



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 21, 2016

Selectmen Present: Nancy Carney, Chris Holman, Susan Silverman

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

PRIMARY:

***** APPROVE MINUTES**
- **March 7, 2016**

Mr. Holman made a motion to approve the minutes. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

***** APPROVE MANIFESTS**

Ms. Silverman made a motion to approve the manifests. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

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

7:00 MEET WITH THE CONSERVATION COMMISSION

The Selectmen met with members of the Conservation Commission to discuss the next steps of the Prime Wetlands Study.

7:45 NON-PUBLIC SESSION - RSA 91-A:3 II(c)

At 7:42 p.m. Mr. Holman made a motion to go into non-public session under RSA 91-A:3 II(c). Ms. Silverman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 8:08 p.m. Mr. Holman made a motion to leave non-public session and seal the minutes. Ms. Silverman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

***** CONSTRUCTION PERMIT**

Map 6, Lot 11
Map 10, Lot 55
Map 13, Lot 12
Map 11, Lot 1 – Extension Request

Map 6, Lot 11 – Ms. Silverman made a motion to approve the permit for Map 6, Lot 11. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Map 10, Lot 55 – Mr. Holman made a motion to approve the permit for Map 10, Lot 55. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Map 13, Lot 12 – Mr. Holman made a motion to approve the permit for Map 13, Lot 12. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Map 11, Lot 1 – Extension Request – Ms. Silverman made a motion to approve the extension request for Map 11, Lot 1. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Map 2, Lot 12-2 – Occupancy Permit – Ms. Carney reported that she had performed an occupancy inspection. Mr. Holman made a motion to approve the permit for Map 2, Lot 12-2. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

*** **DISCUSS NHPDIP**

Ms. Favreau reported that the town set up an account with New Hampshire Public Deposit Investment Pool (NHPID) several years ago. The interest rates were much higher than the general fund account and the town would transfer money from these two accounts. The account has not been utilized for several years because the rates dropped when the market dropped. Ms. Favreau shared that over the last few months the rates have started to increase and she recommended that the town start transferring money into the NHPDIP account. The Selectmen approved.

*** **TOWN PROPERTY RENTAL APPLICATION**

Ms. Carney reviewed the Application for Rental of Town Property request from Eleanor Luopa for the Fitzwilliam Garden Club for May 21, 2016 for their spring plant/bake sale on the Town Common, with a possible preparation date of May 20th at 5 p.m.

Ms. Silverman made a motion to approve the Application for Rental of Town Property request from the Fitzwilliam Garden Club for May 21, 2016 on the Town Common. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

*** **APPOINTMENTS**

- **Village Common Committee**
- **Agriculture Committee**
- **Trustees of the Library Requesting appointment of alternate member - Susan Curtin**

Village Common Committee - Ms. Carney shared that Gail Landy was interested in serving on the Village Common Committee. Ms. Favreau found the Warrant Article that established the committee and the Selectmen asked Ms. Favreau to put out another call for members.

Agriculture Committee - Ms. Carney shared that Gary Heald was interested in serving on the Agriculture Commission. Mr. Holman made a motion to appoint Gary Heald to the Agriculture Commission for a 3 year term. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Trustees of the Library - Ms. Carney shared that Susan Curtin was interested in serving as alternate of the Trustees of the Library. Mr. Holman made a motion to appoint Susan Curtin as alternate of the Trustees of the Library for a 3 year term. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

*** **DISCUSS MEETING WITH LIBRARY TRUSTEES**

- **Review Fitzwilliam Town Library – Five Year Long-Range Plan 2016-2021**

Ms. Favreau shared that Fred Wilkinson thought that it would be beneficial if the Selectmen, Library Trustees and the Budget Committee met together to go over budgeting procedures. Ms. Carney shared that a lot of the questions that Mr. Wilkinson asked, even the Library Trustees couldn't answer. Ms. Carney felt that a meeting wasn't a bad idea for all to be on the same page and the Library Trustees should understand our process as well. Ms. Silverman would like to have a discussion about the composition of the Budget Committee and voting rights.

The Selectmen agreed that a meeting should be held and would be helpful.

Mr. Holman suggested that each board/committee should have their members note their involvement within the community. Ms. Carney shared that we could put out a reminder for members who have a conflict to let them know what the proper procedure would be.

*** **DISCUSS ABATEMENT OF TAXES**

Re: 179 Rt. 12 N

Ms. Favreau reported that Attorney Mark Beliveau called last week asking if the Selectmen had made a decision as the potential buyer wanted to move forward.

Ms. Favreau shared that she had talked with Attorney Steve Buckley (NHMA) regarding authority of the Selectmen to negotiate taxes. Attorney Buckley stated that according to RSA 76:16 1(a) – the Selectmen have the authority and need to show good cause.

Mr. Holman reported that Car Guyz mentioned at the last Economic Committee meeting that they were interested in the property.

Ms. Favreau stated the next step was for the Selectmen to make a decision on what they wanted to do and to draft a letter. Ms. Silverman shared that she didn't see a downside. Ms. Carney reviewed the purchase details – offer of \$375,000 – servicing agent would pay half of net proceeds to the town against outstanding taxes. $\$375,000 - 6\% \text{ real estate commission of } \$22,500 = \$352,500 - \text{NH transfer tax of } \$2,812.50 = \$349,687.50 \text{ net proceed (divided by 2)} = \$174,843.75$.

Mr. Holman asked how much money was being made off of the cell tower. Ms. Carney stated that it was \$2,400 per month. Ms. Silverman stated that the Selectmen should have looked at the cell tower before but the focus now was on putting the property back on the tax roll.

