



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
December 11, 2018
9:00 a.m.

Selectmen Present: Nancy Carney, Daniel Baker, Charles Kenison

Ms. Carney called the meeting to order at 9 a.m.

PRIMARY:

***** APPROVE MINUTES**
- December 3, 2018

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

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

9:15 MEET WITH FIREWARDS

Ms. Carney recused herself as a Selectman for this portion of the meeting. Mr. Baker ran the meeting. Mr. Baker noted the proposal from the Ambulance Committee was to make it more of a part-time position and thought it would be better to find out what the objectives of the program were and what information was developed to make the basis for the recommendation.

Bill Prigge stated he wasn't part of the Ambulance Committee but the FireWards agreed with the proposal because of the difficulty in getting volunteers. The recommendation was to have part-time help available. Mr. Prigge shared that in his overview of the proposal, it was to provide that the Town had staff for the ambulance. Warren Hall stated the majority of the calls were during the day and this would help staff the ambulance. Mr. Prigge shared that this would help have the second person available. Mr. Hall shared it would also be a per diem along with the other person. It could be two people, who could do equipment and truck checks on a weekly basis instead of monthly. Mr. Baker asked if it was done monthly now. Mr. Hall stated it was done monthly and by volunteers. It was done by whoever showed up at the meeting. Mr. Baker asked if it was for all of the vehicles. Mr. Hall stated it would also be to make sure everything was on the ambulance that was needed.

Mr. Baker asked if the EMT, EMR and part-time Fire Chief would work the same hours so there would be two on during the day. Mr. Hall shared they were per diem positions, with two on who would work from 7 a.m. – 5 p.m. At night it would work as it is currently handled now by people on-call. Mr. Hall stated the per diem positions wouldn't work more than two shifts per week for a maximum of 20 hours. Ms. Favreau asked what would happen if no one was scheduled. Ms. Carney shared that an e-mail would be put out to the per diem people and if no one was available, an e-mail would be put out to on-call people. Ms. Carney explained their e-mail system. Mr. Baker thought it would improve staffing because the pay could attract more people. Mr. Hall shared that if he and someone else were there. He would come in during the morning, do the vehicles, go home and be on-call, which would cost the Town less money. Mr. Hall stated he wouldn't need to sit at the department – just needed to be in town. Mr. Baker asked about Kathy Hodgkins. Mr. Prigge stated she was located in Lisbon. Ms. Favreau asked who would do the hiring. Ms. Carney stated it would be the Board of FireWards as they have always done.

Ms. Favreau asked if we knew how the Fire Department was set up. Mr. Prigge mentioned that he didn't know when the Board of FireWards was set up. Mr. Baker stated there was some conflict. It was noted that there is a Statute for the Board of FireWards and at some point the Board of FireWards was set up. Mr. Baker shared that the Town's Personnel Policy states the Selectmen would hire and was contradictory to the Board of FireWards having that authority over the Fire Department.

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Mr. Prigge stated the Board of FireWards hire, dismiss employees and report this information to the Selectmen. The only time the Selectmen would be involved was if they were short-handed and they needed to hear a case. The Board of FireWards also present the budget. Mr. Mattson stated that things changed in 1960 because there were two departments for many years and that the Board of FireWards have been in existence for at least 100 years. To make the insurance company happy, both departments were merged in 1960 and the Board of FireWards took on a more active role.

Mr. Kenison asked about the per diem and on-call, as he thought the Board of FireWards had abandoned the on-call. The Ambulance Committee recommended and the Board of FireWards agreed, with the two per diem positions. The part-time Fire Chief and a part-time per diem, was recommended. The Ambulance Committee came up with the options and the Board of FireWards recommended not to go with the part-time per diem on-call. Mr. Baker wanted to know what the recommendation was. Mr. Hall stated it was a part-time Fire Chief and a per diem. Mr. Prigge asked how the Police Department handled this. Ms. Favreau stated the Police Department paid \$1.50 to be on-call. Ms. Carney stated the least expensive to ensure coverage was the part-time Fire Chief and a per diem. Ms. Carney shared if the part-time Fire Chief needed to cut back on hours, they would have another per diem person provide coverage. Ms. Carney explained the options. Mr. Baker agreed with the conclusion reach by the Board of FireWards, even if it costs more money, it would achieve their goal to provide coverage.

