



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

BOARD MEETING MINUTES
May 11, 2023
1:00 P.M.

Selectmen Present: Brian Doerpholz, Martin Nolan, Nancy Carney
Guests: Dana Pinney

AGENDA:

- **Call to Order**
Mr. Doerpholz called the meeting to order at 1:00 p.m.

- **Public Comment** – No Comment

- **Appointments**

- **1:30 – Meet with Carole Beckwith – Chair, Village Common Committee**

- Carole Beckwith, Coni Porter, and John Fitzwilliam met with the Selectmen to give an update on what has been happening in the common. Ms. Beckwith has gotten three bids for tree work. Mr. Doerpholz shared that when he was looking at the Library lawn, he and John Holman also looked at the two end trees in the common and Mr. Holman shared that he would give us a bid but wouldn't be able to do it right now.

Ms. Beckwith shared that Ms. Porter liked the fertilizer component one of the bids, but other than that she didn't have a preference. Mr. Doerpholz suggested using the ARPA funds. Ms. Favreau shared that we could cover an over expenditure in their budget and make a transfer at year-end.

Ms. Beckwith mentioned the fountain. It is rusting and the pedestal is the worst. There is someone in Alabama that does this type of work, and the cost would be \$58,000. Ms. Beckwith shared some information on an alternative. Mr. Doerpholz mentioned a black coating that could be applied to rusted iron, which would keep the iron from rusting further. Ms. Beckwith shared that in the past water was used from near the Highway Barn, and for the past couple of years, they have used water from one of the houses on the common. Ms. Beckwith mentioned that Kate Thomas has offered the use of water from the Library because they don't meet their quota but have to pay for it. Ms. Beckwith also mentioned that the cistern under the fountain hasn't been cleaned out and she thought it might contain a lot of sludge.

Mr. Nolan thought that the Fire Department could fill the fountain and they normally fill their trucks at the lake. Ms. Beckwith was asked and she shared that filling the fountain is dependent upon the weather and is filled maybe every three weeks. Ms. Carney shared that in the past someone has called the Fire Department to fill. Ms. Carney mentioned the size of the cistern and what would be needed to be cleaned out. Mr. Doerpholz suggested that the Selectmen contact Fire Chief Adam Dubriske to see if the Fire Department is willing to fill the fountain.

Ms. Carney mentioned using a water heater that has a rod that takes out the containments and periodically the heater needs to be replaced. Mike Grab mentioned using the same product that he uses on the headstones on the monuments in the common.

Ms. Porter shared that Andy Jenks, takes care of trees and he is cheaper but she recommended him because he just doesn't cut trees down. Ms. Porter shared that he has looked at the trees in the common. Ms. Porter agreed with Ms. Beckwith that they are dangerous. Discussion was held on tree trimming and maintenance. Ms. Beckwith would like to see the tree taken down to clean up the area. Ms. Porter shared that Mr. Jenks would need to quote for taking the tree down.

Mr. Nolan would prefer to save a tree if possible but he noted that Eversource just massacres trees when trimming and if that were going to happen, he would prefer not to have a tree there. Ms. Porter agreed. It was agreed to have Mr. Jenks come out and share what he would take out and/or trim. Ms. Porter would contact Mr. Jenks to get additional information.

BOARD MEETING MINUTES - May 11, 2023

It was agreed that with all of the work that the Common Committee has done, it would be worth putting chips down around the trees. Ms. Porter shared that she thought it was the old trees that needed this. Mr. Doerpholz asked to have the fertilizing clarified.

2:00 – Meet with Henry and Keara Whipple – 16 Scott Pond Road – Map 16, Lot 15-1 – regarding maintenance of road

Mr. & Mrs. Whipple wanted confirmation from the town on how they view their road and mentioned that it is in need of serious maintenance. Mr. Doerpholz shared that it is classed as a private road in 1942. Ms. Whipple asked for something in writing. Ms. Favreau gave them a copy of the Warrant Article, when it was voted to discontinue the road. Mr. Doerpholz shared that DPW Director Glenn Smith had confirmed that it was a discontinued road. Mr. Doerpholz also shared that on a private road, they owned up to the middle of the road.

