



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

**BOARD MEETING MINUTES**

**March 30, 2023**

**1:00 P.M.**

**Selectmen Present:** Brian Doerpholz, Martin Nolan, Nancy Carney

**Guests:** Dana Pinney

**AGENDA:**

**A. Call to Order**

Mr. Doerpholz called the meeting to order at 1:05 p.m.

**B. Appointments**

• **1:30 - Meet with Glenn Smith - Non-Public – RSA 91-A:3 II(a) – Compensation**

At 1:31 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(a). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

At 1:54 p.m. Mr. Doerpholz made a motion to leave non-public session. Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

• **Non-Public - RSA 91-A:3 II(e) – Legal - ZBA for legal representation**

At 1:54 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(e). Mr. Nolan seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

At 1:59 p.m. Mr. Doerpholz made a motion to leave non-public session. Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

• **2:00 - Non-public Session RSA 91-A:3 II(e) – Legal**

At 1:59 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(e). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

At 2:39 p.m. Mr. Doerpholz made a motion to leave non-public session. Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

At 2:39 p.m. Mr. Doerpholz made a motion to seal all of the non-public minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

• **Accept withdrawal of resignation**

Mr. Doerpholz made a motion to accept the resignation withdrawal. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

Mr. Smith asked the Selectmen about the start of the 4-day work week, which he would like to start April 10<sup>th</sup>. The hours would be 6 a.m. to 4:30 p.m. Monday through Thursday. Mr. Nolan didn't think that this decision should be made by the Board and should be handled by the department. Mr. Doerpholz shared that a memo was sent out last year to allow the department heads to determine if they wanted to work a 4-day schedule.

Mr. Smith mentioned purchasing a new truck and he sent an e-mail asking about the time-frame, since the delivery time is so long. Mr. Doerpholz mentioned that we don't have enough money at this time and we would have to prepare an article to raise the balance at next year's Town meeting. Mr. Smith mentioned that the grant funds needed to be expended by September 30<sup>th</sup>. Ms. Favreau asked if the funds needed to be expended or ordered. Mr. Smith would follow-up with Ms. Favreau once he finds out the information.

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### • 2:30 - Meet with Ben Thomas

Ben Thomas asked who was paying for what, was the question on everyone's mind. Mr. Thomas shared that \$980,000 is the loan and \$420,000 is the grant. It is a 25-year loan at 3.17% interest, with 30% of the loan to be forgiven. Up to 1.4 million has been approved by the State. Mr. Thomas noted RSA 31:141 regarding assessment and fees for water and sewer. The Village Water District or the Town can determine what they think are reasonable rates. The water users are already paying a lot for the water that they get and others have water pipes going by their homes if they wanted to hook up, if their wells fail. Unfortunately, some people weren't aware that they were part of the Village Water District when they purchased their property. Mr. Thomas shared that everything is about transparency. The State recommended \$10 per month for non-users as an average and the balance paid by the users. Mr. Thomas assumed taxation would be based on valuation. Using an on-line mortgage calculation - \$960,000 would be an annual payment of approximately \$55,000, which is an estimated monthly payment of \$4,637. Mr. Thomas shared that this won't start until six months after the project is complete. Mr. Thomas noted that spring of 2025 would be the start of the repayment. One of the options is to put it all on the users, which is a lot and he thought there was value to have the infrastructure going by your property whether you use it or not. He asked how much was up for debate. Mr. Thomas noted that there are 90 residences (94 lots) within the Village Water District.

Mr. Thomas shared that the Village Water District doesn't have to take all of the money and he would rather not, but given they have the situation with the well, they may be forced to stop using the well. Estimates are in the range of \$250,000 to put in a well and well house before installation. There is also the site problem. Mr. Doerpholz shared that the Shupack property has a Conservation Easement, not the ski hill. Mr. Thomas shared that the Conservation Commission would view that as a Monadnock Conservancy on a commercial/municipal property as extractive mining. Mr. Thomas noted that there was an agreement with Steve Filipi but this was a conversation over 10 years ago. There is a parcel that was denied being a building lot but he hasn't approached Mr. Filipi as there isn't any funding now. Mr. Doerpholz shared that at Town Meeting it was made to seem like Mr. Filipi just made the offer. Mr. Doerpholz shared that it is a very long deep lot. Matt Buonomano expressed some interest in that lot. Mr. Thomas thought that property would be a relatively easy place to put a well.

