



**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**  
**March 16, 2022**  
**7:30 P.M.**

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

**Guests:** in person – Dana Pinney via Zoom – Robert Ford, Jean Ford

Mr. Doerpholz called the meeting to order at 7:30 p.m.

**PRIMARY:**

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

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

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

**- March 8, 2022 – Public and Non-Public**

Mr. Craig made a motion to approve both the public and non-public minutes of March 8, 2022. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Abstain. Approved – 2-0

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

**\*\*\* ELECT BOARD OF SELECTMEN CHAIRMAN**

Mr. Craig moved that Brian Doerpholz be the Chairman of the Board of Selectmen. Mr. Nolan seconded. Mr. Doerpholz – Abstained, Mr. Craig – Yes, Mr. Nolan – Yes. Approved – 2-0

**\*\*\* DISCUSS CONFLICT OF INTEREST PROCEDURES**

Mr. Craig thought it would be good at this juncture to have an open discussion on conflict of interest. Mr. Craig mentioned that he has conflicts and Mr. Nolan has a potential conflict with his daughter (Lori Nolan) working in the Land Use office. Mr. Craig discussed how to, individually, determine this and if not, others need to sensitively mention the conflict. Mr. Craig cited the RSA that pertains to conflict of interest. He noted that he is a clerk for the Fitzwilliam Village Water District. Mr. Nolan felt this was directed towards him and he mentioned that he has run into this before with his wife being a Deputy Town Clerk. Mr. Nolan discussed how he handled this conflict and he never voted on that department's budget. He feels this way about Land Use. He would offer his opinion, he wouldn't vote. He shared that his daughter doesn't have any direct input in the budget and he doesn't have a direct link with supervision as that is handled by Ms. Favreau and Suzanne Gray. Mr. Nolan shared that he has a knowledge of the oil industry and there isn't a conflict as oil isn't sold at the Town. He also has knowledge of highway equipment. Mr. Nolan feels very strongly about acknowledging any conflict. He would offer his knowledge but wouldn't sway the decision and he wouldn't vote. Mr. Nolan noted that Fitzwilliam is a small town and he feels it is difficult for anyone to be 100% without conflict. Mr. Nolan felt that we should be considerate of others and not isolate. Mr. Doerpholz agreed and he shared how others are handling their conflict. They give input but do not vote. Mr. Doerpholz didn't want to limit the discussion aspect but acknowledged that sometimes they do need to recuse themselves from the discussion and voting as well. Mr. Doerpholz also felt it was on a case by case basis. Mr. Nolan felt it needed to be respected both ways.

Mr. Craig reviewed an additional section in the RSA and he handed the information to Mr. Nolan. The Selectmen were all in agreement.

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Mr. Ford congratulated Mr. Nolan and he shared that it might be better for everyone because not everyone knows that there is a conflict. He mentioned that there is information at NHMA. Mr. Doerpholz thanked Mr. Ford but shared that there isn't any handouts at NHMA but there is information. Mr. Ford was appreciative of acknowledging a perceived conflict.

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### ASSIGN BOARD MEMBERS TO BOARDS AND COMMITTEES

Mr. Doerpholz shared that the Library Trustees have recommended the appointment of Brian Doerpholz and Nancy Fey-Yensan as Alternate Trustees. Mr. Doerpholz shared that the appointments are for one year.

Mr. Craig moved to appoint Nancy Fey-Yensan. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Mr. Craig moved to appoint Brian Doerpholz. Mr. Nolan seconded. Mr. Doerpholz – Abstained, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 2-0

Mr. Doerpholz shared what had happened with a write-in on the ballot. The person declined all of the positions that were won as a write-in. Mr. Doerpholz has asked Heidi Wood, Town Clerk to give a copy of the voting results. Ms. Favreau and the Selectmen discussed the open positions.

Mr. Nolan would need to write a resignation letter for the Budget Committee. Skip Hagstrom would then make a recommendation to fill the position. Gene Cuomo and Chris Mattson-Whipple were write-ins for Commissioner of Plante Memorial Park. Mr. Cuomo would be asked if he was willing to serve, if not, Mr. Mattson-Whipple would be asked.

