



**BOARD OF SELECTMEN**  
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**BOARD MEETING MINUTES**  
**May 30, 2019**  
**9:00 A.M.**

**Selectmen Present:** Daniel Baker, Robyn Bates, Charles Kenison

Mr. Baker called the meeting to order at 9:02 a.m.

**PRIMARY:**

**\*\*\* APPROVE MINUTES**  
**- May 22, 2019**

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

**\*\*\* APPROVE MANIFESTS**

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

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

**9:15 MEET WITH BOARD OF FIREWARDS**

Mr. Baker mentioned that Ms. Favreau had sent the FireWards a letter. Mr. Baker asked if this discussion should be in a non-public session.

Mr. Baker wanted to discuss the part-time per diem budget that has been approved. It would be deferred until after the personnel issue discussion. Mr. Baker noted that the composition of the committee hasn't been finalized – have 4 members but don't have a FireWard. Mr. Prigge agreed to serve on the committee. Mr. Baker gave the order of discussion.

At 9:25 a.m. Mr. Kenison made a motion to go into non-public session under RSA 91-A:3 II(a). Ms. Bates seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 10:34 a.m. Ms. Bates 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. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

Acting Fire Chief Adam Dubriske asked if anyone knew the plan for the per diem position. He (Dubriske) stated that the budget numbers don't work with what was approved in the budget – two people – 7 a.m. – 5 p.m. – Monday through Friday. The ambulance was approved at \$27,000 and they have already spent as of May 2<sup>nd</sup>, \$5,100. Acting Fire Chief Dubriske stated the numbers don't add up. John Holman asked if there was a plan. Edwin Mattson, Jr., stated that there was. Acting Fire Chief Dubriske asked Ms. Favreau to print out the 2019 approved budget and expenditures to date. Mr. Kenison shared that Ms. Favreau had questioned the numbers. The budget was reviewed and it was determined that one was the per diem position and one was the ambulance. Mr. Mattson, Jr., shared that it was supposed to start out with a set number as of July 1<sup>st</sup>. Mr. Baker noted that we were absent the normal ambulance budget. Ms. Favreau reviewed the budget with Acting Fire Chief Dubriske. It was asked if some of the money from the Fire Department budget could be used. Acting Fire Chief Dubriske shared that he doesn't have enough money to transfer. Mr. Mattson, Jr., noted that some of the money would pay the part-time Fire Chief. Mr. Kenison noted that 30 hours per week was the Fire Chief's time and one per diem would be the other ambulance person. The Fire Chief wouldn't be paid only as Fire Chief. Mr. Kenison noted that 100 hours minus 30 hours was the Fire Chief. Discussion was held on the short fall to cover the ambulance per diem. Mr. Baker stated he understood a budget shortfall and noted to look at on an as needed basis. The vote of the Town was that they would like to see more

