

~~Unapproved~~Approved
Candia's Selectmen's Public Meeting Minutes
July 22, 2013

Attendance: Chairman Fred Kelley, Vice-Chair Carleton Robie, Selectman Dick Snow, Selectman Amanda Soares, Selectman David DePuy, and Administrative Assistant Andria Hansen.

The Board to consider appointing Al Hall as the Southern New Hampshire Planning Commission Rep based on the Planning Board's recommendation. Chairman Kelley motioned to appoint Al Hall as a rep to the Southern New Hampshire Planning Commission. Seconded by Selectman Snow. All were in favor. Motion carried.

Selectman DePuy to discuss the burn pit at the Recycling Center. Selectman DePuy said there was an incident a week ago Thursday. They burn on Thursdays. There are two full time employees and one part time employee at the Recycling Center and on Thursdays it's just staffed by the two full time employees. They burn on Thursdays because it's the longest day and they can follow the burn process throughout the day. They do the burns when it's raining and it was raining the day of the complaint. He asked Facility Operator Whitcher to attend the meeting this evening because they were addressing the issue. There was a complaint from Liquid Planet that ash from the fire was falling on the water park. There was ash falling in the water and on the people. Facility Operator Whitcher talked with Chairman Kelley and it was decided to put out the fire and close down the burn pile until they could address this issue. He was at the Recycling Center this past weekend and he and Chairman Kelley discussed it with Facility Operator Whitcher. Some people have been turned away at the recycling center, but they are looking for some alternatives. Some of the ideas they came up with is to have the Fire Department there to practice burns. One thought was to burn a lesser amount maybe a half at a time. Another thought was to have a chipper there, but a commercial chipper would cost a substantial amount. There is the hazard would be having the employees run the chipper. He was wondering if they have someone in town that would take the brush up to five inches thick, possibly someone with a chipper. Another thought was to move the burn pile to the other end of the building. This would move it about 100 yards so he didn't know if it would make a difference. The last alternative was to burn on a seasonal basis and not burn during the summer, so they would have it open from September 1st to June 1st. This would avoid the time that Liquid Planet is open. They are the ones with the greatest concern. He thought this was better alternative that they were considering. Unfortunately this is the season when people are doing a lot of their brush cutting. Some people don't have the room to store it or burn it on their own property. So far he sees no great solution to this problem. He would like to hear from the Board and the community. Selectman Snow thought that closing the burn pile seemed to be the simplest solution for now. Selectman DePuy said it has been closed since the incident and people have not been happy when they got there and found out the burn pile was not operational. It's been closed for awhile and Chuck has done a good job explaining the situation on why we were where we were at. Selectman Robie felt they should give the citizens a place for their brush, we always have. We had an incident a year ago and they had low pressure and it was raining. They need to burn on days when the pressure is high so the smoke and the ash go up. When it's low like it was last Thursday it is going to drive that ash it down to Liquid Planet. Chairman Kelley thought they