Mr. Doerpholz discussed the Selectmen representatives on the various boards/commissions. He mentioned that the Selectmen representative on the Planning Board is a voting member and the ZBA is not a voting member. Mr. Doerpholz serves as a Library Trustee, is on the ZBA, and he is also working on the Master Plan. Mr. Craig serves on the Historic District Commission and the Conservation Commission. Planning Board is the only open position. Mr. Nolan shared that he has no basis for anything and was willing to step in and see what he can do. Mr. Craig shared that he is serving a one year term and he is sort of picking up what the Selectmen's responsibilities are. Mr. Craig shared that it would be a big learning curve for Mr. Nolan. Mr. Craig was open to serve where he needs to and is open to stay with the Historic District Commission and the Conservation Commission or to change. Mr. Nolan shared that Ms. Nolan is on the Planning Board. It was noted that Ms. Nolan records the minutes on all board/commissions. Mr. Nolan didn't have a problem stepping onto the Planning Board. Later in the year, a Selectmen's representative would be assigned to CIP and the Budget Committee.

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### DISCUSS VACANT SEAT ON SCHOOL BUDGET COMMITTEE

Mr. Doerpholz asked if Karen Craig was willing to fill the position on the School Budget Committee. Mr. Craig shared that if no one else was willing to fill the seat, she would. Phyllis Peterson, Win Wright and Kristen Noonan would be contacted to get their input.

Mr. Doerpholz asked for a note to be sent to Dan Sutton asking if Bob Handy and Susan Massin, whose terms were up, were willing to continue on the ZBA.

Mr. Craig shared that Pat Deyo had resigned from the Historic District Commission and mentioned keeping him in mind for special projects.

Mr. Craig wondered about Bill Prigge as Moderator and thought it sounded as though Mr. Prigge hadn't indicated an interest, but was written in. Mr. Doerpholz shared that in the last couple of years, Mr. Prigge has signed up for the position or has forgotten to sign up and he has been voted in or won by write-in votes. Mr. Craig asked if we should determine Mr. Prigge's interest and if not interested to contact Gene Cuomo. Mr. Doerpholz felt it was a little premature to look at now. Mr. Nolan shared that Mr. Prigge has been there for many years and people vote him in. Mr. Nolan wasn't sure that it was a strong desire to accept the Moderator position. Mr. Doerpholz shared midterms are coming up in September and that would be the time to determine Mr. Prigge's interest. Mr. Nolan mentioned Win Wright as Assistant Moderator. Mr. Nolan felt that Heidi Wood, Town Clerk should be part of the discussion.

Mr. Craig shared that it would be wise at some point to develop a list of volunteers. Mr. Nolan suggested listing the areas where volunteers are needed. The Selectmen agreed that it would be a good idea to get a list started.

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### VOTE ON LAND USE CHANGE OF USE VALUE

Mr. Doerpholz reviewed the LUCT for Map 11, Lot 5-4 and Map 15, Lot 38-1. Mr. Craig made a motion to approve the LUCT for Map 11, Lot 5-4 and Map 15, Lot 38-1 adjusting for current use. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

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### \*\*\* REVIEW DPW REQUEST FOR PROPOSAL FOR ROAD PROJECTS

Mr. Doerpholz shared that the estimated cost of the project was \$400,000. It includes one mile of Collins Pond Road, 100 feet of Lower Templeton Road and one and a half miles of Holman Road.

### \*\*\* REVIEW JOB DESCRIPTION FOR SECRETARY

Mr. Doerpholz gave an overview of what had transpired in approving this position. The Selectmen reviewed the job description and Mr. Doerpholz asked if there were any changes or comments. The Selectmen discussed what changes should be made to the job description. It was noted that the position was for 8 hours per week. Mr. Craig asked if Ms. Favreau knew anyone that would be interested in the position. Ms. Favreau replied that she didn't know anyone. Discussion was held on some of the requirements requested and they may be more than what the position demands. Ms. Favreau shared that there needed to be some discussion with Mr. Smith because we don't have the details of what he envisions this position to be. It was mentioned that flagging was also to be part of this position.

