



**BOARD OF SELECTMEN**  
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**BOARD MEETING MINUTES**  
**July 31, 2017**  
**7:00 p.m.**

**Selectmen Present:** Susan Silverman, Nancy Carney, Daniel Baker

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

**PRIMARY:**

**\*\*\* APPROVE MINUTES**  
- July 24, 2017

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

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

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

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

**\*\*\* CONSTRUCTION PERMIT**  
**Map 2, Lot 29-4**  
**Map 2, Lot 12-2**  
**Map 15, Lot 6-12**

**Map 2, Lot 29-4 –** Ms. Carney made a motion to approve the Permit for Map 2, Lot 29-4. Mr. Baker seconded. Mr. Baker – Yes, Ms. Carney - Yes, Ms. Silverman - Yes. Approved – 3-0

**Map 2, Lot 12-2 –** Ms. Carney made a motion to approve the Permit for Map 2, Lot 12-2. Mr. Baker seconded. Mr. Baker – Yes, Ms. Carney - Yes, Ms. Silverman - Yes. Approved – 3-0

**Map 15, Lot 6-12 –** Ms. Carney made a motion to approve the Permit for Map 15, Lot 6-12. Mr. Baker seconded. Mr. Baker – Yes, Ms. Carney - Yes, Ms. Silverman - Yes. Approved – 3-0

**\*\*\* REVIEW REPORT FROM NANCY CARNEY – 19 PERRY ROAD**

Ms. Carney reported her site visit findings for 19 Perry Road and recommended the ZBA do a site visit.

**7:15 MEET WITH RICH NUNN**  
**Re: Street Issues**

Richmond Nunn met with the Selectmen to discuss street issues. Mr. Nunn shared that he has been a resident for 18 years and shared with the Selectmen where he lived. Mr. Nunn handed the Selectmen a list of his three concerns. Mr. Nunn was concerned with the numerous accidents during the winter and summer at the hard corner next to his property on Rt 119 W. Glenn Smith of NHDOT had pushed a lot of dirt to create a berm. Mr. Nunn shared that he needed to get a blind driveway sign. Mr. Nunn's first concern was having a street light at that corner so when there are mishaps a street light on the pole could assist emergency crews. Mr. Nunn would like the Selectmen to approve. Mr. Nunn's second concern was the intersection of East Lake Road and Rt 119 W across from the Fire/Police Department. Mr. Nunn stated without a stop sign at East Lake Road there is the possibility of people speeding down East Lake Road and going through to Rt 119 W. Mr. Nunn's

third concern was about the rise on Rt 119 W when approaching the right hand turn to continue on Rt 119 W towards Richmond. Mr. Nunn noted when sitting at the intersection (making a right or left hand turn) looking up the hill near the white house on right side – you can't see the traffic coming down the hill because there is a dip and a rise which prevents you from seeing the cars. Mr. Nunn would like the Selectmen to provide a letter that he could send to the State to have the rise cut down 3 feet to prevent accidents. Mr. Nunn asked if the Selectmen would like to do their own investigation and shared that he didn't expect any resolution this evening but would like them to review. Ms. Silverman stated it was a state highway and shared with Mr. Nunn that the Selectmen have had a lengthy discussion about the intersection at the common. The State didn't want to change the way it was set up. The Selectmen decided to look at doing something with the Town's roads at that intersection. Ms. Silverman shared the Town may not have a whole lot of say with regard to making any changes at that intersection. Ms. Silverman mentioned the street light would be a cost to the Town. The Selectmen wanted to look into but shared with Mr. Nunn they couldn't guarantee they could get anything for him.

Mr. Nunn thanked the Selectmen for their time and stated he just wanted to bring this to their attention. The Selectmen thanked Mr. Nunn for meeting with them. Mr. Baker asked if cutting the knoll down would affect the pond, which already has flooding. Mr. Nunn shared that Mr. Smith had added culverts and had done some work to help with the flooding.

