



**BOARD OF SELECTMEN**  
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**BOARD MEETING MINUTES**  
**August 10, 2015**

**Selectmen Present:** Nancy Carney, Chris Holman, Susan Silverman

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

Mr. Holman arrived at 7:06 p.m.

**PRIMARY:**

A large number of citizens arrived at the Town Hall to speak with the Board of Selectmen. Ms. Carney stated that she assumed they were here to discuss recent postings on Facebook. Ms. Carney stated that the Board had received two letters with regard to this matter and read them for the record. One was from employee Sandra Gillis, Land Use Assistant and the other from Heidi Wood, Town Clerk.

Gene Cuomo shared that he has worked for the town for 19 years and has worked with a lot of different boards but he has never seen a board member attack other members. Mr. Cuomo also shared that he felt social media is a coward's way of dealing with issues and he was embarrassed and this was not the way to handle situations. Mr. Cuomo stated that the Selectmen needed to work with each other and not attack. Mr. Cuomo shared that he was there to support Ms. Silverman and Ms. Carney and that he was very disappointed in Mr. Holman's behavior.

Matthew Roach shared that he is the individual that reposted Mr. Holman's photo. He can't believe that Mr. Holman did what he did. Mr. Roach shared that he felt there are laws against this, campaign laws have been broken, he stated that Mr. Holman used the office as a soapbox to harass an elected official and wanted to know why he did that.

Brian Doerpholz shared that he is very disturbed by the disgusting and disgraceful act. He served on the board with Ms. Silverman and could only recall 2 times in 3 years that the board did not vote unanimously. They would have a discussion about matters and work through it to make a decision. Mr. Doerpholz shared that he was personally offended, Mr. Holman's actions are reprehensible and he felt that he had violated the Town's Personnel Policies and State RSA. He asked why he did this and shared that a single Selectman has no authority only the Board of Selectmen. Mr. Doerpholz wanted an answer and wanted to know what entitled him to act this way.

Mr. Holman apologized for being late to the meeting as he was celebrating his grandmother's birthday. He shared that ethics is a big issue for him and this was one of the first things he proposed when he was elected was to form an ethics committee. He has been pushing for a workshop to evaluate procedures, it is important to be present. There have been multiple instances of things not being done correctly in the Town. He shared that he had been accused by Ms. Silverman's husband regarding his decision to appeal the quarry issue stating that his family would profit from this. Mr. Holman stated that he was an individual and has freedom of speech, and the Town's Personnel Policies are for employees not elected officials. Mr. Holman also stated that there are a lot of things not being done equally. He mentioned that minutes can be signed by 2 Selectmen and not all 3. Ms. Carney stated that this had not changed and that it has always been that way. Ms. Carney stated the Mr. Holman was recording the meeting and that he needed to notify people that he was recording. Ms. Favreau shared that 2 Selectmen can sign the minutes and the signed minutes are put in a notebook. Mr. Holman shared that he has a list of basic concerns with both members of the Board, how our Town is being run and who oversees who. Mr. Holman stated that he felt that every person who works for the Town should have a review across the board in all departments and it shouldn't be different across areas. Mr. Holman also stated that they have made it so he can't look at employee information.

Mr. Holman discussed an incident where the Selectmen voted to spend \$50 on flowers for Paula Thompson and that it was decided by one Selectmen later not to do it that it was too expensive. Mr. Holman talked about a unilateral way to concisely put things together maybe not the pledge of allegiance, but setting up the Agenda with old business and new business and that we don't go by parliamentary procedure.

Alan Chipura moved to stop the conversation as it has nothing to do with why they are here. Jessica Grysko seconded.

Mr. Cuomo stated that Ms. Thompson shared with him that Mr. Holman was the most destructive person that she has ever seen or worked with and that it has been an erosion of the Board of Selectmen since Mr. Holman's election. Mr. Cuomo stated that he takes pride in what he is doing and asked Mr. Holman for fact on any wrong doing.

