

~~Unapproved~~Approved  
**Candia Selectmen's Public Meeting Minutes**  
**Monday January 9, 2012**

**Attendance:** Chairman Fred Kelley, Vice-Chair Carleton Robie, Selectman Joe Duarte, Selectman Amanda Soares, Selectman Richard Snow, and Administrative Assistant Andria Hansen.

**7:00 p.m.** Chairman Kelley called the Public Meeting to order and immediately followed with the Pledge of Allegiance.

**The Board to appoint Charlie Perkins as a firefighter based on Fire Chief Young's recommendation.** Chairman Kelley motioned to appoint Charlie Perkins as a firefighter for the Candia Volunteer Fire Department based on Fire Chief Young's recommendation. Seconded by Selectman Soares. All were in favor. Motion carried.

**The Board of Selectmen will be holding two public hearings on January 9<sup>th</sup> & 23<sup>rd</sup>, 2012 to receive public input on the closure plan of the old recycle center located at 119 New Boston Road in accordance with 41:14-a.** Chairman Kelley opened the public hearing. Roll call was conducted. Citizen Al Couch asked what the long term plan was for the New Boston site. Are they keeping it closed or will there be any uses for the site. Chairman Kelley replied we are not at that point yet. The closure plan has been approved by the DES. Last year the people voted to take down the two buildings on that property. Chairman Kelley referred to last year's warrant article and the people voted it down 382 to 316. Al Couch noted that vote was based on very erroneous information. It was published in the town report last year that the site was hazardous. He would say that vote doesn't count. Chairman Kelley replied according to the town attorney the vote does count. Al Couch asked about page 15 of the town report and does that count (see attached). Selectman Duarte questioned if they are preserving the swap shop how does it tie in with taking it down. Chairman Kelley replied the "no" answer would mean the citizens want to take it down. Selectman Snow noted the vote of one legislative body does not prevent the vote of another legislative body changing the will of the Town. Chairman Kelley asked Mr. Couch why he was questioning the information in the town report. Al Couch replied the information is wrong. The site is not hazardous, people are permitted on the site, and the cost of removal for everything in the ground will not fall on the taxpayers. Basically everything in the article is incorrect. Chairman Kelley asked if he had any more questions or comments. Al Couch replied that he would not site the fact that this vote was taken based on erroneous information. He would like to remind the Board that this is a town owned property it should be a town owned closure plan and so far it has not been. Selectman Soares stated the first application put in for this closure plan was in 1996 up until the time she took it over no one stepped up to finalize the closure plan and submit it to DES. People had the opportunity to do the closure plan and she took the initiative and got it done. Al Couch said he did step up and as Chairman of the SWC he

started holding meetings with certain groups in town. He had planned on holding public hearings to take input on uses of the buildings and of the site. He was told by the Board of Selectmen that he could not do that. Citizen Paul McHugh clarified the statement made that since 1996 the facility was closed. Selectman Soares replied the application to do the closure plan was put in 1996. Paul McHugh replied for what the incinerator. Selectman Soares said to begin the closure of the facility. Paul McHugh explained it was for the closure of the incinerator the landfill itself was a pre 1981 capped unlined landfill that had been accepted by the state. This portion of the facility is officially closed. It had been closed since the late 1970's. Then the incinerator was built. The only part of the closure plan that is involved is the incinerator portion and that part of the land. It had nothing to do with the landfill or the ash pit portion. If you send something to the State they are going to address it no matter what. Basically when the State receives something all they look at is to see this is what you say you are going to do. Then they hold you to the fact this is what you now have to do. Citizen Rudy Cartier said the warrant article doesn't require the Town to do anything. The warrant article was a vote for a recommendation. If it was a mandate Atty. Mayer would have called it inappropriate because it would be telling the Selectmen what to do. An advisory vote was taken with very erroneous information and false claims that were made and it should be taken into account. He felt they should take the closure plan they have now and gut it because there are a lot of things in it that the DES doesn't require what so ever. For example, they don't require the removal of the buildings or doing anything with the capped landfill. He noted this closure should be inexpensive and straight forward. Citizen Rick Lazott read from one of the handouts. He noted that DES is saying there isn't any contamination within the ash, but they have no idea what's contaminated under that landfill. He wouldn't bring his grandchildren to that site to play. Rudy Cartier replied that Mr. Lazott is correct in that DES hasn't made the determination that ash is hazardous. However, if you look into the details of the letter they have been doing water samples for many years. DES in the last years has deemed it to be pretty clean. They have cut down on the testing the Town is required to do, because they've determined it is not a danger to health. He brought his son down there when he was a baby and he's 28 years old and doing pretty well. He didn't think there was any hazard for him to go down there. If there was why didn't the Town close it many years ago and keep people out of it. If it is hazardous then the closure plan needs to be redone and a chain link fence needs to be put up with a sign saying it's a Superfund site. DES has made it clear if any of the stuff is disturbed you would have to depose of it as a solid waste and fix the cap. It's not a hazardous site. Al Couch reiterated how are future uses of the site going to be determined. He tried to get this closure plan set up so it would be a closure plan with input from residents. He was told no and right now this is a single person closure plan with no input from residents. It seems this whole process continues to go forward without input or any answers. This is upsetting and odd. The public hearing is being held now and another on January 23<sup>rd</sup> after the plan was sent in and approved by DES. This is backwards they should have had the public hearing during the process. Chairman Kelley stated we had meeting after meeting on this closure which Mr. Couch and Mr. Cartier had attended and given

