



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
July 18, 2019
9:00 A.M.

Selectmen Present: Daniel Baker, Robyn Bates, Charles Kenison

Mr. Baker called the meeting to order at 9:10 a.m.

PRIMARY:

***** APPROVE MINUTES**

- June 25, 2019
- July 9, 2019
- July 15, 2019

Ms. Bates made a motion to approve the minutes of June 25, July 9 and July 15, 2019. 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 GRETCHEN HILL

Re: Town land purchase

John Hill met with the Selectmen to discuss property on Lakeside Drive - Map 8, Lot 3, - 68 acre property – taken by the Town from the developer in June of 1994 for non-payment of taxes. It was noted that it was a land locked piece of property. Mr. Hill applied to get State approval for a dock but Mr. Hill was denied because he didn't own the property. In doing research it was determined the Town owns the property. Mr. Hill would like to purchase the property for the assessed value of \$16,600, which Mr. Hill stated would increase revenue for the Town.

Mr. Baker explained that we would need to put this out to bid. Mr. Hill asked if it was possible to put this piece of property out to bid. Ms. Favreau shared that it could be put out to bid at any time or done at Town Meeting in March. Mr. Hill shared it was undevelopable. Mr. Baker stated that he was of the opinion to get property on the tax roll. Discussion was held on giving a deeded right-of-way as an option if unable to subdivide the property. Mr. Hill thought that maybe he could lease dock space as another option.

Mr. Baker wanted Mr. Hill to understand that the Selectmen would only have authority to sell the property. Mr. Baker explained the bid process. Mr. Hill stated he would be willing to put in a clause stating the property couldn't be subdivided. After discussion, the Selectmen agreed to defer until they discuss with the Planning Board and the Conservation Commission.

Ms. Bates asked Ms. Favreau to send out a letter to the Planning Board and the Conservation Commission asking if they have any concerns and listing the various options that were presented.

10:00 MEET WITH WOODBROOK DIRECTORS

Re: shooting range (Map 43, Lot 1)

Mr. Baker explained the Selectmen's process of getting comments on the proposed shooting range. Dana Ryan, WoodBrook Association Director, shared that there were people shooting on the property. Chief Leonard DiSalvo asked if there was

BOARD MEETING MINUTES

July 18, 2019

someone there now because he would send an officer out to check. Mr. Ryan and Mr. Hill stated it wasn't specific to today but people do shoot. It was noted that there were properties close by. Chief DiSalvo handed out his proposal, showing the location of the property. Mr. Hill noted that it was Phase 3 of WoodBrook. Chief DiSalvo shared that 7 letters were sent out to the property abutters and he explained the measurements and the location/direction of the actual range. Mr. Hill shared that they would want to post this up at WoodBrook to inform the owners. Chief DiSalvo confirmed shooting was East to West. Mr. Ryan asked if it would only be opened to the Fitzwilliam Police Department. Chief DiSalvo shared that was their proposal. It would only be law enforcement officers. Mr. Ryan asked if they could review the site when the shooting range was ready. Chief DiSalvo shared that he didn't have an issue with that. Mr. Ryan shared that his concern was that people walk their dogs through the area and kids play there as it was an open area. Mr. Ryan shared that they could post stating it was a shooting range. Mr. Hill asked if the Town could give WoodBrook a sign to post – alleviating liability for WoodBrook. Ms. Favreau shared that Chief DiSalvo could also post a phone number that could be used to find out when the range would be used. Ms. Bates suggested that the Selectmen also visit the site. Ms. Bates has concerns now that she knows people and children use the property.

Chief DiSalvo shared it would be gated and it was private property with no civilian shooting. He (DiSalvo) asked them to contact the Police Department if they hear any shooting.

Mr. Ryan would like to accompany the Selectmen when they visit the site. It would be done once ready to be used. Ms. Bates stated it was a good idea, once completed, to have the Selectmen, the 2 WoodBrook Board members and Chief DiSalvo walk the site.