Ms. Favreau spoke up and stated that she was the one that said the Town had to be very careful in spending public money for private purposes and she shared that employees took up a personal collection to purchase flowers for Ms. Thompson.

Mr. Roach read the RSA that he felt Mr. Holman had violated.

Mr. Doerpholz stated that Mr. Holman proved that he doesn't understand RSA's and that Roberts Rules of Order are not recommended for Towns.

Jessica Grysko questioned the percentage of meetings Mr. Holman has been to and Ms. Carney shared that they have all had to miss meetings but it is a problem when the other board members are not notified that a member will be absent.

Bruce Lafond shared that he understands that the board is not always going to agree, you can't change the system. Mr. Lafond shared that he has a sixteen year old son and if his child had done something of this nature there would be major consequences. Mr. Lafond stated that just because you can doesn't mean we should. It was the wrong thing to do, it is a character issue.

Ms. Carney removed herself as a board member and spoke as the Fire Chief. She shared that she works for the Board of Fire Wards, they set policy and have RSA's that govern them. Ms. Carney stated that she is not in conflict being on the Board of Selectmen and the Fire Chief as she checked into this before she was a Selectmen. Ms. Carney shared that she has worked for the town for 28 years and cares about the community. Ms. Carney stated that Mr. Holman has a problem with the Fire Wards overseeing the Fire Chief. Ms. Carney is also the Emergency Management Director which does report to the Board of Selectmen. Ms. Carney shared that she steps out of the Board of Selectmen meeting when they are meeting with the Fire Wards. Ms. Carney also shared that she was working for the best interest of the Town and the people.

Gretchen Wittenborg shared that she had read this material and it is tantamount to a hate speech. Ms. Wittenborg stated that this action as well as the poster that had been previously posted on the Town Hall door interfere with the right to be represented well and she resents the fact that the board can't function as they should because of this kind of interference.

Daniel Stark shared that he holds people who work for the town in awe. He feels there should be common decency and decorum and asked Mr. Holman to find in it his heart and head and apologize and start fresh. Mr. Holman apologized that he offended all of them and shared that the shirt was made a while ago and he never wore it publicly.

Mr. Chipura moved to halt the conversation as it was not the issue. Mr. Roach seconded.

Ms. Carney asked in the interest of time if there were any additional comments.

Stephanie Scherr shared that it was hard for her to comment on what Mr. Holman did on line and that he should have, could have been an asset to the Board of Selectmen. Ms. Scherr stated that Mr. Holman had done a lot of things that have hurt people over the past several months which takes away a piece of respect the Town has for the Board of Selectmen. Ms. Scherr shared that what she heard on the FERC hearing was painful and stated that we have so many friends in Massachusetts that support New Hampshire and to have Mr. Holman call them "gassholes" and "gassachusetts" was disrespectful to them.

Ms. Scherr mentioned that Mr. Holman's smirking was upsetting to her and she had lost all respect.

Mr. Chipura stated that Mr. Holman identified himself at the FERC hearing as a Selectmen of Fitzwilliam and then said "you may know me better as CJ the DJ".

Mr. Doerpholz cited an RSA and stated that the Town's Personnel Policies were modified with an additional provision of bullying not just by employees and Mr. Doerpholz recommended the Selectmen consult an attorney and take appropriate action.

Mr. Roach stated that the first time he had a problem with the Board of Selectmen was when he received a cease and desist letter. He shared that his roommate went on the Fitzwilliam Community website and asked what time the Board of Selectmen met and Mr. Holman posted Monday and disclosed personal information from a closed meeting. Mr. Roach wanted the Board to look into how to get Mr. Holman out of office.

