Unapproved Candia Selectmen's Public Meeting Minutes Monday April 9, 2012

Attendance: Chairman Joe Duarte, Vice-Chair Richard Snow, Selectman Fred Kelley, Selectman Amanda Soares, Selectman David DePuy, Selectmen's Assistant Cheryl Eastman, and Administrative Assistant Andria Hansen.

7:00 p.m. Chairman Duarte called the Public Meeting to order.

Selectman Snow introduced Eagle Scout Jonathan Dylan who put together Child Identification Project. It was put together a long time ago by the Masonic Lodge and Jonathan picked it up as an Eagle project. He put together all of the things to identify children i.e. finger prints. They do this so if a child is to disappear they have some information that would allow them to identify that child. They asked Jonathan to the meeting to lead them in the Pledge of Allegiance. Eagle Scout Jonathan Dylan proceeded to lead with the Pledge of Allegiance.

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

Highway: Road Agent Lewis read from the attached report. This was an unusual mud season this year and Currier was the worst it has ever been.

Police: Chief McGillen mentioned that he and the Road Agent met with the golf course to discuss the safety of the golf cart crossing. They discussed how they could improve the signage that is more visible for the motorist that travels down through there. They had a burglary on Murray Hill Road late last month. They should have an arrest warrant signed later this week. There are two officers who are heading over to South Berwick Police Department a couple of days this week for interview interrogation training. It will help solve some of these crimes in Town. On May 1st they will be starting the Route 101 speed grant which is a state funded program. They will be seeing some Candia cruisers up on the highway off and on. It's a four hour block. If they get a call during the day they can pull them off the highway. This would be during daytime hours which are a prime time for burglaries. There were a couple of vehicles that were reported stolen in Town. They have had some identity fraud and title fraud going on. He noted that fraud cases are time consuming. They have been busy. The State Police want a local unit from all Towns to join 101 and go out at the same time. There is some continuity when people see an influx of police cruisers out. Selectman Soares noticed the department has new license plates. She asked if there was additional charge to us. Chief McGillen replied they were \$8.00 each so it was \$40.00 total.

Fire: Selectman Kelley read from the attached report. Selectman Kelley mentioned they have received a letter of resignation from Firefighter/EMT Matt Richter. Selectman Kelley motioned

to accept Matt Richter's resignation. Seconded by Selectman Soares. Chairman Duarte, Selectman DePuy, Selectman Soares, Selectman Kelley were in favor and Selectman Snow was opposed. Motion carried on a vote of 4 to 1.

Building: Selectman Soares read from the attached report. She mentioned the Building Inspector car is due for an inspection and it needs some work. The cost of the work will cost about \$845.00. They have a \$2,000 line for repairs and maintenance. It needs ball joints, sensors, universal joints, pads and rotors for the rear brakes. Citizen Rick Lazott asked about open violation #6 and were the renters going to be held responsible. Selectman Soares replied yes and the person who is being evicted is the violator, but the property is a huge problem. The Building Inspector and she will continue to make sure that it gets cleaned up.

Solid Waste: Facility Operator Chuck Whitcher read from the attached report. Selectman Soares asked what the market price was for mixed paper. Facility Operator Whitcher replied it's around \$60.00 per ton which is down from last year when it was \$130.00 per ton.

Parks and Rec: Selectman Snow noted things started early this year because of the warm weather.

Administration & Finance: Selectman Snow read from the attached report.

Chairman Duarte would like to have each liaison talk to each department head. He thought they could get rid of the departmental reports and utilize the time to give the highlights. There is an awful lot of work into these reports. If the department heads could come in and just tell us where the problems are this would be a more efficient use of their time. The Board will be discussing this and find out if the department heads want to do this anymore or not. He felt this would make it easier for them. The report will be on the table for people that want to read them. He reiterated instead of reading off of these reports it would be better for the department heads to give the highlights and problems. Selectman Soares clarified you are going to have the department heads print off these reports to be available to look at, but we're not going to be going over them. Chairman Duarte replied just the highlights of each department will be discussed. This will be a Board decision not just his. The highlights are going to be whether the transfer station is making money or losing money and comparing the current month to the previous month. Citizen Ingrid Byrd asked if the written reports will be available to the public. Chairman Duarte replied yes and they will be different then they are now if that is what the Board suggests. It will be less information but more pertinent information. Citizen Rick Lazott has always appreciated the detail on the reports. Chairman Duarte replied if it is something the citizens feel is important they are going to continue it, but they are trying to make it more efficient. He felt an abbreviated form would do this meeting a little more justice. Selectman DePuy didn't know if changing the reports is warranted or not, but it seems that what you are