2:30 – Meet with Robin Marra, Library Trustee

Robin Marra asked the Selectmen when Step increases go into effect. Mr. Doerpholz shared that it was April 1st and going forward, if for the Library Director or the Assistant Director it would be April 1st. Mr. Doerpholz gave background information on why the Selectmen no longer do increases retro active and chose the effective date of April 1st.

Mr. Marra shared that when they built the budget, they put the Assistant Director at Grade 7 Step 1 at \$19.22 per hour. Mr. Doerpholz shared that this would be added to the wage scale. Mr. Marra asked if the title should be Assistant Library Director. Mr. Doerpholz agreed. Mr. Marra would change the title on the position description. Mr. Doerpholz shared that this is an additional position added to the Library. They have received three applications and will start doing interviews. If they hire internally, the Library would need to fill the position vacated.

Mr. Doerpholz made a motion to add Grade 7, Step 1 for the position of Assistant Library Director to the wage scale. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

Mr. Nolan mentioned the air conditioning at the Library. Mr. Marra shared that Richard Mays has been handling this and that it would be worked on in the next couple of weeks. Mr. Nolan shared that he was told that they wouldn't know what they would get into until starting the work.

Mr. Nolan made a motion that \$1,500 be taken out of the Library Operating Budget for the air conditioning work. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

- **Consent Agenda**

- **Payroll and Vendor Manifests**
- **Minutes – May 3, 2023 – Public and Non-Public**

Ms. Carney made a motion to approve the Consent Agenda. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Ms. Carney - Yes. Approved – 2-0

- **Continued Business**

- **New Business**

- **Enforcement**

Mr. Doerpholz gave an update on the Emerald case on Warren Hill Road. Mr. Doerpholz read the notes that the judge signed off on and by agreement the case is closed. Mr. Doerpholz shared that the legal expense for last year was \$6,332.38 and this year we spent \$2,887.50 for a total spent on this case of \$9,219.88. This was a case that needed to be rectified. Mr. Doerpholz shared that this is what goes into enforcement.

Mr. Doerpholz also mentioned another case that the Selectmen have. Mr. Nolan called Fire Chief Dubriske during the meeting to ask about an occupancy inspection for 21 East Lake Road. Fire Chief Dubriske shared that he left the owner a voice mail message and hasn't heard back. Mr. Doerpholz asked him to contact Mr. Heikkinen as he has been in the office several times asking about the occupancy inspection. Fire Chief Dubriske would try to make contact.

Mr. Doerpholz shared with Fire Chief Dubriske if it was possible for the Fire Department to work with the Common Committee to fill up the fountain with one of the fire trucks. Mr. Doerpholz shared that he would have Carole Beckwith contact him.

Mr. Nolan asked about the Jordan Damon garage. It was confirmed that a Construction Permit Application was submitted and approved by the Selectmen on December 7, 2022

- **Invoice for ARPA funds – water system**

Ms. Favreau shared that \$536 has been spent on the water system, in addition to Rod Pierce's invoice. Mr. Doerpholz shared that the Selectmen approved an additional \$2,000 for electrical and piping for a total of \$1,862.

BOARD MEETING MINUTES - May 11, 2023

Mr. Nolan made a motion to approve the invoices for the water system at the Public Safety building. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

- **Accept donation to Dan Baker fund**

Mr. Doerpholz shared that a \$1,000 donation has been made to the Dan Baker Fund.

Ms. Carney made a motion to accept the donation. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Ms. Carney - Yes. Approved – 2-0

Mr. Nolan arrived at the meeting

- **Review quotes for sprinkler system work**

Mr. Doerpholz shared that we have had Hampshire Fire for awhile and we are satisfied with the inspections but not satisfied with their service. Mr. Doerpholz noted that they are the lower of the two proposals but suggested that we invite someone from their office to come in and let them know that we are going with them this year but we need to see them step up to the plate and get their response.

Mr. Nolan discussed the concerns he had with the inspection report regarding the valve heads covered by insulation. They have been inspected before and it is now being mentioned. It was confirmed that insulation went in after but the concern is that we have had inspections after that time.