input. All of this input has been taken into consideration. Al Couch noted there have been no public hearings. Chairman Kelley replied there have been Selectmen's meetings on the closure. Al Couch replied that doesn't answer his question. This plan should be scrapped and started over. Chairman Kelley replied DES thought it was fine and they approved it. Rudy Cartier had some questions on the plan. He referred to page 4 (see attached) "All remaining debris and site waste is to be removed as best as possible by contracted means or volunteers". He remembers sitting in a Selectmen's Meeting not too long ago and there was a lot of discussion about volunteers down at the transfer station. The Board didn't want volunteers there because of liability issues. This seems to contradict past actions by the Board. You are now going to have volunteers working at a site that according to Selectman Soares is a hazardous site. He thought this was a hypercritical statement to make. Chairman Kelley replied the volunteers at the swap shop aren't being discussed this evening. Selectman Soares clarified that she was the volunteer and she is taking the stuff from the old site and bringing it to the recycling center. She isn't charging the town for it she is the volunteer. Rudy Cartier asked if she can't do it is there financial resources so it will get done. Selectman Soares replied yes if there needs to be. Rudy Cartier referred to item #2 of page 4. He mentioned under the closure cost estimates the cost to take those buildings down is \$8,000 for the main building and \$4,500 for the swap shop. He felt neither one of the buildings needed to be torn down. This is a \$13,000 expense which is a ridiculous thing to spend money on. The buildings can stay there and be secured. Who knows they could be used for something in the future. This would be a horrible waste of money. They are not in the best condition, but they could be rehabbed to the point where they could be used. There were a bunch of other things in the plan that didn't apply to a closure plan. For example, taking the old swap shop building and bringing it to the cemetery. It will cost \$4,500 to dismantle it. If that building is taken apart and brought over to the cemetery it's going to have to meet the current building code to be rebuilt. It's not an existing building and once it's torn down it's down. There will be a cost for a slab and to put electricity in the building. He questioned why the cemetery department couldn't use it right where it is. There is a statement that the site is going to be returning to its natural condition. It's not a natural site, it's an old landfill. He mentioned the post-closure requirements section. The first section says "This section does not apply to the Town". If it doesn't apply to the Town don't have it in the closure plan. The same with taking the building down this does not have to be in the closure plan. He received a letter from Doug Kemp of DES today saying it is within the Town's right to use that site again. He mentioned under Recordkeeping & Reporting Requirements it says the records are going to be kept at the town hall building; we don't have a town hall we haven't had one since 1938. He wanted to know where the cost estimates came from. He felt the Industrial Hygienist was a reasonable cost. The only testing that needs to be done is the ash testing not in the closed portion of the landfill. The only ash that needed to be tested was the residual ash that came out of the incinerator that was behind the building. The other test that needed to be done was the simple swab test inside the building. Several swabs need to be tested to make sure there is no hazardous material. As far as he knows no hazardous material came back on those swabs. He reiterated

the costs of the removal of the buildings are not appropriate for this Town to be spending. He felt \$13,000 would help the town go a long way in maintaining a level funded budget. He mentioned loaming and the price is included in site work estimate which was \$10,000 to \$15,000. He felt that was a pretty far range. The hauling of the materials was supposed to be done by the Road Agent. He didn't feel this was a true statement and that Road Agent Lewis has given a price to haul materials. He questioned what materials are being hauled when you have an estimate of \$10,000 to \$15,000. He sent a letter to Mr. Kemp and gave a copy to the Board. He asked if the Town could use the site for any reasonable purposes if not to disturb the cover once the closure is approved. Mr. Kemp told him yes. There were two caveats: we have to do the closure plan to make sure we meet the DES requirements. Rudy Cartier noted the requirements were in the handouts that he gave the Board. He mentioned that there wasn't an absolute deadline for the closure. The DES doesn't require that they remove those two buildings. His last point was about the million dollar law suit and there has never been a fine in any Town in New Hampshire. There have been a number of Towns that have reused their landfills. Brian Miller asked if there were any plans for the incinerator part of the building. Selectman Soares explained the stack is highly valuable. Chairman Kelley said there is metal in it and they plan on recycling it. Rick Lazott volunteered his services to re-assemble the building at the cemetery. Sharon DeWitt asked if they are talking about dismantling the building shouldn't they go with someone with insurance rather than a volunteer; otherwise we open ourselves up to liability. Selectman Soares stated that it would go out to bid. Selectman Soares addressed Mr. Cartier's questioned about the removal of the old swap shop and old building. This is an estimated cost. She asked three different people in the line of work the cost to take down a building. This is an averaged cost that didn't include the rebuilding of the old swap shop. It would be taken down and left disassembled at the Holbrook Cemetery. It is up to the Superintendent of Cemeteries to assemble it and get it all set up. They will appropriate the money. She has already discussed this with the Superintendent of Cemeteries Jerry Becker. She asked a reputable person who has been in the business for 20 years regarding the site and dirt work. Selectman Duarte said if we have no reason to remove the buildings why don't we save the \$12,000. This is a lot of money and he didn't see any reason to spend money when we don't have to. Selectman Soares replied if you save the building you need to have it HVAC cleaned professionally to remove whatever is in there and DES has to prove that it is acceptable for humans to go in. So this is a cost to save it. Selectman Duarte thought they already had this taken care of. Selectman Soares explained if you keep the building up you have to clean it that is the rules. Selectman Snow asked if you take the building down he would presume you would have to clean it first since it has hazardous materials in it. Selectman Soares explained the results from the Scott Lawson Group said there were no hazardous materials in the building. It still has to be cleaned. Selectman Snow questioned why the approval of the plan state that we have to get rid of the hazardous material that has been classified in the information we gave them. It says according to the test we provided there is hazardous material there. This defines how we need to get rid of it. Selectman Soares replied that she understood what he was saying about approval

