



**BOARD OF SELECTMEN**  
P.O. BOX 725  
FITZWILLIAM, NH 03447  
(603) 585-7723 Fax: (603) 585-7744  
Email: fitzwilliamnh@fitzwilliam-nh.gov

**BOARD MEETING MINUTES**  
**July 7, 2022**  
**8:30 A.M.**

**Selectmen Present:** Brian Doerpholz, John E.F. Craig, Martin Nolan

**Guests:** Dana Pinney, Robert Nolan

Mr. Doerpholz called the meeting to order at 8:30 a.m.

**PRIMARY:**

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

Mr. Craig made a motion to approve the manifests. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

**\*\*\* APPROVE MINUTES**

- **June 22, 2022 - Public and Non-Public**

Mr. Doerpholz made a motion to approve the minutes of June 22, 2022, both public and non-public. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

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

**9:00 MEET WITH SUSAN SILVERMAN** - Cancelled

**9:30 MEET WITH DPW DIRECTOR GLENN SMITH** – Met with Mr. Smith after Review of Legal Invoice  
- **Vacant positions**  
**NON-PUBLIC RSA 91-A:3 II(a) – PERSONNEL**

**\*\*\* REVIEW CONSTRUCTION PERMIT APPLICATION**

- **Map 41, Lot 2-2**
- **Map 42, Lot 1-41**
- **Map 42, Lot 1-100**

**Map 41, Lot 2-2** – Mr. Nolan made a motion to approve the Construction Permit for Map 41, Lot 2-2. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0  
The Selectmen agreed that a Certificate of Occupancy was needed.

**Map 42, Lot 1-41** – Mr. Nolan made a motion to approve the Construction Permit for Map 42, Lot 1-41. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0  
The Selectmen agreed that a Certificate of Occupancy wasn't needed.

**Map 42, Lot 1-100** – Mr. Nolan made a motion to approve the Construction Permit for Map 42, Lot 1-100. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0  
The Selectmen agreed that a Certificate of Occupancy wasn't needed.

**\*\*\* DISCUSS SPRINKLER SYSTEM**

Mr. Doerpholz shared that we have not heard from them. Ms. Favreau has sent an e-mail and has had no response. Mr. Doerpholz would like to investigate to find out who can take over our system. He would like to contact the current company and mention how long we have been trying to get the sprinkler system up and running.

## BOARD MEETING MINUTES - July 7, 2022

Ms. Favreau shared that Wade Leventry had contacted Neil Stetson, an electrician, and has estimated the work to be approximately \$1,000 - \$1,500. Mr. Leventry would work with the electrician, who could do everything except the sprinkler system.

The question was asked if it would be beneficial for the sprinkler company to do the electrical work. Discussion was held on these companies having employees that can do electrical work. Mr. Nolan thinks it is time to cut our losses since it has gone on for over a year. The Selectmen agreed to look at companies that do the electrical work. Mr. Doerpholz asked if we contact the current company and state that we are done. Mr. Craig asked if we should wait until a new company was on board and then inform the current company it has been relieved of service and why. Mr. Doerpholz agreed. Ms. Favreau would contact other companies to get bids.

### \*\*\* DISCUSS ARPA FUNDS

Mr. Craig has created a 2022 ARPA, FEMA, and CIP project funding spreadsheet that the Selectmen reviewed. Mr. Craig shared that he had contacted Charley Kenison and Skip Hagstrom for information on the water system at the fire station and the ball field, respectively. Mr. Craig noted that we won't know about LCHIP until November. Ms. Favreau shared that NHMA has put out information regarding the release of the ARPA funds. Discussion was held on the upgrades needed at the fire station.

Mr. Doerpholz discussed the lighting in the different offices at the Town Hall. Mr. Craig thought that it might be time to consider when funds are available to have someone come in to design our space (someone that is familiar with working with historic buildings) to enhance the office environment and we work towards achieving the plan as we work on things as funding allows. Mr. Nolan mentioned the possibility of combining the space for the tax collector and the town clerk.

Mr. Doerpholz asked if we could proceed with the Land Use ceiling and still have it under the LCHIP grant. Ms. Favreau shared that we could proceed.