The Selectmen continued their conversation after Mr. Nunn had left the meeting. Mr. Baker shared that he has seen a lot of accidents on Rt 119 W and asked to check with Chief DiSalvo to see how many accidents there have been. Ms. Carney shared there are maybe 2 a year on the corner near Mr. Nunn's house. Discussion was held on having sharp curve signs a good distance before the corner, cost of a street light, and checking into to see what the on-going cost would be. Mr. Baker shared he has witnessed accidents at East Lake Road and Rt 119 W. Ms. Favreau shared that two stop signs would be needed. Ms. Favreau also shared that she drove that route every day and stated you assume that everyone would be turning right. Mr. Baker stated it might be something the State could do. Ms. Silverman shared it wouldn't solve all of it. Mr. Baker stated the danger was going straight up East Lake Road and thought it was worth writing a letter. The Selectmen agreed they didn't see a resolution. Mr. Baker felt the knoll might be dealt with. Ms. Carney asked if there could be more signage. The Selectmen agreed to write a letter to the State and copy Mr. Nunn.

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**REVIEW LETTER FROM AVITAR**  
**Re: Poles assessments**

Ms. Silverman reviewed the letter from Gary Roberge, Contract Assessor, Avitar regarding telephone pole assessments. Mr. Roberge, in his letter, stated there were 2,600 poles, and 4,351 feet of conduit. Ms. Silverman asked if our pole license was updated. Ms. Favreau stated it was. Ms. Favreau shared the assessment was down. Ms. Favreau gave background information to Mr. Baker on the assessment of poles.

Ms. Carney made a motion to approve Avitar's recommendation. Mr. Baker seconded. Mr. Baker – Yes, Ms. Carney - Yes, Ms. Silverman - Yes. Approved – 3-0

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**REVIEW NOTICE OF ADDITIONAL HIGHWAY BLOCK GRANT**

Ms. Silverman reviewed an e-mail from NHMA regarding NHDOT finalizing plans for a \$30 million distribution to cities and towns for road work. Fitzwilliam's SB38 anticipated additional Block Grant Funds were \$86,568. This money was to be spent on new projects that were not included in our 2017 budget.

Ms. Favreau stated that a public hearing would need to be done to approve accepting the funds. The Selectmen would like to meet with Gene Cuomo, Road Agent, to discuss. Ms. Silverman shared the 7<sup>th</sup> or the 21<sup>st</sup> would work for her.

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**DISCUSS CERTIFICATE OF OCCUPANCY REQUIREMENTS**

Ms. Silverman reviewed the requirements for a Certificate of Occupancy for a new residential unit/addition and noted Ms. Carney had made edits. Ms. Favreau shared when we issue a Construction Permit we could determine if a Certificate of Occupancy was needed. Ms. Carney noted a change of 50% or more would require a Certificate of Occupancy. Ms. Carney shared if adding bedrooms and a bathroom it would trigger the need.

Discussion was held if there was a need for a residential and commercial Certificate of Occupancy, the Planning Board could notify the applicant to contact the Fire Department, and there would also be a State Certificate of Occupancy form as well as the towns. Ms. Favreau asked if the Planning Board should have a copy of the Certificate of Occupancy, if they had a Site Plan Review they could mention that a Certificate of Occupancy was needed.

Ms. Carney suggested using the form and tweak as needed. Ms. Silverman suggested writing a clause indicating for any other applicable requirements – all State and Federal laws. Ms. Silverman asked that the following language be added to the Residential Certificate of Occupancy: all requirements must be met before occupying the space.