Ms. Carney thanked everyone for coming and said the Selectmen would do what we needed to do to work as a Board and how to correct this issue and move forward. Ms. Carney stated that the Board of Selectmen support employees, elected officials and volunteers. Ms. Carney shared that she applauds them for coming and speaking and that the Selectmen answer to them and a few others and that they as a Board work for them. Ms. Carney also shared that if they have any issues or concerns that they can call or email the Selectmen's office and it is important that they understand that the Selectmen don't want citizens, employees, or elected officials to feel that they aren't supporting them.

Ms. Silverman wanted to make it clear that she didn't encourage anyone to come tonight and she decided that she would concentrate on important issues. Ms. Silverman shared that she felt it was always important to reevaluate and she would like to focus on getting

work done. Ms. Silverman also shared that she learned from Tom Parker and also served with Mr. Doerpholz. She has served with 10 different people and that experience has taught her how to work with a lot of different people. Ms. Silverman stated that she was elected to work for everyone, do things correctly and when she misspeaks she tries to correct. Ms. Silverman thanked everyone and stated the best thing about this Town is that people are willing to participate. Ms. Silverman stated that she was thankful to serve in this position and she does it because she likes to be a participant in her community.

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

Ms. Carney reviewed the preparation of minutes from the NH Local Government Center under section B – that there is no requirement that the Board has to act to approve minutes and that it is a common occurrence and the Board could make changes at a subsequent meeting.

Ms. Carney stated that if we look at minutes other than grammatical, we need to bring up and put in this week's minutes. There are no changes made to last week's minutes. Mr. Holman asked if a notation would be made on the minutes. Ms. Silverman shared that a notation would be made on paper that these minutes were changed which would lead you to the changes and this would help consolidate them as we need a legal record, a summary of discussion that leads to a motion. Ms. Silverman also shared that a lot of the stuff is information and she personally felt that we are getting hung up on the personal and not the primary aspect of the meetings.

Ms. Silverman made a motion that the minutes should reflect a summary of discussion, votes and the draft minutes be reviewed by the Board of Selectmen and any amendments made or corrections are noted on the next meeting's minutes. Ms. Carney seconded. Ms. Carney – Yes, Mr. Holman abstained, Ms. Silverman – Yes. Approved -2-0

Mr. Holman shared that he believes in total transparency and was advocating for some kind of recording of meetings. Mr. Holman stated that he understands the need for clarity but sometimes the discussion leading up to the decision may be information to future boards or other organizations. Mr. Holman stated that sometimes it can add an important element in relying important information. Ms. Silverman stated that she understands that Mr. Holman has mentioned this numerous times and she felt that we needed a written record done in a clear and concise way and doesn't want it in a long conversational way. If important discussion is left out it can be amended in the next week's minutes. Ms. Carney stated that there is nothing to stop an individual from saying that this was their personal information of the minutes and people can write a response. Ms. Silverman stated that what she understands is that the Local Government Center is spot on and there is only one set of minutes and it doesn't matter if they have been recorded, they are not official minutes. The official minutes reside in a specific place.

Ms. Carney stated that tonight's minutes would be made public 5 days later. Ms. Silverman stated that what Sheryl White creates is a draft and to clear it up can be made at the following meeting. Ms. White would not change conceptually what has been said or recorded and then any motions made and votes and actions taken are recorded. Ms. Silverman stated the need to come to a conclusion on our headers in the agenda and that a summary of discussion, consolidate it a little better and doesn't need to record every aspect of what is said. The original minutes stand and any changes are voted upon and noted corrections made to the previous minutes shows on the new meeting minutes.