Mr. Doerpholz asked what help Mr. Thomas needed from the Board of Selectmen. Mr. Thomas wanted to make sure that if they (Village Water District) decide to institute a tax, how that would work. Mr. Thomas noted that per the RSA the Village Water District would ask for a specific amount of money. Ms. Favreau shared that the tax rate would be figured like the state. Ms. Favreau would need to talk with the DRA to determine if there would be two tax rates, and would we have to show that on tax assessing. Mr. Thomas mentioned setting a rate across the board and the balance be charged to the users.

Discussion was held on when to start collecting fees, and a consolidation grant for engineering - \$10,000. Mr. Thomas wanted to make sure the Board of Selectmen were aware of what was happening.

### C. Consent Agenda

- Payroll and Vendor Manifests
- Construction Permit Application – Map 27, Lot 21
- Construction Permit Application – Map 14, Lot 8-6

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

- Construction Permit Application – Map 27, Lot 21

Mr. Doerpholz made a motion to approve the construction permit application and that a letter would be sent stating fines start on March 30<sup>th</sup>, 2023 if the apartments are occupied until an Occupancy Permit has been obtained. The fine continues for each day of the violation. Letter to be hand delivered at time of permit pickup. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

### D. Continued Business

### E. New Business

- Re-Appoint members to Conservation Commission
  - Paul Kotila
  - Theresa Robbitts

Ms. Carney made a motion to accept both re-appointments - Paul Kotila and Theresa Robbitts to the Conservation Commission for 3-year terms. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

## BOARD MEETING MINUTES - March 30, 2023

- **Re-Appoint members to ZBA**

- Dan Sutton
- Coni Porter

Mr. Doerpholz made a motion to approve the re-appointment of Dan Sutton and Coni Porter to the ZBA for 3-year terms. seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

- **Review Abatement Recommendations from Avitar**

- Map 23, Lot 5
- Map 23, Lot 1
- Map 38, Lot 2
- Map 33, Lot 28

Mr. Doerpholz reviewed the abatement recommendations from Avitar regarding the map and lots listed above.

Mr. Doerpholz made a motion to approve Avitar's abatement recommendation to deny the abatement for Map 23, Lot 5. Ms. Carney seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

Ms. Carney made a motion to approve Avitar's abatement recommendation to approve the abatement for Map 23, Lot 1. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

Mr. Doerpholz made a motion to approve Avitar's abatement recommendation to deny the abatement for Map 38, Lot 2. Ms. Carney seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

Mr. Doerpholz made a motion to approve Avitar's abatement recommendation to deny the abatement for Map 33, Lot 28. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

- **Review Religious Exemption and Abatement Recommendation from Avitar**

- Map 32, Lot 57

Mr. Doerpholz reviewed the religious exemption and abatement recommendation from Avitar for Map 32, Lot 57.

Mr. Doerpholz made a motion to approve Avitar's religious exemption and abatement recommendation for Map 32, Lot 57. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

- **Discuss request from ZBA for legal representation** – Discussed earlier.

- **Review Legal invoices**

The Selectmen reviewed. Mr. Nolan shared that he isn't comfortable with some of the charges with bringing an attorney up to speed on the case. Mr. Nolan felt the expense shouldn't be the Town's. Mr. Doerpholz agreed. The Selectmen approved payment of the legal invoices in the amount of \$2,583.36 and approved to defer \$299.52.

- **Review Veteran's Credit application**

Mr. Doerpholz reviewed the Permanent Application for Property Tax Credits/Exemptions for Map 10, Lot 6, and Map 14, Lot 40-3. The applicant is applying for a Veteran's Tax Credit.

Mr. Doerpholz made a motion to approve the Veteran's Tax Credit for Map 10, Lot 6 and Map 14, Lot 40-3. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

- **Review proposal from Hampshire Fire**

Ms. Favreau shared they did the annual inspection. Amer Electric did the inspection on all of the alarm systems a couple weeks ago. She asked both about the wires in the steeple. Both companies said they are not part of the system. A proposal in the amount of \$7,900 was received from Hampshire Fire for work that needed to be done.