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invested in an ambulance service. Mr. Baker noted if we have a short fall, we need to revise the figures, and from a staffing stand point to get the ambulance back in service, and then look at the per diem. Mr. Baker thought then to start the per diem in September. He asked if it was a logical way to approach. Mr. Baker noted that the Town has DiLuzio and they want to start billing us. Ms. Bates asked if two were needed to cover 7 a.m. to 5 p.m. Acting Fire Chief Dubriske stated two were needed. He noted the need to be careful when looking at the calls. Mr. Baker asked if the committee looked at that. Mr. Kenison shared that he has his notes and would give them to Acting Fire Chief Dubriske. Mr. Prigge asked about wages - was one part the part-time Fire Chief and paying stay at home (on call). Mr. Kenison stated they voted not to do. Acting Fire Chief Dubriske agreed. Mr. Baker asked Acting Fire Chief Dubriske to come up with something that would work. Mr. Baker also asked when DiLuzio would start charging the Town. Ms. Favreau shared that per her phone call with DiLuzio, they would want a contract with the Town. Mr. Baker asked if they weren't getting paid for their service now. Mr. Baker thought we might need to have DiLuzio here. Acting Fire Chief Dubriske shared that he would need time to get an active plan in place. He (Dubriske) discussed the testing of possible members. Acting Fire Chief Dubriske shared that we still may need DiLuzio for some coverage unless we have an ambulance 24/7. Mr. Baker asked about the budget. Acting Fire Chief Dubriske discussed the procedure. Ms. Favreau shared that it doesn't bind the Town to the budget that passed because it wasn't a Warrant Article. Mr. Baker mentioned something was discussed in the committee and was never completed. In a collaborative, Towns getting together to discuss having DiLuzio provide coverage, but nothing was submitted in writing and the committee was told DiLuzio's numbers were too high. Mr. Kenison would like to have the committee reconvene to review. Acting Fire Chief Dubriske agreed that the concept was great. Mr. Baker asked to have DiLuzio cover the Town for three months. Everyone agreed. Acting Fire Chief Dubriske would like to be part of that meeting. Everyone also agreed it would be a benefit to have Richmond and Troy part of this discussion. Acting Fire Chief Dubriske shared that also to be determined was where to house. The Selectmen would like the FireWards to come back with a recommendation. Mr. Kenison shared that it was mentioned to him what someone would do for 20 hours a day. At Town meeting, someone asked how come voters didn't vote on the per diem. Mr. Kenison didn't think there was a lot of people that would feel it was the right way to go. There needed to be a committee to investigate the issues and look at all of the options. Mr. Kenison would get his budget numbers on this. It was asked if no one took minutes at the budget meetings of the committee. It was determined that minutes weren't taken. Acting Fire Chief Dubriske shared the numbers don't work but wanted to utilize the part-time Fire Chief line item with the amount of work that needed to be done to put the department back together. Mr. Baker asked if he (Dubriske) was being compensated for his time. Acting Fire Chief Dubriske shared that last week he was given authorization for 5 hours. Mr. Kenison asked if there were something in writing where the FireWards approved. Mr. Baker asked where their minutes were filed. Mr. Prigge thought they were sent up here. Ms. Favreau shared that she hasn't seen any minutes. Mr. Holman stated they (FireWards) would ask for them. Mr. Baker shared that a certain amount of administration time was needed and he didn't have a problem paying for it in order to maintain accuracy in recordkeeping and other duties. Mr. Mattson, Jr. shared that we might want to talk with the Fire Department in Jaffrey, they run with per diem personnel. We could ask how it was going for them and get suggestions. Mr. Kenison shared that he talked with someone from Peterborough and it was noted that there was an income stream. Mr. Baker mentioned that if we expand and collaborate with Richmond and Troy we could have an income stream. Mr. Mattson, Jr., shared that he didn't think it was enough to cover staff.

Dana Pinney asked about the ambulance billing. If the person has insurance, it was covered by their insurance and if no insurance they were billed. Mr. Baker thought that a committee was needed to review and asked to appoint committee members to look into. It was noted that we need the status for DiLuzio – at least 90 days and revisit after 60 days. Mr. Baker asked if it could be the same committee to revisit and look at a permanent solution. Ms. Bates thought the committee was already appointed and that she was on it. It was determined that it was to be a committee to look into DiLuzio. Acting Fire Chief Dubriske wanted to be on the committee and recommended the Chiefs from Richmond and Troy as well. Mr. Baker asked if the Selectmen needed to write to the Select Boards of both Richmond and Troy – stating that Fitzwilliam was looking into and wanted representation from other towns. Representatives from Fitzwilliam, Troy, Richmond, one FireWard and one Selectman. Mr. Holman volunteered as well as Mr. Kenison. Mr. Mattson, Jr., shared that he would attend the meetings as he was available. Mr. Baker shared that a separate group was needed to address DiLuzio. It could be the Selectmen and Acting Fire Chief Dubriske. Ms. Bates asked if the FireWards were approving of Acting Fire Chief Dubriske serving on the Committee. The FireWards agreed. Mr. Prigge, Acting Fire Chief Dubriske, and the Selectmen would be the committee to deal with the 90 day contract with DiLuzio.

At 11:12 a.m. Ms. Bates made a motion for a 5 minute recess. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

At 11:15 a.m. – Ms. Bates made a motion to reconvene. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

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**CONSTRUCTION PERMIT**  
- Map 42, Lot 2-76  
- Map 42, Lot 2-10

**Map 42, Lot 2-76** – Mr. Kenison made a motion to approve the Construction Permit for Map 42, Lot 2-76. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

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**Map 42, Lot 2-10** – Ms. Bates made a motion to approve the Construction Permit for Map 42, Lot 2-10. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

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**OCCUPANCY PERMIT  
- Map 23, Lot 3**

Ms. Bates made a motion to approve the Occupancy Permit for Map 23, Lot 3. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Mr. Baker asked that a copy be given to the ZBA.