- **July 13, 2015**

Mr. Holman made a motion to change the minutes to read that he never agreed to write any articles for the newsletter. Ms. Carney seconded. Ms. Carney – Yes, Mr. Holman – Yes, Ms. Silverman – No. Approved -2-1

Ms. Silverman made a motion to approve the minutes of the July 13, 2015 Board of Selectmen Meeting. Ms. Carney seconded. Ms. Carney - Yes, Mr. Holman abstained, Ms. Silverman - Yes. Approved – 2-0

- **July 27, 2015**

Ms. Carney made a motion to approve the minutes of the July 27, 2015 Board of Selectmen Meeting. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman abstained, Ms. Silverman - Yes. Approved – 2-0

- **August 3, 2015**

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

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

**7:00 MEET WITH CHIEF DISALVO – NON-PUBLIC**

At 8:20 p.m. Ms. Carney made a motion to go into non-public session under RSA 91-A:3 II(e). Ms. Silverman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 8:34 p.m. Ms. Silverman made a motion to leave non-public session and seal the minutes. Mr. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes

**\*\*\* CONSTRUCTION PERMIT**

- **Map 27, Lot 10-01** – Mr. Holman made a motion to approve the permit for Map 27, Lot 10-01. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0
- **Map 42, Lot 02-70** – Mr. Holman made a motion to approve the permit for Map 42, Lot 02-70. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0
- **Map 7, Lot 7, 7-C** – Mr. Holman made a motion to approve the permit for Map 7, Lot 7, 7-C. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

**\*\*\* DISCUSS CLASSIFICATION AND COMPENSATION STUDY**

Ms. Favreau shared that she has created a spreadsheet and put all Town employees' current wage, grade and step and the new proposed wage scale and used all of the grades that MRI was proposing and found the step that most closely corresponded to what they are currently making. Ms. Favreau factored the difference in cost based up on MRI's recommendation for each position and employee – general employee – and found there to be an increase of \$2,300 for next year, if adopted. Ms. Favreau stated that this could be effective on a specific date. Ms. Carney stated that we needed to approve so that Department Heads could prepare their budgets and Ms. Silverman wanted to make this effective in 2015 or January 1<sup>st</sup>. Ms. Carney would like to wait as the budgets are already set for this year. Mr. Holman shared that it would be less of an increase as we are half way through the year. Ms. Favreau reported that this doesn't include the fire department employees and shared that this could be adopted in two stages - accept the wage scale and study, then look into the fire department. Ms. Carney shared that it would affect the budget to include the fire department, as it would be a \$13,000 increase for fire and ambulance.

Ms. Silverman made a motion to adopt the general employee wage scale effective October 1, 2015 and any employee's whose wages are seeing a decrease would be frozen at the current wage until such time as they catch up to the newly adopted wage scale. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Ms. Favreau doesn't want to the Selectmen to adopt the job descriptions only the wage scale at this time. Ms. Favreau would publish and have ready for next week. Ms. Carney stated the Board of Selectmen would wait on the job descriptions as Ms. Favreau needed to compare existing with new.

Ms. Silverman shared the need for the Selectmen to meet with the Fire Wards at the end of September and have a discussion. Ms. Silverman wanted to make it clear to the Fire Wards (fire and ambulance) that this is only a draft.

**\*\*\* DISCUSS VPN PROPOSAL – TOWN CLERKS OFFICE**

Ms. Carney reviewed the memo from Heidi Wood regarding the VPN. Ms. Wood was asking the Selectmen how to proceed as September 30<sup>th</sup> was fast approaching. Ms. Silverman stated that she talked with Ms. Wood about the line the State put in and it is a Fairpoint line. Ms. Silverman gave Ms. Wood contact information for Fairpoint. Mr. Holman asked who would monitor the firewall – would it be the State and if we take over who would it be. Mr. Holman stated that it was important to speak with someone who does that kind of work and Ms. Favreau shared that the State is requiring this and Ms. Wood needed the information from the State. Ms. Wood has talked with other Town Clerks and Ms. Favreau shared that our IT person has been working on it and the State isn't responding. Ms. Silverman stated that Ms. Wood mentioned another option in that the State has a browser but it is awkward and slows down the process but some Towns are using it. Ms. Carney stated that we are still working on it.