saying is if there are problems developing the reports might not show it. Citizen Ingrid Byrd asked if this is going to be discussed in a public meeting so we can all hear the closing comments or will it be done in the office during the day. Chairman Duarte will see what kind of input he gets from the Board and if there is any confusion on it they will put it out to the public. If you have something you think would be a benefit to the Board, you can send your opinion to Selectmen's Assistant Eastman for further consideration.

The Board to appoint Carmelle Druchniak as an alternate member of the Heritage Committee. Selectman Soares explained that Carmelle has expressed an interest in being an alternate member for the Heritage Commission. She added the Heritage Commission unanimously recommends Carmelle Druchniak as an alternate. Selectman Soares motioned to appoint Carmelle Druchniak to Heritage Commission as an alternate member. Seconded by Selectman Snow. All were in favor. Motion carried. Selectman Snow thought this was a wonderful opportunity. He felt Carmelle's résumé was impressive. Selectman Soares informed her that the next Heritage Commission meeting will be April 12th.

The Board to consider changing the policy regarding contact with legal counsel. Chairman Duarte explained they are all elected officials and he felt the individual Selectman should be allowed to contact legal counsel without his permission. They do have a minimum amount that they do need to spend every month. Selectmen's Assistant Eastman explained we have a retainer in our contract for 10 hours per month at a price of \$1,550. If we go over the 10 hours per month we are charged \$175 per hour. We have 10 hours that we pay for whether we use them or not. Chairman Duarte said if they have something important that they need to talk to counsel about then they can do that. He advised that they check with Selectmen's Assistant Eastman about the balance and once we hit the 10 hours we will not be making anymore calls. He felt as a Board they could act responsibly with this. Selectman Snow added they will review the policy at the next meeting. Selectman Soares asked what if someone uses up all of the retainer hours and something big happens. Chairman Duarte replied this is when the responsibility part comes in. He doesn't expect the Selectmen to be on the phone for an hour. Selectman Soares replied that she understood that but what if something happens unexpectedly and we have to log in a significant amount of hours because something happened i.e. a court case. Chairman Duarte appreciated her concerns and they need to act responsibly and stay under the cost. If there is a situation that needs handling, they need to check with Selectmen's Assistant Eastman. Citizen Rick Lazott commented that we don't have extra money other than the retainer and what is the budgeted amount for contingencies. Selectmen's Assistant Eastman replied there is money in the budget for contingencies. Chairman Duarte didn't foresee having any problems with this and we are not going to spend money that we don't have. Citizen Carleton Robie asked if the Selectmen could ask Selectmen's Assistant Eastman how much money is left other then asking Atty. Mayer themselves. Chairman Duarte replied the Selectmen's Assistant Eastman will be overseeing this. She will be handling the figures. Citizen Carleton Robie reiterated rather than having the Selectmen ask you they are going to ask Selectmen's Assistant Eastman to find out how much

funds available. Chairman Duarte replied that was correct. Citizen Judy Szot noted some of the Boards need to use legal counsel for things that come up. She would assume the Chairman would be the first one to contact if the Selectmen have used up the hours. She asked what if the Planning Board or ZBA need legal advice and there is no money left. Chairman Duarte replied if your Chairman needs to talk with Atty. Mayer they will find a way to do it. You can't foresee every situation down the road and they are looking for things that might not happen.