Mr. Nolan also mentioned that some of the sprinkler heads are in the wrong positions. If they put in the system, why are they in the wrong position now.

Ms. Carney mentioned that if we find out what sprinkler heads they are talking about, we can go in and look at them. Ms. Carney didn't think the standard had changed all that much and it would be okay to ask why it is a problem now.

Mr. Nolan agreed to have someone from Hampshire Fire coming in to discuss and acknowledge that we haven't been happy with their performance. Mr. Nolan didn't know if we were getting the service. Ms. Favreau shared that she had gotten a quote from Life Safety for an annual inspection and they were significantly higher.

Ms. Favreau requested a quote from two other companies but didn't hear from them. Mr. Doerpholz shared that if we don't get the service we need, then we change companies. Mr. Doerpholz noted that we are dependent upon the person that does the inspection. Ms. Carney mentioned the person doing the inspection could have been educated more recently.

- **Discuss proposal from neighborhood energy**

Ms. Favreau shared that they had reached out to her and they have a 6-month plan. She doesn't know a lot about them. Mr. Doerpholz suggested contacting our newly formed Energy Committee to look into. Mr. Nolan shared that he has talked with Kevin Woolley and they would at some point like to meet with the Selectmen.

Ms. Favreau would forward the information to the committee.

- **Review legal invoice**

The Selectmen reviewed and agreed to pay.

- **Resignation from Monadnock Advisory Commission and suggested appointment**

Mr. Doerpholz shared that Robin Blais has resigned from the Monadnock Advisory Commission and recommended her son Ben Haynes. Ms. Carney suggested putting something out to find out if there is someone interested in serving on the commission. Ms. Favreau would put something in the newsletter about a representative.

Mr. Doerpholz asked that a thank you letter be sent to Ms. Blain and Ms. Favreau would ask her to have Mr. Haynes submit something in writing regarding his interest.

- **Construction Permit Application – Map 4, Lot 19 – Original approval May 14, 2013. Has had numerous extensions. Needed to complete a new Construction Permit Application**

Mr. Nolan made a motion to approve the Construction Permit Application for Map 4, Lot 19. Mr. Carney seconded.

Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

The Selectmen agreed that a Certificate of Occupancy was needed.

- **Construction Permit Application – Map 41, Lot 2-1**

Mr. Doerpholz made a motion to approve the after-the-fact Construction Permit Application for Map 41, Lot 2-1.

Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

The Selectmen agreed that a Certificate of Occupancy was needed.

BOARD MEETING MINUTES - May 11, 2023

Ms. Favreau shared that Mr. Greenan wanted to meet with the Selectmen next week to discuss a septic plan for a travel trailer. Ms. Favreau reviewed the temporary dwelling ordinance. Ms. Favreau was asked to contact BCM.

- **Other Business – Information Only**

Mr. Doerpholz mentioned the Public hearing to be held on May 25th at 1:30 p.m. regarding the acceptance and expenditure of grant funds from the State of New Hampshire Clean Diesel Grant Program.

Ms. Favreau shared that the copier at the Police Department has died and Chief Leonard DiSalvo is asking for help in finding money to cover the cost of a new one, which is approximately \$5,000. Ms. Favreau thought about using the Special Detail Revolving Account, the scope of which has been broadened to use for vehicle repairs and using the Vehicle Repairs line item in the Operating Budget for the copier. Any vehicle repairs would be coded to the Special Detail Revolving Account.

Mr. Doerpholz made a motion to take \$3,000 out of Line 660 in the Operating Budget and the balance to be found in the Operating Budget. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

- **Notice of County meeting – Cheshire Community Power Forum – The Selectmen reviewed.**

- **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) - Disabled Exemption**

At 2:13 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(c). Mr. Nolan seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

At 2:15 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 2:15 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. Ms. Carney 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) – Compensation**

At 2:15 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 2:33 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 2:33 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(b) – Hiring**

At 2:50 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(b). Mr. Nolan seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

At 2:58 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 2:58 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. Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes.

- **Adjournment - Mr. Doerpholz made a motion to adjourn the meeting at 2:59 p.m. Ms. Carney 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