

~~Unapproved~~**APPROVED**
Candia's Selectmen's Public Meeting Minutes
October 28, 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 appoint Jesse Daniels and Adam Sicard to the Candia Volunteer Fire Department as firefighters based on Fire Chief Young's recommendation. Fire Chief Young noted they are both from Candia. Selectman Soares motioned to accept Fire Chief Young's recommendation to appoint Jesse Daniels and Adam Sicard as firefighters to the Candia Volunteer Fire Department. Seconded by Selectman DePuy. All were in favor. Motion carried.

Planning Board Chairman Sean James and David Preece of Southern NH Planning Commission to discuss proposed funding. Planning Board Chairman Sean James was present to discuss the funding for SNHPC. Last month it was brought to the Planning Board's attention that the funding was reduced \$2,400 to \$1.00 effectively removing it from the budget. It was discussed and it was a unanimous decision of the Planning Board to ask that the funding be added back to the budget. He was there to discuss what the process would be and give a background on why they think it is important. SNHPC acts as the Town Planner for us. They don't have any full time planning staff. Anytime they have a question updating regulations, update, master plan, or whatever they are who they go to and they have the answers. They have a lot of resources that they don't have access to i.e. GIS specialist, mapping specialist. He put together a brief memo of what they were asking (see attached). He asked David Preece who is Executive Director of SNHPC to speak and give a brief overview. As far as funding he mentioned the town has historically funded this group and the funding has gone down every year. Mr. Preece said they have been around since 1966 and their major goal is to provide technical assistance to our 14 communities. They focus on those communities that do not have a full time planner and Candia is one of those. This year alone they provided traffic plan analysis, and they did 19 sections of traffic counting in Candia alone. They did two road safety audits on intersections that were troubling for the townspeople. In the past they have been successful with bring Brownfield's clean up money to Candia. They are in the process now of applying for another Brownfield's grant. There is a need in our communities and they want to make sure those needs are addressed. They believe in having the communities work together in a cooperative manner. There is a lot to be gained by this. One of the programs that was instigated a couple of years ago was a community preparedness plan program. They pull together all of the emergency preparedness officials in all of the towns to work together. They know the resources are scarce and the resources are scarce. They have to look at where they can work together and come up with a plan to address that. They provide training for ZBA and Planning Board members. These opportunities are free to members. If there are particular services that go beyond what they provide, they only charge the communities \$75 per hour versus \$95 which they charge businesses and non-paying members. They have been very active in promoting economic development in this region. They have come to the Planning Board and the Select Board about these initiatives that would help promote economic development in your community. They felt this was very important and there are obstacles and constraints that New

Hampshire has but they also see many opportunities. They are there to see those opportunities and to use them. He would like to answer any questions that the Board may have. SNHPC Representative Bill Stergios mentioned their per capita charge has not gone up since 1992. Out of the 13 communities Candia pays the least amount. Manchester pays \$56,000 per year and they think its well worth it. They have updated the base map for Candia and added an energy chapter to our master plan. This more than covered our dues. They get monthly information which he passes on to the Selectmen. They provide training for the Planning Board and the ZBA members. They help with the Brownfield's and get EPA funding. The funding is drying up at the federal level and the only way for us to get that is through the planning commission. They work with the town staff on anything dealing with economic development. Candia isn't an island they need to interact with other communities and find out how they do things which will help us do things better. He noted for every \$1 of funding they get \$8. They provided \$21,666 worth of work. He hoped that this showed that they shouldn't be short sighted to save \$2,400. He hoped that the Selectmen reconsidered their decision. Selectman Soares thanked the individuals for coming in and speaking out. Conservation Commission Chair Betsy Kruse sent a letter to the Board from the Conservation Commission (see attached). Road Agent Lewis asked if they don't fund this what will they do to fill the void if the SNHPC isn't there. He would have to go to the town engineer or go somewhere else to fill the void. The Planning Board and Conservation Commission will have the same issue. If they aren't going to fund them they need to set up something to fill that void. Selectman Robie said they did the same thing in 2011. The Selectmen took the funding out of SNHPC and Mr. Preece and Mr. Munn came and spoke with them. In 2011 he was concerned with some economic development in our community. He did the energy chapter that needed to be added to our master plan. He went away in the spring of 2012 and since then he didn't think anyone has ever looked at the energy chapter in our master plan. He noted that they \$2,850 to put this plan together. After he left nothing happened. He understood they thing are good for our community and we put a value on them but they need to follow through to the end to get the value out. The Selectmen have submitted their budget to the Budget Committee and he thought they could reconsider and ask the Budget Committee to put it back in the budget. It is up to the Board to write a letter to the Budget Committee stating that they would like to reconsider the budget for SNHPC. He hopes the dollar amount comes back to help us. Mr. Preece appreciated his comments but the plan is only good as its implementation. The town has to implement the recommendations. They are there to help them but it's the town's responsibility. They initiated two programs. One is to increase tourism for Candia and other communities in the upper Lamprey community called the scenic byway. They've met numerous times with reps from Candia and other towns. They came up with a route that would bring in tourist trade to their area. Another program is called the certified sites program. It's the first program in New England that any state has implemented. If the town wishes to become part of this program they have to modify their site plan regulations. They would be vested for 5 years instead of the 12 to 18 months. This would give the property owner extra time to market their site. They've had 3 communities sign up for it. They felt this would be advantageous for Candia. Selectman Robie thought they were very good comments and if they have discussed it with the Planning Board they haven't seen any of it. There is a part of this he is interested in. He thought they could adopt something which he thought they could get some things going. Planning Board Chair Sean James noted Planning Board has discussed this and approved it. They need to hold a public hearing to get it into the site plan. They haven't done this because they are waiting for more things to come through. The ZRRC had some other things they would

