



**BOARD OF SELECTMEN**  
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**BOARD MEETING MINUTES**  
**October 21, 2020**  
**7:00 P.M.**

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

**Guests** (via Zoom) Robert Ford, Jean Ford, Suzanne Gray  
(in person) Dana Pinney

Mr. Baker called the meeting to order at 7 p.m.

**PRIMARY:**

**PUBLIC COMMENT**

Dana Pinney shared an information sheet on Broadband with the Selectmen and asked for approval to post at the Town Hall and the Library. The Selectmen approved.

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

Mr. Baker made a motion to approve the manifests. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

\*\*\* **APPROVE MINUTES**  
**- October 15, 2020**

Ms. Bates made a motion to approve the minutes with the exception of the non-public minutes. Mr. Baker seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0

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

\*\*\* **REVIEW CONSTRUCTION PERMIT APPLICATION**  
**- Map 8, Lot 55**

**Map 8, Lot 55** – Ms. Bates made a motion to approve the Permit for Map 8, Lot 55. Mr. Baker seconded. Mr. Baker – Yes, Ms. Bates - Yes. Approved – 2-0  
The Selectmen agreed that an Occupancy Permit wasn't needed.

\*\*\* **PRIME WETLANDS PROJECT UPDATE**

Ms. Bates shared that she had met with Susan Silverman and Robin Peard Blais. The additional wetlands to be added was Royalston Road - South marsh, Rockwood Pond, Scott Pond - South of Rt 119, Scott Pond - North marsh, Jaffrey Road – North, and the outflow of Sip Pond. The Committee hopes to have these prime wetland additions on the 2021 Town Warrant. Ms. Bates wasn't sure where funding would come from. Ms. Bates shared that Ms. Silverman was going to discuss with the Conservation Commission. She noted that Rick Van de Poll's quote was \$6,000. The quote may be lower as Lori Nolan would do the letters to the abutters. Ms. Bates shared that if separated by a culvert and a road, it would be a different wetland. Mr. Baker shared the process for the original six prime wetlands. The State didn't approve as prime wetlands but classed as wetlands of significant value. Ms. Gray shared that the State changed the way they did the interpretation of wetlands. The 50 foot pinch points are significant in preserving the wetlands. Mr. Van de Poll went to the State to change this but it didn't get changed. Suzanne Gray shared that Mr. Van de Poll was still of the mindset that the State would come around and would include the 50 foot pinch points.

Ms. Gray suggested that this issue get revisited with Mr. Van de Poll so he could clarify what needed to be done. Mr. Van de Poll felt that the Town should still call them prime wetlands because he felt the State would come back and identify them as prime wetlands. Ms. Gray mentioned that she has a file on this. The Selectmen felt we should have the same designation as the State. Ms. Gray noted that if they have a case and the Town has identified the wetland as a prime wetland, and the

applicant contacts the State, they would be told that it isn't designated as a prime wetland. Mr. Baker suggested getting clarification from Mr. Van de Poll. The Selectmen would discuss with Ms. Silverman when she meets with the Selectmen tonight. Ms. Gray suggested that Ms. Bates review the study compiled by Mr. Van de Poll and that she would give a copy to Ms. Bates. Ms. Bates mentioned that the committee's next meeting hasn't been set but the goal is to have it on the 2021 Warrant.

## 7:30 MEET WITH BRIAN DOERPHOLZ

Mr. Baker thanked Brian Doerpholz for meeting with the Selectmen after Mr. Kenison's resignation. The Selectmen took turns asking questions. The following are the questions asked and Mr. Doerpholz's responses:

- What interested Mr. Doerpholz in this appointment? Mr. Doerpholz shared that he knew the Selectmen were in a pinch going into Budget season and he was honored to be asked. Mr. Doerpholz has been a Selectman and was the Selectmen's representative on CIP and he also served on the Budget Committee. Mr. Doerpholz felt it was his civic duty and he brings experience. He is willing to help out.
- What other committees has Mr. Doerpholz served on? Mr. Doerpholz shared that he served on the ZBA and started the Agricultural Committee and served on it for three years. He believed the committee was defunct. Mr. Doerpholz shared that he serves as a Library Trustee, as a personal favor to Kate Thomas.
- Would Mr. Doerpholz stay after the end of the term? Mr. Doerpholz would be willing to run.
- What is the Selectmen's role around the budget process? Mr. Doerpholz stated that the Selectmen and the Budget Committee each have their process and the Selectmen do more interviews of the Department Heads because they meet throughout the year with them. The Budget Committee lacks this knowledge as they only meet with them during budget season. Mr. Doerpholz felt that this information should be given to the Budget Committee.
- How much should the Selectmen interact with the Highway and Police Department Heads? Mr. Doerpholz felt the Selectmen shouldn't micro manage or tell the Department Heads how to run their departments. The Selectmen should be kept updated as things pop up.
- What issues in the coming year should the Selectmen work on or address. Mr. Doerpholz stated the cellphone and internet service, due to working from home. Mr. Doerpholz knows that the Selectmen are working on this. It is a major issue. Going forward, what type of community the residents want – i.e. pipeline coming into Town, need to be looked at thoroughly but anything that comes forward like that, determine the benefit for the Town.
- Knowledge of Town Ordinances – Planning Board. Mr. Doerpholz shared that he hasn't followed the Planning Board to know intimately all of the ordinances. He wasn't a Selectmen's representative on the Planning Board and his focus was on the Budget Committee.
- Town meeting attendance is reducing every year and social media guidance is increasing. How should the Town respond to this. Mr. Doerpholz learned from the Selectmen's Institute, when preparing the Warrant, there are advantages if more people came to the Town meeting. If you look at the Warrant for the last few years, most people looking at it agree with it, so there isn't a reason to attend. Mr. Doerpholz mentioned that it is almost a penalty to have a tight Warrant that isn't out of line. He didn't really know how to counter act that or who would maintain social media. The Selectmen do a very good job of getting their minutes up on the website properly, but not so with other committees/boards. Mr. Doerpholz didn't know whose responsibility it would be to update and respond. Mr. Doerpholz was at a loss and didn't know how to get more people to attend Town meeting but mentioned that people show up if there is something controversial.
- How familiar was Mr. Doerpholz with State policies and procedures for Towns. What experience does he have in creating local ordinances? Mr. Doerpholz shared that when he was on the Board of Selectmen they didn't have to do this. He mentioned one instance having an old rule on excavating. The Selectmen recommended that something be added on mining but it was ignored. The Town lost in that ruling.

Mr. Doerpholz asked why Mr. Kenison resigned. Mr. Baker stated it was a lot of things and suggested that Mr. Doerpholz talk with Mr. Kenison. Mr. Baker stated that the Selectmen have a lot of meetings outside of the Board of Selectmen's meeting, between site walks and Board/Commission meetings. Mr. Baker stated that the Selectmen have had the solar and steeple projects. He noted that people are more critical of what they see in town and the Selectmen have had to address concerns. Covid-19 has also had to be addressed by the Selectmen.

- Can Mr. Doerpholz give the Selectmen's office 32 hours a month and can he support the alternative Wednesday night and Thursday morning schedule. Mr. Doerpholz shared that he had his job eliminated this year. He was planning to fully retire in two years but is semi-retired. He shared that he was home and would be willing to devote that number of hours and was willing to give it a try.

