



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
DECEMBER 19, 2016

Selectmen Present: Susan Silverman, Nancy Carney, Chris Holman

Ms. Silverman called the meeting to order at 7 p.m.

PRIMARY:

***** APPROVE MINUTES**
- **December 12, 2016**

Ms. Carney made a motion to approve the minutes. Ms. Silverman seconded. Ms. Carney - Yes, Ms. Silverman - Yes.
Approved – 2-0

***** APPROVE MANIFESTS**

Ms. Silverman made a motion to approve the manifests. Ms. Carney seconded. Ms. Carney - Yes, Ms. Silverman - Yes.
Approved – 2-0

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

Chris Holman arrived.

***** REVIEW MEMO FROM NHMA**
Re: ZBA Case – Apartment

Ms. Silverman explained what happened. Lawrence Vincent was coming in for an accessory building and Ms. Silverman shared it far exceeded the 800 square feet. After the ZBA meeting, Gretchen Wittenborg contacted Attorney Steve Buckley at NHMA, who noted it was a code enforcement case and was in the hands of the Selectmen. Ms. Favreau drafted a cease and desist order regarding the violation. Ms. Favreau shared Mr. Vincent came in to get a Construction Permit and spoke with Sandra Gillis. Ms. Silverman stated now that it has come to the Selectmen's attention, a cease and desist order has been drafted to be hand delivered and sent by certified mail. Discussion was held on approval of the septic system, exceeding 800 square feet for an accessory building, and the owner not living at the premises. Ms. Silverman stated the occupants needed to move out of the new apartment. Ms. Carney asked Ms. Favreau to contact DES regarding the septic system, if it needed to be installed, due to the increase in bedrooms - 4. Ms. Silverman stated the Selectmen enforce Construction Permits. Ms. Silverman reviewed the cease and desist order. Ms. Silverman shared the ZBA wasn't entirely clear what Mr. Vincent was asking for. They were asking for an accessory dwelling, which the ZBA would vote down at their meeting, next week. Ms. Silverman also shared they would need to reapply for a duplex, it is too big to be an accessory building. Ms. Favreau mentioned that Ms. Gillis should have gotten that information before going to the ZBA and she doesn't feel Mr. Vincent should be charged the fees all over again. Ms. Silverman stated Mr. Vincent misrepresented what he was building. Ms. Favreau shared the Selectmen had done a letter months ago about getting a Construction Permit and then a cease and desist was done, so Mr. Vincent has known what he needed to do. Ms. Favreau asked if Ms. Carney needed to go next week to make sure they have vacated the space. Ms. Silverman stated the police need to make sure it is vacated. Mr. Holman suggested after the police serve the cease and desist order they tell them that Ms. Carney would be by to inspect the premises to make sure it has been vacated. Ms. Carney asked if people could remain in the regular house and was it just the new apartment that needed to be vacated. Mr. Holman thought it might be hard to enforce. The Selectmen were very concerned that there is an adult and 4 children living in the new apartment.

Mr. Holman asked if the children were on the school list. Ms. Favreau reviewed the list to determine if the children were listed. Ms. Carney shared they may not be school-age or are being homeschooled.

7:15 MEET WITH GENE CUOMO, ROAD AGENT

Ms. Silverman asked Gene Cuomo what he had for them. Mr. Cuomo reported that he had an employee evaluation for the Selectmen to review. Mr. Cuomo shared that there was \$88,000 left in his budget and there was an outstanding invoice. Mr. Cuomo reviewed the road projects for next year: East Lake Rd – from White Farm to Howeville Road – most of the culverts were rusted. Ms. Silverman asked if Mr. Cuomo needed special permits for the culverts. Mr. Cuomo stated he would need to check into it. At the lake if a culvert is in the water's edge, he wasn't sure if a permit was needed. Mr. Cuomo would access them. Mr. Cuomo reported that he met with SWRPC and was hoping to have a culvert inventory in the next couple of weeks. Section of Fullam Hill Road – from Chase Farm to bottom of the hill – towards Rt 119. Mr. Cuomo shared that it has been ditched this year – has a 5 foot culvert which was pretty rotted. Mr. Cuomo reported that anything over 48" required the hiring of an engineer and a hydraulic study needed to be done to get a permit. Mr. Cuomo shared he could do the work once the permit was received but the State can decide what could be put in. Matthews Road – rebuilding gravel road. Mr. Cuomo shared that he was doing two paved roads and a gravel road.

