



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
December 17, 2020
9:00 A.M.

Selectmen Present: (via Zoom) Daniel Baker, Robyn Bates, Brian Doerpholz

Guests: (via Zoom) Robert Ford, Jean Ford, Dana Pinney, Fire Chief Adam Dubriske, Chief Leonard DiSalvo

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

PRIMARY:

PUBLIC COMMENT – No Comment

*** **APPROVE MANIFESTS** - Deferred until next week

*** **APPROVE MINUTES**
- **December 9, 2020**
- **December 9, 2020 Non-Public Sessions**

Mr. Baker made a motion to approve the minutes of December 9, 2020 both public and non-public. Mr. Doerpholz seconded. Mr. Baker – Yes, Mr. Doerpholz - Yes. Approved – 2-0

Robyn Bates was connected to the meeting.

*** **REVIEW SIGNATURE FOLDER** – The Selectmen would review and sign

*** **UPDATE ON BOARD MEETINGS**

Mr. Doerpholz reported on the Budget meeting. The Fire Department budget was ok. The ambulance budget included paying DiLuzio for the year. Fire Chief Adam Dubriske shared that we only have a couple of people trained for the ambulance and they are only available after 5 p.m. Discussion on collaboration with Richmond and Troy got sidetracked because of COVID. Fire Chief Dubriske felt that Richmond would forgo the collaboration and go with DiLuzio. In the meantime we are locked in a hybrid model. We have our own ambulance, with a couple of people after 5 p.m. and we would continue with DiLuzio. Mr. Baker stated the Fire Wards were considering the two options. The other option was a full private contract with an ambulance provider and Mr. Baker hoped these were still options. Mr. Doerpholz stated that in the interim we need some kind of service, if our own people can provide it. Mr. Doerpholz stated that was most of the discussion in the Budget meeting.

Mr. Baker reported that the Planning Board met last Tuesday evening. The first case was a major subdivision on Rhododendron Road. Mr. Baker shared that it isn't an issue looking at the setbacks or variance - it was in changing the environment of the rural character. Mr. Baker noted the location was between Old Coach Road and Matthews Road. The only issue is that a couple abutters are also ZBA members. Mr. Baker wanted to look into this and shared that some comments made by these abutters could have some influence on the discussion. If speaking as an abutter (individual) they should be heard but they shouldn't be speaking as an official. If denied, the applicant could question. Mr. Baker would like to know the rules and conduct of an abutter if an official. Mr. Doerpholz shared that we should contact NHMA. Mr. Doerpholz thought that they should give this information, but maybe they should have recused themselves. Mr. Baker agreed with Mr. Doerpholz to contact NHMA and to provide the advice to the boards. Ms. Favreau stated they would have to recuse themselves if it goes to the ZBA. They would have to identify themselves and state that they were speaking only as an abutter. Ms. Bates shared that during the past couple of ZBA meetings, there has been a lot of discussion outside of the pervue of the ZBA. Ms. Bates felt there should be some working sessions on the rules and regulations. Mr. Baker shared that he had asked Lori Nolan, Land Use Coordinator to look into the rules and regulations of the ZBA. Ms. Favreau shared that the ZBA in the past came in and did some workshops. Ms. Favreau would look into and noted that they would probably be via Zoom.

BOARD MEETING MINUTES - December 17, 2020

- Merging - Craig Chamberlain - not a lot of discussion - merging two lots. Passed without opposition.
- Work being done on the State guidelines of the Shoreland Protection Act. The Planning Board was going to use the State's Shoreland Protection Act, make changes and adopt. Fitzwilliam has the wetlands overlay district. Mr. Baker shared that Paul Kotila did a presentation of the overlap and the confusion of us trying to adopt this. The determination of whether wetlands or shoreland would need to be made and if we put in a shoreland program, this would cause confusion for people trying to do something. Also discussed was whether we could modify the wetlands overlay district and make applicable to shorelands as well as wetlands. There was some resistance to that. Mr. Baker shared that the Board voted to hire Rick Van de Poll to consider this as he has some experience with what was adopted in the lakes region. There is a sense of urgency because this needs to be refined and needs to be published in a warrant article.