Mr. Doerpholz asked if the Selectmen had a person for the Planning Board. It was noted that Ms. Bates was the Selectmen's representative on the ZBA and Mr. Baker shared that Mr. Doerpholz could be the representative on the Historic District

Commission or the Budget Committee. Mr. Baker shared that over the last couple of years the majority of the Selectmen attended the Budget Committee meetings. Mr. Doerpholz didn't know with his wife being on the Budget Committee if that would be a conflict. Mr. Doerpholz asked what Committee/Boards the Selectmen would want him to sit on. Ms. Favreau shared that the CIP meets right before the Budget Committee. Mr. Doerpholz shared that he talked with NHMA regarding the Library Trustee position that he sits on and it wasn't a conflict but he might need to rescue himself at times. Mr. Baker and Ms. Bates didn't have an issue with that. Mr. Doerpholz mentioned that if selected, he would ask the Library Trustees if they had an issue.

## **8:15 MEET WITH SUSAN SILVERMAN**

Mr. Baker shared that there was a vacancy on the Board of Selectmen and that the Selectmen were looking for someone with prior experience. Mr. Baker mentioned that the Board of Selectmen was different from when Ms. Silverman was last on the Board and the meetings are 4-5 hours long with the projects that have come up. The Selectmen took turns asking questions. The following are the questions asked and Ms. Silverman's responses:

- What interested Ms. Silverman in this appointment? Ms. Silverman shared that she always like to help when she can and in different capacities. Ms. Silverman doesn't have an agenda and she wants to help. Ms. Silverman noted that having been on the Board of Selectmen, you never know what will walk through the door.
- What are the top three priorities of the Selectmen's office? Ms. Silverman stated to manage the budget, prepare for Town meeting, making sure everything is done correctly. The Selectmen have a great staff that know what they are doing, make sure the Selectmen keep the taxpayers in mind. Being sympathetic to people that come in. Problem solving is something the Selectmen need to be willing to do. Not everyone goes to Town meeting and the Selectmen need to be careful how they spend funds.
- Would Ms. Silverman consider running in March? Ms. Silverman didn't know. She shared that she is going on sabbatical in December and she doesn't have any obligations with regard to teaching until mid-August. Ms. Silverman noted that teaching is very hard at this time. Ms. Silverman felt you needed to decide to run in January and sign-up at the end of January. Ms. Silverman stated that if she got in, she would need to see if it was manageable.
- What is the Selectmen's role around the budget process? Ms. Silverman stated working carefully on the budget. Over the past 10 years the Budget Committee has gotten good at working with Department Heads and understanding what is needed. Ms. Silverman mentioned when the Budget Committee joined the Selectmen at the table during Town meeting. She stated that she loves the process of participatory democracy.
- What other committees has Ms. Silverman served on? Ms. Silverman shared that she was on the ZBA. As a Selectman she often went to budget meetings and that she was the Selectmen's representative on CIP.
- Knowledge of Town Ordinances. Ms. Silverman shared that she doesn't know them in detail but she would have to look things up to read as it applied to what was in front of the Selectmen. Need to listen carefully in order to solve the problem and take the time to figure out what needed to happen. Ms. Silverman stated that people come in and they are upset, they want an answer right away. There is a misconception of how much power the Selectmen really have. It is important to look at from all different angles, not only the best for the Selectmen but the Town as a whole.
- Town meeting attendance is reducing every year and social media guidance is increasing. Ms. Silverman felt this year has been particularly hard trying to find things on the Town's website. It has always been a challenge on how to get information to people. Ms. Silverman shared that this topic came up in the Conservation Commission meeting. We have the newsletter, Fitzwilliam Community page and the Town's website is useful but Ms. Silverman feels it could be more useful. People are used to going on the internet to get information. Ms. Silverman mentioned more design work and more information would be helpful on the Town's website and maybe making it more interactive. Ms. Favreau shared that people can e-mail through the website.

Ms. Silverman mentioned that the Conservation Commission recommended that Terry Robbits serve on the Commission.

