



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
May 23, 2016

Selectmen Present: Susan Silverman, Nancy Carney, Chris Holman

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

PRIMARY:

***** APPROVE MINUTES**

- **May 12, 2016**
- **May 16, 2016**

Mr. Holman made a motion to approve the minutes of May 12th and 16th, 2016. Ms. Carney seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

***** APPROVE MANIFESTS**

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

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

***** CONSTRUCTION PERMIT**

- **Map 42, Lot 1-01**
- **Map 3, Lot 30-01**
- **Map 12, Lot 26**

Map 42, Lot 1-01 – Ms. Carney made a motion to approve the permit for Map 42, Lot 1-01. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Map 3, Lot 30-01 – Mr. Holman made a motion to approve the permit for Map 3, Lot 30-01. Ms. Carney seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Map 12, Lot 26 – Mr. Holman made a motion to approve the permit for Map 12, Lot 26. Ms. Carney seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

***** VENDOR PERMIT**

- **John Jeffery - Seasonal Produce Stand**

Mr. Holman made a motion to approve the vendor permit for John Jeffery for a seasonal produce stand. Signage is to be kept to one on-site sign and no off-site signs. Ms. Carney seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

***** FIREWORKS PERMIT**

Fireworks Permit for Chris Holman – 333 Upper Troy Road – Turtle Cove on June 21, 2016. Ms. Carney made a motion to accept. Ms. Silverman seconded. Ms. Carney – Yes, Mr. Holman – recused himself, Ms. Silverman - Yes. Approved – 2-0

Fireworks Permit for Conrad Link – 335 West Lake Road on May 28, 2016. Mr. Holman made a motion to accept. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman – recused herself. Approved – 2-0

Fireworks Permit for Charles Brutto – 611 Rt 119 W – May 28th, 29th and July 1st – 4th, 2016. Mr. Holman made a motion to accept. Ms. Carney seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

The Selectmen discussed looking at the fireworks policy.

7:15 MEET WITH JANE WRIGHT, TAX COLLECTOR

Jane Wright and Marion Wheeler, Tax Collector and Deputy Tax Collector, respectively, met with the Selectmen to review the following Deed Notice List and determine whether the Selectmen would vote to waive or take by tax deed.

179 NH Rt 12 N LLC - Map15, Lot 29 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Aube, Brian D - Map 4, Lot 6, Map 4, Lot 17-1 and Map 4, Lot 5 – Mr. Holman made a motion to take by tax deed. Ms. Carney seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Bateman, Christopher E - Map 17, Lot 7 – Mr. Holman made a motion to waive tax deed. Ms. Carney seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Bumbarger, Estele Eliza - Map 42, Lot 1-76 and Map 42, Lot 1-4 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Ceriello, Patrick - Map 34, Lot 9-3 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0
Ms. Favreau would look into whether the park owner could be billed.

Dickinson, Thelma J Estate - Map 4, Lot 40 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Dunchus, Nancy N - Map 4, Lot 60 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Ferschke, Jules J + Carole P - Map 8, Lot 42 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0
The Selectmen asked that a letter be written to the owners asking them to consider merging the two lots.

Ford, Lydia W - Map 27, Lot 21 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Gordon, Brian S - Map 10, Lot 28 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Grab, Michael + Lola-Gene - Map 31, Lot 20 – Ms. Carney made a motion to waive tax deed. Ms. Silverman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0
The Selectmen asked that a letter be written asking that a payment arrangement be made.

Grey, Helen Scovel - Map 22, Lot 7 – Mr. Holman made a motion to take by tax deed. Ms. Carney seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Grier, Gordon G - Map 29, Lot 20 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Hale, Steven L + Shattler J - Map 6, Lot 31-4 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Hoyland, Gustave J + Susan - Map 24, Lot 8 – Mr. Holman made a motion to waive tax deed. Ms. Carney seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Lord, Richard C + Ramona L, Map 10, Lot 37 and Map 10, Lot 41-1 – Ms. Carney made a motion to waive tax deed. Ms. Silverman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Murphy, Kevin J - Map 23, Lot 1 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Panek, Kristina L - Map 17, Lot 17 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Robidoux, Craig + Lori Lynn - Map 12, Lot 11 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Roy, Winston A. Jr + Lilly E - Map 11, Lot 6 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0
The Selectmen asked that a letter be written asking the owners to get back on a payment plan.

