



BOARD OF SELECTMEN
P.O. BOX 725
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FITZWILLIAM, NH 03447
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Fitzwilliam Town Hall
13 Templeton Turnpike, Fitzwilliam, NH 03447

BOARD MEETING MINUTES
March 14, 2023
2:00 P.M.

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

Guests: Dana Pinney, Dan Stark

AGENDA:

A. Call to Order

Mr. Doerpholz called the meeting to order at 2:05 p.m.

B. Appointments

2:30 p.m. - Jillian Jones – to discuss purchase of Town owned property – Map 10, Lot 36

Robert and Jillian Jones met with the Selectmen to discuss purchasing a Town owned property. Mr. Doerpholz shared that he discussed the process with Ms. Favreau and he didn't realize it had to be by public auction or a warrant article. A warrant article couldn't be made until next year. Mr. Jones shared that the property is land locked and is located behind his property. Mr. Jones shared that it is mostly swamp. The Selectmen can decide whether it is a public auction or a warrant article. It was noted that there is a deeded access to the property, so it isn't land locked.

Mr. Nolan made a motion to agree to sell the property. Mr. Doerpholz seconded. After discussion, Mr. Nolan amended his motion to put the property out to bid by sealed bid. Mr. Craig seconded. Mr. Doerpholz– Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Ms. Favreau would look into the timeline to advertise and follow-up with the Selectmen.

C. Consent Agenda

- **Payroll and Vendor Manifests**
- **Minutes of March 8, 2023 – Public and Non-Public**
- **Construction Permit Application – Map 31, Lot 17**

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

- **Construction Permit Application – Map 34, Lot 23**

Mr. Craig felt we should notify the person that complained of a possible violation. The Selectmen agreed to send a follow-up letter indicating that code enforcement looked into and the violation has been corrected by the submittal of a Construction Permit Application – after-the fact and it was noted that double fees were charged the applicant.

Mr. Doerpholz made a motion to approve the after- the-fact Construction Permit Application for Map 34, Lot 23. Mr. Craig seconded. Mr. Doerpholz– Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

D. New Business

- **Review Abatement Recommendations from Avitar**
 - **Map 15, Lot 41**
 - **Map 2, Lot 9-5**
 - **Map 7, Lot 7-50**
 - **Map 35, Lot 18**

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The Selectmen reviewed Avitar's abatement recommendations for the properties listed above.

Mr. Doerpholz made a motion to approve the abatement recommendations from Avitar for Map 15, Lot 41, Map 2, Lot 9-5, Map 7, Lot 7-50 and Map 35, Lot 18. Mr. Craig seconded. Mr. Doerpholz– Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

• Review Personnel Policies and Procedures Manual

The Selectmen reviewed the Personnel Policies and Procedures manual and made changes to the following policies/procedures:

Section VII – Medical Examinations: all references to highway department be changed to DPW;

Section IX – Classification Plan – A. Categories of Employment – 5 – Part-time Employees: working less than ~~thirty (30)~~ **thirty-four and a half (34.5)** hours per week on either a fifty-two (52) week per year or seasonal basis;

Section IX – Classification Plan – A. Categories of Employment – 8 – Temporary/Seasonal Employee: May or may not exceed ~~30~~ **34.5** hours per week;

Section XVI – General Work Rules – C – Ms. Favreau has received a sample from NHMA and she would draft additional language for the Selectmen to review;

A motion was made and approved to recess until 5:00 p.m.

A motion was made to reconvene the meeting at 5:45 p.m.

Section XVI – General Work Rules – F – to respond to fire or medical emergency calls that are within the Town of Fitzwilliam/Troy;

Section XVII – Computer, Internet, and Cellular Phone Use – C – Cellular Phone Policy – 4: Business Use of Personal Cellular Phone: Employees/officials who use their personal cellular phones for business related calls ~~may will~~ be reimbursed for those calls, but only if they exceed their plan minutes. The reimbursement of business calls would be at the excess minute rate (including fees and taxes), up to the number of minutes exceeding the plan limit for the month. ***with a stipend;***

Section XVIII – Compensation – A – General Policy – 3 - delete;

Section XVII – Compensation – C – Establishment of Wage Rates for Employees – 10 – All positions on Grade 16 - 18 of the wage scale;

Section XXI – Leave – A – Annual Leave (Vacation) – 5 – Town Administrator, Police Chief and ~~Read Agent~~ **DPW Director;**

Section XXIV – Employee Performance Evaluation – B – The Department Head will review the evaluation and forward it to the Board of Selectmen no later than ~~November 15th~~ **September 1st**; and

Section XXIV – Employee Performance Evaluation – C – The Board of Selectmen will complete the review of all employee evaluations by ~~December 15th~~ **October 1st**.

E. Public Hearing – none

F. Other Business

• Current Use Application

Mr. Doerpholz shared that Mark Taylor wanted to put both of his properties into current use.

Mr. Nolan made a motion to approve the current use application. Mr. Craig seconded. Mr. Doerpholz– Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

• Code enforcement Issues

Mr. Nolan shared that he received a complaint regarding the property on Route 119. The owner would like the property across the street taken care of – there is a lot of stuff in the yard. Mr. Doerpholz shared that the policy on Junk Yards doesn't apply, and they don't have multiple vehicles. There isn't a violation. Mr. Craig shared that the Planning Board approached the Selectmen to look into Junk Yards and maybe we should look at Junkie Yards.

Mr. Nolan suggested sending a letter, asking for the property owner to pick up their yard. Ms. Favreau shared that this would be picking on one owner. Mr. Nolan noted that a letter could be sent to others. Mr. Craig shared that this is an on-going issue. Ms. Favreau shared that a letter was sent to a property owner who had a perpetual yard sale.

Mr. Doerpholz shared that we have sent a letter to others if there is a safety hazard. Discussion was held on an unsightly yard, a safety hazard, or junkie yard. Mr. Craig suggested that Ms. Favreau ask other Town Administrators how their town's handle this type of issue. Ms. Favreau has asked and other towns have these issues. Ms. Favreau shared a letter that the Selectmen had previously sent regarding the appearance of a perpetual yard sale. Ms. Favreau shared that this form could be sent. Mr. Nolan asked that we wait until spring.

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

Non-Public RSA 91-A:3 II(e)

At 3:30 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(e). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz– Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 3:46 p.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 3:46 p.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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At 4:05 p.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 4:05 p.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 RSA 91-A:3 II(c)

At 4:05 p.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 4:53 p.m. Mr. Doerpholz made a motion to leave non-public session. Mr. Nolan seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 4:53 p.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. Nolan seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

Ms. Favreau asked what the minimum bid should be set at for the town property. The Selectmen agreed that \$3,000 would be the minimum.

Mr. Doerpholz shared that DPW Director Glenn Smith had submitted his resignation and his last day is Friday, March 24, 2023.

Mr. Doerpholz made a motion to accept Mr. Smith’s resignation. Mr. Craig seconded. Mr. Doerpholz– Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

H. Adjournment

Mr. Doerpholz made a motion to adjourn the meeting at 6:30 p.m. Mr. Craig 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