



BOARD OF SELECTMEN
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Fitzwilliam Town Hall
13 Templeton Turnpike, Fitzwilliam, NH 03447

BOARD MEETING MINUTES
May 3, 2023
6:00 P.M.

Selectmen Present: Brian Doerpholz, Martin Nolan, Nancy Carney

Guests: Dana Pinney, Susan Love, David Tighe

AGENDA:

A. Call to Order

Mr. Doerpholz called the meeting to order at 6:03 p.m.

B. Public Comment

Susan Love shared that she lives on Route 119 W. Ms. Love complained about the speeding even though it is a 30 mph zone. She shared that she and her husband have contacted the Police Department and asked that they do a better job of monitoring the speed. Drivers are going 40-50 mph coming up from the Depot and they come around the Village Green at a good clip early morning as well. Ms. Love noted that there are 17 children in the area. Ms. Love is surprised that there isn't a better job of enforcing the speed limit. It is terrible and it is getting worse. This year the use of the road has increased. It is an unsafe speed and the road isn't in that great of shape. Ms. Love didn't know why we can't get the Police Department to hand out speeding tickets. Ms. Love felt that people know they aren't monitoring the speed limit. Ms. Love mentioned that she has contacted Representative Richard Thackston to get something done, she said that the Police Department doesn't do anything. Mr. Doerpholz shared that it is a State Road and the State has a problem with having enough officers. Ms. Love asked that even if it is a state road running through town, can't the Fitzwilliam Police Department enforce. Mr. Doerpholz felt that it was their prerogative but not their priority. Mr. Doerpholz mentioned that Chief Leonard DiSalvo was coming in to meet with the Selectmen later in the meeting and Ms. Love was invited to stay and talk with Chief DiSalvo. Ms. Love asked about having a permanent sign, like in Troy. It was noted that it is a state road. Mr. Nolan shared that Ms. Love could go down to the Police Department during the day. Ms. Love shared that she has and that her husband has made many requests of the Police Department. Ms. Love was willing to come back to the meeting at 7:30 and discuss her concern with Chief DiSalvo.

Mr. Pinney appreciated having public comment but he would prefer to have at the end. Mr. Pinney hoped this courtesy is extended to everyone.

C. Appointments

6:30 - Meet with Fire Chief Adam Dubriske

Fire Chief Adam Dubriske, Troy Fire Chief Mark Huntoon, and Troy Assistant Fire Chief Ryan Huntoon met with the Selectmen Fire Chief Dubriske shared that Assistant Fire Chief Charley Kenison apologized that he couldn't attend. Fire Chief Dubriske shared that DiLuzio had gone out of business at midnight on Monday. There was a meeting with the City of Keene, Rescue Inc. and all Chiefs to explain what they could. Rescue Inc. would provide 1 ambulance – Keene Fire Department Center and 1 ambulance at Keene Fire Department West Station to help out and honor DiLuzio's contracts. They have to honor the Genesis Contract and Cheshire Medical's transport would be on a case-by-case basis. Ms. Carney shared that there are three Genesis Centers in Keene. It was noted that Rescue Inc has hired all but 3 DiLuzio's employees.

Rescue Inc. will do the best they can and there wouldn't be any surprise billing for 90 days. Billing during this period would be at the rate that DiLuzio charged. Troy Fire Chief Huntoon shared that they were going to meet with Rescue Inc. Fire Chief Dubriske shared that Rescue Inc. would do Winchester and then they would drive directly to us. The Fire Chiefs and Assistant Fire Chief's concern is that it was brought to them in a short amount of time. In addition to having concerns regarding staffing, their concerns are having only two ambulances – coming from another side of Keene; and having had a very favorable contract with DiLuzio, which they didn't think Rescue Inc. would hold to that after the 90 days. Fire Chief Dubriske discussed

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two incidents that occurred. Mr. Doerpholz asked if they thought they would pick up more ambulances or stick with the two. Fire Chief Dubriske shared that Drew of Rescue Inc. didn't think it would take 90 days. They are stepping in and Drew could guarantee that they would step in for a year. Fire Chief Dubriske thought that Rescue Inc would open up shop in town. Ms. Carney shared that Cheshire Medical had contacted Cheshire County and they couldn't do the transfers. Ms. Carney shared that they called Peterborough. Fire Chief Dubriske shared how the contracts are being handled with the ambulance service.