letter, but the company that did the testing said there was no hazardous material. We have to write it in the closure plan if there is no hazardous material and we need to take that into account. The Lawson Group has determined there is no hazardous ash, but it still has to be cleaned. Selectman Snow read from a letter that the ash quality data provided in the report indicates that the residual ash inside boiler and the ash dust outside the boiler are both hazardous waste. As a result the ash will need to be removed, contained, transported, and transported by a qualified trained contractor. If you were going to remove the building he would presume before you could do that you have to remove the hazardous material and get rid of it. Selectman Soares replied all of the ash has been removed. There is residual but we don't have to clean it. Selectman Snow said his reading of it is there is hazardous material and it needs to be taken care of before you remove any buildings. Candy Stamatelos asked who said you are quoting a document do you have a copy of it. Selectman Soares said she didn't but it was in the Solid Waste documents. If we are taking the building down we don't have to clean it. Carolyn Spooner asked if we leave the building up and no one uses it does it still need to be cleaned. Selectman Soares replied she would need to ask Doug Kemp. Rudy Cartier noted he spoke with Doug Kemp about cleaning that building and it doesn't need to be professionally cleaned it needs to be broom cleaned. Selectman Snow wanted to clarify to the Board and the Public the purpose of this public hearing is only to consider the removal of the buildings. This is what 41:14-a addressed. He has grant information available and information from DES that indicates they have no concerns or interest to what happens to those buildings. Rudy Cartier mentioned the berms were to be taken down at that site. Selectman Soares said nothing has been finalized on that we will discuss it with the professionals. Rudy Cartier replied there was nothing in the closure plan that related to that and this is something that has the biggest possibility of disturbing the cap. The most dangerous thing to do at that site is to take those berms out. He mentioned DES has no knowledge that the Town is even thinking about doing this. Selectman Snow said this is a question he asked at a meeting and he didn't believe that he ever heard anything that they were going to do. Rudy Cartier told Selectman Snow to read the minutes of April 25<sup>th</sup> and it basically says the berms are coming down. Rudy Cartier said there is a grant closure program under RSA149. It was put in place to help pay some closure cost. Candia was specifically listed as being eligible for reimbursement funding. He reiterated that he offered his help with this closure plan, he worked for DES for 17 years and he maintains a good relationship with DES. He felt this closure was done with blatant disregard for people that have experience, education, and qualifications to do this project. It should be rescinded and redone in a proper manner. Al Couch said the information in last year's Town Report is incorrect and is now a permanent record of the Town and it should be corrected in the next Town Report. Chairman Kelley said they would look into. Rick Lazott felt they should be considerate of some of the neighbors of the old recycling center and close the site. Chairman Kelley closed the hearing and thanked the public. There will be another hearing on January 23<sup>rd</sup> 2012.

**The Board to appoint Jim Lindsey and Ron Severino as Trustees of the Fitts Museum based on the Trustee's recommendation.** Chairman Kelley motioned to appoint Ron Severino

and Jim Lindsey as Trustees to the Fitts Museum. Seconded by Selectman Robie. All were in favor. Motion carried.

**The Board to hire Mimi Alberu as the Conservation Commission's recording secretary.** Chairman Kelley motioned to hire Mimi Alberu as the Conservation Commission's recording secretary. Seconded by Selectman Soares. All were in favor. Motion carried.

**Departmental Reports: Highway, Police, Fire, Building, Solid Waste & any other depts.**

**Highway:** Road Agent Lewis read from the attached.

**Police:** Selectman Duarte deferred the report to the next meeting.

**Fire:** Selectman Robie read from the attached report.

**Building:** Selectman Soares read from the attached report. She mentioned that Building Inspector Dave Murray is scheduled for fire inspection training. Selectman Robie asked if that was the total building revenue for 2011. It was noted the revenue was off by \$6,700 (compared to the prior year).

**Solid Waste:** Selectman Soares read from the attached report. At their Sunday meeting Facility Operator Chuck Whitcher went over the numbers and the Recycling Center to date has generated \$70,869 in revenue which will go into the general fund. She thanked the residents for doing a good job recycling. Rick Lazott asked if land filling has stayed consistent over the past couple of years. Facility Operator Whitcher responded that it's fairly close, but he has seen some fluctuation. Rick Lazott mentioned that we are less than we were in 2009, but land filling is down and recycling is up which is a good thing. Selectman Robie questioned why the MSW was increasing every month. There was a 37 ton increase over the course of the year. Facility Operator Whitcher replied in tough economic times people don't go out to dinner they stay in more and with over 4,000 residents it adds up. Selectman Robie said it seems that the tonnage has increased considerably in the last year. Selectman Soares replied they will work on that. She mentioned we have someone (an open code enforcement case) that is coming in and he's dumping a lot of MSW. Rick Lazott mentioned he knows a few people who stopped using outside sources and started using the recycling center. It was noted the MSW is municipal solid waste.

**Parks and Recs:** Selectman Snow mentioned the parks are shut down for the winter. He encumbered \$2,000 because there is a problem with one of the slides at the park. He spoke with Dave Witham of Primex. He suggested replacing the sections of the slide. They are pretty expensive so he put in a purchase order for two of the sections and took the other two sections and rotated them 180 degrees. The bottom of them was pulling apart because frost was getting

in. There are some plastic repairs that could be done. They have reduced the amount of money they were going to spend without replacing the slide. He also has a purchase order to take the merry-go-round apart and send it to a place in Bow. They will put a Linex coating on it. The warrant article is going in for \$1,000.