*** REVIEW CONSTRUCTION PERMIT APPLICATION

- Map 12, Lot 41-1

Map 12, Lot 41-1 – Mr. Baker made a motion to approve the Permit for Map 12, Lot 41-1. Mr. Doerpholz seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Doerpholz - Yes. Approved – 3-0
The Selectmen agreed that an Occupancy Permit was needed.

*** DECIDE ON PARTICIPATION IN HOUSEHOLD HAZARDOUS WASTE COLLECTION DAYS

Ms. Favreau reviewed the letter from the City of Keene for hazardous waste collection days where Fitzwilliam residents can drop off those items. The cost is \$3,011 but there is no cost to the residents. Mr. Doerpholz asked how often we use it. Ms. Favreau would contact Keene to see if they keep track of the residents that use this service. Ms. Bates shared that if we don't have a place for residents to go, they may just dump in the regular trash or other places. Mr. Doerpholz asked if there was an alternative to Keene. Ms. Favreau would check with Monadnock Disposal. Mr. Baker thought that we could have days for this type of disposal at the Transfer Station and have Monadnock Disposal pick up. The Selectmen were in agreement to look into other alternatives besides Keene. Discussion was held on having a budget line item for this. Ms. Favreau shared the additional cost of \$600 would have to be added into the budget for the Transfer Station. Mr. Doerpholz recommended increasing the Transfer Station budget by \$600 and looking into alternatives. The Selectmen agreed.

9:15 MEET WITH BROADBAND VOLUNTEER TASK FORCE

Dana Pinney shared that the Zoom meeting has been set up and the poly system has been set up according to Lori Nolan, Land Use Coordinator. Mr. Pinney has been working to come up with a video of the meeting to post on the website. Mr. Pinney shared that in less than 90 days, there are things that we need to have ready for Town meeting. Mr. Pinney has discussed Town meeting with Ms. Favreau. Ms. Favreau noted that Bill Prigge as Moderator and Heidi Wood as Town Clerk deal with Town meeting. Mr. Pinney noted that the ballot process for Broadband will be different and they would need to know how to handle this and suggested that they come in and meet to discuss the process. Mr. Baker shared that the Selectmen had suggested that we bring in the Moderator and Town Clerk as they are in charge of running the meeting and we need to decide if it's fully virtual or residents would be in the Town Hall. Mr. Baker shared that the next step would be to set the poly system in the upstairs Town Hall and suggested that we hold a Selectmen's meeting as that space is different. Mr. Pinney shared that one problem is the requirement in SB170 that the vote be by paper ballot and there is one ballot box dedicated to that purpose. Voting would be open for one hour. Mr. Pinney asked how this could be handled via Zoom. Mr. Pinney shared that he asked Attorney Renelle L'Huillier that question and she knows of steps in the process but doesn't know how to get around this. Mr. Baker asked if this could be part of the Warrant Article and preprinted. Mr. Pinney stated No. This would be the second or third item on the warrant and it must be the first item dealing with money. Mr. Pinney doesn't know of any mechanism to circumvent the voting issue. Mr. Pinney stated that if we can't address, we should push to 2022. Mr. Baker didn't think that we should wait. Mr. Doerpholz asked about the possibility of starting the Town meeting earlier in the day and discussion being held with everyone and adjourn the meeting to allow everyone to vote for a certain amount of time and reconvene the meeting for the balance of the items. Mr. Pinney shared that he attended five Town meetings, and after the Moderator read the article, Consolidated Communications was also at the meetings, and the Towns' Task Force presented a brief overview of the warrant article. Then they voted, once voting began the meeting stops for a period of time to allow voters time to put their ballot in the ballot box. Then the meeting continued. Mr. Pinney shared that they can't call it a recess. Mr. Pinney mentioned there are resources, and that Brad Roscoe from Chesterfield, is active in Chesterfield government and was instrumental in their drive through Town meeting. Mr. Pinney would reach out.

Mr. Pinney had sent copies of warrant articles that other Towns have used for Broadband to Ms. Favreau and he didn't think it was too early to draft Fitzwilliam's warrant article. The warrant article could state that we are bonding up to a certain amount. Attorney L'Huillier wanted to review and approve the warrant article. Mr. Baker asked the Task Force to look at the warrant articles used in the past and also asked the Task Force to draft a warrant article.