The Selectmen agreed that they would view the site once completed, as well as WoodBrook Board members, post, gate and contact WoodBrook when the facility would be used.

The Selectmen shared that they appreciated their input.

10:15 MEET WITH CANDICE STARRETT

Ms. Starrett met with the Selectmen to discuss the property owned by Justin Jones. She represented the potential buyer. Ms. Starrett shared that the potential buyer doesn't want any problems with the Town. Ms. Starrett wanted to discuss the issues with the Selectmen. One issue was the driveway. Ms. Favreau shared that it looked like it was there for a long time. Another issue was if a permit from the Town to install electric service was needed. Ms. Starrett shared that EverSource stated they didn't need to obtain a permit. Ms. Favreau shared that issue was a permit for the structure and there wasn't a valid 911 address. Ms. Favreau shared that the current owner made up a street address and contacted EverSource, who installed electric service to the property. Ms. Favreau shared that obtaining a 911 address was done through the Town. Ms. Favreau stated that the Town needed to find out the status of the structures. Ms. Starrett shared that was the big piece. The potential buyer would take down the shed and dismantle the trailer and they asked for a timeframe to do this work. Mr. Baker asked if 30 days was reasonable. Ms. Starrett shared that she would give them 60 days as they would need to hire people to help. Ms. Bates reviewed what the potential buyer wanted. Ms. Favreau asked if they would remove all of the buildings. Ms. Starrett stated the trailer, both storage units, and electrical that was running into a little shack.

Ms. Favreau shared that she needed to apply to the State for a 911 number and it wasn't typically issued until a building was on-site. Ms. Favreau shared that the potential buyer needed to know that there were some things that require a Construction Permit and there are issues with the wetlands. Ms. Starrett shared that the property was to be used for recreation only. Mr. Baker asked if the trailer was registered. Ms. Starrett stated it wasn't in New Hampshire but was registered in Massachusetts. Mr. Baker explained the ordinance. Mr. Kenison asked about the septic. Ms. Starrett shared that the septic was in the trailer. Ms. Starrett shared that the potential buyer didn't want any issue with the Town and had asked Ms. Starrett to meet with the Selectmen. Mr. Baker stated that the Selectmen wanted to get it cleaned up now. Mr. Kenison recommended giving the potential buyers 90 days.

Ms. Starrett asked how long it took to get a 911 number. Ms. Favreau shared that sometimes it was quick and sometimes it took a month. Ms. Starrett asked if the property could be purchased before that happened. Ms. Favreau shared that it could.

Ms. Starrett stated that the potential buyer wouldn't be responsible for the code violations. Mr. Baker stated if the potential buyer was removing the violations, then no. Mr. Baker stated that if the potential buyer was willing to let the Selectmen inspect the property, then he would be willing to remove the violation fines. Ms. Starrett asked if the Selectmen would write a letter stating that. Ms. Favreau asked if the minutes would be acceptable. Ms. Starrett stated they would be and Ms. Favreau would e-mail them to Ms. Starrett.

Ms. Starrett shared that she felt the Selectmen would be happy with these people.

BOARD MEETING MINUTES
July 18, 2019

10:30 MEET WITH ADAM DUBRISKE

Acting Fire Chief Dubriske shared that they have 5 new members. The ambulance would start moving, just a few tweaks needed to be done. He (Dubriske) was confident they were moving in the right direction. They had a good training last night. Ms. Favreau asked whether or not we would need the contract with DiLuzio. Acting Fire Chief Dubriske wanted to keep it for now as they may still have some day time issues. Acting Fire Chief Dubriske asked Ms. Favreau what paperwork she needed on the new Fire Department personnel. Acting Fire Chief Dubriske shared that he needed to work on everyone using Spotted Dog.