**\*\*\* REVIEW AND APPROVE VENDOR PERMIT**

**Vendor Permit for August 13, 2015 at the Library – Summer Reading Program** – Mr. Holman made a motion to accept and waive the vendor fee. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

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### **REVIEW INFORMATION FROM SOUTHWEST REGION PLANNING COMMISSION**

- **Review Information & Maps**
- **Discuss team to meet with SW to discuss Fitzwilliam's concern for scoping**

Ms. Favreau reported that new maps were received from SWRPC and Ms. Silverman went through the maps and captured the pipeline corridor. A mailing regarding Saturday's meeting was sent out today to include the ½ mile property owners.

Ms. Silverman mentioned that another rally might be in order. Stephanie Scherr stated that property owners may have questions that are not generic, such as: what is the emergency. They are asking people that won't give them an answer. We should address the fact that we would be getting a metering station which is just as important as a substation. Ms. Silverman shared that it was always a moving target. Ms. Scherr shared that it would concern people a little more if they saw a concern that they haven't seen yet. Ms. Favreau shared that the maps we received from SWRPC can't be given out due to sensitive information. Ms. Silverman shared that they are similar to ones in Nashua but are missing a section at the end of Fullam Hill Road, mile marker 20. Ms. Silverman also shared that SWRPC are not doing Rindge because they are not part of SWRPC's region. Ms. Scherr asked why they wouldn't do it and Ms. Silverman stated that the same issue occurs in other towns.

Ms. Carney stated that the Selectmen received a letter from Southwest Region Planning Commission regarding the Northeast Energy Direct proposal and the rapidity of the review process together with the lack of transparency to the public.

Ms. Carney also stated that the Selectmen received a letter from Henry Underwood regarding the draft sensitive resource inventory asking that they review.

Ms. Favreau reported that she received a call from Henry Underwood this morning regarding SWRPC's plans to hold a meeting with various towns to discuss their issues. Jeff Littleton, Carol Ogilvie, and Mike Klein wanted to meet with 4-5 residents from Fitzwilliam to make comments to FERC. Ms. Silverman asked if they could come on Saturday, if we tacked on at the end of Saturday's meeting and maybe some members from the Task Force could meet with them. Ms. Silverman stated that she was available and possibly Susan Gray from the Planning Board, Donna Hill and Jim Kowalsky. Ms. Favreau would call Mr. Underwood to see if they were available on Saturday. Ms. Scherr asked who was doing the break out group. Ms. Favreau stated that the meeting would take 2-3 hours. Ms. Scherr shared that she was available during the day. Ms. Silverman asked that we put up a header for the Task Force and do a calendar and Ms. Carney and Ms. Silverman would figure it out.

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### **REVIEW PRIME WETLAND STUDY PRESS RELEASE & FREQUENTLY ASKED QUESTIONS**

Ms. Carney reviewed the Press Release from Rick Van de Poll regarding the Prime Wetland Study, which contained frequently asked questions. Ms. Favreau asked if the Selectmen wanted the Press Release put on our website and Ms. Silverman asked that a separate tab be created for this project. Ms. Favreau stated that she would have the Press Release put in the newsletter and she gave a copy to Meghan Foley, Reporter - Keene Sentinel. Ms. Silverman shared that she would be meeting with the Principal of George Emerson, Kevin Stone this week.

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### **REVIEW LAUREL LAKE WATER SAMPLE TEST RESULTS**

Ms. Scherr asked about the water testing at Laurel Lake and Ms. Carney shared that testing for e-coli and chloroform was a normal occurrence during the summer and the test results were fine. Ms. Carney shared that this was done because it was the Town beach and Ms. Silverman stated that if any open swimming area fails, it was immediately shut down. Ms. Favreau shared that this happens infrequently and was typically due to a lot of rain.

Ms. Carney reviewed the water test results for the Town beach and Mr. Holman asked that the results be given to Rick Van de Poll. Ms. Carney asked if we could put on the website that we have water test results at the Selectmen's office if someone wanted to review it and put under news.