Smith, Kim H - Map 10, Lot 21-4 – Mr. Holman made a motion to waive tax deed. Ms. Carney seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Vianey, Noel - Map 15, Lot 4 – Ms. Carney made a motion to waive tax deed. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Wentzell, Richard - Map 35, Lot 8 – Mr. Holman made a motion to take by tax deed. Ms. Carney seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

7:45 MEET WITH FRANK BEQUAERT

Frank Bequaert shared that he was the TAC representative and had requested that if anyone wanted to do anything about transportation with the state highway and DOT that it needed to go through him. Mr. Bequaert shared that he had gotten an email from Mr. Holman. Mr. Holman shared it was an open comment period. Mr. Holman stated that wasn't why he appointed Mr. Bequaert to that position for everything to go through him. Ms. Silverman stated that Mr. Bequaert was a town representative. Mr. Holman stated not a sole representative and that the Selectmen don't go to Mr. Bequaert for approval. Ms. Silverman shared that it might have been clearer for Mr. Holman to state that he wasn't writing as a Selectmen and not speaking on behalf of the Board. Discussion was held on being clear about not speaking on behalf of the Board. Mr. Holman stated that he felt he went out of his way to say he wasn't speaking on behalf of the Board. Mr. Holman shared that he had talked with Ms. Favreau and there wasn't time to get something approved by everyone. Mr. Holman apologized to Mr. Bequaert that he took it seriously but too bad. Mr. Bequaert shared that he was trying to fix the problems with the roads through the town. Mr. Holman asked Mr. Bequaert if he could do the discussion in 3 minutes because he didn't feel like listening to Mr. Bequaert rambling. Mr. Bequaert stated that he took offense to that. Heated words were exchanged between Mr. Holman and Mr. Bequaert, at which time Ms. Silverman defused the situation and asked that everyone calm down.

Mr. Bequaert reported that DOT was interested in doing things for the town and he was trying to do this in an orderly way and engineer something that would improve Rt 119 through the town. Mr. Bequaert shared that he was dealing with SWRPC and DOT and that it doesn't help when people, as individuals, go on their own and make proposals. Mr. Bequaert also shared he knew about the fact that rating of Rt 119 was less than Rt 119 to MA. Mr. Holman stated that this was a discussion that Ms. Silverman had asked him to write about. Ms. Silverman stated that they had talked about this to a certain degree. Ms. Silverman shared that Mr. Holman had brought up the rail trail and the Board didn't feel that it was something the town wanted to pursue. Mr. Bequaert stated that if it was going to do something to improve Rt 119, it would have to be done with full agreement from the Board of Selectmen, the town, police department and DOT, and what we have to come up with down the line was a unified position and the need to understand what the facts are. Mr. Bequaert shared that he was trying to put that together and figure out the process and it doesn't help if individuals make their own decisions. Ms. Silverman stated that we could come up with a way to have people make individual comments but we don't have that in place. Ms. Silverman stated that in the past we have had meetings for people to give their comments and she understood what Mr. Bequaert was saying about wanting to have a clear dialog with DOT. Ms. Silverman shared that it would be helpful if the communication went both ways. Mr. Bequaert stated that he understood the process has to be with a large number of constituents but he doesn't want to see what had happened in the past with DOT showing up with a bunch of plans and there were objections and DOT went away. Discussion was held on past meetings and the end result of that process, and DOT not having come back to continue discussion. Mr. Bequaert shared that he was talking with JB Mack and he was trying to put together a plan that has a good chance of having approval by a majority of people in town and it wasn't easy because there was always a group of people that weren't happy.

Mr. Bequaert stated that he would appreciate it if people have ideas of what they want to do to come to him. Ms. Silverman suggested that something be put in the newsletter letting people know what Mr. Bequaert was working on. Ms. Silverman stated it was the first time she had heard that Mr. Bequaert wanted everyone to go through him. The Selectmen appointed Mr. Bequaert to that position and it probably wasn't common knowledge. Ms. Favreau shared that if the Selectmen had drafted a letter it would have been sent out. Mr. Holman shared that he only just learned about this opportunity and the short time frame for comments. Ms. Silverman stated it was an idea and that she would ask Mr. Holman that if he wanted to list that he was a Selectmen, it was important to say that however, in this context he was writing as an individual. Mr. Holman asked that his e-mail be included in the minutes so that people would understand what he was saying. Mr. Bequaert would put something in the July newsletter. Ms. Silverman shared she was encouraged when she saw culvert work being done. Mr. Bequaert replied that culvert work was being done because they were getting ready to pave.

Mr. Bequaert stated that sometimes it comes down to when you miss a comment period it is better to do nothing than to do something in haste. Mr. Holman stated that he thought it was clearly written and told Mr. Bequaert to be clear of what he wanted and not to chastise people.

*** **DISCUSS ABATEMENT OF TAXES**

Ms. Favreau determined the taxes due on Map 27, Lot 21 were \$54,682.89. Andrea Heikkinen, at her last meeting with the Selectmen shared that she might be interested in purchasing this property and wanted to know if the Selectmen would be willing to abatement some of the taxes owed. Ms. Silverman reviewed the property card. Discussion was held on whether the property had a septic system, well and the date of the last assessment. The Selectmen asked Ms. Favreau for a breakdown of interest and taxes. The Selectmen thought that they might be willing to abate the interest. The Selectmen wanted to know if Ms. Heikkinen was able to find the property owner.

