



**BOARD OF SELECTMEN**  
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**BOARD MEETING MINUTES**  
**September 28, 2022**  
**6:00 P.M.**

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

**Guests:** Dana Pinney

Mr. Doerpholz called the meeting to order at 6 p.m.

**PRIMARY:**

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

Mr. Craig made a motion to approve the manifests. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes.  
Approved – 2-0

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

- **September 13, 2022 – Public and Non-Public**

Mr. Craig made a motion to approve the minutes of September 13, 2022, both public and non-public. Mr. Doerpholz seconded.  
Mr. Doerpholz – Yes, Mr. Craig – Yes. Approved – 2-0

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

*Martin Nolan arrived for the meeting*

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

- **Map 26, Lot 9**
- **Map 41, Lot 1**
- **Map 26, Lot 6**

**Map 26, Lot 9** – Mr. Doerpholz made a motion to approve the Permit for Map 26, Lot 9. 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 41, Lot 1** – Mr. Doerpholz made a motion to approve the Permit for Map 41, Lot 1. Mr. Craig seconded.  
Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Recused. Approved – 2-0  
The Selectmen agreed that a Certificate of Occupancy was needed.

**Map 26, Lot 6** – Mr. Doerpholz made a motion to approve the Permit for Map 26, Lot 6 with the ten conditions as set by the ZBA. 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.

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

The Selectmen reviewed the legal invoices from DrummondWoodsum.

Mr. Doerpholz made a motion to approve the invoices for \$613.60 and \$567.23. Mr. Craig seconded. Mr. Doerpholz – Yes,  
Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

## BOARD MEETING MINUTES - September 28, 2022

### \*\*\* REVIEW SOLAR EXEMPTION APPLICATION

The Selectmen reviewed the Permanent Application for Property Tax Credits/Exemptions – Solar Exemption for Map 7, Lot 28-12.

Mr. Doerpholz made a motion to approve the solar exemption for 100 Dunton Road. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

### \*\*\* DISCUSS SEPTIC APPLICATION

Ms. Favreau shared that normally she signs off on septic plans but noted that a letter had been sent to the property owner stating that this property was .2 acres, was wet and had a trailer, gazebo and shed on the property without a Construction Permit. Ms. Favreau shared that Carl Hagstrom brought in a septic plan with a holding tank for Ms. Favreau to sign, which she did not sign until discussing with the Selectmen. Ms. Favreau shared that the owner has asked for a 911 number, and the trailer is registered in Massachusetts. Mr. Doerpholz asked that Code Enforcement Officer, Justin Killeen verify what is on the property. Mr. Doerpholz also asked if we should contact an attorney. Ms. Favreau agreed that Mr. Killeen should do a site walk, take pictures and then forward this information to Land Use. Ms. Favreau reviewed what constitutes a permanent residence.

Mr. Nolan made a motion to have Justin Killeen do a site walk of Map 36, Lot 23. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

### \*\*\* DISCUSS HAZARDOUS WASTE COLLECTION DAYS

The Selectmen discussed not having collection days but reimbursing residents who do recycle their hazardous waste in Keene. Ms. Favreau shared that it is approximately \$2,000 to sign up for collection days in the spring and fall.

This information would be put in the November newsletter. It was noted that October 15<sup>th</sup> is the last collection day until the spring and the town is paid up through the fall. Ms. Favreau would call to check with Keene to determine how this would work.

Mr. Nolan made a motion to change the hazardous waste policy and having residents bring in a receipt for reimbursement. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

### 6:30 MEET WITH BUDGET COMMITTEE MEMBERS

Members of the Budget Committee, Carl Hagstrom, Ben Thomas, Ginger Doerpholz and Jeff Cesaitis met with the Selectmen to review the expenditures to date.

Mr. Doerpholz shared that he would be the Selectmen's representative on the Budget Committee and Mr. Nolan would be the Selectmen's representative on CIP. Mr. Doerpholz also shared that Robyn Bates has agreed to serve as a member at-large on CIP.

Mr. Doerpholz reviewed the line item budgets. Mr. Doerpholz noted that legal expenses have increased and the Selectmen may increase the budget to \$75,000 for 2023 from \$50,000.

Ms. Favreau explained the insurance premium holiday. The Town has coverage through Primex. Ms. Favreau noted that we usually lock in for three years, which is up in 2023.

It was noted that the direct assistance (welfare) budget has been reduced over the past several years, but may need to be increased due to inflation.

Mr. Doerpholz shared that over all the budgets are in good shape with the exception of the legal line item. Mr. Doerpholz noted that the first meeting of the Budget Committee is November 17, 2022.