**Conservation Easements:** There are the Critchett, Pepper, and Water Supply Protection easements. The Conservation Commission has sent the \$1,500 to RCCD for the Critchett easement. They're coming up with some tentative drawings for the Critchett easement. RCCD will talk to Mr. Critchett and come up with any reserved rights he wants in the easement. The Board has seen the draft easement. They will go over the reserved rights and then sit down with RCCD and go over it together. They suggested doing a purchase and sale agreement prior to the subdivision. They would like to try to do it all at the same time to make it as efficient as possible. They have hired an appraiser for the Pepper easement. They will see what the cost of the development rights are and then they will move forward with this. The Conservation Commission has put up the money to get the appraisal done on the Hemlock Drive Town Forest property and the Fitt's property. The CCC decided to do this instead of all of the properties. They are going to try to balance one property with the other property so we come out with a match that is neither higher nor lower than what the cost of the entire project is. It would be a wash. Selectman Robie would like to come back to this under other business.

**Chairman Kelley to announce the employee of the year.** Chairman Kelley said this was a hard decision and he picked Land Use/Building/Fire Department Administrative Assistant Sharon Robichaud. She is very conscientious and does a good job. Chairman Kelley motioned to award Sharon Robichaud as Employee of the Year. Seconded by Selectman Soares. All were in favor. Motion carried.

**The Board to adopt updated Welfare guidelines.** Selectman Soares mentioned all of the Board members have received a copy of the guidelines. Selectmen's Assistant Cheryl Eastman had updated them and the Board never formally approved them. Selectman Soares motioned to approve the updated welfare guidelines. Seconded by Chairman Kelley. Welfare Director Donna DelRosso asked for an updated copy of the Welfare Guidelines and asked if she could review them before they are approved. Selectman Soares replied you have a copy and it is what you are using right now nothing has been changed. Welfare Director DelRosso would like to see the changes. Selectman Soares said the only thing that was changed were the numbers for the assistance. It's the sheet you are using right now with clients. Chairman Kelley noted if you have a problem with them come and see us. Joanne Beckwith asked if the guidelines are posted, so the public can look at them. Chairman Kelley said you could come in and look at a copy. The Board decided to post a copy of the guidelines on the Town website. Chairman Kelley called for a vote. All were in favor. Motion carried.

**Southern New Hampshire Planning Commission dues.** Selectman Robie said when we did our budget in September the Board voted to cut SNHPC's funding in half to \$1,325. Chair Girard asked the Board to reconsider, because the Planning Board sees them as a benefit. Selectman Snow strongly supports this and asked what the amount SNHPC was asking for. CCC Chair Betsy Kruse noted this year's request for funding is \$2,658.12. There is an \$8.00 increase from last year. Chairman Kelley asked if the Board wanted to reconsider their vote. Selectman Duarte agreed with cutting it in half. Selectman Robie explained we have to do all or nothing. Selectman Robie said he didn't feel SNHPC provides us with the planning that needs to be done. The Planning Board felt they were a necessary tool. Selectman Duarte has a lot of faith in Chair Girard and he has to agree with what she wants. Selectman Soares said we are taking the cruiser line out of the budget. Selectman Robie noted the \$13,000 isn't going to make or break us. Road Agent Lewis explained that SNHPC provides a lot of services to the town and who will replace them. They do a lot for the highway department. They do the traffic counts and don't charge us anything for that. They've helped with the upgrades to the CIP. This isn't a lot of money for the work they do. CCC Chair Betsy Kruse mentioned that David Preece drafted a letter noting all of the services they provide and some of the specific projects they work on and for every dollar Candia spent on SNHPC membership dues they received \$11.00 back in services. Rudy Cartier mentioned he worked with the Planning Board for many years and he's seen SNHPC work. We need more professionals like that doing the work especially for the deal we're getting. They would have to hire an engineering firm which would be quite expensive. They need to be more fiscally prudent. Selectman Snow motioned to increase the SNHPC dues to \$2,658. Seconded by Selectman Duarte. Selectman Snow, Selectman Soares, Selectman Duarte were in favor and Chairman Kelley and Selectman Robie were opposed.

**The Board to approve the Selectmen's proposed budget.** Selectman Soares read from Selectmen's Assistant Cheryl Eastman's write up (see attached). There were the following changes: removal of \$28,000 for the cruiser and added \$408 to the Treasurer's budget (for added trips to the bank). The new total for the proposed budget is \$2,312,536. This is a reduction from the 2011 budget. Selectman Snow asked if they are doubling up the number of trips for the Treasurer. Chairman Kelley replied yes. Selectman Robie said the increase was for the Deputy. The Treasurer has also put in a request for an increase. Selectman Snow said she is asking for a \$2,000 increase in her stipend. It seems we have mitigated some portion of that by increasing the postage and mileage. He questioned what the postage and mileage was last year. Selectman Soares noted it was \$500 last year. Selectman Snow thought the amount would double for the 2012 budget. She makes the trip we should pay her the reimbursement. Selectman Robie recommended they accept the final budget as proposed with the current changes and he will address the Treasurer stipend later. We will do whatever we have to do to work through that. Selectman Snow asked about giving the employees a COLA or an increase. Selectman Duarte said he still strongly supports this. Selectman Soares replied we voted on this on a prior meeting. Selectman Duarte felt the Welfare Directors stipend dropped to \$5,000 and