\*\*\* **DISCUSS CODE ENFORCEMENT JOB DESCRIPTION**

The Selectmen reviewed Fitzwilliam's Code Enforcement Job Description as well as job descriptions from the Towns of Dublin and Fremont that Ms. Favreau had obtained. Ms. Silverman asked how those Towns pay. Ms. Favreau noted that she didn't look into that but would. Ms. Carney noted that Fitzwilliam doesn't have any codes so all the Building Inspector could do was to measure setbacks. They can't get into the house. Ms. Silverman stated there has been situations that someone has started construction before obtaining a Construction Permit. Ms. Silverman noted the repeated problems with setbacks. Ms. Carney mentioned she didn't know what else a Code Enforcement Officer would do. Ms. Favreau stated they would investigate any complaints. Ms. Carney also mentioned that she didn't know what would be done differently than what's already being done. Ms. Silverman shared that the Town used to have a Code Enforcement Officer and it was worth looking into. Someone would be here Wednesday evenings and meet with people and issue and look at permits. Mr. Baker shared there would be different areas where the Code Enforcement Officer would sign off on certain aspects of building. Ms. Carney stated there are State Codes but the Town doesn't inspect for them. Discussion was held on adopting codes, liability on the Town, inspections to be done, code enforcement being limited to setbacks, Planning Board and ZBA. Ms. Carney shared the Fire Chief was the only one that could go inside to inspect. Ms. Favreau asked if the Town had a Building Inspector, they don't have the right to inspect inside. Discussion was held on not being allowed to go inside without permission and the only recourse could be to deny the Certificate of Occupancy.

Mr. Baker suggested adding rules along the way and if we don't adopt the State Codes, could be frustrating for the Selectmen. It would be hard to go part way in adding a few rules. Ms. Silverman shared that people do what they want to do and if no one was watching, they do the work themselves – electrical/plumbing and the Town doesn't have any way to go after them. Mr. Baker suggested for the time being to have a Code Enforcement Officer to enforce what we have in place. Ms. Silverman shared it wouldn't be that different than what we currently do and we have had enough cases with problems with setbacks and variances. Ms. Carney shared what she does when inspecting. Ms. Favreau shared that she would go through the job descriptions again. Ms. Silverman stated she would like to advertise internally. Ms. Favreau mentioned putting an ad in the newsletter and asked if it was a stipend position. Ms. Silverman shared it would be comparable to how the Welfare Officer was paid, a flat amount. Ms. Favreau asked for an amount and shared it was hourly before. Ms. Favreau didn't think it would be that many hours. Ms. Favreau noted the Selectmen's Office was from 6 p.m. – 7 p.m. on Wednesdays. Mr. Baker asked if this person would need to initiate every permit. Ms. Silverman felt each permit would need to be inspected. The Selectmen discussed the process. Ms. Carney asked who would do the Certificate of Occupancy. Mr. Baker stated that Ms. Carney would. The Selectmen agreed that the Certificate of Occupancy would need to be done by the Fire Chief. Discussion was held on the process, possibly needing to call the form something else, and the Code Enforcement Officer meeting with the Fire Chief. Ms. Carney discussed the Certificate of Occupancy that she submits and what was included. Ms. Silverman thought there was a need for a paid code enforcement position. Ms. Silverman asked for additional comments. Mr. Baker suggested posting the position to check out the pool of applicants. Mr. Baker stated that if Ms. Carney wanted to apply for the position she could. Ms. Silverman asked Ms. Carney if she put in for the Certificate of Occupancy time. Ms. Carney replied no. The Selectmen discussed the position being seasonal, stipend or hourly, and in addition to having fixed hours on Wednesday evening adding hours one afternoon a week. Discussion also continued on what the process would be, and having consistency with all Construction Permits. Ms. Favreau shared the position would pay \$16.95 per hour.

\*\*\* **DISCUSS ECONOMIC REVITALIZATION ZONE**

Ms. Favreau shared that the realtor that was marketing the Concord Industries building and the Starrett building brought this information in and thought the Town should look into. Ms. Favreau shared it was a tax incentive to the State. The Town would designate a zone and those businesses within the zone (certain requirements) could apply for a tax credit from the State. The Selectmen didn't see a downside.

Ms. Favreau shared that the Selectmen would need to determine what properties to include in the zone. Ms. Favreau stated she would do more research now that she knows the Selectmen were interested. Ms. Silverman asked Ms. Favreau to find out what other Towns were participating in the program. Ms. Silverman also asked Ms. Favreau to let the Economic Committee know about this program.

