

Approved
Candia Selectmen's Public Meeting Minutes
Monday, February 13, 2006

Attendance: Chairman Gary York, Selectman Clark Thyng, Selectman Fred Kelley, Assistant Carolyn Emerson and Secretary Dawn Chabot.

7:00 p.m. Chairman York opened the Public Meeting and immediately followed with the Pledge of Allegiance.

The Board will consider hiring Kevin Cashman for the Full-time Police Officer position: Selectman Thyng stated that the police department has been actively looking for a qualified candidate for the past 18 months. The Board sees the department numbers and also sees that the felonies are through the roof. Selectman Thyng yielded to Chief McGillen to present his proposal on the potential hire. Chief McGillen stated he is recommending the hire of Kevin Cashman for the full-time Police Officer position. Chief McGillen stated Mr. Cashman currently works for NH Marine Patrol, is a graduate of the part-time Police Academy, holds a Bachelors Degree and wants to work for a small Community. Chief McGillen thought Mr. Cashman would be a good fit and found him to be eager to learn. Selectman Thyng stated he was proposing to make the hire effective on Feb. 22, 2006, with an hourly rate of \$15.80 as per the Police Department salary matrix. Selectman Thyng stated due to Mr. Cashman's previous commitments he would report for active duty on March 9, 2006. Selectman Thyng noted due to some recent changes on the Police Department matrix there would no longer be an additional bump given at the time of successful completion of the full-time academy. After some discussion, Selectman Thyng motioned to hire Mr. Kevin Cashman as a full-time Police Officer, starting hourly rate to be \$15.80 as per the Police Department salary matrix, probationary period 1-year, with an effective date Feb. 22, 2006, with an active start date of March 9, 2006. Seconded by Selectman Kelley. All in favor. Motion carried. Chairman York asked Chief McGillen about the standard employment agreement. Chief McGillen stated he spoke with Mr. Cashman on that and he has agreed to sign it. Chairman York stated it was not the easiest line of work and thought it was nice to see a young individual with his credentials wanting to become a member of the department. Chairman York also thought because they were able to recruit Mr. Cashman it says a lot for the department and its staff.

The Board will discuss Blevens Warrant Article: Selectman Thyng, Budget Committee Alt. Rep. stated the Board obtained opinions from Department of Revenue, the Town Auditors, and Town Counsel and the general consensus was to place the \$90,000 figure for the court ordered clean up with in the budget basically because it is a known expense. Selectman Thyng stated the Budget Committee is not in favor of including the item within the budget because they feel it makes the budget odd. Selectman Thyng stated the Budget Committee would prefer that the \$90,000 request be presented in the form of a warrant article. Selectman Thyng stated if the warrant article fails perhaps the budget could be amended to reflect the figure. Chairman York expressed concerns stating if the warrant article fails, then an amendment to the budget

fails, the budget will be essentially reduced by \$90,000. Selectman Thyng agreed. BC Vice Chair Penfield stated the Budget Committee felt they would recommend the warrant article. Vice Chair Penfield further stated the Committee felt it would not present a good working line within the budget and that the budget is suppose to contain yearly items. Chairman York noted bills for the required clean up have been incurred. Chairman York noted the Board may be able to amend the number at Town Meeting because the clean up at this time is approx. 25% complete with a possibility of completion by that time. BC Vice Chair Penfield stated as one cautionary point she would suggesting making the warrant article a special warrant article noting if the funds do not get expended the funds are to be returned to the Town. The Board determined they would submit the request for the court ordered clean up in the form of a warrant article. Assistant Emerson informed Selectman Thyng she could draft the article and e-mail it to him tomorrow. BC Vice Chair Penfield stated to make sure it states non-transferable. Chairman York and Selectman Thyng indicated they did not have a problem with the request but was not sure why it was such a concern to the Committee since historically the Board has always stuck by the intent of the warrant articles. The Board noted the Blevens warrant article would become Article 15.