The Board to discuss the 2012 budget. Selectman Kelley wanted to know who dreamed this up. It was never brought to his attention that they were going to do this. Chairman Duarte replied this is the default budget. Selectman Kelley understood that, but who decided to print this budget and send it to everyone in Town. He wanted to know who gave permission to send this budget out to everyone in Town. There are people on the email distribution that aren't on this Board. Selectman Snow replied it went to the members of the Board. Selectman Kelley replied and it went to everyone else. Selectman Snow explained he and Selectmen's Assistant Eastman went through the budget and come up with the bottom line for the default budget. To ensure that all of the department heads and officials knew what budget was coming down and had a chance to look at it so they could come to the meeting knowing what the Board was going Selectman Kelley stated you didn't just send it to the Board you sent it to every to vote on. Tom, Dick, and Harry in Town. Chairman Duarte replied he understood Selectman Kelley's concern but you need to treat your fellow members of the Board with respect. Selectman Kelley stated Selectman Snow needs to show us some respect too. Selectman Snow explained they have a default budget and they have the 2011 lines. They took those things that needed to be changed because Selectmen's Assistant Eastman found them in the budget. They came up with a default budget which has been presented to the Board and the other officials have it. They have worked very hard to ensure that there are very few changes to what the departments had last year. Selectman Snow said if the Board approves the budget tonight this is what will be brought to the Budget Committee. This is the 2012 Town operating budget consistent with the vote of the Town. The ambulance line was reduced from \$7,500 to \$1.00 because last year our ambulance contract came in at zero dollars. The total voter registration line was dropped because they did a clean up last year and you can legitimately say it will cost less this year. The election administration line was brought up because they have more elections this year. All of the rest of them are the same line as last year. The other culture and recreation line was reduced, because the ski program has concluded. The field trips and events line was lowered. There are four businesses in Town that are working very hard to try and have summer programs. They don't need to keep \$1,850 in this line. He put the bottom line number in which is \$639. There was an increase in the retirement line of \$16,000 for the police department. They lost \$19,000 out of full time wage for Solid Waste because they had a new line in there for part time wages. The bottom line is exactly the same, but they have a new line to pick up the \$19,000. They discussed increasing the Treasurer's stipend at the end of last year, so they did what the Board intended to do because she has more responsibilities. There is a new line in Welfare for postage. It is

currently zero and Selectmen's Assistant Eastman may be able to tell him what it should be. He noted this budget is not yet re-voted on. The 2012 default budget is \$2,329,966 which is the number that was voted on by the Town. He is asking the Board to approve the budget this evening, so he can go to the Budget Committee and give them the draft operating budget. He isn't going to guarantee that there won't be changes to the budget. There will input from the departments, concurrence from the Board, and advice from the Budget Committee. Selectman Soares noted the Welfare stipend was changed to \$5,000 not \$10,000. Selectman Snow replied it was left at \$10,000 because it was last year. Selectman Soares replied we did take a vote at a public budget meeting and we reduced it to \$5,000. Selectman Snow explained we started with last year's budget and we put in the numbers to make it default. We can try to change it here. Selectman Soares replied the \$10,000 was a stipend at the time she was not considered an hourly employee. We were changing it over to an hourly employee and the Selectmen have the right to change the stipend. They voted 3 to 1 to change the stipend and we voted in a public meeting. In January the position became an hourly position and it is salary. Selectman Snow noted when the Town voted it changed the budget and it went to last year's budget. Selectman Soares stated the \$10,000 was the stipend last year and we changed the amount of the stipend last year. Selectman Snow replied that is a question you can discuss with the head of that department, but right now it stays at \$10,000. Citizen Jon Penfield commented that it sounds like the answer to Selectman Kelley's question is Selectman Snow came up with this budget and that's how it got done. Selectman Snow replied that was entirely correct and he worked with the office and this made the most sense. Citizen Jon Penfield asked if the Budget Committee got a copy of the budget as well as the department heads. Selectman Snow replied that he attempted to send it to everyone that was involved in the budget process. He believed he tried to get it the Chair of the Budget Committee at the very least. He did his best to make sure that everyone that was involved in the budget got a copy of the draft. Citizen Rick Lazott said the change in the Welfare Directors stipend was voted on in a public meeting and it should be a binding decision. He felt they should contact the Attorney General's office because that was a binding vote. Selectman Snow replied that the best response I could give you is that your opinion differs from mine. The Board has the right to set a budget that is equal to the default budget that was voted on. If a member of the Board is working to come up with something and works with someone else that is their responsibility. They then bring it back to the Board for a vote. He felt this is the way that things should be done. Citizen Rick Lazott stated it was voted on publicly at a public meeting. Chairman Duarte said he was going to have Selectmen's Assistant Eastman check with Atty. Mayer on the default budget and see what we can and can't do and then we can readdress it. Selectman Snow would like to make a motion to accept the budget subject to Atty. Mayer's input. Selectman Soares asked why the rest of the Board wasn't included in the conversation that Selectman Snow and Chairman Duarte were having. Selectman Kelley asked Chairman Duarte if he could see the names on the email distribution of this budget. There are more names on it than members of the Board or other Boards in this Town. It really makes him upset that this budget went out to a bunch of people. He didn't know who he thought he was he thinks he's

