



**BOARD OF SELECTMEN**  
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**BOARD MEETING MINUTES**  
**October 10, 2019**  
**9:00 A.M.**

**Selectmen Present:** Daniel Baker, Robyn Bates, Charles Kenison

Mr. Baker called the meeting to order at 9:03 a.m.

**PRIMARY:**

**\*\*\* APPROVE MINUTES**  
**- October 2, 2019**

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

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

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

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

**\*\*\* CONSTRUCTION PERMIT**  
**- Map 2, Lot 13**  
**- Map 8, Lot 30-4**

**Map 2, Lot 13 –** Ms. Bates made a motion to approve the Construction Permit for Map 2, Lot 13. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

**Map 8, Lot 30-4 –** Ms. Bates made a motion to approve the Construction Permit for Map 8, Lot 30-4. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0  
The Selectmen agreed that an Occupancy Permit was needed.

**9:15 TELEPHONE CONFERENCE WITH ATTORNEY AMY MANZELLI - NON-PUBLIC SESSION - RSA 91-A:2 I(b) - LEGAL**

At 9:09 a.m. Ms. Bates made a motion to go into non-public session under RSA 91-A:2 I(b). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 10:16 a.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.

**10:15 MEET WITH ROBERT DILUZIO**

Robert DiLuzio and Edwin Mattson, Jr. met with the Selectmen to discuss the ambulance service. Mr. Baker thanked Mr. DiLuzio for taking good care of the Town. Mr. DiLuzio noted that a quarter of the unsigned contract would be due. Mr. Baker asked to get guidance from the FireWards on what we should do. Mr. Baker also asked if the FireWards had discussed. Mr. Mattson, Jr. asked if the Fire Committee would be meeting. Mr. Baker shared that the FireWards had an unsigned contract that has expired and asked what the FireWards wanted the Selectmen to do. Mr. DiLuzio asked where the Town was with regard to the contract. Mr. DiLuzio's concern was that they started April 16<sup>th</sup> and have done 89 calls in Fitzwilliam and they are doing all of those calls with no contract. Mr. DiLuzio shared that they handle fewer calls with the combination of other towns. Mr. DiLuzio would like the contract to be signed retro to July 1<sup>st</sup> and asked if the Town wanted to do another contract.

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Mr. Mattson, Jr. wanted to go another 90 days. Mr. DiLuzio clarified going to January 1<sup>st</sup>. Mr. DiLuzio shared that the fee was less than 1/5 of what he pays an employee. It also included guaranteed payment. Ms. Bates shared her reluctance to sign the contract was the additional fees. Mr. DiLuzio explained that normal contracts for ambulance service don't have the guaranteed payment but ours includes that because it was an interim contract. Mr. Kenison asked if it was in a permanent contract. Mr. DiLuzio stated it wouldn't be included. Mr. DiLuzio also noted that they have done 40 non transports. That was their bigger concern. It was an interim thing to make sure Fitzwilliam has ambulance service. Mr. Kenison asked Mr. DiLuzio if he could work up a draft contract for the Selectmen and FireWards to review to see what it would look like. Mr. Kenison mentioned that he didn't see us getting out of the current situation anytime soon. Mr. Mattson, Jr. stated that the FireWards needed to come up with a plan. Mr. DiLuzio shared that based on calls throughout the year they are doing 79% of calls and he also noted that because Fitzwilliam wasn't providing ambulance services, they (DiLuzio) were doing more calls for Troy. Mr. DiLuzio also discussed the confusion when Troy responds. It should be without their ambulance. Mr. Mattson, Jr. shared how the calls were toned. Mr. Baker asked the FireWards to clarify what they want to do. Mr. DiLuzio also had concerns with people cancelling them and not having a contract. Mr. Baker asked what we would expect to be billed. Mr. DiLuzio shared that he pulled the numbers from June – seven calls billed out totaling \$8,200 with \$5,000 outstanding. Mr. DiLuzio noted that Fitzwilliam would be responsible for the \$5,000. Mr. Baker noted the need to know what we were doing. Mr. DiLuzio stated the Town would be billed approximately 180 days later, after they (DiLuzio) has exhausted everything to recover the cost. Mr. DiLuzio shared that if payment was received later, the Town would be reimbursed but it was rare. Ms. Bates stated that based on historical numbers, we have a cash outlay of approximately \$8,000 and we need to plan for it. Mr. Kenison stated that we shouldn't wait too long to sign a permanent contract. Ms. Bates asked if Mr. DiLuzio could do anything for the Town to lessen the hit if the Selectmen signed a contract for the next 90 days. Mr. Baker asked about the Town doing a six month contract. Mr. DiLuzio stated that he would go back and look at the numbers to project what it would be in the next 90 days and do a flat fee. Mr. Baker also asked Mr. DiLuzio to also look at six months. Mr. Baker noted that a month has already passed. Mr. Mattson, Jr. stated we would be better off with a six month contract. Everyone agreed that six months would be better. Mr. Mattson, Jr. shared that the Town's total calls were down. Mr. DiLuzio shared that August was busy and there were 24 calls in September. Mr. Kenison shared that DiLuzio's response times were phenomenal. Ms. Bates asked about services provided to Troy and Richmond. Mr. DiLuzio shared that they were Richmond's permanent ambulance and a second responder for Troy.