Ms. Favreau asked if they wanted to have a discussion regarding the chipper. Mr. Cuomo shared the chipper was a 1993 and he had gotten a quote, which wasn't firm. Ms. Silverman shared one of the questions asked was why would Mr. Cuomo need something with a winch. Mr. Cuomo discussed the size of wood they cut, who drags and who cuts. Ms. Favreau asked about the cost. Mr. Cuomo thought it would be approximately \$60,000 and he was looking at a new chipper. Ms. Silverman asked the actual number he needed. Ms. Favreau noted the CIP request was to put in for \$65,000 – could trade in the old one for \$5,000. Ms. Silverman shared it would be a good year to do. Mr. Cuomo shared the old chipper still functioned but a lot of the parts were worn.

Ms. Silverman asked about the cost of a forklift. Mr. Cuomo stated if they have to purchase one it would be approximately \$20,000. Mr. Cuomo shared he has the forklift working and the battery was \$6,000. Ms. Silverman shared the CIP Committee was supporting the purchase of a forklift. Mr. Cuomo shared he has looked into propane at a cost of \$5,000 but wasn't 100% sure whether it worked inside or outside and there were pros and cons to both. Ms. Silverman asked if \$20,000 was sufficient. Mr. Cuomo stated it was more than enough and a good used forklift costs \$5,000 to \$20,000. Ms. Favreau shared there was \$2,900 in the Expendable Trust. Mr. Cuomo stated the forklift doesn't get used a lot and he wouldn't spend \$20,000 for one to be used there. Mr. Cuomo would like to put \$5,000 into the Expendable Trust. Ms. Silverman would be more comfortable putting \$10,000 in the Expendable Trust. Ms. Silverman shared the CIP Committee was supporting this but wasn't sure about the Budget Committee. Ms. Silverman noted it was a good year to purchase and to purchase something that would give us good service. Mr. Cuomo shared that he had looked at health hazards on electric and propane. Ms. Favreau shared CIP was only doing \$3,000. Ms. Silverman noted that if \$2,000 was added to the fund the balance would be almost \$5,000. Mr. Cuomo stated as of right now he doesn't plan on purchasing anything. Discussion continued on overcharging the forklift battery, adding \$3,000 instead of \$2,000, battery cost of \$6,000, the need to put in \$3,000 so there is enough to purchase a battery, having enough money in the Highway Budget and purchasing a charger. Ms. Silverman shared she wished they had more of a conversation at the CIP meeting. Ms. Carney stated she could send a memo to the Budget Committee. Ms. Silverman also shared the need to let the CIP Committee know.

Mr. Holman asked about plowing Town properties and asked about Meadowood. Mr. Cuomo shared that Ryan Chamberlain had plowed Meadowood the next day.

NON-PUBLIC SESSION – RSA 91-A:3 II (c) – Employee Matter

At 7:44 p.m. Ms. Silverman made a motion to go into non-public session under RSA 91-A:3 II(c). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 7:51 p.m. Mr. Holman 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. Carney seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

NON-PUBLIC SESSION – RSA 91-A:3 II (c) – Employee Matter

At 7:51 p.m. Ms. Silverman made a motion to go into non-public session under RSA 91-A:3 II(c). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 7:55 p.m. Ms. Carney 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. Silverman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

NON-PUBLIC SESSION – RSA 91-A:3 II (a) – Employee Review

At 7:55 p.m. Ms. Carney made a motion to go into non-public session under RSA 91-A:3 II(a). Ms. Silverman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 8:05 p.m. Ms. Carney 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. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

*** **REVIEW REQUEST FOR RETURN OF REGISTRATION FEE**

Ms. Silverman reviewed the memo from Heidi Wood, Town Clerk requesting that the Town refund Ms. Monteverde the local portion of her registration in the amount of \$68. Ms. Monteverde has met all of the requirements necessary and the State has refunded their portion of Ms. Monteverde's registration.

Ms. Carney made a motion to approve the refund of \$68. Ms. Silverman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved - 3-0

*** **REVIEW LETTER FROM RICHARD AND JANICE WENDRY**

Ms. Silverman reviewed the letter from Richard and Janice Wendry. Ms. Favreau drafted a letter of response. Ms. Favreau shared it wasn't up to the Town to provide Ms. Wendry with a copy of her deed.

