

~~Unapproved~~Approved  
**Candia's Selectmen's Public Meeting Minutes**  
**December 16, 2013**

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

**The Board to discuss additional testing at the old recycling center.** Selectman Robie said they received a letter from Stantec regarding the testing results for the remaining 17 test pits. The letter said that the first three passed for herbicides, pesticides, and asbestos and if they wanted to write a letter to the best of their knowledge that none of these were burned or dumped at the site. The Board decided to test for an additional 14 of the herbicides, pesticides, and asbestos thinking it wasn't going to cost us anymore money. He clarified any additional testing is going to be an additional cost. The additional cost is \$3,300. It's \$2,200 for testing and because the samples have expired they are going to take more samples which will cost \$1,100. Approximately 10 weeks ago they had a discussion that they needed to be responsible and test that material to the standards that DES was asking us to do through Mr. Kemp's letter according to Turnkeys specifications. Stantec proposed to do that for us for approximately \$16,000. They did the first part of that test which was no herbicides, pesticides, and asbestos and they've all talked about this for a week. It's going to cost them more money and they are conforming. They've had a hard getting on the same page and agreeing so it was a standard that everyone would accept. They've gotten to that point and now they are going to doubt the experts after they told us what to do. It took them long enough to believe the experts. They told us we passed the testing and now we are going to tell them to do more. He doesn't agree with this. He felt they passed the first time and they spent \$7,000 for the first seven tests that they did and herbicides, pesticides, and asbestos weren't present. It was found to be solid waste not hazardous. This is the direction they are heading in with this second proposal on the seventeen tests. He was sure they follow the same procedure that they followed with the first tests. This material would be non-leachable and it will be considered solid waste. This is the direction he thought they should go. He felt they shouldn't doubt the experts, it took them long enough to believe that they should listen to them. He felt they should go by their recommendation. Selectman Soares said she spoke with Dave Allwine of Stantec and they had their differences over the cost of everything. When she originally had spoken with them and asked them to do the testing, they said they would test everything according to Waste Management's recommendations. She thought she explained this very explicitly to them and she wanted everything tested. She wanted everything in the proposal they had given us, so they didn't have to go back and spend any additional money. Evidently this isn't what was done, so when they were going back and forth last week she was incorrect. Now they have to spend additional money where she thought it was in the ~~additional~~ proposal. It will cost them additional money and she apologized for saying that it didn't. She apparently didn't explain it well enough to Stantec and they didn't understand so they stopped at the notice saying that we would sign off on a letter deeming that it was non-hazardous. This is something that she was not anticipating based on conversations that they had in the past. Moving forward she still thought they should test. At SB2 the warrant article was changed back to \$1.00. People changed it because they wanted to know what was there they didn't want to spend the money without knowing what was on the site. She understood this was going to cost additional money, but in the long run this is the best way

