



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
April 9, 2018
7:00 p.m.

Selectmen Present: Nancy Carney, Daniel Baker, Charles Kenison

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

PRIMARY:

***** APPROVE MINUTES**
- April 2, 2018

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

***** APPROVE MANIFESTS**

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

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

7:00 PUBLIC HEARING – HAZARDOUS MITIGATION PLAN

Ms. Carney opened the public hearing at 7:00 p.m. and the public hearing notice was read.

The Selectmen were the only attendees.

Ms. Carney noted that every 5 years the Hazardous Mitigation Plan needed to be updated. The committee began meeting last spring to begin the updating process.

Ms. Carney asked for comments.

Mr. Baker made a motion to accept the Hazardous Mitigation Plan. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0

There being no public comment, Ms. Carney closed the public hearing at 7:02 p.m.

7:15 MEET WITH RAY BALDWIN
Re: Plante Memorial Park

Ray Baldwin met with the Selectmen to discuss the missing names on the Vietnam War Memorial. Mr. Baldwin shared that he always questioned what the criteria was for adding names on the monument and had spoken with previous Selectmen. He was told it was erected by the VFW. Mr. Baldwin wanted to find out what the criteria was for the missing names to be added. Mr. Baldwin handed out information that he had located a few years ago and made reference to page 2, which noted the criteria of having served more than 180 days. Mr. Baldwin shared with the Selectmen some of his background. He mentioned that he received his draft orders from Keene. Mr. Baker shared that there should be some criteria for being selected and asked how someone would determine what town monument your name would be added to. Ms. Favreau asked if Mr. Baldwin was a resident of Fitzwilliam when he enlisted.

Ms. Favreau shared the discussion she had with Tom Parker. Mr. Parker thought at the time if they entered the draft during Vietnam, they would be added. Ms. Favreau shared that she and the Selectmen were trying to track down information.

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Mr. Baldwin shared that he had talked with Mr. Parker several weeks ago. Mr. Baldwin also shared that he thinks about the amount of people and it was confusing to him why they were missed. Mr. Baldwin gave the names of those who were missing from the memorial, in addition to himself, that he could remember: Douglas and Walter Hill, Brian Jordan, Don and Ralph Grant, Fred Baldwin Jr. Ms. Favreau asked if it was appropriate for the Selectmen to contact the VFW and give them the names of those that are missing and reaching out to them to get additional information. Mr. Baldwin stated there was something about being added to the bottom of the list and he would rather not be listed than to be an afterthought. Discussion was held on who to contact, the Draft Board in Keene, and Military Recruitment suggested ss.gov. Ms. Carney stated the Selectmen now had more information and that she knew someone on the Draft Board in Keene and would reach out.

Mr. Baldwin thought that a couple people were deceased before the Vietnam War even started. Mr. Baker stated he understood. Ms. Carney shared with Mr. Baldwin that the Selectmen would look into.

Mr. Baldwin thanked the Selectmen for their time.

The Selectmen thanked Mr. Baldwin for his service and for meeting with them.

7:45 MEET WITH RICK BRACKETT Re: Land Donation

Rick Brackett and Paul Kotila met with the Selectmen to discuss the land donation. Mr. Brackett handed out information to the Selectmen. Mr. Brackett gave some background information on the land donation. The Monadnock Conservancy was approached by the family. They wanted to give the property in Fee Simple. Mr. Brackett's colleague suggested bringing the offer to the Fitzwilliam Conservation Commission. Mr. Brackett shared that Stone Pond dam was part of the property and was on the deed. Separate lots were covered on the same deed and the family wanted to donate both lots. The parcel with the dam isn't as large as the other property. Mr. Brackett shared that the matriarch passed away, the patriarch is infirmed, and the family wanted to off load the property. They wish to give to the Town to be a public resource. The Conservation Commission talked about it and they were interested but not interested in the dam but found out that there are potential grants from the Aquatic Resource Mitigation Fund. There is the potential to have a willing land owner that is interested in working with the Town. Mr. Brackett met with the family attorney and DES to do a dam inspection and both individuals were excited to partner and do something interesting with the parcel of land and partner to do a dam restoration. The funding source would be to restore the stream.