The Selectmen discussed having 3 phase power and the benefit to businesses along Rt 12 S.

\*\*\* **DISCUSS FIREWORKS PERMIT**

Ms. Carney shared that every Town was different – some have permits, some don't, some fine people. Ms. Carney thought there was a need to limit the number of nights. Ms. Silverman suggested one event and a rain date per permit. Ms. Carney didn't think it was useful to have the Police Department part of the approval process. Ms. Silverman stated the Police Department needed to be notified of who had permits. The Selectmen agreed that it needed to be published somewhere so people know who has one. Ms. Silverman asked if people should be fined if they don't have a permit. Ms. Silverman asked the Selectmen to think about it. Ms. Silverman thought it was better to have something. Ms. Carney shared she could add language to say if a complaint was received, the Selectmen may not approve another permit for a certain period of time. Ms. Silverman asked what the purpose was and mentioned publishing it and having one date and a rain date. Mr. Baker liked the concept of advising your neighbor, posting and having the Fire Department sign off that it's an appropriate location. The

Selectmen agreed that guidelines would be posted in the newsletter. Ms. Carney would add a statement on the permit and edit according to the Selectmen's discussion.

\*\*\* **ASSESSMENT ON WIVALLEY TOWER**

Ms. Favreau reported that when Mr. Foucher met with the Selectmen he shared that he had an agreement with the Town that there would be no assessment. Avitar figured out that there was something there and Mr. Foucher received a letter to the proposed value for the first time. Ms. Favreau looked at previous Selectmen minutes and didn't find anything that reflected Mr. Foucher's statement.

Mr. Baker asked for confirmation that it had been there for a period of time and he hasn't been assessed. Ms. Favreau and Mr. Carney confirmed. Mr. Baker asked how it was assessed – with the landowner or the leasee. Ms. Silverman stated the need to look into. Mr. Baker asked if it was missed – would we make it retroactive. Ms. Silverman and Ms. Carney replied no.

The Selectmen would revisit.

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

At 8:30 p.m. Ms. Silverman made a motion to go into non-public session under RSA 91-A:3 II(b). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Carney - Yes, Ms. Silverman - Yes.

At 8:33 p.m. Ms. Silverman made a motion to leave non-public session. Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Carney - Yes, Ms. Silverman - Yes.

**OTHER BUSINESS:**

**-Review report from Graz Engineering – Wood Inspection** – The Selectmen reviewed and discussed.

**-Review copy of letter regarding new assessment – sent to Avitar** – The Selectmen reviewed and discussed.

Ms. Silverman shared that at one point the Selectmen had talked to Mr. Cuomo regarding Angier Road and making a one-way. The Selectmen agreed that it was a dangerous intersection. Ms. Carney shared the Selectmen had talked with both Mr. Cuomo and the State. Ms. Favreau asked about blocking the road. The State's decision was nothing could be done about it. Ms. Silverman acknowledged the State straighten out some of the curves on Rt 119 W. Mr. Baker mentioned the corner at Holman Road.

Ms. Favreau shared that Mr. Methe had cleaned up all of the cars and they were ready for an inspection. The Selectmen would do a site walk. Ms. Silverman suggested scheduling the site walk at 6:30 p.m. next Monday. The Selectmen agreed.

Ms. Favreau reported Jane Wright, Tax Collector had come in to mention that Warren Hall had asked for labels for the Fire and Rescue Association. Ms. Wright had contacted someone at Avitar and was told that she shouldn't get them from her database. Ms. Favreau shared that printouts are public information and we charge for a mailing list. Ms. Favreau asked the Selectmen what they wanted to do. Mr. Baker asked that the fee be waived. Ms. Silverman stated the need to make sure the same was done for other organizations. Mr. Baker agreed but didn't want the fee waived for profit organizations.

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

Submitted by:

Sheryl White  
Secretary to the Board of Selectmen

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Susan Silverman, Chairman

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Nancy Carney, Vice Chairman

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Daniel Baker  
Board of Selectmen