### 7:00 ROCKWOOD POND SOCIETY

Mr. Doerpholz read the letter from Mark Irvings, President, SPRP regarding the lowering of Rockwood Pond up to one foot below the normal level beginning October 12, 2022.

Barbara Briggs and John Holman met with the Selectmen to share that this was approved by vote in July by the Rockwood Pond Society and the purpose of lowering was to check the dam mechanism and for weed and rock cleanup. It was noted that it would take a couple of weeks to lower.

## BOARD MEETING MINUTES - September 28, 2022

### 7:15 MEET WITH SUZANNE GRAY - Turnkey Lumber - noise

Mike Piquette and Suzanne Gray, in person and via telephone respectively, met with the Selectmen to discuss the noise at Turnkey Lumber. Ms. Gray asked if the Selectmen have heard any noise coming from Turnkey. Ms. Gray shared that this is exterior noise and she shared that when they met with Planning Board they mentioned that all of their work was inside. Ms. Gray stated that she can hear the noise inside her home with doors and windows closed. It is being done on Saturday and Sunday and after 5 p.m. Mr. Craig asked how long this has been going on. Ms. Gray thought it has been about 3-4 weeks. Mr. Piquette shared that it has been going on for a couple of months and he described the noise. Mr. Piquette mentioned that it sounded like a rock crusher and it is going on for hours. Mr. Piquette shared that he is 1,600 feet behind Turnpike Lumber - through the woods. Mr. Piquette shared that it is distinct and annoying. Mr. Piquette also shared that there is a smell and asked what Turnkey Lumber was doing. Mr. Doerpholz asked if they may be expanding. Both Mr. Piquette and Mr. Nolan shared that they (Turnkey Lumber) have expanded. Mr. Doerpholz asked Ms. Gray if the Planning Board put any restrictions regarding outside noise. Ms. Gray confirmed that they did not.

Ms. Gray shared that their property file needed to be pulled to look at the DES information. John Holman thought they were using a rock hammer and excavator to level the ground. Mr. Holman also thought they would be done in 3-4 weeks. Fire Chief Adam Dubriske shared that they (Fire Department) wanted the rock and material moved away from the building to allow access for fire trucks. Fire Chief Dubriske mentioned that he was there a few weeks ago and they are almost done.

Ms. Gray asked if they would need an alteration of terrain permit. Mr. Holman shared that most of the hammering was close to the building to cut down the ledge to allow water to go down the pipes. Mr. Holman has also gone to the site to see what they were doing.

Mr. Doerpholz shared that the noise ordinance isn't for temporary work. Mr. Piquette mentioned that we don't know how long they are going to be doing this. Mr. Doerpholz shared that Ms. Favreau has reached out to Turnkey but hasn't received a response. Mr. Doerpholz asked if they could go and ask what they are doing. Mr. Doerpholz shared that Fire Chief Dubriske has requested that they do work for fire and safety and confirmed that they are working to take care of his request. Mr. Holman shared with everyone what he saw. Mr. Piquette shared that it is difficult for those that work at home. Mr. Holman shared that it will go away and he had stopped by Turnkey today. Mr. Piquette mentioned that he recorded the noise at 56-57dB. Dana Pinney shared that he has heard the rock hammer and asked what their long range plan would be. Mr. Doerpholz shared that either a member of the Board or the Code Enforcement officer would go to check into what is going on.

Mr. Piquette shared that a month from now the noise would be even louder due to the leaves dropping off of the trees. Fire Chief Dubriske shared that they were asked not to burn the pile and shared that they are hauling a lot off site. He (Dubriske) shared that they are monitoring the situation. Ms. Gray was asked if they were made aware of the noise ordinance. Ms. Gray shared that they were also made aware of the night sky ordinance. The Planning Board was clear with them.

Fire Chief Dubriske shared that he is going to Turnkey Lumber tomorrow and he would relay the message and ask that they call the Selectmen's office. Mr. Craig asked that they be reminded of the noise ordinance and we need to find out their short and long term plan in order for us to inform the public.

### 7:45 MEET WITH MARK TAYLOR Re: Current use change of use tax

Mark Taylor met with the Selectmen to discuss the change of use tax. Mr. Taylor shared that he had purchased a parcel of land and Town records show that it was a 10 acre parcel. Mr. Taylor has received a bill for \$8,190. He wanted to know why a letter wasn't sent to him letting him know that the parcel was going to be taken out of current use. Mr. Taylor asked the Selectmen to wave the bill and to allow him to put the parcel back into current use. Ms. Favreau shared that if a land owner has been billed for incorrect acreage it is up to them to bring it to the attention of the Town. Mr. Taylor shared what his choices were and asked if the Town was going to work with him. Mr. Taylor shared that he could get an attorney and can show that the previous owner was being billed for 10 acres for the past 30+ years.