*** **DISCUSS RECOMMENDATION FROM AVITAR**
- **Forest Management Plans**

Ms. Silverman reviewed the recommendation from Avitar for Map 6, Lot 41 & 41-1. Mark Stetson, Assessor Supervisor with Avitar, in his letter, recommended that once the Selectmen signed the Application for Current Use, that it be sent to Cheshire Country Registry of Deeds for recording. Mr. Stetson also recommended that the owners complete and return to the town a Current Use Assessment Matrix form. Ms. Favreau shared that both are in current use – adding the forestry.

Ms. Carney made a motion to accept the recommendation of Mark Stetson, Assessor Supervisor, Avitar. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Ms. Silverman reviewed the recommendation for Map 17, Lots 1 & 2. Mr. Stetson recommended that the owners revise the map to depict various forest types including the farm land area and that the application be revised to show the appropriate acreages for each category. Mr. Stetson also recommended that the owners complete and return to the town a Current Use Assessment Matrix form.

Ms. Carney made a motion to follow the recommendation of Mark Stetson, Assessor Supervisor, Avitar. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Mr. Holman asked that this information be shared with the Conservation Commission.

*** **REVIEW POLE LICENSE**

Ms. Silverman reviewed the PSNH Petition and Pole License. The Selectmen discussed the height of the poles and where the work was being done. The Selectmen approved and signed.

*** **DISCUSSION WITH BILL CARPENTER**
- **Quarry Reporting**

Ms. Silverman reviewed the memo from Ms. Favreau. Ms. Favreau had spoken with Bill Carpenter last Friday with regard to the State inspections of the Quarries. Inspections have been scheduled at both Bruce Vaal's and KMO. A survey crew would conduct a horizontal and vertical survey of the properties. Ms. Favreau shared that the State Commissioner would also be in attendance. Mr. Carpenter requested that they complete the inspection on their own and they would submit a follow-up report to the town. After which time, if the town still wished to view the property, Mr. Carpenter could arrange a site walk with the property owners.

Ms. Carney asked if property abutters had been notified because she hadn't heard anything. Ms. Favreau shared that Erik Durmer had come into the office and she had passed the information on to him.

*** **REVIEW MEMO FROM CEMETERY TRUSTEES**
- **Tree Cutting**
- **Accept donation of whiskey barrel planters**

Ms. Silverman reviewed the memo from the Cemetery Trustees regarding the need to remove a large pine tree at the Pine Grove Cemetery. The Trustees would like to hire High & Tight Tree at an estimated cost of \$500.

Ms. Carney made a motion to approve the hiring of High & Tight Tree for removal of a large pine tree at Pine Grove Cemetery. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

Ms. Silverman shared that Mr. & Mrs. Russell Raitto would like to donate whiskey barrel planters at the cemeteries in memory of Elizabeth Miller.

Ms. Carney made a motion to accept the donation from Mr. & Mrs. Russell Raitto. Mr. Holman seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman - Yes. Approved – 3-0

The Selectmen asked Ms. Favreau to write a thank you letter to Mr. & Mrs. Raitto.

*** **MEMO FROM NICK NOYES**

Ms. Silverman reviewed the memo from Nick Noyes with regard to the Locke case. The Library was not responsible for half of the cost of storage, since the cost of storage wasn't addressed or agreed to in the settlement agreement and Attorney Gordon would not charge for his time on the motion for reconsideration of fees or for any hearing that might be needed.

The Selectmen asked Ms. Favreau to let Mr. Noyes know he could proceed.

*** **DISCUSS E-MAIL FROM NH COPBLOCK**

The Selectmen discussed the e-mail and video taken by members of NH Copblock regarding the incident over the weekend. Ms. Favreau had talked with Chief Leonard DiSalvo and he was going to forward the information to the town's prosecutor. Ms. Carney shared that some of the issues brought up by members of NH Copblock are policy and it's done at all stops and there was no violation.

Mr. Holman shared that among the many complaints he dealt with this weekend, the most disconcerting to him was in regards to the police department and the town's prosecutor acting at the direction of the Board of Selectmen that charges were not to be brought up against people with mental health issues. Ms. Silverman stated that the Selectmen have never been involved in police business. Mr. Holman asked that this be brought up at the next Selectmen's meeting. Mr. Holman shared that he had relayed that if there was a complaint against the Selectmen or the police department to contact Ms. Favreau to get on the Board of Selectmen's schedule. Ms. Silverman shared that when people start up with a complaint – they need to be told that you are an individual and if they have a complaint it needed to be brought up to the Board of Selectmen. Ms. Carney stated that she had been dealing with this person for many years and it was very hard to redirect. Discussion was held on what to say and how to handle this type of situation.