like to add to the public hearing. They are trying to keep the advertising costs down. As far as implementing the energy chapter unfortunately didn't get done. Some stuff gets implemented and some do not. Selectman Robie mentioned the energy chapter and it is a valuable asset to our town and it should be implemented. Selectman DePuy asked how they access information on the scenic byway program. Mr. Preece said the Governor just activated the state committee. They will be going to them to get a state designation next Wednesday. They have been advocating strongly to re-activate this program. They see the value that it has for local communities like Candia. It was mentioned that an energy audit has been done on the town buildings. Selectman Robie said it came through SNHPC it is how they put the dollar amount on it. *Selectman Snow motioned that the Selectmen recommend to the Budget Committee that they support restoring the requested funding for SNHPC for 2014. Seconded by Chairman Kelley.* Selectman Soares asked if the Budget Committee looked at the budget they proposed yet and thoroughly gone through it. Selectman Robie said they are going to discuss it on Wednesday night. Selectman Soares said she didn't agree with a lot of the items on the budget and would like to see what is going with the whole budget before. She had a lot of discrepancies based on what everyone else thought they should be. She would like to see what the Budget Committee thinks of their budget. She knows they can make changes. Selectman Robie said the next time they make changes as a Board is at the deliberative session. Selectman Soares stated she didn't like their budget. Selectman Robie said they realized that that at the Selectmen's Budget Meeting. Selectman Soares reiterated that she would like to see what they think of their budget. There was discussion about when the Selectmen and the Department Heads were meeting with the Budget Committee. This meeting will be on November 13th. Selectman Robie said he would bring the information about SNHPC funding back to the Budget Committee. Selectman DePuy thought it was worthwhile. Selectman Robie always thought it was worthwhile but they need to get back the dollar value. Chairman Kelley called for a vote. *Chairman Kelley, Selectman Robie, Selectman Snow, and Selectman DePuy were favor and Selectman Soares abstained. Motion carried on a vote of 4 to 1.*

The Board to discuss Diamond Hill Road matter. Selectman Soares noted that it is in the final stage of litigation and the Attorneys have talked and they have omitted one line in the agreement. They have made the necessary changes. The agreement should be done soon according to Town Atty. Serge. Selectman Robie thought this was the final version of the settlement agreement. He asked if the Board was going to agree to this final version. Selectman Soares said if the Board agrees with it nothing else will further change. Selectman Snow was concerned with if they made any changes other than what they suggested. Selectman Robie said it was pretty simple there were 8 stipulations. Selectman Snow said he had a concern with the first stipulation which says Stanley wasn't going to be doing any more commercial operations up there. This doesn't indicate that any changes were made in the documentation. This is his only concern and would like to compare the agreements. He asked if Mr. Stanley was happy with the agreement and was the Board happy with it. Chairman Kelley replied yes. Selectman Soares would like to vote with the stipulation that Selectman Snow needs to review it. Selectman DePuy clarified this is the agreement that has been work on for months and it has boiled down to this. Selectman Soares noted this is what's been hashed out since their mediation. Citizen Rudy Cartier asked if there were court cases and all kinds of requirements and there anything is this agreement so this issue is finally settled. Chairman Kelley replied both Attorneys' have this settled and they have come up with this agreement. Selectman Soares said the only difference is that nothing was ever

filed in court so nothing ever had teeth in it. This agreement will be filed with the court so if anything happens there is a potential to sue. Chairman Kelley added if any of the abutters are not happy with this they are going to have to get their own lawyers and fight it. Chairman Kelley motioned to accept the agreement with the Town of Candia and the Stevens. Seconded by Selectman Robie. All were in favor and Selectman Snow will review it first. Citizen Brian Miller asked if he could get a copy of the agreement. Selectman Soares said they can't give him a copy until it is file with the court then it becomes a public document.