The Board will reconsider the order of the articles on the warrant: Selectman Thyng stated the Budget Committee is requesting that the most expensive items go first and that the similar warrant articles be grouped together. Selectman Thyng stated the Budget Committee was specifically asked that the Conservation Commission warrant article requesting \$315,000.00 go towards the front of the warrant. Chairman York felt there were some risks with that and was not sure he agreed with moving it. Conservation Commission (CC) member Dennis Lewis requested that the Conservation articles remain grouped in the same sequence as presented on the 2/3/06 draft. The Board indicated it was there intent to group similar articles. Chairman York stated he thought it was risky moving the Conservation Commission article up due to the 10% rule. BC Vice Chair Penfield asked for an explanation. It was noted that the Budget Committee at this time is not going to recommend the warrant article however has tabled the matter for further discussion and consideration until their next meeting on 2/14/06 (tomorrow). Chairman York stated if he knew the Budget Committee was recommending the article he would be okay with moving it up however at this point it is unknown. Tom St. Martin of Currier Road stated he looked into the 10% rule by going on to the Local Government Center's website and also by reviewing the RSA. Tom St. Martin provided his interpretation of the 10% rule. BC Vice Chair Penfield provided her interpretation of the 10% rule which varied from Mr. St. Martin's. Assistant Emerson stated she understood it differently than BC Chairman Fortin who stated he spoke with the Department of Revenue on the 10% rule. There was some further discussion on the fact that there were varied interpretations on the 10% rule. CC member Lewis asked BC Vice Chair Penfield if the Committee did not recommend the warrant article due to lack of information and did they know that the Commission was actively looking at two parcels. BC Vice Chair Penfield stated he met with us and gave us a presentation. CC member Lewis asked when. BC Vice Chair Penfield indicated it was not recently. CC member Lewis stated that meeting with Mr. Fowler was on their Operating Budget request not the warrant article request. BC Vice Chair Penfield informed she could not say what the Committee would decide on their

recommendation tomorrow. Chairman York thought it would be favorable to leave the Conservation article towards the end of the warrant because it was popular and it would keep people at the meeting. Selectman Thyng stated based on Mr. St. Martin's interpretation he could not find a good place to move the Conservation warrant article up to. The Board determined they were okay with moving up Article 14 (SWC article regarding \$320,000.00 request) up after the charitable blocks Articles 4-13. SWC member St. Martin questioned the amount of time the charitable warrant articles would take because they are required to keep the polls open for 1-hour after article 3 is discussed. Selectman Thyng stated the charitable articles would take up some time. BC Chairman Fortin entered the room to attend the meeting. Chairman York informed his that the Board and attendees previously discussed the fact that there were varied opinions on the interpretation of the 10% rule from Local Government Center, Department Revenue Administration, Tom St. Martin, BC Vice Chair Penfield and Assistant Emerson. Chairman York stated he was not in favor of moving up the Conservation Commission warrant article and jeopardizing the 10% rule. Chairman York further stated to BC Chairman Fortin there was also some discussion on keeping it towards the end of the warrant to keep people at the meeting. BC Chairman Fortin said he could argue it both ways and added that the body could move it if that is what they want. BC Chairman Fortin stated it was the intent or desire of the Committee to move up the high ticket items which would generate the most discussion. Chairman York stated there were enough voters for and against the Conservation warrant article to generate enough discussion even if it is placed towards the end of the warrant. BC Chairman Fortin informed the Committee's vote on the reordering warrant articles was unanimous. Selectman Thyng advised he abstained. The Board determined they were in favor of keeping the Conservation warrant article towards the end of the warrant.

Charles Bowman of High Street asked if the Board had measures in place to recoup the costs associated with the clean up of the Blevens's property. Chairman York stated there were blanket liens on 3 of the properties with the possibility of the 3rd lot being sold soon. Chairman York noted the Town's liens are placed in the 1st position. Chairman York informed that 22-tons of junk items were hauled away in two days.