Ms. Favreau would contact Life Safety to get a quote on the work that Hampshire Fire has outlined. Ms. Favreau felt that Hampshire Fire does a good job and noted that they have different divisions. Ms. Favreau would also check to find out if there is another company that could give a quote.

### F. Public Hearing – none

### G. Other Business

- **Review Application for use of the Town Hall**

Mr. Doerpholz made a motion to approve the use of the Town Hall. Ms. Carney seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

## BOARD MEETING MINUTES - March 30, 2023

- **Elect Board of Selectmen Chairman**

Ms. Carney nominated Mr. Doerpholz to continue serving as Chairman. Mr. Nolan seconded. Mr. Doerpholz – Abstained, Mr. Nolan – Yes, Ms. Carney - Yes. Approved 2-0

- **Assign Board Members to Boards and Committees**

It was noted that CIP and the Budget Committee representative is put off until the end of the year.

Mr. Nolan shared that it is a good idea to involve the Budget Committee early on and also the Budget Committee as the overseers maybe should meet quarterly to look at things as an FYI. Mr. Doerpholz agreed. Mr. Doerpholz noted that the CIP isn't a standing committee and he recommended with the Master Plan to substitute CIP with the Budget Committee and give them reporting throughout the year. Mr. Nolan felt it was a good idea and they can make recommendations.

Mr. Doerpholz shared that during the pre-budget meeting, it was an hour long and if meeting quarterly, they would be up to date more often. Mr. Nolan thought that having a specific department make a presentation along those lines to bring everyone up on what is happening. Ms. Carney suggested doing a questionnaire for the Budget Committee to keep them more abreast throughout the year, instead of at the end of the year.

After discussion, the Selectmen agreed to serve as a Selectman representative on the following boards/commissions:

Budget Committee – Mr. Doerpholz;

ZBA – Ms. Carney;

Planning Board – Mr. Nolan;

Economic Development Committee and Historic District Commission – Mr. Doerpholz; and

Conservation Commission and CIP – Mr. Nolan.

Mr. Nolan shared that he met with Mike Grab, Cemetery Trustee and there are four applicants for the part-time Cemetery position. They were interested in a couple of them and interviews may take place next week. Ms. Favreau shared that the Cemetery Trustees had a meeting and Mr. Smith attended as well so she thought that they would be hiring for both positions.

Plant Memorial Park needed another person to serve.

Ms. Favreau shared that Corrine Marcou was interested in serving on the Budget Committee. Ms. Carney shared that Phyllis Peterson was also interested in serving on the Budget Committee. Ms. Peterson has spoken to Skip Hagstrom. Mr. Nolan felt that he would put a higher priority on a write-in person to select for the committee.

- **Discuss Board of Selectmen's Meeting Schedule and Procedures**

After discussion, the Selectmen agreed to meet on: Wednesday, April 5<sup>th</sup> at 6 p.m., Thursday, April 13<sup>th</sup> at 1 p.m., and Thursday, April 27<sup>th</sup> at 1 p.m.

Ms. Carney asked that at the next Selectmen's meeting we have Public Comment time – 3 minutes per person for a block of 15 minutes and to start there. A person could also e-mail their comments. Ms. Carney would like it to be at the beginning of the Selectmen's meetings.

Ms. Carney also asked that the hours posted in front at the Town Hall be updated.

Mr. Nolan brought up a complaint he received from Andy Wood and the Board discussed.

### H. **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) – Legal - ZBA for legal representation**

At 3:18 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(e). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

At 3:25 p.m. Mr. Doerpholz made a motion to leave non-public session. Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

- **RSA 91-A:3 II(c) – Personnel**

At 3:25 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(e). Mr. Nolan seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

At 3:29 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. Nolan – Yes, Ms. Carney - Yes.

At 3:29 p.m. Mr. Doerpholz made a motion to seal all of 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. Nolan – Yes, Ms. Carney - Yes.

**BOARD MEETING MINUTES - March 30, 2023**

**I. Adjournment**

Mr. Doerpholz made a motion to adjourn the meeting at 3:57 p.m. Ms. Carney seconded and the motion passed. 3-0

Submitted by:

Sheryl White  
Secretary to the Board of Selectmen

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Brian Doerpholz, Chairman

\_\_\_\_\_  
Martin Nolan

\_\_\_\_\_  
Nancy Carney  
Board of Selectmen