Fire Chief Dubriske shared that they are asking the Selectmen for temporary money from the Ambulance revolving account and noted that Troy would do the same. Fire Chief Dubriske handed out a spreadsheet showing a 6 month breakdown of the call volume for medical calls and for a 48 hour weekend period starting at 6 a.m. Saturday morning to 6 a.m. Monday morning. Fire Chief Dubriske reviewed the breakdown and noted the monthly cost for weekend staffing would be \$6,912. He is looking for per diem and their concern is that Rescue Inc. doesn't have four ambulances available. The wait time could be significant because of having only two ambulances from Rescue Inc. Mr. Doerpholz asked Ms. Favreau how much money was available in the account and could salary be taken from the account. Ms. Favreau confirmed that \$166,000 is currently in the account and she would need to transfer money from the account. Troy Fire Chief Huntoon shared Drew was stating that 90 days would be what they needed to determine what they needed to do. Ms. Carney shared the DiLuzio cost was far below the actual cost. Troy Fire Chief Huntoon mentioned that Rescue Inc. would have to break everything down to determine the cost. Ms. Favreau asked if we would be paying over time. Fire Chief Dubriske shared that they are asking to get more than 30 hours in an emergency situation. Ms. Favreau shared that they can't go over 34.5 hours due to NH Retirement. Fire Chief Dubriske shared that it would take time for everything to settle.

Fire Chief Dubriske shared that the City of Keene is holding a weekly chiefs meeting during the 90 days. Fire Chief Dubriske noted that Fitzwilliam had an automatic aid agreement with Richmond and that at midnight last night, Fitzwilliam cancelled the agreement because Richmond chose to go with Cheshire County. Troy Fire Chief Huntoon and Fire Chief Dubriske shared that they pay for the ambulances and right now there is an ambulance crunch. Fire Chief Dubriske shared that he has heard that someone from Richmond had shared on Facebook that the Richmond Select Board chose to go with Cheshire County and the Select Board was shocked when they heard that Fitzwilliam/Troy had cancelled the agreement. Ms. Carney shared that it is a huge liability for the Fitzwilliam/Troy to go as a non-transport ambulance. Ms. Carney noted that Fitzwilliam/Troy can't transport because DiLuzio was the transport. Fire Chief Dubriske shared that they were advised that they go as standing and he shared that they weren't doing that.

Discussion was held on who could respond to Jaffrey, who wasn't going to be Jaffrey's ambulance service, Rindge using us for ambulance services, Swanzey has lost a lot of EMS staff and they aren't able to get their ambulance running. Mr. Doerpholz shared that the Selectmen are so happy to have this agreement with Troy. Troy Fire Chief Huntoon shared that the City of Keene may help out.

Mr. Doerpholz asked about weekend coverage and did we have enough staff. Fire Chief Dubriske and Troy Fire Chief Huntoon thought that someone working during the week may grab a weekend shift.

Fire Chief Dubriske shared that they need to present this to Troy.

Mr. Doerpholz made a motion to authorize 24 hours to a maximum of 34.5 hours for emergencies at an hourly rate of \$17.00 at an average monthly cost of \$3,456. Dependent upon approval by the Troy Board of Selectmen. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

Non-Public – 91-A :3 II(a) - Personnel

At 6:58 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 7:06 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 7:06 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. Nolan – Yes, Ms. Carney - Yes.

7:30 - Meet with Chief Leonard DiSalvo

Introductions were made. Ms. Love shared with Chief DiSalvo that she and her husband have contacted them several times over the past couple of years regarding the speed limit. Ms. Love shared that people are speeding and the speed limit is 35 mph. She noted that there are 17 children on the road. Ms. Love mentioned that they offered their driveway for police officers to park. Chief DiSalvo shared that the last time the speed trailer was up was April 14 – April 27. The average speed was 36.62 mph, which equates to 4% of the 15,000 being over the speed limit – 10 mph over. Chief DiSalvo mentioned that they sit at the Church and he noted that it is a tight road. Chief DiSalvo explained how the speed trailer works. Ms. Love shared that she walks in town and there are no sidewalks, and there is a lot of people speeding. Ms. Love stated that she doesn't see any efforts being made or anyone radaring. Chief DiSalvo asked where she heard that no tickets were handed out. Ms. Love

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questioned the information in the Town Report regarding speeding tickets. Chief DiSalvo shared that the information in the Town Report wasn't about the number of speeding tickets handed out. Ms. Love wanted on record that they have asked many times about the speeding on Route 119 W to be enforced. Mr. Doerpholz shared that in their discussion earlier that Ms. Love hasn't contacted the State Police. Ms. Love asked the Town to help her with the State to get the speed sign like Troy has. She understands that they handle more than just speeders. Chief DiSalvo would send out an e-mail tonight to his officers. Discussion was held on the sound of a truck's engine; people not having an accurate perception of a car's speed; the condition of a road; being difficult to judge the speed; and the suggestion that when the speed trailer goes up to watch it. It was noted that the speed is picked up in both directions. Ms. Love felt that motorist seeing their speed doesn't get them to slowdown and she would hate to see something bad happen. Mr. Doerpholz shared that Chief DiSalvo would look into getting a sign and he encouraged Ms. Love to look at the speed board. Mr. Doerpholz thought that persistent talking to the State about the speed limit may help in having them to reduce the speed limit.