Mr. DiLuzio discussed what needed to be looked at to be included in a contract – i.e. distance to Town, hospital location, and call volume. Mr. DiLuzio shared that they do set up payment plans and if they receive payments and do a write off, the Town isn't billed.

The Selectmen thanked Mr. DiLuzio for meeting with them. Mr. DiLuzio asked if the Selectmen would sign the contract. The Selectmen agreed to sign. Ms. Bates stated the Town's lack of action wasn't Mr. DiLuzio's problem but the Selectmen have tried to work on it. Mr. DiLuzio acknowledged that he understood. Mr. Kenison asked if Mr. DiLuzio was still interested in the collaboration. Mr. DiLuzio shared they were interested and he (DiLuzio) discussed what other plans they were putting in place. Ms. Bates liked what Mr. DiLuzio proposed. Discussion was held on the time response for small towns and building a stronger rescue squad to assist in waiting for the arrival of the ambulance for transport. Mr. Baker stated what worked 20 years ago could probably work again. Today's training requirements are hard to do if someone was working a full-time position. Ms. Bates asked what the time of day was for the majority of the calls. Mr. DiLuzio stated they were more during the day and he would review the calls and follow-up with the Selectmen.

Ms. Bates asked Mr. DiLuzio to work up numbers if the Town was to sub out Meadowood to DiLuzio and included Fitzwilliam's ambulance. Ms. Bates thanked Mr. DiLuzio for doing this. Discussion was held on HIPPA, and the type of information contained in the report. Mr. DiLuzio shared the raw data that he had – majority of the calls were from 6 a.m. to 6 p.m. Ms. Bates asked to schedule a meeting to follow-up with Mr. DiLuzio. Ms. Favreau shared the next date for the Selectmen's meeting. After discussion, Thursday, November 7<sup>th</sup> at 10:15 was scheduled for Mr. DiLuzio to follow-up with the Selectmen. Ms. Favreau would notify the FireWards. Mr. DiLuzio asked for the number of ambulance calls – transport/non-transport and collection costs for 2016 and 2017. Ms. Bates shared that Brandy Handy could get the numbers and Ms. Favreau would get the collection costs.

Mr. Mattson, Jr. stated the FireWards meet next Wednesday at 5 p.m. and they would determine what they would do. Mr. Mattson, Jr. thought it might be beneficial to go back to having a rescue truck. Ms. Bates asked Mr. Mattson, Jr. to convey the potential spend that the Town was in and she noted that it has been an issue since she took office. Ms. Bates shared that this was the predicament that the Selectmen have been put in by the FireWards. Ms. Bates asked where the money would come from. Ms. Favreau discussed the budget. Ms. Bates asked the Selectmen how they felt. Mr. Baker stated he was struggling with having to wait another year, if passed at Town meeting. Ms. Bates asked if the Selectmen took the action that they unofficially take it over and drive from the back seat. Mr. Kenison noted that was what the Selectmen did today. Ms. Favreau asked about the meetings with the three towns. Mr. Kenison stated they were waiting on Acting Fire Chief Adam Dubriske. Ms. Bates stated that was a problem and mentioned that she didn't mind attending the FireWards meeting and proposing that the Selectmen help them. Ms. Bates noted that for the Town it would make perfect sense for DiLuzio to sit at Meadowood and provide the service. Mr. Baker stated using the ambulance budget. Ms. Bates mentioned getting some funds from some of the calls to other towns. Mr. Kenison discussed the cost that was proposed with doing a collaboration with

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Troy but noted that no one saw that proposal. Mr. Kenison stated it was approximately \$50,000. The Selectmen were in agreement to get moving forward. The Selectmen wanted this to be included on their Agenda under on-going.

The Selectmen thanked Mr. DiLuzio for meeting with them.