for us to say we've done our due diligence and eliminated all possibilities. She understood it was a small amount of money, but she really thought they should test the full amount to eliminate any future problems. Selectman DePuy said he shared that view because he felt if they are going to truck it off site and of what Waste Management's requirements are. If they are going to spread it around, he was more comfortable with doing a complete test. He felt this was reflective of what the town was saying at SB2. They want us to find out what we have and deal with it. He was sorry that someone from Stantec didn't tell us there was a time limit for getting back before the samples expired. He would ask them to take the samples on their own dime. Selectman Robie replied Stantec sent a proposal and it spelled out exactly that they were going to do the three additional tests. He noted once the results of all 17 samples comes back, then we will move forward. They can't blame them for the time period lapse. It explains in the letter that the samples have to be analyzed 72 hours later. They get the results and after they go and get some more. If they wanted them to do all 17 samples that should have told them so. It says it in the one of the first paragraphs of the proposal. Selectman DePuy said he wouldn't ask them to do it on their dime, he would just ask them to do the testing. Selectman Snow said they got a bid of \$16,000 to do testing. He sees about \$7,000 gone and do they still have \$9,000. Chairman Kelley replied the \$16,000 is gone. Selectman Robie explained they spent \$7,000 on the initial testing about six months ago. They got a letter back that they didn't test enough. They discussed it 10 weeks ago that they needed to test some more. They haven't billed us a dime yet. Selectman Soares noted they will bill us when they are done. Selectman Snow thought the cost could be as much as \$22,000. Selectman Robie noted that the cost is an additional \$3,300 for a total \$19,300. Chairman Kelley said he had a breakdown of it in his folder. Selectman Robie said the only thing he could say is the people asked us to find out what is there. The first test we didn't test enough and they came back and said we needed to test some more. We are doing exactly what everyone wants us to do – Mr. Kemp, Turnkey, Waste Management and the citizens. Selectman Snow noted that he has said all along that they need to test all of the samples to ensure that it doesn't get to Waste Management and get kicked back to us. If it gets kicked back to us we could be spending a lot more money. The questioned that he had is do they go out and start digging samples now or are we waiting to next spring. What is that they are going to do beyond the testing? Selectman Robie said that is why they are here this evening to tell Stantec to move forward one way or another. They have to finish the testing for the herbicides, pesticides, and asbestos if they want to spend that money for another 14 samples. If not they will go into testing the metals, which is noted on the first sheet of the proposal. The first seven tests came back none hazardous and considered solid waste. The only thing is they didn't do enough tests for what is estimated to be there. This is what they are doing know. The same thing they did back then, but for more samples. Selectman Snow added and for herbicides, pesticides, and asbestos again. Selectman Robie said and they did more because of the tonnage size. Selectman Snow said they need to do the testing of all of the samples so they can ensure the ash will be acceptable to Waste Management. Selectman Robie said this is sufficient evidence that these compounds are not present in the ash, so the analysis for herbicides, pesticides, and asbestos is not necessary. Selectman Snow said that is why we are testing so the material doesn't go to Waste Management with herbicides, pesticides, and asbestos or other toxic substances. Selectman Robie said we just paid Stantec to figure all of that out and do the initial three tests. It passed as significant evidence for Waste Management. It's not necessary to test anymore that's why they proposed it at \$16,000. They knew they did the three samples back in June, they did three more and experts are confident that those three things are not present. Selectman Snow

noted Stantec is working for us not Waste Management, so Stantec can't speak for Waste Management they are doing what the expectation is which is Waste Management might take it. Selectman Robie replied Stantec talked to Waste Management to write the spec just like Mr. Kemp told us to have our engineer to talk to Ellen Belloux to get the specs of what they need. They wrote the proposal for the town to make this stuff tested enough so it is acceptable for Waste Management. This is what we are paying \$7,000 and \$16,000 for. It's \$23,000 on a pile of ash. Selectman Snow said they saw on the first letter from Stantec that they needed to be certified. There is no way that he can certify that they don't have hazardous material in there. He knows that DES has hit them with citations in the past on that particular thing. They burned things in there that wasn't virgin material; it was C & D which you can't burn. He can't say all of the years they were burning there they weren't burning something bad. If they have layers in there with sand and something underneath it, he doesn't know what's under there. He noted Mr. Kemp gave them a break and said it's not incinerator ash. What if it is and what if the rumors of shipping stuff into Candia and burying it in there are true. This is why they need to sample. Selectman Robie said that is why they dug twenty something test pits 12 feet in the ground. These people are the experts – Stantec, DES, and Waste Management. They are the experts in solid waste and hazardous waste. Selectman Snow replied they only tested three samples they didn't test all of them. Selectman Robie said they tested the three samples that were required by Waste Management. He told Selectman Snow to read the proposals. Selectman Snow felt that \$3,300 wasn't an exorbitant amount to ensure that material is not hazardous. Selectman Robie said this is only going to ensure that there are no herbicides, pesticides, and asbestos. They still need to do all of the metals testing. Selectman Snow said the samples that they take will be tested for the full spectrum of metals and herbicides, pesticides, and asbestos. Selectman Robie said only if they tell them and we are going to pay them more money at this point. Selectman Snow said they are going to take the other 14 samples anyways. Selectman Robie said for metals. There was some discussion about the additional costs. Selectman Robie said he didn't want to do this over the phone and he wanted to discuss it in a public meeting. Selectman DePuy motioned that they pay the \$3,300 to do additional testing on the samples for the herbicides, pesticides, and asbestos. Seconded by Selectman Snow. Selectman DePuy, Selectman Snow, Selectman Soares were in favor and Selectman Robie and Chairman Kelley were opposed. Motion carried on a vote of 3 to 2.

Selectman Robie motioned to adjourn at 7:20 p.m.