Ms. Favreau asked if there were 2 per diems, working Monday through Friday at 20 hours per week, plus a part-time Fire Chief working 30 hours per week. Mr. Baker asked if there was any regulation on incidentals for the Fire Chief as he could see where that could be an issue. Ms. Favreau thought it could be costly. Mr. Baker wanted to look into the incidentals. Ms. Favreau stated by law if someone works more than 35 hours, retirement needed to be withheld. Mr. Baker asked Ms. Favreau to look into. Mr. Baker mentioned looking at the statistics, to see the level of service and the total number of calls. Also splitting out the number of calls for Fitzwilliam and Troy to see what the data indicates. Mr. Baker mentioned that he called Mutual Aid and they don't have this in data format. Ms. Carney stated she could get Fitzwilliam and Troy's numbers. Mr. Baker mentioned that Troy would be served but they wouldn't be collaborating in this. Ms. Carney stated the only thing about the Troy calls was that the patients were billed and we receive money from the Troy resident for the ambulance fund. Mr. Baker noted it was based on what ambulance provides the transport. Mr. Mattson shared that he didn't like taking Fitzwilliam's ambulance to answer a Troy call because Fitzwilliam was left without an ambulance. Ms. Carney mentioned that Troy doesn't have an ambulance crew during the day. Ms. Carney explained the process. Mr. Baker mentioned not collaborating with Troy. Ms. Carney shared that she had talked with Mark Huntoon. Mr. Baker stated he has an issue with the process but doesn't have a problem with the recommendation. Mr. Baker would like Troy to be contacted to see if we could improve their services as well. Ms. Carney shared that the Troy Fire Department were elected personnel as well. They do the hiring/discipline and budgets. They are called the Board of Engineers. Mr. Baker stated the Select Board oversees the Fire Department and the Ambulance and if we wanted to collaborate with Troy, we should have gone to the Select Board. Mr. Mattson explained that Mr. Huntoon was the sole boss of the Fire Department. Ms. Carney does the billing for the Troy ambulance and they have 2 or 3 billable calls per month because Fitzwilliam provides the ambulance. Mr. Baker asked how we would determine if this was successful if we don't start out with some kind of metrics.

Mr. Kenison asked for the cost paid to DiLuzio for coverage. Ms. Carney shared there were only one or two calls where the patient hasn't paid their bill. Ms. Carney explained the process with DiLuzio. Mr. Kenison asked how many times DiLuzio comes to Fitzwilliam. Ms. Carney stated she has the number of transports provided by DiLuzio for 2017 and 2018 and would get them to the Selectmen. Mr. Baker asked if Ms. Carney had an aggregate of what had been provided. Ms. Carney stated she has that information and could pull out any statistic that the Selectmen wanted. Ms. Carney reviewed the type of information that she could provide. Mr. Baker stated his concern was with the process and that we could monitor if we have a starting point. Mr. Baker stated it was in conflict with the Town's Personnel Policies and he thought it was just in how it was worded that the Selectmen oversee hiring and termination but for the Fire Department and Ambulance, the Board of FireWards handled. Mr. Kenison agreed with having something to monitor. Mr. Baker discussed how he would have presented this to the Town. Ms. Carney reviewed the number of transports provided by DiLuzio and the number of calls handled by Fitzwilliam.

Ms. Carney asked how far back the Selectmen wanted data on. Mr. Baker thought the base line could be data for 2018. Ms. Favreau reviewed the amount of revenue and the operating costs. Ms. Favreau asked if we could hire a medic as a per diem. Ms. Carney shared we have a medic. Ms. Carney explained that now if a medic was needed, one would have to be called in, as they don't have all of the supplies that are needed. They are currently working to obtain the paramedic protocols. Ms. Favreau asked at what level the per diems would be hired. Ms. Carney explained the level of staff. Ms. Carney shared that in order to provide a budget number – they used an increased EMT rate. Ms. Favreau reviewed the budget and couldn't match the per diem cost that was included in the budget. Ms. Carney mentioned the budget was for six months.