- How much should the Selectmen interact with the Highway and Police Department Heads? Ms. Silverman shared that the Department Heads would need to do performance evaluations, self-evaluations and the Selectmen's evaluation form was used. Ms. Silverman shared that having monthly meetings and communication. It was better to know than not especially with the Police Department. It is hard to fit in those monthly Department Head appointments. It is important that the Selectmen act as a Board. When something comes up that the Selectmen need to act as a whole and bring information back from the Boards/Commissions that they are representatives of. Need some way to keep on top of that information. Ms. Bates explained how the Selectmen handle that now.
- Can Ms. Silverman give the Selectmen's office 32 hours a month and can she support the alternative Wednesday night and Thursday morning schedule. Ms. Silverman shared that until after Thanksgiving she can't do any day time meetings. Ms. Silverman stated that she only has four weeks left at school and if she makes the commitment she will be here.

- How familiar was Ms. Silverman with State policies and procedures for Towns. What experience does she have in creating local ordinances? Ms. Silverman shared that the Selectmen's Office is in charge of enforcement. Come at from a health and environmental standpoint. Ms. Silverman shared that she remembered that someone complained about a neighbor and what was in their yard. Need to go out and capture more than just one person. Ms. Silverman shared that there is a Policy and Procedure handbook for the Board of Selectmen and a Code Book. Something could be written up and put in the Code Book that has teeth.

Ms. Bates asked who made up the Code Book. Ms. Favreau shared that it contains ordinances and policies that were adopted at Town meeting.

Ms. Silverman mentioned the timeline for making a decision. Mr. Baker hoped to make the decision tonight. The Selectmen are flexible enough if they need to make a schedule change.

Ms. Silverman shared that she appreciated be given the time to meet with the Selectmen. Ms. Silverman stated that she doesn't have an agenda on things that need to be done and she is happy to help with what needs to be done. Ms. Silverman was offering to step in because she really cares about this Town and she knows that it is different from the last time she sat on the Board.

\*\*\* **DISCUSS PRIME WETLANDS PROJECT**

Mr. Baker asked about the State's 50 foot pinch point. Ms. Silverman shared that around August of 2016, Mr. Van de Poll notified the Town that DES had revised the rules for defining a prime wetland. The new rule was the cut off of the 50 foot area. Mr. Baker asked what would be the objection to exclude. Ms. Silverman shared that developers and NH DOT, stated it would be difficult for them to adhere to. DOT was exempt from the rule. The State worked on rewording the ordinance. It went to committee and passed the legislature but was vetoed by the Governor. Ms. Silverman shared that the Town can have an ordinance and the disadvantage is that State isn't behind it. The advantage is that people would need to come to the Town for permitting. The set back is 100 feet. Ms. Silverman shared that people thought that the Town was taking their land. Ms. Favreau asked if the additional wetlands would be denied by the State. It was noted that these would be at the Town level only.

\*\*\* **DISCUSS CIP REPRESENTATIVE – Deferred until a new Selectman is appointed**

\*\*\* **REVIEW LETTER FROM SOUTHWEST REGION PLANNING COMMISSION**

Ms. Favreau shared that there are several members of the Recreation Commission and the Conservation Commission that are interested in attending the meetings. The scope of the meetings is to develop and maintain the rail trails. Ms. Favreau felt there was good representation from the Town participating in this. Ms. Bates suggested in reaching out the Sheena Royce for updates.

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

At 9:07 p.m. Mr. Baker made a motion to go into non-public session under RSA 91-A:3 II(a). Ms. Bates seconded and the motion passed 2-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates.

At 9:13 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. Baker seconded and the motion passed 2-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes.

\*\*\* **NON-PUBLIC SESSION - RSA 91-A:3 II(c) - Personnel**

At 9:13 p.m. Ms. Bates made a motion to go into non-public session under RSA 91-A:3 II(c). Mr. Baker seconded and the motion passed 2-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates.

At 9:42 p.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 2-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes.

**INFORMATION**

Ms. Bates shared that she heard that the Conservation Commission was looking at doing some maintenance on the ski area. Ms. Favreau shared that she hasn't heard anything. Mr. Pinney shared there was a post on the Fitzwilliam Community page that the red trail was okay and the blue trail needed work.