needed to burn half the brush and not fill it to the top. Maybe they could burn a little more often. It's not a big deal to light a small fire and go back to work. Selectman Robie said they don't need to staff that fire full time, a small fire is fine especially when people are there. Selectman DePuy said the other concern is when it is hot and dry the fire could spread to the woods. Chairman Kelley said if they burn it when the pile half full it should be fine. Selectman DePuy said they could burn a half a pile at a time and see what happens. Selectman Soares said they should stick within the confines of what the concrete barrier is. Facility Operator Whitcher explained the reason it's so full is because the issue is the dry weather. If it's not appropriate weather wise it doesn't get burned. When we close down a pile that still has room in it, people want to drop their brush. When it's closed people want to drop it anyway and get angry if they can't. The reason why they are so full is to allow as many people the opportunity to drop their brush as possible. They can put less in it, but it will close the brush pile earlier. They will have a problem with space in the bunker if they do it this way. This is a very popular place at the Recycling Center and they have a lot of residents use it. When Selectman DePuy was there this weekend they turned four or five people away in a half an hour's time. Selectman Soares said they used to burn on non rainy and rainy days before, so she is confused as to why they are burning on rainy days. Facility Operator Whitcher replied for nine years they have burned when the weather is appropriate. If the wind is coming through and it hasn't rained for weeks they don't burn. Selectman DePuy would like the Board to think about this because people like to use it. They would like to keep taking the brush. Fire Chief Young said Liquid Planet has been there for four years and is this Kevin's first complaint. Chairman Kelley replied no. Fire Chief Young suggested what they can do is go by the class day that the state sets. The problem is you can't get it until 10:00 am and Chuck would like to start burning early. They could use the class from the day before. The class the day's one through five. They issue burn permits for the one through three days and when it gets to a high three they stop issuing permits. He can give Chuck the number and if it is a class one there's a pretty good chance it won't go up to a high three the next day. If it is running a three and it's hot and the wind is blowing 30 mph and the RH's are low then it's a high fire danger day. He might be able to work with him on being able to burn a little bit more. He would rather that he air on the side of caution. He could get him set up so they can burn a little more often. The ash fall on that day was a combination of a bunch of things. When they issue someone a burn permit, one of the things they have to understand is if the smoke starts blowing towards their neighbors they have to put out the fire. Selectman Snow asked if there was a water supply at the Recycling Center. Chairman Kelley replied yes and there is a hose near the burn pit. Selectman DePuy suggested they be a little more attuned to the weather conditions and working with the Fire Chief. Facility Operator Chuck Whitcher said they are limited to a staff of three during the work week, so then Thursday is the best to burn because they open at noon. It is an intense fire that burns in the morning and the ash smolder's the rest of the day. If they are open when it's burning it creates an unnecessary risk. This is why it's confined to Thursdays because they are there all day long. Chairman Kelley asked why not burn on a Friday. Facility Operator Whitcher replied because we bale on Fridays and he's not comfortable starting a fire and leaving it. Chairman Kelley said why not burn a small pile while you are baling. Facility Operator Whitcher replied there is grass behind there and if it's dry, he's not comfortable leaving the burn pile. Chairman Kelley said if they are going to provide a service to the residents they are going to have to burn more often and they will need to keep it down to a half a pile. Facility Operator Whitcher said he would close the piles when they are half full, but there are going to be upset people at that. Selectman DePuy said it isn't the size of

the pile, but they can burn if the weather conditions are right. Fire Chief Young said he could understand that Thursday is a good day to burn, because it's limited down there. Last Thursday was a tough day to burn. Selectman Snow said they are trying to schedule people bringing stuff in and you don't know how fast it is going to go up. Then he has to burn it and he can't always burn. Chairman Kelley said he doesn't need to be there to burn it there are two other guys working there. Selectman Snow said someone has to be there when it starts burning. They can't leave until the fire is out. There is going to be an impact to the cost which he doesn't have a problem with. He thought they would end up with more hours they would have to pay for. The hazard of the fire has stretched out over a great number of time instead of doing a big pile all at once. Selectman DePuy would like to talk further with Fire Chief Young and Facility Operator Witcher and come back to the Board with a proposal in two weeks. He hates to keep it shut for two weeks. Facility Operator Witcher said he can open up the other half of the bunker (now that it's cooled down) and it will allow people an opportunity to dump their brush. When it's full he'll shut it down again. Selectman DePuy amended his proposal and he'll talk with Dean and Chuck and if they find a solution to burn it as soon as possible and get it back in operation they'll do it in as safe as a manner as they can come up with. Fire Chief Young said they could go down to the Recycling Center and they could burn some stuff not necessarily on a Thursday. There are nights and they could do it in the morning. Selectman DePuy thanked Fire Chief Young.

The Board to consider hiring full time officer for current vacant position. *Chairman Kelley motioned to hire Tom Terelli as a full time Police Officer effective July 23rd, 2013 at a rate of \$18.00 per hour. Seconded by Selectman Snow.* Selectman Soares read the articles in the newspaper and Chief McGillen has not explained to this Board why the town is not safe. How many officers would be acceptable to deter crime? She has presented data and you and others have said it was manipulated. It was not and it was based on all of the department's numbers. They were given to her by their administrative assistant. She didn't see the return of investment on this extra officer. It's kind of like a septic system. The more pumps you add you'll get water out, but at what point does the cost equal how many pumps you have. At what cost to this town does it equal that we need to have officers. You have never given us data or facts or figures. Chairman Kelley said this has nothing to do with the hiring of this officer right now. Selectman Soares replied it has to do with the hiring of the position. You've never given this information. Her duty when she was voted in was to scrutinize the budget, because she didn't feel that excess spending was necessary. This is the job of everyone on this Board. Your responsibility is to run a efficient department within a budget you are given. You could do the town a favor by not filling this position. Chairman Kelley called for a vote. *Chairman Kelley, Selectman DePuy, Selectman Snow were in favor, Selectman Soares was opposed, and Selectman Robie abstained. Motioned carried on a vote of 3-1-1.*