Ms. Carney shared that she didn't have all of the answers. Mr. Kenison asked if there would be enough people to provide coverage and had Ms. Carney worked up a schedule. Ms. Carney stated she would get whatever information that was needed. Mr. Mattson asked if this could be done for six months. Mr. Baker stated they were close enough in agreement and the Board of FireWards could determine whether it should continue after that. After discussion, Ms. Carney shared that she would work up a mock schedule. Ms. Carney asked the Board of FireWards to review the numbers. Mr. Baker thought that at

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an annual cost of \$75,000 we should have an outside collaboration. Mr. Kenison suggested that once the Board of FireWards have reviewed and updated the numbers, we try this for six months and reevaluate at that time.

The Selectmen agreed to do a trial and to look at the data in order to have a better understanding next year. Mr. Kenison regretted that we couldn't collaborate with Troy. Mr. Baker mentioned looking to expand and if Troy was involved it would help with the cost. It was agreed that at a later date there could be an opportunity to reach out to Troy. Ms. Favreau reviewed the proposal and Ms. Carney would revise. Ms. Carney felt that Troy should be included as it affects both Troy and Fitzwilliam.

The Selectmen thanked the Board of FireWards for coming in.

10:15 MEET WITH SUZANNE GRAY

- **Robin Crowe – Conditions - Inspection**
- **Nextera – Site Plan Review**

Nextera – Site Plan Review – Ms. Carney wanted to discuss the Planning Board safety concerns before Suzanne Gray arrived. Ms. Carney reviewed Ms. Gray's e-mail. Ms. Carney wasn't sure what the discussion was regarding the Planning Board's purview. Mr. Kenison mentioned that the septic system wasn't working. Ms. Favreau shared that Carol Ann Rocheleau has sent a letter to the State. Mr. Kenison stated the Planning Board's safety concerns and noted that an inspector was hired to inspect the building. Ms. Carney shared that the Town would need to do an occupancy permit. The Planning Board wanted to make sure they identified all of the deficiencies. Ms. Favreau stated that Ms. Gray had mentioned that the Town pay for an inspector. Mr. Baker mentioned for towns that have adopted rules it would be. Ms. Favreau stated Ms. Gray was referring to an outside company. Mr. Baker asked if the Town was responsible for its own occupancy permit as we have not adopted the State codes and we would have to hire inspectors. Discussion was held on why an outside inspector might be needed. Ms. Carney wanted to know how Mr. Kenison felt about the Planning Board. Mr. Kenison mentioned dragging the applicant through this for three months. Other than occupancy, he asked Ms. Carney what she looked for. Ms. Carney explained her process.