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

At 7:34 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(c). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

At 8:03 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 8:03 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. Nolan – Yes, Ms. Carney - Yes.

8:00 - Meet with Recreation Commission Members

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

At 8:06 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(c). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

At 8:49 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 8:49 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. Nolan – Yes, Ms. Carney - Yes.

D. Consent Agenda

- **Payroll and Vendor Manifests**
- **Minutes – April 26, 2023 - Public and Non-Public**
- **Construction Permit Application – Map 8, Lot 12 – Climate controlled and non-climate controlled storage facility**

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

E. Continued Business

F. New Business

- **Avitar Abatement Recommendations:**
 - **Map 21, Lot 27**
 - **Map 7, Lot 7-23**
 - **Map 11, Lot 13-2**
 - **Map 8, Lot 39**

The Selectmen reviewed the abatement recommendations from Avitar for the above referenced properties.

Mr. Doerpholz made a motion to accept all of the recommendations on the abatements from Avitar. Ms. Carney seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

- **Discuss Complaint – re: Plowing**

Mr. Doerpholz shared the complaint about plowing and it was checked out by the Police Department and the DPW with the landowner. A copy of the report came from the person that complained. Mr. Nolan would like to see the pictures. Mr. Doerpholz shared that the pictures were from the Police Department and the DPW. Mr. Nolan felt we should convey that it is more of a civil matter. Mr. Nolan shared that it is a very narrow section of the road. Mr. Nolan mentioned that the DPW runs with the back hoe to clean up. Mr. Doerpholz didn't know about the mailbox and he noted the amount of snow. Ms. Favreau talked with DPW Director Glenn Smith and he shared that the only reason they cleaned out was that the Mr. Howard had finished cleaning his driveway and Ryan Chamberlain went back and cleaned it up. The DPW doesn't normally

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clean out. Ms. Carney asked that we keep the pictures in a folder with the complaint. Ms. Favreau suggested that we wait on the pictures and draft a response.

Ms. Favreau shared with the complainant that Police Officers and EMS personnel went out and knocked on doors to check on residents due to the storm.

- **Review Legal Invoices**

The Selectmen reviewed the legal invoices and approved payment.

- **Sign Permit**

The Selectmen reviewed the Sign Permit for Map 12, Lot 41-1.

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

- **Construction Permit Application – Map 3, Lot 5 - Ground mounted grid connected solar system**

Ms. Carney made a motion to approve the Construction Permit Application for Map 3, Lot 5. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

- **Construction Permit Application – Map 7, Lot 7-49 – Rebuild mobile home from the floor up**

Ms. Carney made a motion to approve the Construction Permit Application for Map 7, Lot 7-49. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

- **Is an Occupancy Inspection needed for Map 25, Lot 14**

After discussion, the Selectmen agreed that an occupancy inspection wasn't needed.

G. Other Business – Information Only

- **NHDES Letter – Report of Alleged Violation – Fitzwilliam LLC (Turnkey)** – The Selectmen reviewed.
- **Notice of Equalized Valuation** – The Selectmen reviewed.

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

- **Non-Public Session RSA 91-A:3 II(c) – Exemption**

At 8:50 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(c). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

At 8:56 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 8:56 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. Nolan – Yes, Ms. Carney - Yes.

- **Non-Public Session RSA 91-A:3 II(a) – Evaluation**

At 8:56 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Nolan seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

At 9:04 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 9:04 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. Nolan – Yes, Ms. Carney - Yes.

Mr. Nolan shared that he had a call from Gary Jackson (Jackson Energy) about a month ago regarding the air conditioner at the Library and wanted to know where the Selectmen stood. Mr. Nolan mentioned that the money was there and that we needed to approve the expenditure. The work was being scheduled by the Library. Ms. Carney was given the background information on the issue. Mr. Doerpholz shared that it would be up to Richard Marshall and Beth Lorenz to determine where the money would come from.

Mr. Doerpholz shared that he had talked with Mr. Smith and Richard Williams and determined that it would cost approximately \$150 for soil and seed for the Library lawn and he noted that Gary Heald had given some hay.

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I. Adjournment

Ms. Carney made a motion to adjourn the meeting at 9:13 p.m. Mr. Doerpholz seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Brian Doerpholz, Chairman

Martin Nolan

Nancy Carney
Board of Selectmen