The Selectmen reviewed the documentation from Avitar explaining the reason for taking the parcel out of current use now. Mr. Taylor asked why he wasn't notified. Ms. Favreau shared that it would have had to be put in current use by April 1<sup>st</sup> and he didn't own the land at that time. Ms. Favreau shared that Mr. Taylor could appeal to the NH Board of Tax & Land Appeals but he is required to pay the \$8,190.

The Selectmen shared with Mr. Taylor to not limit himself and to find out what the Appeals Board could do for him. Ms. Favreau shared that if the Appeal's Board grants the appeal, he would be reimbursed. Ms. Favreau noted that first Mr. Taylor needed to appeal to the Board of Selectmen. Mr. Doerpholz shared that this would be added to their agenda next week.

## BOARD MEETING MINUTES - September 28, 2022

### 8:00 NON-PUBLIC SESSION - RSA 91-A:3 II(a) - Personnel

At 8:16 p.m. Mr. Nolan made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Doerpholz seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 9:16 p.m. Mr. Nolan 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 9:16 p.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.

### \*\*\* MEET WITH ADAM DUBRUSKE AND CHARLEY KENISON – Discussion held in non-public at 9:41 pm and in open session - DISCUSS AMBULANCE SERVICE

### \*\*\* REVIEW LEGAL INVOICE – Discussed earlier

### \*\*\* REVIEW SOLAR EXEMPTION APPLICATION – Discussed earlier

### \*\*\* DISCUSS SEPTIC APPLICATION – Discussed earlier

### \*\*\* DISCUSS HAZARDOUS WASTE COLLECTION DAYS – Discussed earlier

### \*\*\* FOLLOW-UP DISCUSSION ON JUNKYARD POLICIES – Deferred until next week's meeting

### \*\*\* FOLLOW-UP DISCUSSION ON TOWN POLICIES – Deferred until next week's meeting

- Investment Policy

- Building Permit Policy on Class VI Roads

### \*\*\* NON-PUBLIC SESSION – RSA 91-A:3 II(a) – Personnel

At 9:17 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 9:41p.m. Mr. Doerpholz made a motion to leave non-public session. Mr. Nolan seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 9:41 p.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

### \*\*\* NON-PUBLIC SESSION – RSA 91-A:3 II(a) – Personnel

At 9:41 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Nolan seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 10:08 p.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 10:08 p.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

Fire Chief Dubriske shared that Turnkey Lumber has agreed to donate the framing to build out the new space at the Fire Department. He (Dubriske) shared that \$2,000 is needed for sheetrock and insulation. Ms. Favreau shared that the funds could come out of the Fire Department's operating budget.

Fire Chief Dubriske also shared with the Selectmen what the layout of the Fire Department would look like. Fire Chief Dubriske and Troy's Fire Chief Mark Huntoon met with the billing company to discuss how the billing would work. Billing would come out of the Fitzwilliam Fire Station to CAG, who would then divide by zip code. Zip codes that aren't Fitzwilliam or Troy would be combined into one check, which would need to be divided between Fitzwilliam and Troy. Fire Chief Dubriske asked Ms. Favreau how she wanted to handle the third check, if she wanted to have it sent to Fitzwilliam or to Troy. Fire Chief Dubriske shared that they would be a non-aggressive collection for everyone that doesn't have a Fitzwilliam or Troy zip code. Fire Chief Dubriske shared what the process would be for non-payment.

Fire Chief Dubriske mentioned that the department would like to spend money from the Dan Baker Memorial Fund for a plaque in honor of Dan to go on the door to the back room. The Selectmen approved.

**BOARD MEETING MINUTES - September 28, 2022**

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

At 10:35 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 10:43 p.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 10:43 p.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**

**■ LCHIP site visit 9/27/22**

The Selectmen discussed their meeting schedule for October and November. After discussion, they agreed to meet in October on: Thursday, October 6 at 8:30 a.m., Wednesday, October 12 at 6 p.m., Thursday, October 20 at 8:30 a.m., and Wednesday, October 26 at 6 p.m.

Their November schedule would be: Thursday, November 3 at 8:30 a.m., Tuesday, November 8<sup>th</sup> – will meet all day, Thursday, November 17 at 8:30 a.m., and Wednesday, November 30 at 6 p.m. The Selectmen will not meet during the week of Thanksgiving.

**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 10:45 p.m. Mr. Craig seconded and the motion passed. 3-0

Submitted by:

Sheryl White  
Secretary to the Board of Selectmen

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Brian Doerpholz, Chairman

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John E.F. Craig

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