### \*\*\* DISCUSS CEMETERY BACK PACK BLOWER PURCHASE

Mr. Doerpholz shared that the Cemetery Trustees are looking to purchase a \$600 back pack blower and \$800 was budgeted. A quote was obtained from Ronnie's Small Engine LLC.

Mr. Craig moved that we approve the purchase of the blower for the Cemetery Department. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

### \*\*\* REVIEW ESTIMATE FOR TOWN HALL ROOF REPLACEMENT

Mr. Doerpholz shared that we have received a bid from AL Johnson in the amount of \$160,491. Mr. Doerpholz asked if we are looking at a full replacement or repairing. Mr. Craig would call Geyer and Sons. Mr. Nolan would like to look at the possibility of repair. He would like to listen to the experts. Ms. Favreau shared that we have asked companies to look at the roof and give a bid. Mr. Craig shared that Janowicz and Melanson gave bids in the amounts of \$380,000 for full replacement, and \$16,500 for repair, respectively. Mr. Craig shared that this bid was from AL Johnson. Mr. Nolan recused himself because Nathan is his nephew. Mr. Craig shared that Nathan is recommending a full replacement and shared Nathan's concern. Mr. Doerpholz mentioned replacing the entire roof and using ARPA funds. Ms. Favreau shared that she would apply for an LCHIP grant.

Mr. Doerpholz shared that ARPA funds needed to be spent by 2024. Mr. Craig suggested getting the bids in before doing anything else. Mr. Doerpholz agreed that we needed to tackle this first and get it out of the way. Discussion continued on funding, timing for the start of the project, getting bids and making a decision of what company to use. Mr. Doerpholz mentioned reserving \$200,000 for the Town Hall roof, and determining what other projects could be done with what remains from ARPA and FEMA funding and also applying for LCHIP. Mr. Craig would contact Geyer and Sons and talk with Nathan from AL Johnson to determine if he has had time to look at the underside of the roof. Mr. Nolan asked if we should contact another company. Ms. Favreau shared that they have tried. Mr. Craig shared that Dana Pinney has been very helpful with developing a list of contractors. The leak in the Land Use office was mentioned. Ms. Favreau shared that the roof was repaired and the leak was fixed. Mr. Pinney noted that it takes five years for a leak to show and even if repaired it doesn't necessarily mean the leak has been fixed. Mr. Pinney shared he would suggest contacting all contractors on the list. Mr. Pinney shared that the new slate would be a lot heavier than the original slate. Mr. Craig would contact everyone on the list.

### \*\*\* REVIEW REQUEST TO APPOINT ALTERNATE LIBRARY TRUSTEES – Discussed earlier.

### \*\*\* DISCUSS MEMORIAL DAY ACTIVITIES

Ms. Favreau shared that Mike Grab, Cemetery Trustee wanted to know if the Board of Selectmen wanted to go back to the full blown activities that were done in the past. Mr. Doerpholz shared that it has been two years and it is time to get back to what was done previously. The Selectmen agreed.

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

Mr. Craig reported that the Planning Board met last night to discuss the Stone Pond Dam project. Mr. Nolan shared that he agreed with the consensus on the 3<sup>rd</sup> plan. He didn't see that as viable. Changing the road, disregarding the land issue and moving the road – this project would be astronomically expensive and Mr. Nolan doesn't think the value would be there. Mr. Nolan would leave it off. Mr. Doerpholz shared that Mr. Smith had mentioned it would create an intersection and noted that it wasn't recommended by the group. Mr. Doerpholz shared that the 2<sup>nd</sup> plan (2-A) having a shorter spill way would be the way to go. The other plan would require a significant raising of Templeton Turnpike. Mr. Doerpholz shared that it would be up

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to the Planning Board. Mr. Doerpholz also shared that the road was way down on Mr. Smith's road list. The Selectmen agreed that they needed to go forward with two plans and the Selectmen would need to know how much money would need to be raised for the project. Mr. Craig didn't realize that the owner was going to donate the land after the project is completed to the Town. Mr. Nolan asked what would be the value to the Town. Mr. Craig shared it would be for conservation. Discussion was held on the reduction of water, the amount of land, and the value to the Town.