Mr. Craig made a motion to move forward to approve the Land Use office ceiling repair in the amount of \$1,500 from the General Government Building Trust fund. Mr. Doerpholz seconded. Mr. Craig recommended having Caleb Massin do the work. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Mr. Craig made a motion to have the existing roof leak in the Town Hall roof repaired so no additional damage occurs. Mr. Nolan seconded. Discussion was held on having eliminated the steeple being responsible for the leak. Mr. Doerpholz would like to defer as there are no bids or pricing. Mr. Craig shared that there is a sag in the roof and he is concerned with the leak. Mr. Nolan thought it would be deferred until LCHIP has been determined. Ms. Favreau shared that the last time we had a leak, AL Johnson was very good in repairing the leak. Mr. Doerpholz asked if we should have AL Johnson check for leaks and repair if internal without having to repair the slate. Mr. Nolan recused himself from discussion. The Selectmen agreed to contact AL Johnson to determine the location of the leak and to get an estimate of the cost. Mr. Craig would contact AL Johnson.

After discussion, Mr. Craig made a motion to contact AL Johnson and have them come in and look at the active leak and determine what needed to be done and to give an estimate of cost. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Abstained. Approved – 2-0

### \*\*\* REVIEW LEGAL INVOICE

Mr. Nolan made a motion to pay. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved–3-0

### 9:30 MEET WITH DPW DIRECTOR GLENN SMITH - Vacant positions NON-PUBLIC RSA 91-A:3 II(a) – PERSONNEL

At 9:23 a.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(e). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 10:35 a.m. Mr. Nolan made a motion to leave non-public session. Mr. Doerpholz seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 10:35 a.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. Craig – Yes, Mr. Nolan - Yes.

### \*\*\* DISCUSS REPAIRS TO TOWN HALL – Discussed previously under ARPA Funds - Land Use Office - Upper Ceiling

## BOARD MEETING MINUTES - July 7, 2022

\*\*\* **REVIEW LEGAL INVOICE** – Reviewed previously

\*\*\* **JUNKYARD RENEWAL APPLICATION**

Ms. Favreau shared that a new junkyard needed to have their material behind a fence. Mr. Doerpholz shared that even an existing junkyard can be asked to retroactively install fencing. Mr. Doerpholz asked if we approve the renewal and have them put up a fence or move the material behind the building. Mr. Nolan shared that most of the cars they have out front are for sale or being worked on.

Mr. Doerpholz noted that we can go with the renewal and adopt a fencing ordinance at a later time, since the Planning Board hasn't addressed the issue. Discussion was held on reviewing the junkyard policy that the Board of Selectmen adopted. Mr. Doerpholz shared that we could hold off on renewing the junkyard application to give time to review the policy. The Selectmen were in agreement to wait, as the application was turned in on time.

\*\*\* **NOTICE OF CURRENT USE CHANGE**

Mr. Doerpholz reviewed the Current Use Change form for reclassification of land from open to farmland.

Mr. Nolan made a motion to approve the Current Use Change. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Ms. Favreau shared that during the revaluation the assessor found a number of properties with current use issues. They have sent a letter with their recommendations.

\*\*\* **REVIEW LETTER FROM STATE OF NH – KMO**

This is just a notification to the town that the lines are being moved to change where they want to excavate.

\*\*\* **REVIEW BOS OPERATIONAL GUIDELINES**

Mr. Doerpholz shared that the Selectmen have an Operational Guidelines Handbook that was created in 2015. Mr. Doerpholz asked the Selectmen to review to determine whether any revisions need to be made and even if no changes, they would note the date of review and approval.

Mr. Doerpholz shared that there are some things that he would like to address from the last meeting. Mr. Doerpholz shared that he took offense to and it isn't fair to discuss anything once the meeting has been adjourned. The meeting is over. Mr. Doerpholz understood that Mr. Nolan was upset and wanted to discuss but it wasn't the time or place.