Mr. Pinney discussed Consolidated Communications upgrading the Town Hall. Ms. Favreau had shared with Mr. Pinney that WiValley was reliable. Mr. Pinney shared that in talking with Ms. Nolan, the poly system connects directly to the router and we

BOARD MEETING MINUTES - December 17, 2020

could have Consolidated Communications running a direct connection off of that router and keeping WiValley. Mr. Pinney shared that he had given Ms. Favreau a copy of a checklist for the bond application. The application needed to be in the first week of May and there is quite a bit to prepare.

Mr. Baker thanked Mr. Pinney and his team for all of their work.

9:30 MEET WITH DPW DIRECTOR GLENN SMITH – Cancelled due to storm. Meeting would be rescheduled for December 29th.

10:15 MEET WITH FIRE CHIEF ADAM DUBRISKE

Fire Chief Adam Dubriske met with the Selectmen to discuss the purchasing of high visibility jackets, the Fire Wards have approved this purchase. The jackets are high visibility lime green with a felt liner. Ms. Favreau advised Fire Chief Dubriske to get permission from the Selectmen before purchasing. Fire Chief Dubriske shared that they have fire gear. These safety jackets are to be used when the fire gear isn't needed. Fire Chief Dubriske shared that they don't wear their bunker gear when on ambulance calls. Mr. Baker asked if this was a budgeted item. Fire Chief Dubriske shared that the Fire Wards were going to add to their budget for next year but when reviewing this year's budget they found they have additional funds. The jackets would have Fitz Fire in black block letters and the fire department's logo would be in red on the front. Fire Chief Dubriske shared that they would order 19 jackets at a total cost of \$1,590.92. Ms. Favreau asked if they would be turned in when someone leaves the department. Fire Chief Dubriske stated that they would be turned in and passed along to someone else. Ms. Favreau asked about the number of members. He (Dubriske) shared there are members on the roster that don't get paid when attending incidents. Fire Chief Dubriske shared there are 25 members on the roster. Ms. Bates asked if the purchasing procedure was sent out to departments. Fire Chief Dubriske shared that they did receive the information. They were under the impression that the Fire Wards approved purchasing. He (Dubriske) apologized for the misinterpretation. Ms. Bates asked about the legality to take out of payroll to purchase the jackets. Ms. Favreau shared that the bottom line shouldn't be overspent and if someone wanted to purchase an unbudgeted item over \$500, it needed to be approved by the Selectmen. Ms. Favreau discussed the credit card's limit. Mr. Doerpholz asked what the surplus was for the Fire Department. Fire Chief Dubriske stated it was approximately \$14,000.

Ms. Bates shared that this could be a vehicle to get people to be proud to be on the fire department, since we can't give them a bonus or a tax credit. Ms. Bates isn't an advocate of having a surplus and spending it, especially when the next year's budget has a significant increase. She felt there was some merit in purchasing the jackets. Mr. Doerpholz shared that this sounded more like safety in purchasing the jackets when not having to use the bunker gear. Mr. Baker was in agreement. Fire Chief Dubriske shared that when entering dangerous situations they use their bunker gear and it is difficult to get them cleaned. This is one reason why they don't wear their bunker gear to ambulance calls because they don't know what is on them. The intent was to have something to wear when they didn't need to wear their bunker gear. Mr. Baker asked if the jackets could be worn in the spring and fall. Fire Chief Dubriske shared that the liner could be zipped out and worn in the spring and fall and is water proof.

Mr. Doerpholz made a motion to approve the purchase of the coats for the fire department. Mr. Baker seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Doerpholz - Yes. Approved – 3-0