the Town Administrator. Chairman Duarte said he had a valid point and Selectman Snow is trying to do the best he can. Selectman Kelley felt he should have talked to the rest of us before he sent out the budget. Chairman Duarte thought he was trying to come up with a default budget. Selectman Kelley replied that he wasn't arguing that. He didn't have a problem with the budget going out to any Board member, department head, or committee member, but there are names on the email distribution that shouldn't have gotten it. Citizen Boyd Chivers asked if this was an official working document. Chairman Duarte replied it's a draft and they haven't voted on it yet. He would like to get some clarification from Atty. Mayer and then they can go through the budget line by line. Citizen Ingrid Byrd said she had a copy of the budget Selectman Snow sent to everyone in Town. This was not what was handed out to the public tonight. Some people in Town apparently get better treatment from Selectman Snow then the rest of us do. Citizen Fletcher Perkins asked if there was a signup sheet for email distribution so we can get the information. Chairman Duarte said that they agreed that there were some mistakes made and we get frustrated from time to time. If we work together as a Board we will do a better job. We will resolve this and review the budget line by line. As far as an email distribution, he felt putting it on the website would be a good solution. If anyone has any further questions they can send the Town an email. Citizen Ingrid Byrd asked when will they be discussing the line item budget and will it be noticed. Citizen Carleton Robie noted the people obviously voted for a default budget. He felt at this point it's up to the Selectmen to take the funds available and use it to the best of your ability. It's the Selectmen's responsibility from here on out. The Townspeople have voted. Chairman Duarte thanked him for his comments and advice.

The Board to approve training for the new Town Office AED. Selectmen's Assistant Eastman explained any interested employees are invited to attend the training. There are seven employees interested so there will need to be two classes, because there is a limit of six per class. It will be \$15.00 person for the cost of books and materials. It will teach the employees how to use the defibrillators. She asked the Board if the Town is paying for the class and are the employees doing it on paid time or their time. Selectman Kelley said they agreed in a prior meeting that the funds would be available for the people who wanted take the class. Selectmen's Assistant Eastman clarified if the employees are going to be paid for their time to take the class. Citizen Carleton Robie recalled that the Board voted to find the money to pay for the training. He didn't see a line item for that in Selectman Snow's revised budget. Selectmen's Assistant Eastman noted those funds were encumbered and the AED has been purchased. Chief McGillen said he does the training in normal business hours so he doesn't have to pay the officers' overtime. Selectmen's Assistant Eastman said it would be in the best interest of the Town to pay the employees to take this class. You want your employees to know what to do incase something happens. It was the consensus of the Board to allow the employees to be trained on Town time.

The Board to discuss update on the purchase of Vision licenses. It was decided by the Board to purchase the next set of five licenses for \$1,300. Selectmen's Assistant Eastman explained there was a communication problem between Vision and herself and \$1,300 is for the cost of maintenance of the licenses. It cost \$3,200 to purchase the licenses. You're looking at \$4,500 to get the next five licenses. Her recommendation is to take the program from the Tax Collector and give it to the Town Assessor. Selectman Snow thought they should talk with the Tax Collector to see how she feels about it. Selectmen's Assistant Eastman noted that most Tax Collectors don't have the assessing software at their disposal, it's a check and balance thing. Chairman Kelley motioned to remove the Vision software from Tax Collector and give to the Town Assessor. Selectman Soares. All were in favor. Motion carried.