The Board to discuss old recycling center. Selectman Soares explained that Selectman Robie had spoke with Doug Kemp. She clarified things for Selectman Robie and told him they do need to test the remaining ash. Stantec's Dave Allwine and she came up with a proposal in preparation of this. She has talked to Ilene Belliou and Waste Management will allow us to reduce some of our testing. If they provide a statement in writing stating all of the ash is from residential waste and all of the sand mixed in is not from a hazardous site. They have to decide this as a Board and it is an option. Selectman Snow said the testing requirement is only necessary if they are going to remove the material to solid waste. Why is Doug telling us that we need to do the addition testing other than the fact he wasn't going to grant us an exemption. Is the testing we are proposing to do going to allow them to give us an exemption? Selectman Soares replied we are not getting the exemption we are doing the testing. It's not about taking it off it's about the extra amount of ash that wasn't calculating in the first place. They were hoping to get the exemption without doing the extra testing. Doug told them they have to do the testing and so they have to get it done. They tested what was there and found out there is a larger volume then what they thought was there. Selectman Snow noted the original report that came back from Stantec clearly indicated that it was solid waste. Selectman Robie said they tested up there for 500 ton and they did 16 tests. After they did the survey they came back to say there was 3700 yards that is five times more than what was tested. What they tested came back as solid waste, non leachable. They have to test the whole amount. The first 2,000 yards they need 12 test and every 1,000 after that they can reduce the number. To do what is right for everyone concerned is to test the amount of ash there so Turnkey will accept it as daily land cover. Before anyone can do anything they need to test it to that extent. It is the Selectmen's responsibility to do this. Our job to do this for future generations. They need to step up to the plate and do the required testing. Selectman Snow said he wouldn't sign anything saying that its only residential waste. Records indicate there could be stuff in the burn pile and there is incinerator ash. If the estimated cost is \$16,000 they will have to go out to bid for the testing. He noted in the original RFP's Waste Management chose not to quote and now they are saying that Waste Management is the place it will go to. Selectman Robie said not at all. Selectman Snow asked why they are doing test specific to Waste Management. Selectman Robie replied it's specific to anyone that will take that product and Turnkey happens to be the place that will take it. Selectman Snow said they send their ash to Bethlehem. Selectman Robie replied they don't make ash. Selectman Snow said if they going to do testing they should do an RFP. He noted they have a vote of the town to do the closure of the site according to closure plan approved by DES. This RFP included all of the things they are doing now. If they go another \$16,000 they go over what they have in the closure fund. Selectman Robie said they need to test the product for what's there. He noted our purchasing policy allows the Selectmen to waive the requirement for a RFP. It is our responsibility to get this done. The only step now is to have the product tested so it could be accept at Turnkey landfill in Rochester. They don't have to bring it there they just need