Fire Chief Dubriske mentioned that this is an on-line company and payment was needed by credit card. Mr. Baker asked Ms. Favreau to contact the bank. Ms. Favreau shared that she has already sent an e-mail to her bank representative. Ms. Favreau would discuss with Fire Chief Dubriske how to purchase. Ms. Bates asked about having a credit card that is used by everyone and not separate for each department. Ms. Favreau shared that she had talked with her TD bank representative and she mentioned that our auditors don't like credit cards. The representative stated that Town's don't have the ability to borrow funds, and a credit card is borrowing money, and banks don't like giving Towns credit cards. Now in the COVID-19 environment, it takes banks several months for approval. It is a fraud vehicle. Mr. Baker mentioned having a low limit for departments, which limits the liability. Mr. Doerpholz suggested limiting the credit card to \$500 and if over that amount, the Town Administrator has a larger limit. This way purchases could be made for larger amounts. Ms. Favreau shared that it would be months before an approval was received from the bank. Ms. Bates understood, in this specific case, and asked if we have a procedure that someone could use their own credit card and put in for reimbursement. Ms. Favreau shared that this is a pretty large amount for someone to put on his or her personal account. Mr. Baker asked Ms. Favreau to run this by TD Bank. Ms. Favreau shared that her representative did say they could issue credit cards in individual names. Mr. Baker stated the credit card would be \$500 to stay within the policy and purchases over that amount have to come through the Town Administrator to keep control. Mr. Baker asked Ms. Favreau to attempt to get this done. Ms. Favreau would get an application but the Selectmen would need to sign. Ms. Bates stated it would be appropriate for people to understand that if not appropriated, it is debt and Towns aren't supposed to have debt.

10:30 MEET WITH POLICE CHIEF LEONARD DISALVO

Ms. Favreau asked if Chief Leonard DiSalvo had any public items, as she thought that most of what he wanted to discuss was non-public. Chief DiSalvo confirmed that it was all non-public.

BOARD MEETING MINUTES - December 17, 2020

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

At 10:14 a.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 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Doerpholz - Yes.

At 11:05 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. Doerpholz seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Doerpholz - Yes.

ON-GOING BUSINESS:

***** BUDGET WORK**

***** AMBULANCE SERVICE**

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

- Unregistered vehicles
- Debris and junk in yards

INFORMATION:

***** HB 1129 – optional town meeting**

Ms. Bates shared that John Holman discussed the septic issue with her and that the work he did was a temporary fix. Ms. Bates asked if this got put under General Gov't building in CIP. Ms. Bates suggested getting a ball park quote from Mr. Holman as a place holder for CIP. Mr. Baker shared that he estimated the cost to be \$20,000 just to replace the line from the holding tank up to the field and includes the field. Mr. Baker mentioned that this is another reason why our quarterly inspections of town owned buildings is necessary. Mr. Baker shared that the field is overgrown and large trees have grown in the area and it is important to maintain our properties.

Ms. Bates shared that the temporary fix will be an expense for this year and next year would be the replacement of the septic system. Mr. Baker shared that the original temporary fix was to replace the pipe from the holding tank because they didn't know the field was in failure. Ms. Bates asked where the funds come from to pay for this unbudgeted cost. Ms. Favreau shared that the cost could be taken from the expendable trust or from the General Gov't Buildings budget. This would overspend the budget and later funds could be transferred from other budgets that have monies left over that would cover this expense. Mr. Baker asked Ms. Favreau to look into expenditures for the remainder of the year. Ms. Favreau shared that there are budgets that will have monies left over that would cover this expense.

Mr. Baker mentioned that they are trying to get the bell going this week. An article has been put in the newsletter.

Ms. Bates asked if we knew how Glenn Smith was doing with the roads. Discussion was held on whether to close the Town Hall. Ms. Bates asked Ms. Favreau to get the road status from Mr. Smith. It was noted that if we close the Town Hall, we close the Transfer Station, and the Library. Discussion to close the Town Hall is made between Ms. Favreau and the Selectmen. Ms. Bates stated for safety reasons, it should be closed. The Selectmen agreed. Mr. Baker was able to reach Mr. Smith and discussed the road conditions and closing town offices. Ms. Bates asked how we communicate with the public about closing the town offices. Ms. Favreau would post on the website and on Facebook.

Discussion was held on having Selectmen meetings in person but having the public attend via Zoom. Ms. Favreau would look into.

Meeting Schedule: *To be determined on a weekly basis*

Mr. Doerpholz made a motion to adjourn the meeting at 11:18 a.m. Ms. Bates seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Daniel Baker, Chairman

Robyn Bates

Brian Doerpholz
Board of Selectmen