



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
June 19, 2019
7:00 P.M.

Selectmen Present: Daniel Baker, Robyn Bates, Charles Kenison

Mr. Baker called the meeting to order at 7 p.m.

PRIMARY:

***** CONSTRUCTION PERMIT**
- Map 15, Lot 29

The Selectmen and Mike Rossi reviewed the plans for renovation of the interior space. Mr. Rossi reviewed the conditions of the Planning Board.

Mr. Kenison made a motion to approve the Demolition and Construction Permit for Map 15, Lot 29. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0
The Selectmen agreed that an Occupancy Permit was needed.

7:00 NON-PUBLIC SESSION RSA 91-A:2 II(b) – LEGAL MATTERS – No Report

7:15 MEET WITH COMMITTEE TO STUDY FIREWARDS

Committee members: Susan Silverman, Greg Mattson, Andy Wood, Kevin Woolley and Bill Prigge met with the Selectmen to discuss direction. Mr. Baker reviewed Warrant Article 21. Ms. Silverman mentioned there were two ways to structure. Mr. Mattson stated there were three. Ms. Silverman shared there were choices and it would be good to look at all of the facets of that. Ms. Silverman didn't think they needed to delve into the minutia of the running of the Fire Department. Ms. Silverman shared that the FireWards didn't always meet. Mr. Mattson stated that the FireWards tried to operate under two sets of rules – Fire Department and the Town. Mr. Mattson asked what the Selectmen thought the needs were. Mr. Mattson shared that no matter what was done he felt the Fire Department needed to run under the Town's policies. Mr. Mattson felt the FireWards shouldn't be a Fire Chief or a Fire Officer. Mr. Mattson shared how the Fire Department was set up in the past. Ms. Silverman asked if the point was to look at all of the different ways the Fire Department could be operated – the pros and cons. Ms. Silverman didn't think it would take a long time to determine. She thought they could be ready by fall by budget season, should the concept have financial implications to the budget. Mr. Mattson thought they were going in a different direction - should the FireWards or the Selectmen be in charge of the Fire Department. Ms. Favreau shared that RSAs determine the structure. Ms. Silverman stated she was talking about the timing and there could be impacts to the budget and changes to some line items. It would be better to be known by budget season. The Selectmen need to have a recommendation and a Warrant Article in place. Mr. Kenison asked what was needed now. Ms. Bates thought it would be helpful to do some querying of other towns to evaluate.

Mr. Mattson mentioned that there were still towns that run under a fire district and FireWards and some have gone to other structures. Ms. Bates asked how often the committee should meet. Ms. Bates shared how the Selectmen determined the composition of the committee. Ms. Favreau shared that Ms. Bates was the Selectmen's representative and Bill Prigge was the FireWards representative. Ms. Favreau shared the Warrant Article originally proposed at the March Town Meeting was to change from RSA 154:1 (d) to RSA 154:1 (a). Ms. Silverman shared that it would be helpful if Mr. Prigge could give some background information on how it was setup and what were the strengths and weaknesses under the structure of RSA 154:1 (d). Mr. Baker wanted it to be whatever was legal and allowed by the state. Dana Pinney asked if this group was to find the best solution of options to be presented by Warrant Article or was it presented. Mr. Baker thought it was necessary to hold a public hearing. Ms. Silverman thought it wouldn't be much different under last year's Warrant Article. Mr. Baker thought for expediency to hold a public hearing rather than debate at Town meeting. Andy Wood mentioned it would be helpful to share what the options were. Ms. Silverman thought maybe calling it a public information meeting or to discuss at the budget hearing. Ms. Silverman stated a good fit and what would work well was needed. Mr. Wood stated the need to be consistent on

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how the other departments were managed. Mr. Baker shared that was one factor that put it on the Warrant last year. Discussion was held on all employees falling under the same guidelines, primary role of the committee to recommend what structure within legal definition, any budget issues related to the change and put on the Warrant next year.