Selectman Snow to discuss the status of the Liquid Planet Conservation Easement. Selectman Snow said Liquid Planet went through their planning and building in 2006/2007. At that point in time they were approved for their site plan. They had their DES approval for the work that needed to be done for the development. One of the conditions of the DES permit was they had to put a conservation easement on the seven acres by the river. This is part of the approval. At that time the Conservation Commission voted in principal to hold the conservation easement. They went through the process and got the approval to open up. At that time they

were supposed to have the conservation easement in place. It didn't happen and the Conservation Commission changed Chairman a couple of times, so it didn't get done. Last year the owner of Liquid Planet got a letter from DES that said send us the completed and recorded conservation easement. As a part of his responsibilities for economic development he went down and talked with Kevin and he talked with DES to see what needed to be done. The Conservation Commission decided to not hold the easement last year. They went to the Rockingham County Conservation District to see if they wanted to hold the easement. They said they would and they went through the necessary moves to take the draft easement that had been done with the Conservation Commission and looked at how it fits in with what the RCCD would like to do. The RCCD voted to take the easement and this implies there are extra costs associated with it, because they are going to charge them for all of the things they needed to do. They talked about doing a backup easement with the Conservation Commission. RCCD was all set to go and the Conservation Commission at their last meeting said they didn't want to hold a backup easement. The original DES agreement was that the town would hold the easement. He talked with Loir Sommers of DES today and told her the Conservation Commission doesn't want to hold the easement or the backup easement. The question he as for the Board is that in the original approval with Liquid Planet the town was going to have an interest in an easement. He asked if the town had an interest in the backup easement or not. DES said they don't care if the RCCD holds the conservation easement they'll accept it that way. He asked if the town wanted to hold an interest in the conservation easement. Selectman Soares asked if he had a copy of the decision where the Planning Board agreed to hold part of the easement. Selectman Snow said it wasn't part of the decision by the Planning Board, it was part of the mitigation of the dredge and fill permit. It is a requirement DES had. He questioned again if the town wants an interest in the easement. Selectman Robie thought that Kevin agreed with the Planning Board to put 7 acres in an easement. He's not sure about the DES and he needs to look into this. He isn't sure that DES requires someone to put an easement on their land for a dredge and fill permit. He noted that Selectman Snow has talked about DES numerous times and he is a little confused about it. You said the Conservation Commission doesn't want anything to do with the easement. Selectmen Snow said that was correct. Selectman Robie felt before they go any further, he recalled that Kevin said he would put an easement on 7 acres of land and he hasn't done that. Selectman Snow said it was a requirement of DES's dredge and fill permit as mitigation for the wetlands that he was disturbing. The mitigation was putting an easement on those 7 acres. This wasn't a requirement on any paperwork with the town. Selectman Robie said they have been down this route with the mitigation thing with the town. He worked really hard with Ms. Sommers to get something moving with mitigation on two pieces of land. He took three days off to try to make this happen and it didn't. They need to research exactly what DES says. He didn't think DES would sign off on this permit unless everything was in place. Selectman Snow said he could get him that information. He asked if they wanted to hold off until the next meeting. Selectman Robie questioned why the Conservation Commission didn't want to hold the backup easement. He questioned why he is coming to the Board and the town. Selectman Snow said the original requirement is that the town would hold an interest in the easement, whether the town wants to or not is mute because DES saying they are not requiring it anymore. The original approval of the dredge and fill is that Kevin would mitigate by putting on a conservation easement with the Town of Candia. He has a verbal from DES that says that's fine, but he needs the Board to say they are not interested in the easement. Selectman Robie questioned again why the Conservation Commission doesn't want to hold the easement. He would like a reason other than they voted