The Selectmen approved and signed the letter.

*** **DISCUSS NOTIFICATION PROCESS OF PRIME WETLANDS INFORMATION**

Ms. Silverman shared she sent a copy of the fact sheet that was going into the newsletter. Ms. Silverman reviewed what was included in the article. Ms. Favreau has created labels for those owners whose properties are within the 100 foot buffer for the wetlands that would be nominated. Mr. Holman asked that the list be given to Mr. Cuomo to determine what culverts fall within those properties. Ms. Silverman shared that Mr. Van de Poll had noted culverts.

Ms. Silverman shared the Warrant Article would include all six wetlands to be nominated and to go for a ballot vote. Ms. Silverman would like to contact Rick Van de Poll to send the newest map (6 wetlands to be nominated) to SWRPC to overlay with their map. Mr. Holman asked if the budget should be modified to allow us to work with Mr. Van de Poll more next year. Ms. Silverman shared she didn't know. The Conservation Commission had asked if money would be coming out of their budget. Discussion continued on whether or not in an Expendable Trust, should have submitted to CIP, have CIP come in and discuss this and Highway, and presenting to the Budget Committee. Ms. Silverman thought it would be less because Mr. Van de Poll has already done the ordinance change. A report needed to be written if it passes. Ms. Silverman shared she doesn't know how much more it would be to write up three more reports. Mr. Holman asked if in the future we would be looking at more wetlands. Ms. Silverman shared that this should fall under the Conservation Commission but we need to wait to see what happens with the six. Discussion continued on why the money for change of use tax wouldn't be used for this, being the appropriate fund instead of creating an expendable trust and meeting with the Conservation Commission if the six nominated wetlands pass.

*** **DISCUSS MEETING WITH THE RICHMOND BOARD OF SELECTMEN**
Re: Monadnock School District

Ms. Silverman asked if the Selectmen were interested in meeting with the Richmond Selectmen. They agreed it was a good idea. Ms. Silverman asked Ms. Favreau to let the Richmond Selectmen know their meeting schedule.

*** **REVIEW E-MAIL REGARDING INTERSECTION**

The Selectmen reviewed and discussed. Ms. Carney shared that William Lambert, Traffic Engineer with NHDOT doesn't recommend reducing the speed limit.

*** **BUDGET WORK SESSION**

Ms. Carney gave an overview of the Budget Committee discussion at their last meeting. Ms. Favreau shared that Ms. Carney went through the aging report for the ambulance and we have balances on the books since 2011. Ms. Carney has highlighted those that are Fitzwilliam residents. When this was set up, if a Fitzwilliam resident didn't pay, we would forgive. Ms. Favreau would like to contact Certified Ambulance and ask that these charges be forgiven. Ms. Favreau shared it was more of an accounting procedure. Ms. Carney asked if we should just ask to have those balances over 180 days forgiven. Ms. Carney didn't know if they were following up on those charges.

Ms. Carney made a motion to wave for Fitzwilliam Residents those balances over 180 days. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved - 3-0

*** **NON-PUBLIC SESSION - RSA 91-A:3 II(e) - Legal Matter**

At 8:41 p.m. Mr. Holman made a motion to go into non-public session under RSA 91-A:3 II(e). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.
At 8:45 p.m. Ms. Carney 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. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

OTHER BUSINESS

Reminder: Informational meeting – School budget – January 11th at 6:30 p.m.

BOS Meeting December 28th at 6:00

Review letter from State of NH – Fitzwilliam Quick Mart

Ms. Favreau shared that maps are available on Avitar's website now. Mr. Holman asked if the State's map system has been integrated into Avitar's map. Ms. Silverman stated it wasn't going to show up on Avitar's maps, it was for lots.

The Selectmen discussed their January schedule and agreed to meet on Thursday, January 5th at 1 p.m. and on Thursday, January 19th at 2 p.m. Their meetings on January 2nd and 16th have been cancelled.

The Selectmen reviewed the Notice from DES regarding the property of David and Margot LaPointe.

ON-GOING BUSINESS

Mr. Holman made a motion to adjourn the meeting at 8:51p.m. Ms. Carney seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Susan Silverman, Chairman

Nancy Carney, Vice Chairman

Chris Holman
Board of Selectmen