The Board to authorize payment of payroll checks and accounts payable checks. Selectman Snow motioned to approve payment of payroll manifest number 000674-02, checks to be dated 4/5/2012, with a total gross payroll amount of \$14,449.78. Seconded by Selectman Kelley. All were in favor. Motion carried. Selectman Snow motioned to approve payment of accounts payable manifest number 040112 checks to be dated 4/5/2012, with a total amount of \$439,273.37. Seconded by Selectman Kelley. All were in favor. Motion carried by Selectman Kelley. All were in favor. Motion carried by Selectman Kelley. All were in favor. Motion carried. Selectman Kelley. All were in favor. Motion carried. Selectman Kelley. All were in favor. Motion carried. Selectman favor. Motion carried.

Approval of Previous Minutes: Public meeting minutes 03/26/12. Selectman Soares motioned to approve the Selectmen's public meeting minutes as presented. Seconded by Selectman Kelley.

Announce Next Regularly Scheduled Meeting Date: The next regularly scheduled Selectmen's meeting is April 23rd, 2012 at 7:00 p.m.

Other Business

Closure Plan: Citizen Rick Lazott asked how the closure plan was coming and did he plan on rewriting or changing it in anyway. Selectman Snow said they working on removing the two buildings and is working with a bunch of volunteers. They expect to be coming back with something for the next meeting and possible have a public hearing. They will discuss what they have come up with, the schedule for doing it, and the cost associated with it. Citizen Rick Lazott thought it was wrong that after two years of Selectman Soares working on the closure plan it was taken away from her. He felt it wasn't the proper way to go. Citizen Carleton Robie thought the Selectmen had the two public hearings on the closure plan. Then there was another warrant article to keep the buildings. The Selectmen decided to wait until after the election to get RFP's for the removal of the buildings. He can't see why the Board doesn't submit for RFPs for the

removal of the buildings after town vote. The citizens wanted to go along for the closure plan. He questions why this wasn't on the agenda for the meeting. Citizen Becky Serra commented that she has asked repeatedly why this wasn't going to be discussed. Citizen Carla Penfield said Selectman Soares has two years invested in this project. She is under the opinion that it wasn't good judgment to replace her. She asked the Board to reconsider putting Selectman Soares back on as overseer of the old recycling center. Chairman Duarte said the vote was taken and it isn't up for discussion. Selectman Kelley said he discussed this with Atty. Mayer and he said wait for the Town vote and then you can send out your RFP's. He agreed with Mr. Robie and we were supposed to send out an RFP. He questioned why Selectman Snow has a committee to decide what is going to happen with those buildings. It's not up to Selectman Snow to decide what is going to be done down there. He questioned why they can't send out the RFP's now. The Town has spoken. Chairman Duarte replied you need to show respect for your fellow Board members. Selectman Soares stated we all have the right to speak we are elected to this Board by the people of this Town. You can't control everything and we are here to speak our opinions. Chairman Duarte replied you are out of order. Selectman Soares replied we have the right to speak. He Chairman Duarte asked Selectman Snow if he was following the closure plan or not. Selectman Snow replied the Town voted to remove the buildings. They are looking at the process to remove the buildings. Selectman Soares handed Selectman Snow an RFP presented the Board with information. Selectman Snow said they are putting together a time line so they can get the best deal at the lowest cost. They will bring it back to the Board once they have a plan. The buildings are going to be removed and the site will go back to its natural state. Chairman Duarte asked if he could work with Selectman Soares on this. She has done a lot of the work on this. Selectman Soares said the RFP's are already drafted. You need to get the proposals and they have to provide their insurance. Then you can interview them, it was just like finding a hauler. You don't need a timeline.

Selectman Kelley didn't think Selectman Snow should be the representative for the Budget Committee. He put in a warrant article to abolish them, now he is going to represent them. He heard there was a rumor that he was saying it would be a 6 to 3 vote on the Budget Committee. He felt that was nasty and that is very upsetting. Selectman Kelley would rather see Selectman DePuy be the Budget Committee representative. There should be a revote on this.

Selectman Kelley questioned why in the minutes of the Conservation Committee it said they didn't want to announce the names of people who are looking to put an easement on their land. Selectman Snow replied if someone asks about a conservation easement and they are asking questions they don't have to announce their name. He explained until they come to the Commission and say they would like to work with us it will then become public. Selectman Kelley said it was wrong that they leave the person's name out of the minutes. Selectman Snow said they been doing this for the past three years.