BC Vice Chair Penfield asked if the Board was going to place the tally of the votes on the warrant. Chairman York said no because LGC and Town Counsel are recommending not to get involved with it. BC Vice Chair Penfield said other Towns do. Chairman York and Selectman Thyng agreed that historically the Board places on record the majority vote not the tally. BC Chairman Fortin asked if the Board was going to place recommend or not recommend on all the articles or just on the Special articles as required. BC Chairman Fortin stated the LGC and DRA had opposing positions on the matter. BC Chairman Fortin discussed the Committees requirements in regards to the state form. Assistant Emerson asked what she would be receiving from the Budget Committee to place in the Town Report in accordance with the State Law. Chairman York stated they would need to get their state form to Assistant Emerson by Wednesday in order to get it in the Town Report. BC Chairman Fortin stated they had until Feb. 22nd to complete the state form. Assistant Emerson indicated that the state law requires they provide the State Form or something comparable for the town report. BC Chairman Fortin stated they

would not have the state form competed for the town report. Chairman York indicated that Town Counsel made reference to this as well noting RSA 32:5 in his recent letter noting the traditionally spreadsheet format would be acceptable. After some discussion BC Chairman Fortin stated he would provide a worksheet for the Town Report as well as a warrant article summary worksheet to Assistant Emerson on Wednesday. The Board determined they were okay with placing their recommendations on all of the warrant articles as well as the Budget Committee's and also determined they were not in favor of placing the vote tally. Selectman Thyng motioned in favor of recommending all of the warrant articles as presented. Seconded by Selectman Kelley. All in favor. Motion carried

Spraying Warrant Article Discussion: The spraying warrant article was discussed. It was noted that the Budget Committee had tabled the recommendation or non-recommendation of the spraying article for their 2/14/06 meeting. BC Chairman Fortin stated it was possible that the Committee could come to a tie on their vote to recommend or not. BC Chairman Fortin stated he was advised by DRA in the event of a tie, the article gets documented as recommended in their state form. Chairman York stated he thought it was an important warrant article and he also thought it was important for the Committee to come to a clear decision on it.

Article 16/Operating Budget Discussion: Selectman Thyng stated he reviewed the numbers given by the Board as the Selectmen's 1st Oct Draft and he came up with new numbers on the proposed budget based on public input given at the Budget Committee Hearing. Selectman Thyng stated his new operating budget proposed figure was \$1,937,741 which reflects an increase amount of approx. 1.14% (\$26,998.00) over the Budget Committee's proposed operating budget. Selectman Thyng stated his biggest number in the requested increase amount was to pay for the new Officer. Selectman Thyng further stated that his increase amount also included a \$500.00 licensing fee for the website in order to maintain E-REG (internet vehicle registration process) through the Town Clerk's Office which unfortunately was an oversight did not get discovered until the February 9, 2006 Public Hearing. Chairman York asked if the Budget Committee would consider increased there proposed budget based on the new information. Selectman Thyng stated he motioned to amend the budget at the last Public Hearing and was told it was too late. BC Chairman Brian Fortin disagreed and stated Selectman Thyng was told based upon the public testimony it was too late. Chairman York asked if the Budget Committee would feel comfortable amending their budget at their meeting scheduled for 2/14/06 based on the new information presented tonight (newly hired Officer and \$500.00 licensing fee required in order to maintain E-REG.) The Budget Committee members indicated they could not speak for the entire Committee. Chairman York thought it should not be a big issue for them to increase their proposed budget by a little over 1%. BC Vice Chair Penfield stated it would be a big issue to the Committee. Chairman York stated he was in favor of Selectman Thyng's proposed operating budget figure of \$1,937,741. BC Vice Chair Penfield stated the Budget Committee had a number for the Public Hearing which they had worked on for four months and Selectman Thyng came in with his amendment which was not well received by the members. Chairman York stated they were looking at two items 1) \$500.00 licensing fee necessary