The committee agreed to meet on Tuesday, July 9th at 7:00 p.m. in the Town Hall. Ms. Bates asked if anyone wanted to do some homework. Ms. Bates asked that Mr. Prigge and Mr. Mattson write up the structure of the past five years so they could understand how it runs today. Ms. Favreau shared they would need to meet in the Selectmen's Office. Ms. Bates reviewed the agenda items: overview of current structure and review of the RSA.

The Selectmen thanked them for coming in.

7:45 MEET WITH MEADOWOOD TASK FORCE

Dorothy Zug, Suzanne Gray, Barbara Young and Ed Goodell (contamination expert) met with the Selectmen to give an update on the Meadowood property. Ms. Zug reported that the nomination for the Brownsfield grant application was accepted with the caveat that they wanted support from the Troy Selectmen. The Task Force met with the Troy Selectmen and they sent their letter of support. Ms. Zug has heard from JB Mack and they were starting work on Phase One, which was to review all of the documents that were relevant to the contamination. Ms. Zug asked if the Selectmen had any questions on Mr. Goodell's report. Mr. Goodell stated that the information was public knowledge and all of the reports were on the DES website. Ms. Zug shared that the Task Force was moving ahead. She suggested the Selectmen visit the site and noted the silver trailer was removed and the propane tanks were emptied of the remaining gas and the gas vapor was burned off. The tanks would be removed. Ms. Zug shared they were working on some things DES required. The Inundation Report/Map was done by JC Woodward. This was required should the dam fail. Ms. Zug reviewed the report with the Selectmen. The report has been submitted and it had to be done to bring things up to date as required by DES. Ms. Zug shared the Notification Flow Chart was updated and she reviewed the flow chart with the Selectmen. Mr. Baker shared it was valuable information regardless of what happens to the property.

Mr. Baker asked about the monitoring at the assembly side. Mr. Goodell wasn't certain. Mr. Goodell shared that PSFAs were found in the bedrock of the wells. Ms. Zug shared that Phase One was to review all that was done and then go on to Phase Two. The Meadowood Board would need to give permission for going on site for Phase Two. Mr. Goodell shared that testing from DES would be done in November and it would give the latest analysis of what was in the wells.

Ms. Zug shared that in New Jersey there was a firm that has gotten a grant from DES who offered to do a workshop in June and she wrote an article for the newsletter which didn't get included, therefore the workshop was cancelled. The workshop would be held in October between the 10th and 19th. She thought it would be beneficial for the Selectmen to attend. Ms. Zug thanked the Selectmen for their support.

Ms. Zug shared that the local snowmobile club has met with them and they were looking for a place to store their signs, equipment and were interested in Meadowood. They toured the pavilion and the assembly hall. Ms. Zug asked if the Selectmen could think of anyone that would want the assembly hall. Ms. Zug discussed ADA compliance and the kitchen equipment. Ms. Zug discussed what the buildings used to house.

Ms. Zug shared that she would keep the Selectmen updated.

Mr. Goodell asked if the Selectmen had any questions. Mr. Baker shared that it was interesting to find out what the State was requiring. It was noted the dam needed to be kept up to date. Ms. Zug shared that John Holman kept an eye on the dam. Ms. Gray shared they have all of the documents from DES on what needed to be done.