**11:00 TELEPHONE CONFERENCE WITH ATTORNEY BERNIE WAUGH - NON-PUBLIC SESSION - RSA 91-A:3 II(e) - LEGAL**

At 11:02 a.m. Ms. Bates made a motion to go into non-public session under RSA 91-A:3 II(e). 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. Mr. Baker 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. Ms. Bates seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

**11:30 MEET WITH HEIDI WOOD**

Heidi Wood shared that Garry Lohman had sent his wife, Lisa in and Mr. Lohman didn't see her. Mrs. Lohman came in on Wednesday and asked to transfer plates. Ms. Wood explained in a living trust, you can have it in your name also. Plates were in Mr. Lohman's name and he wanted to transfer to a car in the trust's name. Ms. Wood shared that Mr. Lohman's cars had the trust in the title as well. Ms. Wood stated Mr. & Mrs. Lohman think it is all titled and registered in the trust's name. Mr. Lohman wanted to transfer the plates. Mr. Kenison shared that Mr. & Mrs. Lohman were told that she (Ms. Wood) refused to do anything. Ms. Wood explained that she was asked to come up with an estimate to register as new. Ms. Wood also explained how to add a living trust on both the title and registration. This vehicle was titled only in the trust's name. Ms. Bates asked why the State said it was something that we could do. Ms. Bates asked Ms. Wood to follow-up with the State.

Ms. Wood stated the first part of Mr. Lohman's letter was done in April and May and Ms. Wood helped Mary Kisinger as she had never done a trust and it took 45 minutes. Mr. Baker read Mr. Lohman's letter, which mentioned there was an error and that it needed to be handled by the DMV. Mr. Baker shared that the Selectmen should write a letter. Ms. Wood stated that the Selectmen shouldn't write a letter on her behalf, as she did her job.

Mr. Baker shared that in terms of the first paragraph – don't have enough information. Ms. Wood stated that Mr. & Mrs. Lohman can't go to DMV, as it has to be handled here. The letter stated that Mrs. Lohman went to the DMV in Concord.

Mr. Baker reviewed the misplaced registrations. Ms. Wood shared that the State's policy was that we needed the old registration or we could get a duplicate. Ms. Wood didn't ask as she had a line out the door. Ms. Wood stated that Mr. Lohman couldn't transfer as a new registration was needed. Mr. Baker asked how we should respond. Ms. Wood stated that the paperwork needed to be in the trust's name alone. Mr. Baker shared that the Selectmen could respond that it was done accurately with a new registration. Ms. Wood shared that she couldn't have transferred the plates because it was registered in Mr. Lohman's name. Mr. Baker asked if there were any other technical issues. Ms. Favreau asked if she had gotten a copy of the duplicate registration. Ms. Wood stated it couldn't be done because the car was registered in Mr. Lohman's name.

Mr. Baker shared that the Selectmen have discussed getting another terminal because of having a long line. Ms. Wood stated it would cost \$5,000. It was acknowledged that it was only the last of the month that there were long lines.

Mr. Baker mentioned commercial registrations. Ms. Wood stated that she can only do up to a weight of 26,000 and to do commercial over that weight, they would need to go to DMV. Mr. Baker mentioned that it could mean additional dollars for the Town. Ms. Wood stated that if done here, funds would be deposited with the State.

Mr. Baker stated that Mr. Lohman was incorrect on the technical issues. Ms. Wood agreed to draft a letter on the technical issues and would let Ms. Favreau review. Ms. Favreau mentioned that Ms. Wood could note that she has met with the Selectmen. Mr. Baker would like to also mention having taken care of it in Concord. Mr. Kenison asked about the municipal agent. Ms. Wood stated that she was the municipal agent for the State when taking State money and the Town Clerk when handling the Town's portion.

Mr. Baker asked what Mr. & Mrs. Lohman did at the State – no transaction was made at the State, Ms. Wood and Ms. Kisinger did all that was handed to us. Ms. Wood acknowledged that Ms. Kisinger assisted Mr. & Mrs. Lohman in April as that was the only way she could learn. Ms. Wood shared that they have only done maybe five trusts in the last five years. Ms. Wood was sorry that it took a long time to handle but that what's happens.

Mr. Baker shared that the Selectmen wanted to get Ms. Wood's take on what happened, as they only heard Mr. & Mrs. Lohman's side. Ms. Bates noted that Ms. Wood would draft a letter to Mr. & Mrs. Lohman and Ms. Favreau would review.

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The Selectmen thanked Ms. Wood for meeting with them.

### 12:15 Paul Grazewicz – Wilkinson Property – East Lake Road

Paul Grazewicz met with the Selectmen to discuss the ZBA's decision for a variance for a building addition. The ZBA wouldn't render a decision until the Conservation Commission has reviewed. Mr. Grazewicz stated that the addition was exempt from the WPOD. The addition was on the backend of the house. Mr. Baker asked about a stump needing to be removed before

the addition could be done. The concern was the stump could go into the water. Mr. Grazewicz stated that the Shoreland Protection Application would allow for a certain area for disturbance. Mr. Grazewicz reviewed the definition of wetlands – as stated in Ordinance 127-16.1. Ms. Favreau also reviewed the Town's Wetlands Ordinance definition of wetlands.