he didn't agree with this cut. It needs to go back to \$10,000. He noted they are talking about increasing someone else's and they cut the Welfare Director's stipend in half. This is too drastic for his liking. He wants to know what the Budget Committee said about this. He suggested they put this back in the budget. Selectman Robie brought this information to the Budget Committee and they stuck with the Selectmen's recommendation. Selectman Snow said he stated at the September meeting and he didn't feel this was the appropriate thing to do. Selectman Duarte thought this should have been discussed at a Selectmen's meeting before they cut it. Selectman Snow asked if the Budget Committee ask Selectman Robie why. Selectman Robie replied the answer he gave was that he felt \$10,000 was more than the job was worth. They got to that point with our last Welfare Director. The Health and Welfare was combined then and now they are separate. The pay for the Welfare job is where it should be at this time. If you add in all of the other things the Welfare Director was doing and didn't have direction of the Town. Then you may be able to increase that job by twice. Rudy Cartier thought this was a very interesting conversation. However you are missing a major point, because it doesn't matter what you feel is appropriate or not you need to have a definitive job description for any position. Then you can set expectations of what the salary is going to be. When the Welfare Director came in the expectation was a \$10,000 job. Now at midstream you're whacking this person's pay in half, because you don't feel the job is worth it. You don't have anything to justify the reduction as you don't have anything to justify the full salary. It's not fair to anybody to arbitrarily cut their salary in half just because you feel like it. The Selectmen should have theirs cut in half and I could say I don't think you are worth it. He doesn't know because he hasn't seen their job description. Selectman Soares said this wasn't done arbitrarily it was based on performance. Rudy Cartier asked if they have looked at LGC's salary ranges for Welfare Director's in New Hampshire. They need to do a little bit of research. Tax Collector Candy Stamatelos asked if the end of the year budget allow for the end of the year bonuses they have given out. She noted last year and this year the employee's got an end of the year bonus and is this in the 2012 budget. Selectman Robie said they are working on the 2012 budget. Tax Collector Stamatelos replied you have been doing it for two years why aren't you allowing for it now. Selectman Robie replied if we end up with unexpended funds because we've done our due diligence we give some of it back to our employees. Tax Collector Stamatelos replied so you won't give back to the Town, but you don't want to raise the employees pay to show whether they are a good employee or not. Selectman Robie said we gave a bonus because everyone did a good job, so we gave it out of our unexpended funds. Tax Collector Stamatelos asked how the town knows this is happening. Selectman Robie replied this was discussed and decided at a public meeting. This was done at the December 19<sup>th</sup> meeting. Tax Collector Stamatelos said this is the trend you have to come to meetings to know what is going on. She asked if this was on an agenda. Selectman Soares replied this was done when we encumbered funds. Selectman Robie explained there is all kinds of ways of doing business. They have been doing this for the past 4 years and have had a level funded budget. There was no increase in the taxes and this is how he likes to do business. They could do this a different way and ask for moon and fight back and forth with the Budget

Committee. Budget Committee Member Carla Penfield commented she has been on the Budget Committee since its inception and she would like to say that the past for two years this Board has worked hard to keep a level funded budget. They have provided all of the services that you are accustomed to having and the town hasn't suffered anything by having a level funded budget. They were able to save money and give bonuses to the Town employees in lieu of salary increases. They were able to encumber money a year ago and encumber this year to buy a police cruiser. They saved enough money to buy a cruiser and give the employees bonuses. The Board should be congratulated and she felt they did an outstanding job. Rudy Cartier thought the bonus's was a really good thing to do, but asked how much money was given to the Road Agent and what each department (Fire, Police, and Solid Waste) was given. These are the departments that are saving the Town money not just the people in this office. The department heads are really working at things. He is all in favor of giving bonuses, but they need to be fair. There are a lot of departments that aren't getting bonuses. Selectman Robie explained we direct our department heads to do the job that is expected of them and they did a good job for us. As far as bonuses go everyone got a bonus not just the people in the office. All the Town employees got a bonus. He explained Road Agent Lewis is an elected official and that is why he didn't receive a bonus. Rudy Cartier asked if Chief Young got a bonus. Selectman Robie replied no. Rudy Cartier said the Fire Chief is not an elected official he is appointed. Selectman Robie said no he was an elected official. All the departments save money and we didn't overlook any department. Rudy Cartier said none of these departments received bonuses. Selectman Robie replied we didn't overlook any departments. We encumber funds for Solid Waste, Fire, and the Police Department. Ingrid Byrd told Mr. Cartier that it amazes her that he can find nothing good to say about anybody or anything in this Town. If this Town is such a god awful Town that you can't find anything good about it then move out. Rudy Cartier replied thank you Mrs. Communist. Rudy Cartier stated this was an uncalled for personal attack and the Chairman shouldn't allow this to happen. He praised every department head in this Town because he thinks they do a good job and that was uncalled for. Selectman Duarte agreed and felt they had great department heads. He noted the Planning Board is doing a good job and has brought money into this town. The Board is trying to keep the budget level funded but they need to give the department heads some credit. Rick Lazott thought the 3% COLA wouldn't apply to a stipend employee or the publicly elected official and the Fire Chief is a volunteer position and wouldn't get it anyway. The bonuses were for the hourly paid employees. He mentioned Chief McGillen is a salary paid employee so he might not have received one. Selectman Robie replied that Chief McGillen received a bonus like the rest of the employees. Susan Wilderman asked if the Board received a copy of the LGC's salary report because it will have Welfare Director salary information. Selectman Snow said we need to address COLA. We are finalizing the budget he couldn't see any reason why they shouldn't address it. He asked what they are doing with the Welfare Director's stipend. Selectman Robie said lets go back to the discussion about the job description. Selectman Soares said there is a job description and she has gone over it with Welfare Director DelRosso. Selectman Robie asked if the job description has changed.