to let the town know the ash is acceptable. They can move in this direction or another direction if they need to. Selectman Snow felt this was consistent with the process they talked about. They need to know the rest of the process. The testing that Doug is requesting is consistent with Waste Management. Selectman Robie replied he isn't asking for anything it's our responsibility. He called to get us on the right page. He isn't telling us anything. Doug sent a letter that told us exactly what to do. A couple of months later we spent \$1,700 and sent up a waiver. This didn't work. Selectman DePuy said if it is acceptable to Waste Management that means that it is characterized in such a way that the state finds it acceptable to do whatever else we might do thereafter. If it meets those parameters then we can assess what to do. It doesn't mean that it is going to Waste Management it is the character that meets those standards. Selectman Snow said there was a plan in place to cover the site and how much are we going to do. Selectman DePuy replied that got voted down. Selectman Snow replied no it didn't get voted down the people said they could do it for a \$1. Selectman Robie said that means it got voted down. You can interpret that anyway you want but we all know we can't do it for \$1. They threw it back on the Selectmen and it is our responsibility. Selectman Snow had a concern that they are spending \$16,000 to characterize it. They might be spending more money than they should. Selectman Robie said this is the first step in moving forward. We are getting to the point where we need to test this product to the fullest degree. Selectman Soares stated the waiver wasn't a useless venture there are other towns that have done it and DES has approved it. Selectman Robie said that wasn't correct and it was after they did their testing. Selectman Soares said it was not a useless venture and it was worth the time to try it. It was worth trying to see if they didn't have to spend the extra money. It may not be worth in your eyes. If you don't try you don't know. Selectman Robie replied if they were going to ask for such a thing why didn't they ask to reduce the testing. This would be the first thing he would ask for. They paid Stantec \$7,000 to test and it states on their report what the next step would be which is test more. Selectman Soares replied that is one option. Selectman Snow clarified that testing is not an option so they need to test. He would agree that the exemption was a logical option because the testing is necessary if they are going to ship it. Now they are going to ship it. Selectman Robie said he wasn't comfortable covering that stuff up knowing the 17 test we are going to do may be leachable. He wants to be sure that it's going to be safe for generation to come. Selectman Snow said they gave someone a contract and the town voted against it. Selectman Robie replied because they probably didn't have all of the information. If they get all of the information and present it to our community they are going to do the right thing. Selectman DePuy said they told us we need to test to find what we have for a cost of \$16,000. He agreed with everything Selectman Robie said. Selectman Soares felt there was no reason to criticize the waiver because there wasn't anything wrong with the waiver. Selectman Robie felt there was. Selectman Soares replied that was his opinion. Selectman Robie explained he didn't want to be responsible for something down the road. They wouldn't have had this waiver before it was sent off to DES. When he spoke with Doug Kemp and he did tell him the Selectmen should stay out of the paper. Selectman Soares said he can't control that and it's not his place to say it. It was a well written, justified waiver and it had all of the data they have complied for the last 10 years. It wasn't a hodgepodge thing put together. If the Selectmen had actually read any of the stuff she had given them all through the time you would have been caught. You chose not to read the information. Selectman Robie said she was one hundred percent correct. When they asked for an update for the closure report and we wouldn't get one. He said shame on me for not reading it. He gets it now and he has explained it to the rest of the Board. This is where they are at; they need to test according to

Stantec's report. If they want to get a couple of other bids from other companies that do this. Stantec is going to sub it out to a company in Agawam Massachusetts. It is going to be \$12,000 and \$16,000. Stantec is familiar with the area and know where the test pits are. Selectman Snow agrees with that. He noted that GCZ responded to their RFP with a quote of three hundred and something thousand dollars. They talked about doing exactly doing the same things they are talking about now – volume and characterization. Selectman Robie noted they have already done volume and characterization. Stantec has already done that. Selectman Snow mentioned making additional changes to the closure plan. Selectman Soares explained this is just adding this testing to the closure plan. Selectman DePuy noted under their bid process they can waive this and this would be an appropriate one to waive. They should do it as quick as possible and not delay it and keep the state happy. At some point the state may be more forceful in terms of what they want. Selectman Robie thought Mr. Kemp was calling Candia to try to get us to move on this. He got the message loud and clear. They have all of these reports and there has been testing. They need to do the right thing and be responsible. Chairman Kelley motioned to have Stantec to continue with the testing at the old recycling center. Seconded by Selectman DePuy. All were in favor. Motion carried. Selectman Robie asked Selectman Soares if she wanted to continue working on the closure plan. Selectman Soares replied yes she always has.

Employee 2014 Holiday schedule. Chairman Kelley would like to switch Martin Luther King Day for December 26th, 2014 for the employee 2014 holiday schedule. Selectman Soares motioned to change the holiday as presented. Seconded by Selectman Robie. All were in favor.

The Board to decide on November and December meeting dates. The Board will change the November 11th Selectmen's meeting date to November 4th. It was the consensus of the Board to change the date.

Budget Committee Meetings. The Budget Committee will be meeting on October 30th to review the town budget and will be meeting with the department heads in November 13th.

Well testing at the old recycling center. Chairman Kelley asked about the testing of wells and he asked if we are still testing the Serra well. Selectman Soares said yes we just don't have to report it to DES because they don't require it. They don't require it and won't accept it. Selectman Robie replied that wasn't what the letter said that came in today. Selectman Soares clarified if DES doesn't require it they can't accept it. They don't require the Sarra's well to be tested. The groundwater permit doesn't require it in their testing. If they want to amend it which would cost them money they could put their well in the testing and they could accept the data. Selectman Snow strongly suggested they amend the testing and allow it to be accepted. Selectman Soares replied it is going to cost money. Selectman Snow said he didn't care that it was going to cost them money. If he looks at the site and he goes with where Doug told where the cap is, the cap is not over on the left hand side. There is solid waste down there and it isn't capped. The testing is there to protect the neighbors. There is a signed agreement in the office to test the well. If we need to do something to get DES to accept the results he is for it. Chairman Kelley said the groundwater testing results are keep on file at the Selectmen's Office. Selectman Soares said it's a private residence and the town pays money to have this well tested. The town has gone above and beyond. It was never put into the ground water testing plan to test the Sarra's well and she didn't understand why they have to start now. There was some