not to. Conservation Commission member Dennis Lewis said this was discussed at their last meeting and they didn't know it was going to the Board of Selectmen tonight because their Chair would have been here. He felt the whole thing needs more research. If they want to discuss it at the next meeting the CCC Chair can be there to discuss it. The commission didn't know this was going to be discussed tonight. Selectman Robie said he would like to see the dredge and fill permit. Selectman Snow said he was bringing this to the Board because Kevin has a schedule and would like to get it done this summer. DES has the expectation this will get done and RCCD has given Kevin a piece of paper that says what it will cost. Kevin is in the process of having the survey done. He will then have to pay the costs of getting the conservation easement. Those are costs that are over and above what expected to be paid if the town had held it. Selectman DePuy thought putting it off was a good idea. Citizen Ingrid Byrd asked what easement would do, because the first page says very clearly that the zip line is within the easement area. It seems that Liquid Planet is continuing to use the property, so what benefit is it to being an easement. Chairman Kelley said he would like some more information before he comments on this. Citizen Charlie Bowman said his understanding of a conservation easement is that eliminates the possibility of a commercial or industrial use of any part of that property. They are putting up a movie screen and putting in a zip line are commercial ventures going into a conservation easement. Citizen Judy Szot had a hard time with the town giving away their rights to a property. They have a Conservation Commission and this is their job. They did this before with the land on Hemlock Drive. She thought there was a movement this year to get rid of the Conservation Commission, because people felt if they don't want to hold the easements what are they doing and what is their job. If we a conservation commission they should have them hold the easement. Selectman Snow clarified on the Hemlock Drive easement the town can't hold the easement on land that they own. Citizen Judy Szot said you think these easements are iron clad but the Smith mansion is gone now and they had an iron clad easement on it. Chairman Kelley said he would like to move this to the next meeting. Selectman Snow said he would put together a time line.

The Board to authorize payment of payroll checks and accounts payable checks. Chairman Kelley announced the grand total of payroll and accounts payable checks for July 18th and July 25th is \$64,155.55. Selectman Snow motioned to accept the total payroll and accounts payable checks in the amount of \$64,155.55 for July 18th and July 25th. Seconded by Selectman Robie. All were in favor. Motion carried.

Approval of Previous Minutes: Public minutes of 7/8/13. Selectman Robie motioned to accept the July 8th Selectmen's meeting minutes as presented. Seconded by Chairman Kelley. All were in favor. Motion carried.

Next regularly scheduled meeting is August 12th at 7:00 p.m.

Burn pile discussion continued. Fire Chief Young Dean didn't think people were upset. If last Thursday you spent 2 ½ hours loading up your truck and you couldn't unload it at the Recycling Center that is when you are irate. He thought he could get the word out to people through the website. If people check it before they go and load up their truck. Facility Operator Whitcher said he tells people to call first because it is the first thing on the answering machine. He encourage people to do that.

Well testing at the Old Recycling Center. Citizen Becky Sarra asked if their well was included in the well testing. Selectman Soares said she would have to check. Selectman Robie noted it is supposed to be done. Selectman Soares replied that it wasn't required by DES. Citizen Becky Sarra said she has an agreement with the town saying it would be done.

Candia Crossing bond. Road Agent Lewis said its due next month, so they should address it at the next meeting. Selectman Robie asked if there was a restoration plan. Road Agent Lewis replied there must be if it is bonded.

Road Agent Lewis said he got three quotes for gravel, sand, and different things. He didn't know if the Board wanted to discuss this at the next meeting. The Board was presented with three different quotes, which they will review before the next meeting.

Household Hazardous Waste Day. Selectman DePuy noted HHW Day is September 14th and they have a contract that may go over \$10,000. It's very close to last year and they don't have time to put it out to bid. Selectman Snow asked if there are other vendors. Selectman Snow moved to make an exception to hire Clean Harbors to do household hazardous waste day. Selectman DePuy noted the mercury went up significantly, because a federal regulations. Selectman Robie said this is something to work on right after the warrant article passes. Selectman Snow moved to sign the contract for Household Hazardous Waste day with Clean Harbors. Seconded by Selectman Soares. All were in favor. Motion carried.

Purchase order software. Selectman Robie saw that Selectman Snow looked into purchase order software. It's \$1,000 set up fee. He noted they already came up with a purchase order form. He didn't feel the software was necessary. They don't need to spend \$1,000 on something they are just getting accustomed to. Selectman Snow explained that it links into to their program so they're not double entering stuff. You may want to wait for the update of the purchasing policy at the end of August. He thought it was a significant value. If you don't get it now and you find out a year from now that you need it, you'll have to go back and put in all of the stuff. It hooks into the vendor system and encumbers the cost of the purchase order. He felt it could be a significant benefit. Selectman Robie said why not try what we are doing. It seems to work for now. Selectman Robie said they have some samples of purchase orders and he didn't think they needed a purchase order to have Road Agent Lewis grade Tower Hill Road or Currier Road. Road Agent Lewis said anything over \$1,000 needs a purchase order. Selectman Robie reiterated that he didn't think he needed one, but if he wants to fill out a purchase order he can. Selectman Robie felt the Board could waive this. He explained each department is going to have a year on the purchase orders and a series of numbers (i.e. 1001 for the highway, 2002 for solid waste, etc.)

Selectman Robie motioned to adjourn at 8:00 p.m.

Respectfully submitted,
Andria Hansen
Recording Secretary