Mr. Craig shared that they are looking for a letter of support. Mr. Craig indicated we have many more dams in Town, and asked if we were setting a precedent by participating in payment to have the dam removed. Mr. Doerpholz shared that the Town would only be dealing with the road work, and not the dam. The Selectmen discussed horseshoe dam and what was done. Mr. Craig thought that what they were looking for was culvert replacement and maybe they are looking for in-kind. Discussion was held on the need for fill, doing the project next year, and if Mr. Smith has any paving left he would do a little section at Collins Pond Road. It was noted that there is a short planning window.

ZBA – Mr. Doerpholz shared that Map 26, Lot 6 – a building was taken down and a new one was built on the same footprint. A gazebo was added which is within the WPOD. A brief site walk was done. It was noted that a loft was added to the building. The ZBA deferred the case to allow for legal opinion. The ZBA also wanted comment from the Conservation Commission. It is hoped that when the ZBA meets in April they would have this information and would make a decision on both the building and the gazebo.

Mr. Craig mentioned that we need to come up with ideas on how to address the issue of construction without the proper permits and approvals. Mr. Doerpholz shared that it is an on-going problem. Mr. Doerpholz mentioned that an article would be in this month's newsletter.

Olson – withdrawn – Mr. Doerpholz shared that the property was sold.

Fitzwilliam Historical Society – looking for a variance for a storage barn. The Historic District Commission signed off on the storage barn. It was noted that the material would be donated. A variance was needed and the ZBA approved.

Map 25, Lot 5 – converting an existing garage into an accessory dwelling. An exception is needed. The space is over 800 square feet. Mr. Doerpholz shared that it was continued and the ZBA would do a site walk on April 1<sup>st</sup>.

### \*\*\* DISCUSS BOARD OF SELECTMEN SCHEDULE AND PROCEDURES

Mr. Doerpholz shared the current schedule which is Thursday at 9 a.m. and Wednesday at 7 p.m. He asked if those days/hours were convenient for everyone. Mr. Doerpholz would like to start their Wednesday evening meeting at 6 p.m. Mr. Craig wanted to make sure it was convenient for the public. After discussion, the Selectmen agreed to meet on Wednesdays at 6 p.m. and Thursdays at 8:30 a.m.

The next meeting would be held on Thursday, March 24<sup>th</sup> at 8:30 a.m., Wednesday, March 30<sup>th</sup> at 6 p.m., Thursday, April 7<sup>th</sup> at 8:30 a.m., Wednesday, April 13<sup>th</sup> at 6 p.m., Thursday, April 21<sup>st</sup> at 8:30 a.m. and Wednesday, April 27<sup>th</sup> at 6 p.m.

Mr. Doerpholz mentioned conduct regarding a public meeting. A public hearing is when we want to hear from the public and a public meeting is a meeting conducted in public. Mr. Doerpholz shared that per state law, if we are going to take input from the public, a request to be acknowledged by the Chairman for public comment is needed. Mr. Nolan added that he personally won't tolerate any type of personal attack or vulgarity, in or about or directed at this board and any employee of the Town or anyone. Mr. Doerpholz shared that 91-A is simply for comment – positive or negative and limited in duration and not a constant feedback throughout the meeting. Mr. Craig shared that Mr. Nolan was asking for civility. Mr. Nolan shared that it goes both ways.

Dana Pinney asked if there was anything in tonight's meeting that they felt wasn't appropriate. Mr. Doerpholz replied no. Mr. Doerpholz felt that public input is beneficial and we just need to get a handle on it.

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

At 9:38 p.m. Mr. Doerpholz 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: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 10:27 p.m. Mr. Doerpholz 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: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

### INFORMATION

- REVIEW LIBRARY LONG RANGE PLAN – Mr. Doerpholz shared that the Library has done a ten year long range plan. It is for the Selectmen's review.
- NOTICE OF HOUSING APPEAL ORDER

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**ON-GOING BUSINESS:**

- \*\*\* TOWN-WIDE ISSUES TO BE ADDRESSED AND THEIR ENFORCEMENT**
- Unregistered vehicles
  - Debris and junk in yards

Mr. Doerpholz made a motion to adjourn the meeting at 10:37 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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Brian Doerpholz, Chairman

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John E.F. Craig

\_\_\_\_\_  
Martin Nolan  
Board of Selectmen