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**DISCUSS ATTORNEY REPRESENTATION  
- Solar Project**

Ms. Bates shared that at her tax class she talked with Madeleine Mineau of Clean Energy NH.org and asked if we should get one attorney to follow throughout or have individual experts but let reside in one law firm that carries both for continuity. Ms. Mineau mentioned the following law firms that could be retained. It was noted that NextEra was using Orr & Reno. Most attendees were property owners or municipalities. Ms. Bates didn't hear anyone discussing the scenario about leasing the land. Ms. Bates mentioned that Ms. Mineau would share a PILOT on hydro. Ms. Bates stated the need for the Selectmen to determine the best law firm that would represent the Town. Ms. Bates suggested that the Selectmen interview them. Mr. Baker asked whom the Planning Board recommended. It was noted that Attorney Art Cunningham was recommended. Ms. Bates shared that Kristine Filmore wasn't in attendance and that she represented the Town on a ZBA case. Ms. Favreau shared that she was more land use. Ms. Bates suggested contacting her. Ms. Favreau shared that she was with DrummondWoodsum. Ms. Bates stated there was no reason we couldn't contact them. It was noted to pick 2-3 from their references to get moving on this issue. The Selectmen would be interested in doing a preliminary interview. Mr. Kenison shared the need to find someone that has dealt with the SEC. Ms. Bates shared that even though BCM Environmental Law wasn't a member, Ms. Mineau mentioned them because they have the expertise. Ms. Bates suggested interviewing BCM, and Sheehan Pinney. Ms. Favreau thought that the Town has used them before. Mr. Baker suggested a telephone interview first and then bring them in for an interview. The other law firms were: Primmer, Pipper Eggleston, & Cramer; Rath, Young & Pignatelli; and Downs Rachlin Martin. Ms. Bates would call them and asked the Selectmen for criteria. Mr. Baker suggested asking their experience with MOUs, Conservation, site plan review, do they have examples, have they dealt with the SEC, their references and rates. Ms. Bates would also ask if they could meet for a conference call next Wednesday, June 5<sup>th</sup>.

Dana Pinney shared that BCM Attorney Mancelly spoke in Court on the SEC, and also Attorney Jason Reimers. They are experienced in that area. Ms. Bates asked if we wanted the attorney and not the partner to conference call. Mr. Baker shared if they weren't available to have them put in writing what we are looking for so that we can get this done next week. Mr. Bates reviewed what she would be asking of the attorneys. Mr. Baker asked on the rate piece if they could give an overall estimated cost to get a sense of the cost. He felt it was better than just asking for a rate. Ms. Bates stated she would do her best to make calls and schedule the conference calls.

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**REVIEW LETTER FROM LCHIP  
- Receipt of first Grant payment (50%) for Town Hall Planning study**

Mr. Baker reviewed the letter. The Selectmen and Ms. Favreau reviewed the questions from Mr. Drasba contained in the report. Mr. Baker discussed the work to be done that was contained in the proposal from Jay Southgate. Ms. Favreau reviewed the list that Mr. Drasba asked the Selectmen to add to if needed. The Selectmen agreed to send the list to Mr. Southgate to review and edit as needed. Ms. Bates asked if Mr. Southgate was involved in the report. Mr. Baker shared that only the engineer was involved in the report. Mr. Baker explained the work to be done in the proposal versus the report. The report is what Mr. Drasba has compiled to apply for an LCHIP grant. Mr. Baker stated that he wouldn't sign the report with the current list of restoration. The Selectmen wanted Mr. Southgate to provide an updated quote. Ms. Bates noted the deadline was fast approaching.

Mr. Pinney mentioned that the paint was peeling and there was a crack on the column out front. It was the outside column to the right. The Selectmen reviewed the column and asked Ms. Favreau to contact West Rindge Builders to find out if there was a warranty.

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**FOLLOW-UP ON PAYMENT AGREEMENT  
- Map 11, Lot 3**

Ms. Favreau report that the payment would be \$50 per month.