Selectman Soares yes it has. Selectman Robie asked is it different in that it's less time consuming. Selectman Soares replied that was correct. Selectman Snow said the position has been separated into Health and Welfare. He questioned if \$5,000 went to Health. Selectman Robie noted there was discussion about this when the Building Inspector took on the position. It was discussed cutting the Welfare Directors stipend then and it didn't happen. Selectman Snow asked if we added wages to the Building Inspector with the added responsibility. It was noted they did not. Welfare Director DelRosso said she hasn't seen a recent updated copy of her job description. Selectman Soares asked if Donna received the notes from their meeting in November. Welfare Director DelRosso replied that wasn't a job description. It needs to be clearly separated out like the other employees. She is not going to keep her phone on 24/7 for 365 days a year if they decide to do this with her pay. Selectman Soares replied according to State guidelines your phone should be on regular business hours Monday through Friday 9:00 a.m. to 5:00 p.m. Welfare Director DelRosso said so you're going to pay me \$100 per week to work 9:00 a.m. to 5:00 p.m. every day of the week. No one would do a 40 hour per week job for \$5,000 per year. Selectman Robie clarified in theory no one should have been 24 hours per day and if you thought this was part of your job description then it might have worth \$10,000 per year. If the Town is asking in a job description to keep your phone on between 9:00 a.m. to 4:00 p.m. that cuts your time available to the community by 2/3rds. Welfare Director DelRosso replied so you want me to be on call from 9:00 a.m. to 4:00 p.m. Monday through Friday. Selectman Robie replied you just said you were on call 24/7. Welfare Director DelRosso said she receives calls all times of the day. Selectman Robie replied we don't expect you to do that and it needs to be in your job description. Selectman Soares said it would be in her box tomorrow. Welfare Director DelRosso noted she can't agree to things she doesn't know. Selectman Duarte asked how many hours per week was she going to be working. Selectman Soares said according to the State she is not allowed to work more than 12 hours per week. She is now an hourly employee and not a stipend. Her rate of pay is \$96.15 per week. She will work no more than 10 hours per week. We have to change this because she is an hourly employee. Selectman Snow asked when she spoke with the Attorneys did you ask them questions or did you ask how you could get to the point you wanted to get to. Selectman Soares replied the Attorney at Upton and Hatfield explained this clearly on how we are to pay Welfare Director DelRosso. She has to be paid hourly that has to be document on a time sheet. There was further discussion about stipend employee and hourly employee pay. Fletcher Perkins said you are getting into a personal issue now and it shouldn't be discussed in public. Selectman Robie asked if the Board is going to accept the budget as proposed and as amended with the exception of the issues on the table. They will address the Treasurer and the Welfare Director issues later and they will find the money in the budget to get done what needs to be done. Selectman Robie motioned to accept the Selectmen's proposed 2012 budget as amended. Seconded by Selectman Soares. Brian Miller asked if the Welfare Director is going to receive calls on the weekends. Selectman Robie replied she will turn her phone off. Brian Miller said what if it's an emergency situation what is the back up. Selectman Soares replied they will need to call the Police Department or 911. The

Welfare Director has 72 hours to respond. Brian Miller thought this should be posted in case anything happens after hours. Rick Lazott said they should revise their phone listing. Rudy Cartier clarified the Welfare position is appointed with a stipend and it requires an hourly wage. He asked if there were any other appointed positions that are paid a stipend. He questioned if the Treasurer is paid hourly. Selectman Robie said we always paid Mary Hall quarterly and Donna came to us and asked the Town to pay her weekly instead of quarterly. When we did this it put up a flag that she is a weekly paid person. Selectman Soares explained only elected officials are stipend and the Treasurer is elected. Selectman Robie said we will change the Welfare Director's stipend to wages. Selectman Robie asked the Board accept the budget as amended. Chairman Kelley called for a vote. All were in favor. Motion carried.

**Approval of Previous Minutes: Public meeting minutes and non public meeting minutes of 12/19/11.** Selectman Soares motioned to approve the December 19<sup>th</sup>, 2011 as amended. Seconded by Chairman Kelley. All were in favor. Motion carried. Chairman Kelley motioned to accept and seal the non-public meeting minutes of December 19<sup>th</sup>, 2011 as presented. Seconded by Selectman Robie. Selectman Snow abstained because the minutes should be sealed within 72 hours. Motion carried on a vote of 4 to 1.

**Conservation Easements:** Selectman Robie said the Board agreed to go forward with the Critchett and Pepper easements. When you came in with the 9 parcels of property as a match for the grant the majority of the Board was against that. Now he sees that Selectman Snow is moving forward with a petition warrant. Selectman Snow replied it is not him personally, but he is in favor of it. Selectman Robie explained legal counsel informed us that you can apply for any grant that you want but it needs to be accepted by the Selectmen. It also said if you had a petition warrant and the people voted to use a parcel of land on Tower Hill as collateral for a grant match. This would override the Selectmen. Selectman Robie wanted to make sure he was clear on this. Selectman Snow asked what his concern was. Selectman Robie replied his concern is you are moving forward and they are using our land. Selectman Snow said they wouldn't do anything without some action by the Selectmen or the Town. He noted he is trying to keep the Board up to date. Selectman Robie said we conceded on your easement for Critchett Road. Then after the fact you told us that you were going to apply for a grant and were going use these pieces of property. He felt Selectman Snow should go back to the Conservation Commission and remind them if they want to work together on certain issues. Once they have made a decision on our Town property it needs to go both ways and they need to listen to what we say about the Town owned property and how we feel. It's his opinion that it doesn't need an easement on it. He felt 150 years from now that land might be a benefit to the community without an easement on it. Selectman Snow didn't think either one of them should be the person making the decision. Selectman Robie replied we each have our point of view and you keep pushing yours very hard after we concede. Selectman Snow said this is the Town's decision not theirs.