Mr. Doerpholz noted there are a number of things that bother him. Mr. Doerpholz stated that it is on Mr. Nolan to recuse himself and Mr. Doerpholz didn't think that Mr. Nolan looked at anyone else but himself and he noted that Ms. Gray was uncomfortable. Mr. Doerpholz felt that Mr. Nolan needed to use more discretion when discussing his daughter.

Mr. Doerpholz shared that he is open for anyone to discuss anything and he has people that come to him as he is reliable and dependable. He shared that the Chair runs the meeting and that is the extent of it.

Mr. Doerpholz stated that Mr. Nolan wanted to silence Ms. Favreau and she will not be silenced, nor would Ms. White. Mr. Doerpholz shared that Ms. Favreau has 30 years of experience and is very helpful to the Selectmen, as well as Ms. White who has information on construction permits and the day to day. Mr. Doerpholz stated that Ms. Favreau and Ms. White will not be silenced.

Mr. Craig shared that he led the YMCA which is a private not for profit organization. The way their conflict of interest policy is written is that if a member didn't understand that they needed to recuse themselves, it fell to the other members to determine that they should recuse themselves and he has learned that it isn't that way in municipal government. Whether or not Mr. Nolan determines to recuse himself, it is his decision and his decision alone. Mr. Craig shared that Mr. Nolan, alone, determines whether to recuse himself. Mr. Craig apologized and noted that he shared that with Mr. Nolan because he was wrong. Mr. Craig understands what Mr. Doerpholz was saying and from his perspective he felt it was necessary for Mr. Nolan to recuse him but it fell to the individual to determine.

Mr. Doerpholz shared that Mr. Nolan's promise was a threat and he indicated to make changes. Mr. Doerpholz stated that he would not be threatened and noted that Mr. Nolan had already made some good changes. Mr. Doerpholz noted that as long as he is Chairman, he will not tolerate any disruptions of a meeting. If Mr. Nolan's intention is to be disruptive, Mr. Doerpholz would not tolerate that, if Mr. Nolan has something of value, Mr. Doerpholz welcomes it, and Mr. Doerpholz shared that he

## BOARD MEETING MINUTES - July 7, 2022

doesn't have all of the answers. He has experience in this office but doesn't know everything. Mr. Doerpholz felt that the meetings have been going well except for the disruption a few weeks ago. Mr. Doerpholz asked Mr. Nolan if he wanted to say anything.

Mr. Nolan shared that he has said what he wanted to say and his opinion hasn't changed.

Mr. Doerpholz asked the Selectmen to review the junkyard policy and in a couple of months, the Selectmen would review the Personnel Policy and then look at all of the policies and amend if needed.

Ms. Favreau shared that a couple of years ago the Selectmen, on Town meeting day, reviewed all of the policies but she wasn't saying it wasn't time to revisit. Mr. Doerpholz shared that the Selectmen's Operational Guidelines Handbook regarding the Fire Department, would need to be updated.

### \*\*\* NON-PUBLIC RSA 91-A:3 II(m) – REVIEW PREVIOUSLY SEALED MEETING MINUTES

At 11:06 a.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(m). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 11:11 a.m. Mr. Doerpholz made a motion to leave non-public session. Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

The Board voted to keep the non-public minutes of February 17, 2022 (c) and March 3, 2022 (e) sealed.

The Board voted to unseal the non-public minutes of February 17, 2022 (e).

### \*\*\* NON-PUBLIC RSA 91-A:3 II(e) – LEGAL

At 11:12 a.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(e). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 11:53 a.m. Mr. Doerpholz made a motion to leave non-public session. Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 11:53 a.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. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

## INFORMATION

### ON-GOING BUSINESS:

#### \*\*\* TOWN-WIDE ISSUES TO BE ADDRESSED AND THEIR ENFORCEMENT

- Unregistered vehicles
- Debris and junk in yards

Mr. Doerpholz made a motion to adjourn the meeting at 11:53 p.m. Mr. Craig seconded and the motion passed. 3-0

Submitted by:

Sheryl White  
Secretary to the Board of Selectmen

\_\_\_\_\_  
Brian Doerpholz, Chairman

\_\_\_\_\_  
John E.F. Craig

\_\_\_\_\_  
Martin Nolan  
Board of Selectmen