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### **DISCUSS BASIC SENSITIVITY STUDY**

Mr. Holman asked that we contact the State Historical Society and bring them in to find out the cost of a study to see if there might be any historic sites along the proposed pipeline route. Ms. Carney asked about them making a presentation at the Library. Mr. Holman shared that we needed to meet with them to determine the cost to do this and possibly creating a warrant article to fund it. Mr. Holman reviewed what they would research. Ms. Carney asked Mr. Holman for the next steps and Mr. Holman stated that we contact the people from the State Historical Society and Ms. Carney asked Mr. Holman to get the contact information. Mr. Holman stated that he would give Ms. Favreau the contact information to schedule a time for the Selectmen to meet with them. Mr. Holman shared that this should be another argument for the proposed pipeline route.

**\*\*\* NON- PUBLIC EMPLOYEE EVALUATIONS**

At 9:00 p.m. Mr. Holman made a motion to go into non-public session under RSA 91-A:3 II(a). Ms. Silverman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 9:27 p.m. Ms. Silverman made a motion to leave non-public session and seal the minutes. Mr. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes

**Reminder**

**\*\*\* MEETING SCHEDULED US SENATOR KELLY AYOTTE OFFICE HOURS  
August 10<sup>th</sup> - 10AM-11AM**

**\*\*\*\* PRESENTATION BY MARYANNE HARPER AUGUST 15<sup>TH</sup> AT 9:30**

**REVIEW:**

**\*\*\* VARIOUS COMMITTEE MINUTES**

Tom Parker met with the Selectmen to give them a heads up regarding Fitzwilliam's share of the school tax. Mr. Parker shared that the School District has a meeting scheduled for the 24<sup>th</sup>. Ms. Carney asked Mr. Parker when he would have an estimate and Ms. Silverman asked if tax bills would be held up. Mr. Parker stated that he didn't know as the audit process was very slow. Ms. Carney stated that this would be helpful to know when we go through our budget process. Mr. Parker shared that he would get the information together and submit to the Selectmen to serve as a guide for 2015. Ms. Carney thanked Mr. Parker for coming in.

Terry Silverman asked the Selectmen to take down the no picnicking/no loitering/no fishing sign in the kiosk at the boat ramp. Ms. Silverman made a motion to remove the no fishing sign and to leave the rest. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Ms. Favreau shared that MaryAnn Harper would be here on Saturday at 9:30 and shared that approximately 165 notices were mailed out today inviting property owners to attend who are within the ½ mile radius of the proposed pipeline route. Ms. Favreau also shared that she would put this information on our website and also on the kiosk in front of the Town Hall and when asked about posting the flyer in the Keene Sentinel, Meghan Foley said she doesn't know when the Sentinel would put this information in. Mr. Holman stated that don't we think that the people attending might bring other people with them?

Ms. Carney asked Meghan Foley, Reporter for the Keene Sentinel if she had any questions and Ms. Foley stated that she wanted to talk with Mr. Holman about the post and the Board of Selectmen about their next steps. Ms. Foley asked Mr. Holman what prompted him to put up the post and Mr. Holman responded that it was more an artistic form of expression. Ms. Foley asked if he felt that as someone representing the Town if it was appropriate and in what capacity was he when he posted his remarks. Mr. Holman responded that anything on his page is done as an individual. Ms. Foley thanked Mr. Holman.

Ms. Favreau shared that Jessica Grysko was interested in being on the Agriculture Commission. Mr. Holman made a motion to appoint Jessica Grysko to the Agriculture Commission for a 3 year term. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Ms. Silverman made a motion to adjourn the meeting at 9:50 p.m. Mr. Holman seconded and the motion passed. 3-0

Submitted by:

Sheryl White  
Secretary to the Board of Selectmen

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Nancy Carney, Chairman

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Chris Holman

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Susan Silverman  
Board of Selectmen