**January 11<sup>th</sup> Warrant Article meeting:** Selectman Duarte said he would not be able to attend the warrant article meeting because he will be in Concord. He felt it should have been mentioned at the December 19<sup>th</sup> meeting so if residents wanted to attend the meeting they could do so. He didn't find out until Friday evening. If we told the Town that we had a deadline and that was the reason for the meeting it would be better for the Board and the community. On the outside this looks a lot worse than it really is. He felt next time we should mention it in a public meeting and mention why we have to do this a certain way. Rudy Cartier asked when the warrant articles were due. Chairman Kelley noted tomorrow at three o'clock. Rudy Cartier asked if it could be on the website for those who are not able to attend. Chairman Kelley replied once they come in they need to be checked by the Supervisors of Checklist. Once the signatures are verified they can put the warrant article on the website. Rudy Cartier asked if the Board would be reviewing them on Wednesday and will be recommending them. Chairman Kelley explained if it is a citizens petition they have to make sure the wording is correct and they have go on the ballot. The Board can put a warrant article without any signatures. Selectman Robie explained the warrant articles put together by the community are going to be discussed, reviewed, voted on and the Board will also be making recommendations so they can go to the Budget Committee that evening. Rudy Cartier thought this was suppose to been done at a regular Selectmen's meeting not during the morning when people can't attend the meeting. Selectman Robie replied we got caught in a timeframe and it needs to be done. This needs to be done by Wednesday evening, because that is when they are meeting. Rudy Cartier replied in theory you only have 12 hours to get public input. He's not blaming the Board but this is totally absurd. You only have 12 hours to do something you're not going to get any public input on. Judy Szot said isn't it true the public has input on these warrant articles at the Deliberative Session. Chairman Kelley replied yes. All of the citizen petitions have to be on it. Anything the Board puts on can be discussed and amended at Deliberative Session, so the Board is in fact giving the public a chance to have input. The Board is just going through the procedure on Wednesday. Rudy Cartier asked if the public could get the information ahead of time. Chairman Kelley said they will get the information on the website. Selectman Soares added the closure plan will be on the website as well. Selectman Snow said the Budget Committee is not going to discuss the Town budget until the 17<sup>th</sup>. He asked what is the last day we have to put the warrant together and it would be of interest anything that had an appropriation goes to the Budget Committee as quickly as possible. Selectman Robie said Deliberative Session is February 7<sup>th</sup>. Selectman Snow said before that the Selectmen have to put the Town warrant together. The problem he has is that Selectman Duarte is not going to be here. He asked if they are going to put everything together that is going as a warrant article Wednesday. Chairman Kelley replied yes. Selectman Snow replied then he has some work to do because he has some standard warrant articles. Selectman Robie said warrant articles and petition warrant articles are due tomorrow at 3:00 p.m.

**Defibrillator:** Joanne Beckwith thought a defibrillator should be at the school tomorrow and at both Deliberative Sessions.

**Regional Selectmen's meeting in Chester on January 16<sup>th</sup>.** Selectman Snow said there will be a regional Selectmen's meeting in Chester. He will be attending and he wanted to know if he was going as a Selectmen. He asked if they wanted to send everyone or just him. Chairman Kelley replied you just said you are going as a Selectman so you are representing the Selectmen. Selectman Robie said he would participate if they wanted him to. Selectman Soares said she planned on attending. It was decided that Selectman Snow and Selectman Soares would attend.

**Moore School Generator:** Selectman Snow asked what the status of the agreement with the School Board. Chairman Kelley thought that Emergency Management Director Panit was handling it. Selectman Robie said the Board appropriated \$1,300 to get the fuel paid for. EM Director Panit was going to go back to the School Board and see how much they were going to pay. Selectman Snow said they need an agreement with the School Board noting who is taking care of what. Selectman Robie replied we have an agreement Emergency Management is going to take care of the fuel. Selectman Snow said he hasn't seen an agreement or signed off on one. This is something the Board needs to discuss. Selectman Robie replied this is up the EM Director Panit and he is working on it. Selectman Snow said it is a vote that we need to look at and make. This agreement needs to be on paper. Selectman Robie said he would ask EM Director Panit to draft that up. Ruby Cartier heard the State Electrical Inspector failed the installation. Chairman Kelley asked when. Rudy Cartier replied a few months ago. Selectman Robie said it's been rectified. Chairman Kelley noted the project has been finished.

**Petition Warrant Article:** Selectman Snow said he has a petition warrant article in regards to the closure. This relates to 41:14-a and it says they want the Town to make the decision on the old buildings. This says they want the town meeting to make the decision on the old buildings. It will need 50 certified signatures.