8:15 MEET WITH SUSAN SILVERMAN AND WES WHITHAM
- Quarry

Ms. Silverman shared her concerns about the quarry and noted that she hasn't been up on the site for a year. From her house she has seen they are hauling a lot and she thought they were allowed to remove under 2,000 cubic yards per year, within a five acre section. Ms. Silverman shared that once they removed the large rocks, they moved to another section. DRED and DES said ok. Ms. Silverman stated she doesn't have any proof but it appears that they have gone way beyond the first two five acres and it is now beyond that. She's concerned that no one was monitoring what was going on. Mr. Baker shared the Selectmen only get monitoring reports. Ms. Bates asked under whose jurisdiction the quarry fell. Ms. Silverman stated it was DRED. Ms. Silverman shared if that was a five acre application – they were supposed to go back to go through a different process and would need to go through the Planning Board. Ms. Silverman shared that she doesn't have absolute proof but the owners never have wanted to comply with any regulations. Mr. Baker asked what level of inspection the Town has. Ms. Silverman stated the Town doesn't have any but can request DRED to inspect. Wes Whitham stated they weren't supposed to cut to the water's edge. They have changed a lot of the terrain. So much water comes out of there and washes out the road. Ms. Silverman shared there were a lot of springs on the property. Mr. Baker stated the need to check with

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Gene Cuomo on the road washout. Mr. Whitham has concerns with the water flow with the intent to cut. They have been cutting from 7 a.m. until dark and on Saturday. There was a lot of noise. Mr. Whitham stated there wasn't a legal driveway on Webb Hill Road. Ms. Silverman shared it was an old logging road. Mr. Whitham shared it was the old railroad bed. Mr. Baker asked if it was a legal road. Ms. Favreau shared that it was different for logging than for a residence. Ms. Silverman stated if an intent to cut was over the top the Selectmen could have a forester come in.

Mr. Baker wanted to determine what was legal and what wasn't. He was trying to find out what the Selectmen could do. Mr. Whitham asked about disturbing of the peace. Mr. Baker shared that the noise ordinance doesn't apply to logging. Ms. Favreau looked up the commercial ordinance but she thought logging was exempt. Ms. Bates asked if we could call in a State Forester to look at the property. Mr. Baker wanted Ms. Silverman to pinpoint what she wanted the Selectmen to look into. Ms. Favreau reported that logging was exempt from the noise ordinance. Ms. Silverman raised the question if they weren't doing something illegal. Mr. Baker thought the Selectmen could inquire where there has been an abutter complaint. Mr. Baker asked if Ms. Favreau could call the State Forester. Ms. Bates stated the next step was to call DRED. Ms. Silverman shared that was to determine if they were still in compliance. Ms. Silverman was concerned that at some point they may want to quarry stone. Ms. Silverman stated if it was legal it was legal but she had questions. Mr. Kenison stated it had been about 35 years since they last logged. Mr. Whitham shared that they have moved mountains of stone and have gone way above what they were allowed to take out. Ms. Bates shared they would call the State on those two items.

The Selectmen would follow-up.

*** 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.

*** CONSTRUCTION PERMIT

- Map 10, Lot 16
- Map 15, Lot 29 – Demolition Permit
- Map 17, Lot 4

Map 10, Lot 16 – Mr. Kenison made a motion to approve the Construction Permit for Map 10, Lot 16. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Map 15, Lot 29 - Discussed earlier.

Map 17, Lot 4 - After discussion, the Selectmen asked Ms. Favreau to send a letter asking Mr. Pelletier to come in to meet with them or they would go to his property.

The Selectmen agreed to defer action on the Construction Permit until they meet with Mr. Pelletier.

*** REVIEW NEWSLETTER ARTICLES

The Selectmen reviewed and updated the articles for the newsletter.

*** FOLLOW-UP DISCUSSION REGARDING PROPOSED POLICE DEPARTMENT SHOOTING RANGE

- Abutter Notification

Ms. Favreau shared that the property abuts Woodbrook with an estimate of 150 owners. Ms. Bates asked if the letter could be sent to the association. Mr. Baker stated we should notify them of the plan for the property. The Selectmen approved sending the letter to the Woodbrook Association and to the other abutters, with a 15 day deadline for comments or questions and also noting commencement of use would be July 2019.

Mr. Kenison left the meeting.

*** REVIEW ABATEMENT APPLICATIONS

- Map 11, Lot 12
- Map 27, Lot 12-1
- Map 15, Lot 60-1

The Selectmen reviewed the abatement recommendations of Mark Stetson, Avitar for the following properties:

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Map 11, Lot 12 – Mr. Stetson recommended changes that reduced the total assessment valuation from \$102,100 to \$79,200 and recommended an abatement for the \$22,900 value difference.