Mr. Brackett discussed the dam licensing and the requirements to reduce the hazard class. Ms. Carney asked if there was any hazardous material from the old mill. Mr. Brackett shared that JB Mack looked at it and felt that it wasn't hazardous due to what was made at the mill. Stone pond was a mill pond and had log storage on the other side. Ms. Carney shared the dam was part of the Hazardous Mitigation Plan. Mr. Brackett shared that DES mentioned there were three road crossings and thought it was possible through restoration or reconstruction that it could be made into one major crossing. Mr. Brackett discussed where the crossing would be located. The benefit was that the Town would already have to hire an Engineer. The question was whether part of dam removal or restoration. Mr. Baker mentioned the timing was next March at Town Meeting. Mr. Brackett shared the family was aware of the timeline. Mr. Baker asked about the funding and whether or not it was available to the land owner or did the Town need to be the owner. Mr. Brackett shared that the funding he was looking at would require the land to be owned by the Town. Mr. Brackett noted the dam deficiencies and shared that once the letter of deficiency was received by the family there would be steps that they would need to take.

Mr. Brackett noted the Monadnock Conservancy wasn't interested in the property. Mr. Baker asked what the advantage was to the Town and where the Conservation Commission stood on the donation. Paul Kotila said in terms of conservation from the perspective of recreational and scenic value it was supported by them. Mr. Brackett shared that the family's CPA appraisal was less than \$500 per acre. Mr. Brackett asked the Selectmen if it was worth him submitting grant applications as a partnership between the Town and the land owner. The attorney for the owner stated he was willing to submit a letter. Mr. Brackett reported the deadline to submit a preproposal to DES was April 30th and he noted that this doesn't bind the Town. Ms. Favreau asked when grants were awarded. Mr. Brackett replied December 2018. Ms. Favreau asked if presented to the Town and voted down. Mr. Brackett replied that the funding would be returned. Discussion was held on proposing to the Town, if there was an immediate concern on the condition of the bridge, the work done by Gene Cuomo being temporary, thoughts on restoration or removal of the dam, water level now, and water level in the summer which would affect wild life. Mr. Brackett mentioned that the DES representative shared that the cost of restoration and removal of the dam tend to be the same cost and removal was often funded. It was dependent upon how much the Town values having a pond there versus the long term maintenance. Mr. Brackett noted that Rick Van de Poll marked the pond as Tier 2, highly valued wetland system.

Mr. Kotila asked if there was a wetlands update. Ms. Carney shared that the last conversation with Mr. Van de Poll, was that it was stalled at the State level. Ms. Carney would follow-up with Mr. Van de Poll.

After discussion, the Selectmen agreed that Mr. Brackett should continue. Mr. Brackett would update the Selectmen.

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***** CONSTRUCTION PERMIT - DEMOLITION
Map 4, Lot 67**

Map 4, Lot 67 – Mr. Baker made a motion to approve the Demolition Permit for Map 6, Lot 67. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0

***** DISCUSS TIMBER REMOVAL RIGHT OF WAY REQUEST**

Ms. Favreau shared that she had reached out to NHMA again and asked questions regarding the Town's liability. The NHMA attorney stated again that this was an issue with the land owners and if the Town was involved it would be an eminent domain matter. Mr. Baker asked what the appeal process was. Ms. Favreau asked this question of the NHMA attorney and she was told it was Superior Court. The attorney didn't specifically say that the Town could be named. Mr. Baker stated if it went to court, the Town would have to defend. Ms. Favreau stated that the questions she has asked the NHMA attorney on this matter, the attorney has stated that the Town should not make the decision. Ms. Carney asked how the Selectmen wanted to move forward. Mr. Baker mentioned that he understood what Mr. Damon was saying. Ms. Favreau shared that Mr. Damon mentioned they were currently logging part of that property. Mr. Baker stated it must be a hardship – need to go through wetlands. Mr. Kenison asked about the alternative access. Mr. Baker asked what if the Selectmen offered to facilitate a discussion. Ms. Favreau shared that in any land owner dispute the Selectmen don't get involved. Ms. Favreau also shared that she has talked with Donna Hill and she is adamantly against it. Ms. Favreau cautioned getting involved. Mr. Kenison reviewed correspondence and an alternate access was mentioned. Mr. Baker noted that going across a right of way and logging were two different things. Ms. Favreau shared it wasn't a deeded right of way. Mr. Baker stated he would talk with Mr. Damon and asked if the Selectmen wanted Mr. Damon to come in and meet with the Selectmen. Ms. Favreau shared at the very least the Selectmen needed to talk with Ms. Hill because it impacted her.