Ms. Favreau asked if he (Dubriske) had heard from Troy or Richmond regarding the Selectmen's letter. Acting Fire Chief Dubriske shared that he hadn't heard anything. The Selectmen asked him to follow-up. He (Dubriske) shared that the FireWards were very supportive and well aware of what was going on. Ms. Bates asked about the FireWards analysis and shared that Andy Wood did a great job of getting the information and minutes, which included a study from Enfield. MRI did a study and they recommended reporting to the Selectmen. Ms. Bates shared that it was an informational meeting and that most of New Hampshire was moving away from FireWards and were now bringing the organization structure to the Selectmen. Ms. Bates shared the committee was done and has no more work to do on this. Mr. Baker stated that was the goal of the committee and he wanted to thank them. Ms. Bates shared that Andy Wood should be on the committee that was looking into the EMS collaboration as he had so much information on EMS and the Fire Department. Mr. Baker noted the Fire Department was run by the FireWards and they would need to endorse. Acting Fire Chief Dubriske shared that he didn't want to overload the committee with Fitzwilliam and Troy as they have tried to balance it. Once the committee got going anyone could come in to give comments. Acting Fire Chief Dubriske shared they haven't set a date for their meeting and he would follow-up with Troy and Richmond. Ms. Bates asked if he (Dubriske) was given 2 weeks and he couldn't get it off the ground, the Selectmen would go to the FireWards. Acting Fire Chief Dubriske wanted to meet with the committee before they dissolve. He asked about the FireWards being in place another year after a vote. Acting Fire Chief Dubriske also asked if there was a way to end the FireWards. Ms. Favreau shared it was by RSA. Ms. Bates shared they have a meeting next week to recap and approve the minutes. Mr. Kenison asked if they didn't have any representation from the FireWards. Acting Fire Chief Dubriske shared that the majority of the Fire Department supported getting rid of the FireWards. Ms. Favreau read the RSA.

Ms. Bates shared the Fire Department Structure Committee meeting was Tuesday, July 23rd at 7 p.m. and it was an open meeting.

The Selectmen discussed reasons for being able to go into a non-public session and verified that the next topic could be in non-public.

***** NON-PUBLIC SESSION RSA 91-A:3 II(c) – Employee Matter**

At 10:50 a.m. Mr. Baker 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 11:23 a.m. Ms. Bates made a motion to leave non-public session. Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

11:15 MEET WITH SUZANNE GRAY AND GRETCHEN WITTENBORG
Re: Land Use Position

Mr. Baker shared that the Selectmen wanted input from Suzanne Gray and Gretchen Wittenborg. Mr. Baker noted that the position has been posted and some responses have been received. Mr. Baker suggested creating an interview team and asked how we proceed forward. Mr. Baker noted in terms of work, there are big projects, he wanted to know from Ms. Gray and Ms. Wittenborg how solar would impact the Land Use position and the reporting relationship. Mr. Baker mentioned that counsel was asked about supervision. Ms. Wittenborg shared that in terms of vacation, workshops, and hours, it clearly should be this office. Mr. Baker also mentioned having multiple boards and reporting to one. Ms. Wittenborg stated that Kristine Fillmore gave a generic answer and Ms. Wittenborg stated that it should get worked on before the next Land Use Assistant was hired. Ms. Wittenborg explained how the workload was worked currently with the Boards. Ms. Wittenborg shared that the workload couldn't be replicated in this office as it was specific to the Boards. Mr. Baker asked how other towns work through this. Ms. Wittenborg stated that in other larger towns their models were like ours. The Selectmen's Office can't answer to the specifics of workload and the Selectmen's Office shouldn't complain to the Land Use Assistant about the work of the ZBA – it was inappropriate. Ms. Wittenborg stated that complaints should go to the Chairs of the Boards. Ms. Gray discussed the number of cases and the workload of the Land Use position. They can't have interference in what that position was doing. Mr. Baker asked in terms of the Selectmen advertising the work of the position elsewhere. Ms. Gray shared there was a feeling that there was some kind of interaction with the Selectmen's Office and the Land Use Office which makes it an uncomfortable work environment in that office.