Map 27, Lot 12-1 – Mr. Stetson recommended changes that reduced the total assessed valuation from \$131,200 to \$114,100 and recommended an abatement for the \$17,100 value difference.

The Selectmen agreed to defer action until additional information was received from Mr. Stetson for Map 11, Lot 12 and Map 27, Lot 12-1

Map 15, Lot 60-1 – Mr. Stetson recommended changes that reduced the total assessed valuation from \$391,600 to \$321,800 and recommended an abatement for the \$69,800 value difference.

Ms. Bates made a motion to abate the taxable valuation of \$69,800. Mr. Baker seconded. Mr. Baker – Yes, Ms. Bates – Yes. Approved – 2-0

REVIEW PROPERTIES ELIGIBLE FOR TAX DEEDING

The Selectmen reviewed the following properties eligible for tax deeding:

Bateman, Christopher - Map 17, Lot 70 – Ms. Bates made a motion to waive taking a tax deed. Mr. Baker seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

Breunig III, Joseph + Joyce, Map 27, Lot 15 – Mr. Baker made a motion to waive taking a tax deed. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

Bumbarger, Estele Eliza, Map 42, Lot 1-76 – Mr. Baker made a motion to waive taking a tax deed. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

Bumbarger, Estele E, Map 42, Lot 1-4 – Mr. Baker made a motion to waive taking a tax deed. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

Carroll, Jr., Charles E., Map 6, Lot 22 – Mr. Baker made a motion to waive taking a tax deed. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

Connors, Michael J., Map 29, Lot 2 – Mr. Baker made a motion to waive taking a tax deed. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

DAL Advisors, LLC, Map 15, Lot 30 - The Selectmen deferred their decision.

Grier, Gordon G, Map 29, Lot 20 – Mr. Baker made a motion to waive taking a tax deed. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

Hammond, Earl F. + Michael J, (Green Tree Financial Services) - Map 12, Lot 50-1 – Mr. Baker made a motion to waive taking a tax deed. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

Panek, Kristina L., Map 17, Lot 17 – Ms. Bates made a motion to waive taking a tax deed. Mr. Baker seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

Silvia, Christopher, Map 36, Lot 8 – Ms. Bates made a motion to waive taking a tax deed. Mr. Baker seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

NON-PUBLIC SESSION RSA 91-A:3 II(c)

At 10:30 p.m. Mr. Baker made a motion to go into non-public session under RSA 91-A:3 II(c). Ms. Bates seconded and the motion passed 2-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes.

At 10:34 p.m. Mr. Baker 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 2-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes.

REVIEW LETTER TO PLANNING BOARD

The Selectmen reviewed and signed.

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*** REVIEW LETTER FROM RONALD SARGENT, JR.

- Requesting refund of registration fee – should haven't had to pay

Mr. Baker reviewed the request of Mr. Sargent, Jr. requesting a refund of the \$366 registration fee that he paid in error. Mr. Sargent was a disabled veteran and shouldn't have paid a registration fee. Ms. Favreau shared that Heidi Wood, Town Clerk stated that a disabled veteran was allowed one free registration fee.

Mr. Baker made a motion to approve the refund upon verification of free registration for a disabled veteran. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

*** FOLLOW-UP DISCUSSION ON THE HISTORIC STRUCTURE REPORT

Mr. Baker asked to make sure that the information in the report got corrected. Ms. Favreau would contact Dave Drasba. Mr. Baker shared that he could come in tomorrow morning. The report needed to be updated and given to Ms. Favreau by Wednesday for her to take Concord.

