Attorney Beausoleil.

### \*\*\* UPDATE ON BOARD MEETINGS

Library Trustees - Mr. Doerpholz shared that the cost for a new security panel was \$3,130. They plan on displaying smaller less costly items from the Locke Collection, starting with the canoe and having a book showing the other items. The Trustees continue their work on a long range plan. Ms. Bates asked about the budget overage. Dick Goettle had stated that in the past they have funds that can be tapped into. Mr. Doerpholz stated that the investments have all been moved to TD Bank. Mr. Doerpholz noted that there are three funds, which are donations the Library received long ago, and the Library draws \$500 from each fund yearly until they expire. They could look into at their next meeting. Mr. Doerpholz noted that the new computers were installed and Rich Macomber is working to move the older computers into the public areas.

ZBA - There were 4 cases:

- A multi-family building on Fullam Hill Road. After discussion and concerns about traffic. It was denied.
- 37 Old Turnpike Rd - new unit built in the existing footprint. The owner has been to the Planning Board. The ZBA has scheduled a site walk for February 17<sup>th</sup> and would hear the case on March 10<sup>th</sup>.

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- Nathan Olson – Route 119 W – separated the two lots that were there and was looking to build a single building or a duplex. The ZBA pointed out that Mr. Olson needed to propose what was to be built. The buyer of the property would need to build what might be approved by the ZBA.
- The Fitzwilliam Historical Society - Map 32, Lot 10 – to permit the construction of a 10X20 foot storage barn. The drawing shows an old building that has been torn down, where the new barn would be built. The ZBA asked for a new drawing, with measurements and more detail.

### \*\*\* REVIEW REQUESTED RECREATION PROGRAMS

The Selectmen reviewed the proposed programs: Fitz Freeze Fest and Adult Exercise Class. The Selectmen thought they were great programs.

### \*\*\* SIGN LETTER TO PSNH REGARDING ASSESSMENT

Ms. Bates shared that our assessing company has sent a draft letter to be sent to PSNH in order to complete utility values for 2022.

Ms. Bates made a motion to approve sending the letter to Eversource. Mr. Craig seconded. Ms. Bates - Yes, Mr. Doerpholz – Yes, Mr. Craig - Yes. Approved – 3-0

### \*\*\* DISCUSS ARPA EXPENDITURES

Mr. Craig created a list of items and costs for CIP, ARPA and FEMA funding. Mr. Craig asked if we are reimbursed with FEMA funds is it unanticipated funds and is it restricted. Ms. Favreau shared that it is unanticipated funds and can be used how we choose. Mr. Craig started to review the three categories and the associated costs. Mr. Craig asked if the Selectmen wanted to review the list tonight or did they want to review and then come together and have a discussion. Ms. Bates suggested reviewing the documents on their own and having a discussion at their meeting next week. Mr. Doerpholz agreed with Mr. Craig's comment on the list to keep some of the ARPA funds unallocated. Mr. Craig asked if it would be easier to send the documents to add their items to it. The Selectmen felt it would be easier to discuss next week and Mr. Craig could create a master.

### \*\*\* PUBLIC COMMENT

Richard HKS Thackston asked what the Town's prosecutor gets paid. Ms. Favreau shared it is in the legal line item. Ms. Favreau shared the prosecutor is paid \$1,100 per month. Mr. Thackston shared that in the Town of Troy the Police Chief does the prosecutions. Mr. Thackston asked if there was a breakdown for every budget line item. Ms. Bates asked why he wanted the information. Mr. Thackston responded that he was interested. He asked how people get this information if they are not able to attend the meetings. Ms. Favreau shared that this information is included in the Annual Report, for the previous year. Ms. Bates shared that Ms. Favreau can provide the information to him.

### \*\*\* NON-PUBLIC SESSION RSA 91-A:3 II(a)

At 8:52 p.m. Ms. Bates made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Ms. Bates - Yes, Mr. Doerpholz – Yes, Mr. Craig - Yes.

At 9:29 p.m. Ms. Bates 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. Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Ms. Bates - Yes, Mr. Doerpholz – Yes, Mr. Craig - Yes.

### INFORMATION

- Public Utilities Commission response to inquiry
- DES Letter regarding 46 Rantilla Lane

The Selectmen briefly discussed the snow stops being installed at the Transfer Station.

Mr. Doerpholz made a motion to approve AL Johnson putting in 50 snow stops at the Transfer Station. Ms. Bates seconded. Mr. Craig thought that we were being price gouged. Ms. Bates - Yes, Mr. Doerpholz – Yes, Mr. Craig - Yes. Approved – 3-0

### ON-GOING BUSINESS:

#### \*\*\* TOWN-WIDE ISSUES TO BE ADDRESSED AND THEIR ENFORCEMENT

- Unregistered vehicles
- Debris and junk in yards

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Ms. Bates made a motion to adjourn the meeting at 9:54 p.m. Mr. Craig seconded and the motion passed. 3-0

Submitted by:

Sheryl White  
Secretary to the Board of Selectmen

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Robyn Bates, Chairman

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Brian Doerpholz

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John E.F. Craig  
Board of Selectmen