Ms. Gray met with the Selectmen to discuss the following issues facing the Planning Board. Terry Silverman at last week's Planning Board meeting, asked if the Selectmen would support Chinook Solar going through Site Plan Review. It means that they become an applicant and if we need experts, the applicant pays for it and not the town. Ms. Gray noted that the other side is that if this is a project over 30 megawatts, they are supposed to go through the SEC, who makes sure they comply with local ordinances. Ms. Gray stated there was no way to force them to go through Site Plan Review. Ms. Favreau asked if the place to ask for this to be done was at the SEC. Ms. Gray stated filing as an intervenor, could be done at that time. Mr. Baker mentioned Concord going through this and denying it. A Site Plan Review was done. Ms. Favreau felt that we were right back parallel to the quarry. Ms. Gray shared that she would like to contact Attorney Arthur Cunningham to have a discussion regarding Site Plan Review. Mr. Baker shared that he looks at the project as the Town having an obligation to its constituents. The State says that they have to develop laws to handle this and now the Town feels they need to handle this. Mr. Baker asked if the Town felt they were able to interpret the law. The State has more expertise and he found it hard to have the Town's Planning Board make this type of decision. Ms. Gray shared that if they go through Site Plan Review, the cost was paid for by the applicant. Mr. Baker asked about the guidelines. Ms. Gray stated the Planning Board knows the Town and the State doesn't. The Town needed to make sure they follow the Town's guidelines. Chinook has a lot of funds to hire experts and the Town doesn't. The idea is to have them go through Site Plan Review, and if the Town needed an expert to protect our wetlands, Chinook would pay for the Town hiring an expert. Ms. Gray asked who was going to protect the Town's interest. Mr. Baker shared that the State would protect the Town's interest. Ms. Gray mentioned that an attorney with the Northern Pass, stated the Towns' specific interest was not argued as strong as the view of the State's public interest. Mr. Kenison asked if we knew whether it was over 30 megawatts. Ms. Gray shared that they have asked for this information. Chinook has stated that they reduced the size. Ms. Gray stated that the project was down to 50+ acres. Mr. Baker mentioned that the Town could contact Attorney Cunningham so that the Town could position itself so that we have a say. Chinook doesn't have to agree to be an applicant. Ms. Gray shared that in the bigger picture Chinook wants to be able to say to SEC that they have gone to the Town and talked with the Selectmen. Ms. Gray stated that this was what they were trying to get from us. Mr. Baker didn't think that they would opt to be an applicant. Ms. Favreau stated we could ask but they don't have to be. Ms. Gray stated if they decline to go through the Site Plan Review process, then the Planning Board would ask them to answer some questions. Ms. Gray shared if we needed expertise as an intervenor, the Town would need to pay for it. Ms. Carney asked if we would rely on any of the information from the State. A specific scenario was discussed for clarification. It was determined that there wasn't a downside to asking Chinook to go through Site Plan Review. Ms. Favreau felt that if they refused, the Planning Board might then want to take them to Court.

Mr. Kenison asked Ms. Gray to discuss the Prime Wetlands. Ms. Gray discussed the State Statue on the composition of a Wetlands Committee. Ms. Gray shared that she had never received any information from the Selectmen that Susan Silverman had been appointed to the Sub Committee. Ms. Gray had asked Robin Blais to clarify this to find out who was on the Sub Committee. In the meantime, Rick Brackett resigned from the Conservation Commission and the Prime Wetlands Sub Committee. Mr. Baker mentioned that the State had not approved the Town's application for the six wetlands that was approved at Town meeting. Ms. Gray gave an overview of the State's DES request to Rick Van de Poll and Mr. Van de Polls

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request to the State. Ms. Gray reported that Ms. Silverman has formally resigned from the Prime Wetlands Sub Committee. Ms. Gray noted that she had asked Ms. Blais at the last Planning Board meeting to consider having Mr. Van de Poll resubmit the Town's application without the 50 foot wide feed in and we were told that it would cost \$5,000. Discussion was held on not having State approved Prime Wetlands and Mr. Van de Poll missing substantial information at the State level, should be at his expense. Mr. Kenison shared that the Sub Committee hasn't really given out much information. Ms. Carney stated the Town shouldn't have to pay additional money to correct. Mr. Baker asked if the six Prime Wetlands had been approved at Town Meeting, what it means at the Town level. Mr. Gray reviewed the Town Ordinance that states it needed to be approved by the State. Ms. Gray shared that it could be resubmitted without the 50 foot wide feed in or put before the Town at Town meeting to have it proposed as wetlands of significant value, which could be confusing to the Town or wait until the changes have been approved at the State level.

Mr. Baker asked if there was a rush to submit with regard to solar. Ms. Gray shared it could affect the Scott Pond complex, which includes Scott brook. The Selectmen reviewed the map. Mr. Baker asked if the subcommittee was repopulated could this be worked on. Ms. Gray shared there maybe another issue with the Prime Wetlands and the map as it relates to the pipeline project, which would have followed the power line and gone through Scott Pond. Ms. Gray shared that Fitzwilliam may be looked at by utility companies as a place to put utilities. This was why it becomes very important on what we do to Chinook Solar.