Ms. Bates made a motion to approve a monthly payment of \$50 per month. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

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**\*\*\* REVIEW/SIGN DEED WAIVER  
- Map 34, Lot 6**

Ms. Favreau shared that a substantial payment has been made and another payment would be made in a week or two.

Ms. Bates made a motion to review/sign the deed waiver on Map 34, Lot 6. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

**\*\*\* REVIEW ABATEMENT RECOMMENDATION FROM AVITAR  
- Map 15, Lot 6-12TWR  
- 2018 NNETC – Fairpoint**

**Map 15, Lot 6-12TWR** – Mr. Baker reviewed the recommendation of Gary Robarge, Avitar for Map 15, Lot 6-12TWR. Mr. Robarge recommended denying the abatement as the pole was there as of April 1<sup>st</sup>. Mr. Baker noted that the tower wasn't removed because South West Mutual Aid was still using the tower. Ms. Favreau shared that the County would be sending the Town a letter stating that the pole was used for mutual aid and the Sheriff's Department. Mr. Baker shared the history of WiValley. Ms. Bates shared that the pole still remained. Mr. Baker stated that WiValley provided a service to the Town and Ms. Favreau shared that the Town Hall doesn't pay for internet service with WiValley. Ms. Favreau shared that the tax card shows the current value of the tower was zero for this year, as the tower was removed.

After discussion, the Selectmen agreed to defer the tax abatement for WiValley until they determine if the tower still remained.

Ms. Bates made a motion to defer the tax abatement for WiValley. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

**2018 NNETC – Fairpoint - NON-PUBLIC SESSION RSA 91-A:3 II (e) - Legal**

At 11:15 a.m. Ms. Bates made a motion to go into non-public session under RSA 91-A:3 II(e). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 12:11 p.m. Mr. Kenison 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. Bates seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

**\*\*\* ROOFING PROPOSALS**

Mr. Baker shared that two proposals were received. One was received from AL Johnson in the amount of \$8,700 to replace and purchase slate. The second was received from Guyer and Son in the amount of \$4,300 to replace or repair any damaged slate. Mr. Baker asked that Ms. Favreau contact Guyer and Son to find out the cost to replace the slate, so that both proposals would be the same. Ms. Bates asked when it should be done, she was concerned it could get damaged with the steeple work. Mr. Baker shared that a slate roof should be maintained every year.

Mr. Kenison made a motion to delay until next week. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

**\*\*\* DISCUSS OIL TANK, GENERATOR AND GENTRAN SYSTEM IN CELLAR**

Mr. Baker mentioned the old oil tanks weren't being used and should be removed. There were two 75 gallon tanks. Since the Town Hall uses propane and not oil, we should have them removed before they leak.

Mr. Baker noted there was an old generator that ran the furnace and water. Mr. Kenison shared it was no longer used. Mr. Baker would be willing to get it running. Mr. Baker asked if the Selectmen could sell it. Ms. Favreau shared that they could do that. Ms. Favreau thought the oil was already drained from the tanks. Ms. Favreau asked who could be called for that. Ms. Bates shared that she used Keating Plumbing and Heating. The Selectmen agreed that Ms. Favreau should call them.

**\*\*\* NON-PUBLIC SESSION RSA 91-A:3 II (c) – Abatement - Hardship**

At 12:12 p.m. Ms. Bates made a motion to go into non-public session under RSA 91-A:3 II(c). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 12:18 p.m. Ms. Bates 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. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

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**ON-GOING BUSINESS:**

- STEEPLE PROJECT -

**INFORMATION**

Mr. Baker asked that evaluations be added to next week's Agenda.

Mr. Kenison asked to have discussion on additional items needing repair added to next week's Agenda as well.

**Meeting Schedule:**      **9:00 a.m. – Thursday, May 2, 2019**  
                                     **7:00 p.m. – Wednesday, May 8, 2019**  
                                     **9:00 a.m. – Thursday, May 16, 2019**  
                                     **7:00 p.m. – Wednesday, May 22, 2019**  
                                     **9:00 a.m. – Thursday, May 30, 2019**

Mr. Kenison made a motion to adjourn the meeting at 12:34 p.m. Ms. Bates seconded and the motion passed. 3-0

Submitted by:

Sheryl White  
Secretary to the Board of Selectmen

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Daniel Baker, Chairman

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Robyn Bates

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Charles Kenison  
Board of Selectmen