The Selectmen stated it did not qualify for the exemption based on Item 2. It did not meet all of the Zoning requirements as it required a variance for a side setback.

### \*\*\* REVIEW E-MAIL FROM LCHIP Re: updates to grant proposal

Ms. Favreau would report that there were no updates to the application but would mention that the steeple has been removed and a temporary roof has been put in place.

### \*\*\* REVIEW LETTER FROM GARY TAYLOR Re: Gazebo

Mr. Baker explained that this was a gazebo located at the old Retig property. Mr. Baker shared that we didn't need to clutter the common and there was a shortage with space in the common already without adding more structures. Discussion was held on whether the Town actually owned the gazebo, did it actually belong to the property that the Town took for tax deed and old pictures don't show that a gazebo was ever in the common. Mr. Baker asked if the Historic District Commission was endorsing this request. Mr. Baker asked Ms. Bates to find out if it was an endorsement of the Historic District Commission. After discussion, the Selectmen wanted to defer action until more information was gathered.

### \*\*\* NON-PUBLIC SESSION - RSA 91-A:3 II(b) - HIRING

At 12:53 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 12:55 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.

### ON-GOING BUSINESS:

\*\*\* **STEEPLE PROJECT – SCHEDULE – REVIEW SCHEDULE** – Mr. Kenison thanked Mr. Baker for being the Project manager and noted that removal of the steeple went off without a hitch. Ms. Bates apologized and acknowledged there was a lot of personality that she didn't understand and acknowledged it was a ton of coordination. Discussion was held on how the steeple came down and what that meant for LCHIP. Mr. Baker asked that pictures be sent to George Born and shared that it was very disheartening to see what the damage was to the steeple. It wasn't maintained as it should have been. Jay Southgate thought that maintenance stopped 20-30 years ago. After discussion, it was determined that the steeple was last painted 20 years ago. Mr. Kenison stated that at the very least there should be an annual inspection. Ms. Bates asked what our procedure was for who looked at all of the Town's properties. Mr. Baker stated they tried to make it part of Gene Cuomo's job to be custodian of the properties but it hasn't been done. Ms. Bates mentioned that we needed to move forward with that. It was noted that our current Code Enforcement Officer, who has the experience, could be responsible for this. Ms. Bates asked that a list of Town owned property be created. Ms. Favreau would have Justin Killeen, Code Enforcement Officer, meet with the Selectmen. Ms. Favreau share that she received the Certificate of Insurance that the Selectmen requested.

\*\*\* **PRIME WETLANDS PROJECT** – No update

\*\*\* **START BUDGET DISCUSSIONS** – No discussion  
- COLA

### INFORMATION

\*\*\* **REVIEW E-MAIL FROM GENE CUOMO TO PLANNING BOARD** – The Selectmen reviewed.

\*\*\* **LETTER OF THANK YOU MITCHELL SAND & GRAVEL** – The Selectmen reviewed.

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\*\*\* **LETTER FROM JEANNE DIETSCH – STATE BUDGET** – The Selectmen reviewed and discussed. It was noted that the Town received \$751,000 last year and would be receiving a projected additional \$240,000 for 2020/21

The Selectmen reviewed the e-mail from Dan Sutton recommending Susan Massin as a member of the ZBA. She currently serves as an alternate.

Ms. Bates made a motion to approve Susan Massin as a member of the ZBA for a three year term based on the recommendation of Dan Sutton. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Dana Pinney mentioned having a public session time during their meetings. He asked when he could ask a question not relevant to an agenda item. Mr. Pinney discussed Consolidated Communications internet service and asked if the Selectmen could keep some pressure on them. Mr. Pinney asked the Selectmen to consider a public comment session on the Agenda. Mr. Baker stated that he would consider an informal public comment forum.

The Selectmen asked that Ms. Favreau schedule a time for Chief Leonard DiSalvo to meet with them to follow-up on Richmond Road.

Mr. Baker reported that he has done an inspection of the property on Templeton Turnpike (Map 7, Lot 33), with the new owner. The owner took down the sheds and the mini house and wanted to make sure that they have taken care of all of the violations.

**Meeting Schedule:**

**7:00 p.m. - Wednesday, October 2, 2019**  
**9:00 a.m. - Thursday, October 10, 2019**  
**7:00 p.m. - Wednesday, October 16, 2019**  
**9:00 a.m. - Thursday, October 24, 2019**  
**7:00 p.m. - Wednesday, October 30, 2019**

Ms. Bates made a motion to adjourn the meeting at 1:18 p.m. Mr. Kenison seconded and the motion passed. 3-0

Submitted by:

Sheryl White  
Secretary to the Board of Selectmen

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Daniel Baker, Chairman

\_\_\_\_\_  
Robyn Bates

\_\_\_\_\_  
Charles Kenison  
Board of Selectmen