Ms. Favreau asked what the Selectmen wanted to do. Mr. Baker asked if Mr. Van de Poll could be contacted to fix. Ms. Favreau explained that the Conservation Commission was in charge of this project. Mr. Baker asked if the Selectmen could ask the Conservation Commission to contact Mr. Van de Poll as he didn't complete his obligation. The Selectmen agreed to meet with the Conservation Commission. Their next meeting was Monday, December 17th. Ms. Favreau would ask to be put on the Conservation Commission's agenda for 7:30 p.m. Ms. Carney has agreed to serve on the Wetlands Sub Committee.

Robin Crowe – Conditions – Inspection – Ms. Gray discussed the septic issues at the property. A site walk was done and they had concerns and provided a variance for the business. The Planning Board did a site walk and strongly suggested that an inspection of the septic system be done and it failed. The applicant who was interesting in purchasing the property was working with the seller. The commercial building had several issues with regard to plumbing, electrical and the roof. The applicant wanted to have this open to the public for crafting. The Planning Board had concerns with the issues that were identified. They decided to put together a list from the inspection report and at the next meeting would give a conditional approval based on the inspection report. Ms. Gray stated that someone needs to do an inspection to make sure the identified issues have been corrected. Ms. Carney explained the inspection process from the Fire Department's standpoint. Ms. Carney noted that the Planning Board has never gone to this extent. Ms. Gray explained what was seen at the site walk. Discussion was held on electrical and plumbing work needing to be done to code even if the Town hasn't adopted those codes and also the concern that the Planning Board was getting involved in areas outside of their purview, which could put the Town in a liability situation.

The Selectmen thanked Ms. Gray for meeting with them.

*** **VILLAGE COMMON COMMITTEE APPOINTMENTS**

Ms. Favreau shared that she found the information on when the committee was formed and noted it was to be comprised of six members, one being a Select Board representative. Mr. Baker offered to be the Select Board representative if no one else wanted to serve on the committee. Ms. Favreau mentioned that Barbara Brooks was also on the committee. The Selectmen discussed possible members to serve on the committee. Ms. Favreau would follow up.

Ms. Carney shared that John Fitzwilliam and Carole Beckwith were interested in serving on the Village Common Committee.

Mr. Baker made a motion to reappoint John Fitzwilliam and to appoint Carole Beckwith to the Village Common Committee, each for a three year term. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0

OTHER BUSINESS:

- **Review e-mail from Susan Silverman – Prime Wetlands** – The Selectmen reviewed.
- **Review letter from Rick Van de Poll – Prime Wetlands**
- **Review letter from Robert Handy – Commendation for Dan Moore** – The Selectmen reviewed.
- **Review County Budget** – Ms. Favreau shared that revenues were up and the proposed 2019 budget was down but the taxes to be raised was an increase of 1.34% over 2018. Ms. Favreau would contact Fitzwilliam's representative to schedule an appointment with the Selectmen to discuss the budget.
- **Review e-mail from Joan Geary – LCHIP Grant** – The Selectmen reviewed. Discussion was held on contacting Dave Drasba in a couple of weeks.

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ON-GOING BUSINESS:

- **STEEPLE PROJECT – Cost from Wade Leventry** – Mr. Baker shared that Wade Leventry doesn't carry workmen's compensation insurance because he doesn't have any employees. Discussion was held on the need to have liability insurance. Mr. Kenison made a motion to waive the requirement to have workmen's compensation insurance. Ms. Carney seconded. Mr. Baker - recused himself, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 2-0

December Meeting Schedule: 9:00 a.m. – Tuesday, December 11, 2018
7:00 p.m. – Monday, December 17, 2018
9:00 a.m. – Thursday, December 27, 2018

Mr. Baker made a motion to adjourn the meeting at 12:00 p.m. Mr. Kenison seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Nancy Carney, Chairman

Daniel Baker

Charles Kenison
Board of Selectmen