Ms. Carney reported that as of March 17, 2016 – interest and cost was \$263,273.10 and principal was \$566,487.55. Ms. Favreau stated that we would need to abate \$391,643.80.

Mr. Holman made a motion to abate \$391,643.80 on the property at 179 Rt 12 N. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Ms. Favreau shared that this was for a good reason to cut our losses. The Selectmen agreed that there wasn't much that they could do.

Ms. Favreau would draft a letter and she would call Attorney Beliveau to ask if he needed the letter before next week.

ELECTION OF OFFICERS

- **Vice-Chairman**
- **Chairman**
- **Board Representatives**
- **Sign MS123**

Ms. Favreau reported that Heidi Wood, Town Clerk, needed to file MS123 within 20 days. Ms. Wood asked that the Selectmen sign the form and Ms. Wood would fill it in. Ms. Silverman shared that she reviewed the Selectmen's Handbook and felt that there should be a Vice Chairman.

Ms. Silverman made a motion to appoint Mr. Holman as Vice Chairman. Mr. Holman asked about the Vice Chairman position and about the timeframe for becoming Chair. Discussion was held on what was done in the past. Ms. Carney seconded. Mr. Holman declined. Ms. Carney – Yes, Ms. Silverman – Yes. Ms. Favreau stated that Mr. Holman declined the appointment.

Ms. Silverman made a motion to appoint Ms. Carney as Vice Chairman. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Ms. Carney made a motion to appoint Ms. Silverman as Chairman. Ms. Silverman seconded. Mr. Holman stated they were being extremely rude. Ms. Carney - Yes, Mr. Holman - Opposed, Ms. Silverman - Yes. Approved – 2-1

Ms. Carney asked the Selectmen what committee/commission they were interested in serving on. Ms. Silverman stated that she was interested in remaining on ZBA. Ms. Carney asked Mr. Holman what committee/commission he was interest in serving on. After discussion, Ms. Carney stated that the Selectmen would stay on the committees/commissions they were currently serving on. Mr. Holman would remain on the Historic District Commission. The Selectmen would wait until budget season to determine the budget committee representative.

Ms. Silverman asked to have a discussion about the Board of Selectmen's meeting schedule. Discussion was held on having a meeting during the day and setting the meeting schedule around the time of the newsletter deadline so that the schedule could be included in the newsletter and posted. The Selectmen agreed to think about it. Ms. Favreau shared that daytime meetings were often productive. Ms. Silverman stated it could be easier for department heads to meet with them during the day.

REQUEST FROM ZBA FOR ATTORNEY AT MARCH 24TH HEARING

Ms. Silverman stated that it was premature as no decision has been made and this was coming about because Russell Raitto was bringing his attorney. Gretchen Wittenborg requested to have an attorney present and Ms. Carney stated there wasn't

enough time. Ms. Silverman shared that Ms. Wittenborg was good at running the meeting. The Selectmen agreed that there wasn't enough time and they didn't know the purpose. Ms. Silverman stated that she wouldn't have a problem getting an attorney, if during the meeting there was a challenge.

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

At 8:39 p.m. Mr. Holman made a motion to go into non-public session under RSA 91-A:3 II(a). Ms. Silverman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 8:49 p.m. Mr. Holman made a motion to leave non-public session and seal the minutes. Ms. Silverman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

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

At 8:49 p.m. Ms. Silverman made a motion to go into non-public session under RSA 91-A:3 II(e). Mr. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 8:51 p.m. Ms. Silverman made a motion to leave non-public session and seal the minutes. Mr. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

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

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

At 9:05 p.m. Ms. Silverman made a motion to leave non-public session and seal the minutes. Mr. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

OTHER BUSINESS:

Mr. Holman asked about appointing members to the Conservation Commission. Ms. Favreau would email Paul Kotila and all members for suggestions. Ms. Silverman suggested putting it in the newsletter. Ms. Carney asked that it be posted on the website.

Mr. Holman asked if a letter could be written in regard to bringing Rt.119 up to the same level of other roads. Ms. Carney asked Mr. Holman to draft a letter and bring it up at the next Selectmen's meeting.

Mr. Holman talked about the rail trails and asked for approval from the Selectmen to put together a group to move forward with getting bike racks for the town. Discussion continued on maintenance of the trails.

Mr. Holman asked if the town had soil maps. Ms. Favreau asked if it was in the natural resources inventory. Ms. Carney suggested Mr. Holman check with Sandra Gillis.

Mr. Holman talked about a pollinated garden. Ms. Favreau asked who would maintain it. Mr. Holman shared that if it was done correctly, there would be no weeding as it would be self-maintaining. Mr. Holman suggested locating the garden by the town sign as it was a good place to start the first garden. Ms. Carney asked if it was something the Garden Club could do. After discussion the Selectmen agreed that the Agricultural Commission would be a better fit. Mr. Holman asked for permission to ask the Agricultural Commission to look into. The Selectmen approved.

Objection from Kinder Morgan to bear the cost of expert witness - The Selectmen reviewed.

NHDES – Dam Deficiency – The Selectmen reviewed.

City of Keene – invitation to their Legislative Delegation meeting on March 29, 2016 – The Selectmen reviewed.

Johnson & Johnson – additional meetings – Kinder Morgan – The Selectmen reviewed.

Review Newsletter Articles – The Selectmen reviewed the articles to be submitted. Information on burn permits would be included. Ms. Carney asked if the Fire Wardens and Deputy Wardens could go to the recycling center in May to hand out seasonal camp fire permits. The Selectmen approved.

Ms. Silverman made a motion to adjourn the meeting at 9:22 p.m. Mr. Holman seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Nancy Carney, Chairman

Chris Holman

Susan Silverman
Board of Selectmen