**Contacting Legal Counsel:** Selectman Snow had a letter that says Chairman Kelley is in receipt of a letter dated December 6<sup>th</sup>. He is talking about the contact with Town Counsel policy. He would like the Board to reconsider that policy, because we are not in effect with that. He mentioned Selectman Duarte didn't sign it because he had some concerns with it. He would like to consider some changes to this. They talked about the policy being in place because they were concerned about cost. He mentioned the retainer. He was criticized for contacting Atty. Mayer because he might have spent money. Last month's invoice did not show him contacting Atty. Mayer and he was 3 hours under the limit. He apologized for not asking or mentioning it to Chairman Kelley. He should have been sending Chairman Kelley copies of the emails. He has a problem with the suggestion that any of the members of the Board have to get permission to call Town Counsel. If something is going on in this Town that he considers to be illegal or immoral he felt he should be able to do something about it. He doesn't consider any policy that would

stop him from doing this. He doesn't care about policy and procedure he's going to do what's right. He said he wasn't privy to a letter that came in on December 6<sup>th</sup>. He never saw this letter and wasn't sure if anyone else saw the letter. This is a concern of his. He needs this letter because he has to respond to it. It indicates that his behavior is not what it should have been and he wants to respond to it. This discusses issues with the Highway Department and Trustees of the Trust Funds. He hopes they were through with the issues with the Trustees of the Trust Funds. He pays attention to the Trustee of the Trust Funds. The Board is lucky they have a liaison to the Trustees. He was able to tell them there was money in the Henry W. Moore Maintenance Fund. The procedure is Road Agent Lewis creates a voucher for something he has done on the roads and the voucher goes to the Trustees. They look at it to see if it is consistent with what the will says and if it is they pay it. This worked fine last year and it did this year. The Trustees have the fiduciary responsibility to take care of the money that they are responsible for. Selectman Snow reiterated that he would like the Board to reconsider the contact with the town council policy. We have the authority to go through the Chairman to assure that we are not spending excess money. Selectman Snow would like to see from Town Counsel a monthly report on where they are on the cases they are handling. He would like to know the status of what the Attorneys are working on. He wants to know what we are getting for the money we are paying. Selectman Snow asked if we figured out if we lost money on the bankruptcy case. Chairman Kelley replied that isn't our job it's the Tax Collector's job. Selectman Snow said he has a problem with that because we are in charge of the management. Chairman Kelley replied we are not in charge of what she does. Selectman Snow said she didn't know when he asked her. It is our responsibility to say what the proper procedure is when we handle bankruptcies. If the bankruptcy notices come into our office, we should have a procedure saying this goes to the Tax Collector with the instruction that she does the following. Someone should be on top of this and if it is the Tax Collector does he have the Board's permission to talk to her. Chairman Kelley said she probably has a procedure in place on how to handle this. Selectman Robie said as far as liening the property it will show up and come back to the Town. There was a lengthy discussion about liening property. Selectman Snow noted the Bankruptcy Court doesn't have to give us back taxes. The people may not have the money. Selectman Robie mentioned after bankruptcy there might not be enough money to pay back the Town. Selectman Snow questioned if a Bankruptcy Court would wash our liens and would it mean we would lose our money. Brian Miller mentioned when a piece of property sells you should do a title search and a lien search. Selectman Robie replied it would be a good idea. Selectman Robie mentioned Selectman Snow said the Board was lucky to have a liaison to the Trustees of the Trust Fund. We have always known that Mr. Moore had a fund and for 14 years Road Agent Lewis knew. At the end of the year the Trustees would turn that money over to the Town and put it in the unreserved fund balance or use it in the operating budget. Selectman Snow mentioned if the money is used the Trustees would require a voucher. The process works easy. It is used for whatever the purpose the fund was created. Road Agent Lewis next year when he does a project out of his operating budget he will keep it to the amount they have and turn in the voucher. Selectman Robie replied

it was just the way it was brought to the Board. Selectman Snow said it was never his intent to put Road Agent Lewis in the middle.

**Waste Management Contract.** Selectman Soares talked with Roy Boyer of Waste Management and he didn't like our decision of going with a one year contract. He said he couldn't control what the market is going to be. She said she would bring it back to the Board. Selectman Robie asked why the tonnage went up in one year and it might have something to do with that. Selectman Soares said he asked the Board to reconsider. The market could fluctuate and they would be locked into 2%. Facility Operator Witcher said even at 2% every year it will go up 2% and we will be where we were at before we signed on with Waste Management. He noted a 2% increase every year for five years is a pretty big increase. It was the consensus of the Board to stay with the one year contract.

**The Board to authorize payment of payroll checks and accounts payable checks.** Selectman Snow motioned to approve payment of payroll manifest number 000659-03, checks to be dated 12/29/2011, with a total gross payroll amount of \$10,800. Seconded by Selectman Soares. Selectman Snow motioned to approve payment of payroll manifest number 000660-01, checks to be dated 12/29/2011, with a total gross payroll amount of \$16,349.98. Seconded by Selectman Soares. Selectman Snow motioned to approve payment of accounts payable manifest number 120511 checks to be dated 12/29/2011, with a total amount of \$14,265.23. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of payroll manifest number 000661-02, checks to be dated 1/5/2012, with a total gross payroll amount of \$17,068.18. Seconded by Selectman Soares. Selectman Snow motioned to approve payment of accounts payable manifest number 010112 checks to be dated 1/5/2012, with a total amount of \$554,502.02. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of payroll manifest number 000662-02, checks to be dated 1/12/2012, with a total gross payroll amount of \$15,574.94. Seconded by Selectman Soares. Selectman Snow motioned to approve payment of accounts payable manifest number 010212 checks to be dated 1/12/2012, with a total amount of \$35,222.15. Seconded by Selectman Soares. All were in favor. Motion carried.

Selectman Snow moved to adjourn 9:42. Selectman Duarte seconded. All were in favor.

Respectfully submitted,  
Andria Hansen  
Recording Secretary