OTHER BUSINESS

Health Officer – Certificate of Attendance - Conference and Training – The Selectmen reviewed.

Southwest Region Planning Commission – Annual Meeting Attendance – The Selectmen reviewed.

Letter of Deficiency – Brian Damon – The Selectmen reviewed.

Ms. Silverman asked about the agenda for the meeting with the Library Trustees and the Budget Committee. Ms. Favreau shared that she had sent the agenda out to the Library Trustees.

Ms. Silverman shared that the steeple on the Town Hall was rotted. Ms. Favreau stated she would contact McMillan for a quote and that she was waiting to hear from Bill Harper. Ms. Silverman asked that the removal of the steeple from the Town Hall be scheduled.

PIPELINE

REVIEW COALITION LEGAL EXPENSES - The Selectmen reviewed the Coalition legal expenses. The town prepaid \$5,850 of the 2016 commitment, leaving a remaining balance of \$1,406.20.

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

At 8:36 p.m. Mr. Holman 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: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 8:39 p.m. Ms. Silverman 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. Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

ON-GOING BUSINESS

Prime Wetlands Study – Ms. Silverman asked Ms. Favreau to contact Rick Van de Poll to make sure we have the right map and lots and to get a timeline from him. Ms. Silverman suggested scheduling a meeting later when summer residents were in town.

Mr. Holman made a motion to adjourn the meeting at 8:47 p.m. Ms. Carney seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Susan Silverman, Chairman

Nancy Carney, Vice Chairman

Chris Holman
Board of Selectmen

Fitzwilliam BOS

From: Chris Holman aka CJ the DJ <cjholman@hotmail.com>
Sent: Friday, May 20, 2016 2:32 PM
To: Bureau46@dot.state.nh.us
Cc: Debbie Favreau; Sheryl White; Jim Talbert; Frank Bequaert; Tom Matson; Rebeckah Bullock; Matthew Guyette; Town of Fitzwilliam Recreation Department; Susan Silverman; Police Chief; Fitzwilliam Land Use Department; Nancy Carney; Rick Von de Poll
Subject: DOT Public Comment Period - Complete Streets 119 & 12 + Rails to Trails

Hello,

I am a mobile DJ serving a term as selectman for my hometown, Fitzwilliam. My board has written to you often regarding the condition of 119. I feel we are very excited to see the process already taken in the updating of the culverts. We are in the process of updating our inventory of the culverts in Fitzwilliam and I was personally wondering if you would also be able to provide us with information about the ones along the state routes? In the process of completing our Prime Wetland Survey and updating inventories and policies, this will be useful information.

With my DJ business, and the travel I do for volunteer work and education, I would be classified as an out of stater most days; it is 50 miles to Manchester, and often I am going to the Lakes Region, Upper Valley, White Mountains or Seacoast, too. One thing that confuses me is why is 119 rated differently thought Fitzwilliam and Richmond than it is closer to the state borders (Rindge, Hinsdale)? It would seem our parts of the state road should be rated as importantly, especially since that junction is also in a border town and Rhododendron State Park is also a feature of Fitzwilliam.

Here are my two personal requests for the DOT:

- One of the things I wish the state would do for our town of Fitzwilliam is make both Routes 12 and 119 the arteries of a complete streets program. We possibly have the highest percentage of wetlands of any town in the state and having safe places along our major routes to allow for biking and walking will help every aspect of our community (health, economics, marketing), especially without having viable public or commercial options for youth, elderly, and other residents who may not drive.
- Our town is a gateway to the granite state. With the recent trail work done both North and South of us, I would also like to see the DOT commit to helping fund the rails to trails system South of Keene, going through Swanzey, Troy (a bit of Marlboro) and Fitzwilliam. Already, I have spoken with town representatives involved in such activity and SWRPC, and it seems to be a shared interest. It would be great if you could do a meeting with all of these communities, as well as our local Monadnock Snow Moles, and SWRPC to create a plan and assist with any grant applications.

Being National Bike to Work Day Challenge, I couldn't think of a better way to represent my constituents than to ask for your help to make my community a safer place for these activities, because I know we are one of the most beautiful places in which to enjoy them. With one of my best friends from high school still in a wheel chair from a biking accident he had on our prom night and an elderly uncle who also lost his ability to live independently after being struck by a vehicle while biking, dying just a few years later, I have two firsthand accounts of how better planned road construction would have improved the lives of people who went from recreational travel to becoming responsibilities of the community, limited from pursuing personal goals or losing social welfare.

Thanks for you time.

Sincerely,

Chris Holman

aka CJ the DJ

www.CJtheDJ.com

603-852-6185