for E-REG and 2) An increase for Police Department due to the hire on today's date of a Police Officer. BC Vice Chair Penfield stated the Board was placing them in an awkward position by proceeding with the hire of the Police Officer. Chairman York stated the Department had been searching for a qualified Officer for a year and a half. Chairman York further stated the new Officer was budgeted last year and the budget was approved at Town Meeting. Chairman York noted that the Department currently has excellent Officers and because of that the Board is in favor of supporting the Department Head's request. Chairman York informed that approx. 40% was returned under the Chief's budget last year because they were unable to locate a qualified candidate that would be a good fit for the Town. Selectman Kelley stated he was in favor of Selectman Thyng's proposed figure. Chairman York motioned to set the Board's 2006 Proposed Recommended budget figure at \$1,937,741 due to the fact of a newly hired Officer and also due \$500.00 for required website licensing fees necessary to maintain E-REG. Seconded by Selectman Thyng. Motion carried. BC member James Brennan thought it would be helpful for a member from the Police Department to present information to them at their meeting being held tomorrow date on 2/14/06. Selectman Thyng asked Chief McGillen if he could be available. Selectman Thyng noted he was not sure how receptive the Committee would be at this point.

Discuss Warrant and Town Report Layout: BC Chairman Fortin mentioned their MS7 deadline and reiterated it would not be available for the Town Report deadline which is sooner than their deadline. Assistant Emerson stated part of the reason for the tight schedule was due to the Boy Scout distribution. Chairman York stated you would not want to be responsible for not being able to distribute the town report. BC Vice Chair Penfield stated even though she is part of the process now she still thought they should be made available sooner perhaps the Boy Scouts could deliver them right away. Assistant Emerson and Secretary Chabot noted basically as soon as they come in, they go out. Chairman York noted a standard two week turn around from the Printing Company (Grand Graphics) and also noted they are excellent and provide the Town with a low price.

The Board will discuss favorable reviews for Recycling Center employees: Full-time employee Susan Shaine and Part-time employee Allan Studley and also discuss possible increases: It was noted that the Office was awaiting paperwork from the Center. Selectman Kelley tabled the agenda item until the 2/27/06 meeting.

Any New Business

Upcoming Hearing on SB2: Chairman York announced the Board would be holding a Public Hearing on February 27, 2006, as required on the Petition Warrant Article for SB2. Chairman York asked Town Clerk Dupere to educate him on SB2. Town Clerk Dupere stated with SB2 the funding requests would have to be on an official ballot which could consist of approx. 10-12 pages and would be voted on Election Day. Town Clerk Dupere stated there would be a deliberative session held prior to the vote. Town Clerk Dupere explained the deliberative session is much like a Town Meeting without the voting process. Selectman Thyng thought it was strange that the petition warrant article

was brought in by the same person who brought in last year's petition article asking the Town to meet every Saturday. Al Hall of Adams Road noted poor attendance of 30 citizens at Kingston's deliberative sessions.

Accolade Environmental Contract: Chairman York noted he contacted Blevens Contractor John Lancaster in regards to the payment arrangements with Accolade. Chairman York stated Mr. Lancaster prefers that the Town has a direct contract with Accolade instead of going through him. Chairman York noted he had Accolade Environmental send over another proposal submitted to the Town of Candia instead of Lancaster Construction. Chairman York amended his motion of 2/6/06 reflect the proposal submitted to the Town of Candia from Accolade Environmental, proposal costs \$2,900.00. Selectman Thyng amended his second of 2/6/06. All in favor. Motion carried.

Recommendation of William Hallock as the Deputy Health Officer: Secretary Chabot presented Chairman York with a Deputy Health Officer Appointment slip provided by the New Hampshire Department of Health & Human Services. It was noted that Health Officer Hall signed the slip recommending Mr. Hallock's appointment. Chairman York motioned to recommend the appointment of William Hallock as the Deputy Health Officer. Seconded by Selectman Kelley. All in favor. Motion carried. Selectman Thyng noted he was looking in to restructuring the Health & Welfare Department in the future.

Final Draft for the Capital Improvement Plan: Secretary Chabot stated Land Use Secretary Politis informed that Cole Mulledy of Dufresne-Henry stated the Board of Selectmen needs to vote to adopt the Final Draft of the Capital Improvements Plan. The Board determined they were in favor of receiving the Planning Board's input on the draft prior to taking a vote.

Announce next meeting date: The next regularly scheduled Public Meeting will be held on Monday, February 27, 2006 with a Public Hearing on SB2 commencing at 7:00 p.m.

8:31 p.m. Selectman Thyng motioned to adjourn. Seconded by Selectman Kelley. All in favor. Motion carried.