BOARD MEETING MINUTES

July 18, 2019

*** NON-PUBLIC SESSION RSA 91-A:3 II(c) – Employee Matter

At 11:37 a.m. Mr. Baker 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 12:31 p.m. Ms. Bates made a motion to leave non-public session. Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

Ms. Gray shared with the Selectmen the exit interview she had done with Laurie Hayward.

Mr. Baker discussed the organization of zoning to improve clarity. Mr. Baker mentioned updating both in terms of areas – the flow was choppy and asked if there was an issue in that maybe there was a need to reorganize the flow. Ms. Wittenborg stated it was more than that. She explained the parts of ordinances. Mr. Baker suggested going through to identify areas that were problematic and also the flow. Mr. Baker thought that the Planning Board was to endorse the ordinances. Ms. Gray stated that the Planning Board wasn't going to do that. Ms. Favreau asked if the Town's ordinances were going to be revamped or starting over. Ms. Wittenborg stated she would like to start over because they are a mess. Ms. Wittenborg discussed the zoning map. Discussion was held on the process of reviewing the ordinances, making changes and how to get them approved.

Ms. Wittenborg asked the Selectmen about sending Steve Filipi a thank you letter. Mr. Kenison mentioned that the Selectmen didn't accept his resignation. Mr. Baker stated it was only in the last couple of weeks, after the Spicer case, that they realized he wasn't coming back. Ms. Bates would like to call Mr. Filipi and thank him for his service and Ms. Favreau would draft a thank you letter.

Ms. Gray asked if the Selectmen were asking the ZBA to review the ordinances. Mr. Baker stated that he wasn't a voting member but they would be reviewing the ordinances. Ms. Wittenborg asked if Mr. Baker was asking the ZBA to review the ordinances from beginning to end. Mr. Baker stated he was asking for a process to make that happen. Ms. Wittenborg stated the ZBA wasn't the Board to get this on the warrant. Ms. Gray shared that some Planning Board members have stated the ordinances can stand the way they are and a Judge would uphold them as they have been this way for a long time. Discussion was held on a few ordinances that needed to be changed or eliminated altogether. Ms. Gray shared that the Planning Board wanted to hire Carole Ogilvie to review the ordinances. Ms. Bates asked why wouldn't we go the non-cost route and have the people that apply them to review. Ms. Bates wanted to know why this wasn't acceptable. Ms. Wittenborg shared that she could discuss this with NHMA. Mr. Baker asked what the next step was. Do a memorandum to the Selectmen for suggested improvements to the ordinances and the Selectmen would meet with the Planning Board and share that the Selectmen have asked and the members have outlined the areas that have been trouble, inaccurate and those no longer needed. Mr. Baker asked if the Planning Board doesn't approve all of the suggestions, does it end with partial approval. Ms. Wittenborg didn't think it could. Discussion was held on it being a public hearing, enormous amount of work, and having ordinances that can be enforced. The Selectmen agreed that it was a good thing to move forward on.

Ms. Gray shared that the Planning Board asked if she could execute the Common Interest Participation Agreement on behalf of the Planning Board. Planning Board members voted in favor of Ms. Gray executing the agreement. Ms. Favreau mentioned that the date would be changed.

Ms. Wittenborg asked about the applicant responses. Ms. Favreau would e-mail them to Ms. Gray and Ms. Wittenborg.

*** CONSTRUCTION PERMIT

- **Map 15, Lot 10-1**
- **Map 16, Lot 15**
- **Map 11, Lot 16-2**
- **Map 34, Lot 9-10**
- **Map 42, Lot 2-85**
- **Map 15, Lot 38-1**

Map 15, Lot 10-1 – Ms. Bates made a motion to approve the Construction Permit for Map 15, Lot 10-1. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Map 16, Lot 15 – The Selectmen deferred until Ms. White followed-up with the homeowner.

Map 11, Lot 16-2 – Ms. Bates made a motion to approve the Construction Permit for Map 11, Lot 16-2. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Map 34, Lot 9-10 – Mr. Kenison made a motion to approve the Construction Permit for Map 34, Lot 9-10. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0
The Selectmen agreed that an Occupancy Permit was needed.