discussion about the number of wells. Selectman Soares noted they only test three wells. There are four on the report and one is the Sarra's. Citizen Becky Sarra said there are more wells on that site. Selectman Robie said we have been testing the Sarra's wells and there is an agreement that prior Selectmen have signed that we would test the well. We have the results at the office and we send the result to the Sarra's. The issue is Stantec was told to not test the Sarra's well because we didn't have to. We were made aware that we needed to do it because we signed an agreement that we would. Stantec sent us a proposal and we tested the well. The results came back the same as they always do. Somehow DES was sent a copy this year and they said this isn't part of groundwater testing plan. If we want them to add it to the testing to it we have to send a plot plan with the location of the well and add it to the data. Selectman Snow thought it was on the site plan. Chairman Kelley noted they have been testing the well since 2006. We'll keep doing our agreement until the full close of the site. This has been working. Selectman Snow said the results have been going to DES. Selectman Snow said it's a very simple process and it should be in the site monitoring program. He thought it should be sent up as a part of this process. Citizen Becky Sarra noted this is the first year they got a standalone report it has been included every year. Selectman Robie said it needs to be identified on the plot plan. He clarified because Stantec was told to not test the Sarra's well it didn't get in the report, and then we went back and told them to do it. They sent it to DES without any documentation of where it came from. Selectman Snow if the town wants these as part of the plot plan they can do it. Selectman Robie we don't want to keep getting residential results because they can't tie them to a specific location.

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 October 24th and October 31st is \$74,966.55. Selectman Snow motioned to accept the total payroll and accounts payable checks in the amount of \$74,966.55 for October 24th and October 31st. Seconded by Selectman DePuy. All were in favor. Motion carried.

Approval of Previous Minutes: Public meeting minutes of 10/14/2013. Chairman Kelley motioned to approve the October 14th meeting minutes as amended. Selectman Snow seconded. All were in favor.

Chairman Kelley mentioned the ACO van was sold for \$600.

Trustees of the Trust meeting: Selectman Soares asked if they heard anything about the interest on the perpetual care fund. Road Agent Lewis mentioned that he went to the meeting to answer any questions they may have had on the Moore Highway Fund in case they didn't meet before the end of the year. They were fine with it. He noted they invoice everything separate so it's very specific.

Selectman Robie mentioned the Budget Committee was looking for a key for their new secretary to get into the Selectmen's Office. At the Budget Committee meeting he explained to Matt and Marlene that they have enough keys out for this office and they are not going to pass out anymore. He offered to open the office for Marlene if it was on a Friday evening or Saturday morning. The ladies in the office offered to make copies for Marlene, if she wanted to email documents. He noted most of the things she needs copies of come from the school. He asked

her why she couldn't get a key to the school. There are a lot of things in our office and we don't need too many more keys out there. He thought they were in agreement with that. He asked the Board what the status on the keys was for the new Budget Committee secretary. Selectman Soares asked since when do we not give out keys for people who work for the town. Selectman Robie noted the Tax Collector and Road Agent don't have keys to our office. Selectman Soares said when committee members ask for their secretaries to have a key we have never had a problem. Selectman Robie said name one committee secretary that has a key. Selectman Snow asked if the Land Use secretary had a key. Administrative Assistant Hansen replied no and none of the other committee secretaries have one. Selectman Robie said that is our office and he felt we should be copying the school stuff. He noted our office provides her with the information so she can stuff the folders on Monday. Selectman Snow said he saw the memo and was confused and he wasn't sure if she wanted to get into the computer system. Selectman Robie thought they had it cleared up and then he heard they were going to pass out keys. Selectman Snow asked where he heard she was getting a key. Selectman Robie said he didn't know, but it didn't matter they need to get this out in the open. Becky Sarra thought there was a communication some place. All she has to do is ask the SAU for extra copies. Selectman Robie asked the Board what they wanted to do. It was the consensus of the Board to not give the Budget Committee secretary a key to the office.

Selectman DePuy motioned to adjourn at 8:45 p.m. Seconded by Chairman Kelley. All were in favor.