The Selectmen reviewed prior meeting minutes of the conversation between Mr. Damon and the Selectmen. Ms. Carney would like to hear Ms. Hill's side of the story and asked Ms. Favreau to schedule a meeting with the Selectmen. Mr. Baker asked if the Selectmen started down the path were we open to hearing it. Ms. Carney shared she wasn't comfortable stepping in and stated it was land owner versus land owner. Mr. Kenison agreed. Ms. Favreau stated her interpretation of what the NHMA attorney was saying was to stay away. Mr. Baker stated if the Selectmen started down the path it would give the impression of handling it.

After discussion, the Selectmen agreed to send Mr. Damon a letter stating based on attorney conversation, it was a civil matter between land owners and to give Mr. Damon an opportunity to come in and talk with the Selectmen.

***** REVIEW CONSTRUCTION PERMIT
Re: adding solar permitting**

Ms. Carney shared the Construction Permit has been altered by the Planning Board regarding solar permitting. Ms. Carney asked the Selectmen if they had any questions. Mr. Baker asked why if no regulation. Mr. Kenison replied that ground mounted is regulated.

Mr. Baker made a motion to accept the change to the Construction Permit. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0

***** REVIEW MEMO FROM RECREATION
Re: Fishing Derby**

Ms. Carney reviewed the letter from Cindi Beede, Recreation Coordinator regarding the fishing derby. The fishing derby would be held on May 26th from 8 a.m. – 11 p.m.

***** REVIEW MEMO FROM GROSOLAR
Re: Solar project on town owned land**

Ms. Favreau shared she had spoken with Rob Propes, Project Developer for groSolar. Mr. Propes shared with Ms. Favreau that groSolar was interested in doing a solar project in Fitzwilliam. They were interested in the 125 acre parcel owned by the Town and wanted to start conversation to determine if the Town was interested in starting a solar project. Ms. Carney reviewed the leasing information. Ms. Carney asked if they worked for NextEra. Ms. Favreau wasn't sure. The Selectmen asked Ms. Favreau to contact Mr. Propes to schedule a meeting.

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***** REVIEW PROPERTY TAX PAYMENT**

Ms. Carney reviewed the Property Tax Payment Agreement for Map 29, Lot 2. A payment of \$500 per month would be made starting April 30th to offset the property owners taxes.

Mr. Baker made a motion to approve the Property Tax Payment Agreement for Map 29, Lot 2. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0

***** REVIEW LETTER FROM AVITAR**

Re: Northern New England Telephone Abatement

Ms. Carney reviewed the letter from Gary Roberge, Sr. Utility Assessor with Avitar regarding the abatement of Northern New England Telephone. Mr. Roberge recommended the abatement be denied and to revisit after the court has rendered a decision on the PRW valuation.

Mr. Baker made a motion to approve the recommendation. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0

***** REQUEST FROM NEXTERA TO USE TOWN HALL FOR INFORMATIONAL MEETING**

Ms. Favreau shared NextEra would like to use the Town Hall for an informational meeting. After discussion, the Selectmen agreed to allow NextEra to use the Town Hall.

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

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

At 8:53 p.m. Ms. Carney 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. Baker seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes.

At 8:53 p.m. Mr. Baker made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes.

At 8:57 p.m. Ms. Carney 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. Baker seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes.

At next week's meeting, the Selectmen would work on the evaluations of the department heads.

OTHER BUSINESS:

Mr. Baker would like to contact Dave Drasba this week. Mr. Baker would also like to get a start date from Bill Harper of West Rindge Builders. Mr. Baker wanted to make it clear that fixing the beam wasn't part of the column work.

Ms. Carney made a motion to allow Mr. Baker to contact/meet with Dave Drasba. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0

Mr. Baker made a motion to adjourn the meeting at 9:04 p.m. Mr. Kenison seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Nancy Carney, Chairman

Daniel Baker

Charles Kenison
Board of Selectmen