Ms. Favreau asked if the Selectmen had reviewed the updated proposal from Jay Southgate. Ms. Bates shared that she has concerns and it needed to meet the detail relevant to the report. Mr. Baker discussed the process to date. The discussion was held on the updated estimate, the conflict of repair or replace, and the need to show the detail of the work needed and the associated cost. Mr. Baker discussed the sequence of how Mr. Southgate backed into the number. Ms. Bates shared her concerns. Discussion was held on the cost associated with restoration or replace, and applying to LCHIP and the associated restrictions and monitoring. After discussion, the Selectmen agreed to go after \$500,000 and felt that they have proven that they have done their due diligence.

Ms. Bates shared that there was a warrant out there that says we would appropriate and raise funds for the steeple repair and we haven't discussed it. Ms. Favreau shared that there was an expendable trust and there was \$550,000 in the trust. Ms. Bates asked how we get Mr. Drasba to make the corrections in time for Ms. Favreau to take to Concord on Wednesday. Ms. Favreau discussed the documents she needed to attach to the LCHIP grant. Ms. Favreau discussed the quote from Mr. Southgate. Mr. Kenison agreed with Ms. Favreau. He couldn't see them looking at the quote and accepting it. Mr. Baker would e-mail Mr. Southgate and Mr. Drasba. A conference call with both would be done tomorrow morning.

*** NON-PUBLIC SESSION RSA 91-A:3 II(a) – Evaluations – The Selectmen agreed to defer until their meeting next week.

*** NON-PUBLIC SESSION RSA 91-A:5 VI – Emergency Functions

At 10:41 p.m. Mr. Baker made a motion to go into non-public session under RSA 91-A:5 VI. Ms. Bates seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 10:44 p.m. Mr. Baker 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.

ON-GOING BUSINESS:

- STEEPLE PROJECT

- Update of roofing proposals -
- Invoice from Scully -
- Letter from Jay Southgate -

Ms. Gray shared that at the Planning Board meeting last night they agreed to hold a public information meeting on July 8th. Mr. Baker asked for an update at their next meeting – the specifics on their public information meeting. Mr. Baker asked if NextEra had been advised. Ms. Gray shared that there would be representatives from NextEra there to answer any questions. Barbara Young shared that they planned on inviting all of the boards and the public. The information was put in the newsletter. Ms. Bates asked about BCM. Ms. Gray shared the purpose of the meeting. Mr. Baker asked if a notice should be put in the Sentinel. Ms. Bates asked for it to be on the website. Ms. Silverman asked if there was any plan. Ms. Silverman asked that if the location wasn't known and there wasn't a lot of information on the project, how do you comment if you don't know what was being proposed. Ms. Silverman shared that if they want it to be successful, people need to have the information beforehand. Ms. Gray shared it was to get people ready for NextEra's meeting on July 18th. Ms. Silverman asked how could they provide any information if we don't have anything. Ms. Young shared that they would give information on the process for the public to ask questions and to share the process after the meeting. Ms. Bates shared that BCM has all of the documents from NextEra. Mr. Baker shared that we would get the information on a flash drive.

Ms. Favreau shared that there was some information on the website. Ms. Young asked if that information was given to Land Use. Ms. Favreau shared that Laurie Hayward has all of the information that she has. Mr. Baker asked what they needed from the Selectmen. Ms. Gray shared that the Planning Board doesn't meet before the meeting. The Selectmen shared that they wanted the meeting to be successful and suggested having a working meeting to get ready for the July 8th meeting. Ms. Bates discussed what she has read so far. Ms. Young gave the Selectmen a list of grants for water issues from a workshop that she attended.

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INFORMATION

- **Response from Jackie Wood to the State - Shorelands** – The Selectmen reviewed.

Meeting Schedule: **7:00 p.m. – Wednesday, June 19, 2019**
 9:00 a.m. – Tuesday, June 25, 2019

Ms. Bates made a motion to adjourn the meeting at 10:55 p.m. Mr. Baker seconded and the motion passed. 2-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Daniel Baker, Chairman

Robyn Bates

Charles Kenison
Board of Selectmen