BOARD MEETING MINUTES

July 18, 2019

Map 42, Lot 2-85 – Ms. Bates made a motion to approve the Construction Permit for Map 42, Lot 2-85. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Map 15, Lot 38-1 – Ms. Bates made a motion to approve the Construction Permit for Map 15, Lot 38-1. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0
The Selectmen agreed that an Occupancy Permit was needed.

Map 42, Lot 1-67 – Mr. Kenison made a motion to approve the Construction Permit for Map 42, Lot 1-67. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

*** **EASEMENT ON GRAZEWICZ PROPERTY** – The Selectmen agreed to defer until their next meeting.

*** **REVIEW TENNIS COURTS RESURFACING PROPOSALS**
- **Additional quote received as requested by the Selectmen**

The Selectmen reviewed the additional quote and noted the differences between the two proposals. After discussion, the Selectmen asked that the second quote include items listed in the first quote to be comparable.

Mr. Baker stated that he would be willing to accept the Advantage quote provided it included the reinforcement and re-straightening of the poles. Mr. Kenison agreed.

*** **REVIEW INVOICES**
- **BCM**
- **SOUTHGATE STEEPLE**

BCM – The Selectmen agreed that the invoice contained great detail. Ms. Favreau shared that the Selectmen didn't need a weekly phone conversation. Attorney Amy Manzelli would be attending the Selectmen's August 1st meeting. She has been scheduled for 2 hours (9-11) to discuss the MOU and the PILOT. The Selectmen agreed that they didn't need to meet with her next week.

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

Southgate Steeple – Mr. Baker shared that Mr. Southgate had submitted pictures of the work that he has completed. Ms. Bates asked how we were invoiced and how the invoices and the advanced payments were reconciled. Mr. Baker explained the process and how the Selectmen wanted the tracking to be done. Mr. Baker explained how payment was being authorized until Mr. Southgate prepared the bid to include the detail of the additional work. Mr. Baker reviewed Mr. Southgate's additional request. The Selectmen wanted to tie back to the bid. Mr. Kenison asked Ms. Favreau to print the pictures and put in the hallway.

Ms. Favreau recommended that the Selectmen authorize payment and she would create a spreadsheet to track.

Mr. Baker made a motion to approve the invoice in the amount \$16,450.00. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

*** **REVIEW TIMBER TAX ABATEMENT**

Ms. Favreau shared that Charlie Koch gave us his rating on the timber and a timber tax bill was sent out. The logger contacted Mr. Koch and questioned the quality of timber. The owner's filed an abatement. Mr. Koch reviewed and revised his worksheet. Ms. Favreau explained what was included in a timber tax.

Mr. Kenison made a motion to approve the abatement in the amount of \$174.21. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

*** **NON-PUBLIC SESSION RSA 91-A:3 II(b) – Hiring**

At 1:58 p.m. Ms. Bates made a motion to go into non-public session under RSA 91-A:3 II(b). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 1:59 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.

BOARD MEETING MINUTES
July 18, 2019

***** NON-PUBLIC SESSION RSA 91-A:3 II(a) – Evaluations**

At 1:59 p.m. Ms. Bates made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 2:40 p.m. Ms. Bates made a motion to leave non-public session. Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

ON-GOING BUSINESS:

- **CHINOOK SOLAR - DISCUSS NEXT STEPS**
- **STEEPLE PROJECT**

INFORMATION

- **LABORATORY RESULTS MEADOWOOD**
- **LETTER FROM THE GOVERNOR**

Meeting Schedule: 9:00 a.m. – Thursday, August 1, 2019
7:00 p.m. – Wednesday, August 7, 2019
9:00 a.m. – Thursday, August 15, 2019
7:00 p.m. – Wednesday, August 21, 2019
9:00 a.m. – Thursday, August 29, 2019

Ms. Bates made a motion to adjourn the meeting at 2:42 p.m. Mr. Kenison seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Daniel Baker, Chairman

Robyn Bates

Charles Kenison
Board of Selectmen