Ms. Favreau shared that the Conservation Commission wanted to create a Facebook page. Mr. Baker shared that he would like to see what kind of reaction there would be. Ms. Favreau shared that the Conservation Commission wanted the Selectmen's input and that Beth Vanney would be in charge of the Facebook page. Ms. Favreau had sent Ms. Vanney a copy of the Town's social media policy. Mr. Baker shared what the policy contained. Mr. Baker felt that there was more information to be shared and the need to figure out how to manage it. One way was to post information and eliminate comments as the Broadband group does. Mr. Pinney shared that if not

commenting on a post, it goes way down in the news feed but commenting brings it back to the top. The Selectmen suggested that the Conservation Commission move forward.

Mr. Baker shared that he got a complaint on Tannerite. Mr. Baker shared that other towns have the same problem and some towns have come up with a policy but didn't ban it. Their policies have made it to be far away from neighborhoods. Mr. Baker had shared with Robert Nolan that it was legal. Ms. Bates asked if the group that did the petition could put in a petition warrant. Mr. Baker shared that this was suggested to the group. It was noted that twenty-five signatures were needed.

Ms. Favreau shared that a resident had complained about people burning out on Jaffrey Road and that the resident was also going to the Police Department.

Junk Yards - Mr. Baker shared that the Planning Board didn't want "snob" zoning. The Planning Board would endorse, if the ordinance was specific, with conditions such as visible from the road or from a neighbor's view. If hazardous and unsightly, mandate that it be behind a fence and so many feet away from the boundary line. Mr. Baker suggested that Lori Nolan pull together information from other towns. Mr. Baker shared the need to be succinct and to possibly defer until next year.

Mr. Pinney asked for the definition of junk yard. The Selectmen agreed that it needed to be defined.

Ms. Gray shared that there are mixed views on the Planning Board and some were addressed. Ms. Gray didn't think this needed to be a long ordinance. To do it the way some other towns have done with a couple of paragraphs and put before the voters.

Ms. Gray asked about the recent events regarding solar and asked if she could have Ms. Favreau contact Attorney Manzelli with her questions. Once clarification is received, Ms. Bates wanted to know when we could discuss publicly.

Wiring Work – Mr. Baker shared that he looked at the copier and it could be networked. A network jack would be needed in the lower meeting room, the upper hall, and the Selectmen's office for the conferencing equipment. It would be both telephone and Ethernet cable. Ms. Bates asked what we would need for extra security and if we needed to separate the firewall from the Zoom meeting. Ms. Favreau would contact Rich Macomber to determine what we needed to do. The Selectmen wanted to run cable in the three rooms. Mr. Baker shared that Austin Belcik was hooking up the generator next week and he would ask Mr. Belcik for a quote. Mr. Pinney asked about connecting through a laptop's Ethernet port and eliminating the need to go through the network.

**ON-GOING BUSINESS:**

\*\*\* **AMBULANCE SERVICE**

\*\*\* **SOLAR**

\*\*\* **TOWN-WIDE ISSUES TO BE ADDRESSED AND THEIR ENFORCEMENT**

- **Unregistered vehicles**
- **Debris and junk in yards**

**Meeting Schedule:** The Selectmen discussed their meeting schedule and agreed to meet on the following dates/times: October 29<sup>th</sup> at 9 a.m., November 3<sup>rd</sup> at 9 a.m., November 12<sup>th</sup> at 9 a.m., November 17<sup>th</sup> at 9 a.m., and December 3<sup>rd</sup> at 9 a.m.

Ms. Bates shared that at the Selectmen's November 3<sup>rd</sup> meeting discussion would be held on: junk yards, review policy and procedures, employee benefit package and next areas for contract work.

Ms. Bates made a motion to adjourn the meeting at 9:45 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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Daniel Baker, Chairman

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Robyn Bates  
Board of Selectmen