Selectman Kelley asked what was going on with Currier Road. He heard that Selectman Snow wants to pave Currier Road and the Road Agent doesn't. Road Agent Lewis explained they had a mud issue up there and they talked about paving. He talked with the residents and said he would put a warrant article in next year so the Town has an option to pave the road. It's a dirt road we fight with that has over 300 cars a day on it. He felt the people should have an option if they want to pave the road. They would pave to the lower New Boston Road end of Currier Road. The section the Candia residents live on.

Road Agent Lewis mentioned the comment that was made in regards to when a resident comes to us about putting a conservation easement on their own property. They are just asking questions and maybe they don't want their name in print. They just want to know what it involves and what it costs. The Conservation Commission felt that people should have this option if they don't want their names mentioned.

Letter of interest for haulers: Selectman Soares said she drafted a letter for the newspaper. She would like to present letter of interests and a background of their companies She has a list of haulers and she will have a letter sent out to the companies. She wanted to put this in the newspaper and January is going to come fast. She will give the Board the list of names they do have and they can start the process. They can figure out at the next meeting when they will write the letters and set up times for interviews. They need to take into consideration talking with Peter Barbuto at the school because they are included in our contract. He may want to stay with Waste Management with his own contract or do a joint contract with us. Chairman Duarte would like her to work with Selectman DePuy on this.

Selectman DePuy thanked the Eagle Scouts for coming to the Selectmen's meeting. He is new to the Board meetings. He hoped they could all be as civil as possible. He respects his fellow Board members and likes them all. He would like the meetings to be more like they were in their living rooms rather than a boxing ring. Chairman Duarte agreed and they could all work a little harder as a Board. This is a good Board, but sometimes it gets heated. We could do better if they worked together as a Board and a little more civil to each other.

Citizen Carla Penfield asked the Board to reconsider appointing Selectman DePuy to the Budget Committee. Chairman Duarte replied that issue has been discussed and we are not going into this again.

Selectman Snow said he is working with the office staff to make the agendas more efficient. He may ask the staff to put an agenda folder on the table. It will be there so everyone can see the information and they won't be surprised when they come to the meetings. He wanted to make the Board aware of the Critchett Road easements. They are in process and are moving along. At the next Conservation Commission meeting on the 17th they should have a P&S agreement. If

the Commission votes to fund and move forward with it. He expects to bring the P&S agreements to the Board on the 23rd. The Board can then sign the P&S agreement. He noted both of the easements appear to be in concurrence with the Board of the past and the present. Selectman Kelley asked if the Conservation Commission was still standing by the voters in regards to the Hemlock Drive easement. Selectman Snow replied the vote was to accept or not the conservation easement on the Hemlock Drive property and to purchase those two pieces. If they could get a water protection grant and an ARM grant it would cover the full cost of those properties on Baker Road. If someone came forward and wanted to put an easement on the Hemlock Drive Town Forest he would support it personally. It would have to go to vote of the Conservation Commission, the Board, and the Town.

Citizen Carleton Robie mentioned there was a piece of land for sale at the four corners. He thought the community should be seriously pursuing the purchase of that piece of property. This is something that would be part of the Master Plan. It was discussed at the last Planning Board meeting. The property is a pretty deserving price for that piece of property. They couldn't use it for a whole lot right now. The building needs a little bit of work. They have the funds through a special town meeting. This would be a great investment for the Town. Citizen Ingrid Byrd asked how much money the Conservation Commission has on hand to purchase easements. Selectman Snow said it's in the Town Report. Selectman Kelley said he would talk with the Planning Board about the piece of property at the four corners.

SNHPC Rep to Broadband Stakeholders Group: Selectman Snow said a letter came from the SNHPC. They are looking for a rep for the Broadband Stakeholders Group. Selectman Snow said he would be willing to participate. He read from the letter from SNHPC (see attached). The next meeting is May 3rd. Chairman Duarte asked Selectman Kelley to mention this at the next Planning Board meeting and see if someone is interested in being the rep.

Chief McGillen mentioned they are doing the drug take back program at the end of the month. The information will be on the website.

Selectman Kelley motioned to adjourn at 8:40 p.m. Seconded by Selectman Snow. All were in favor.

Respectfully submitted, Andria Hansen Recording Secretary