

~~Unapproved~~Approved
Candia's Selectmen's Public Meeting Minutes
April 14, 2014

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

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

Review of minutes for March 24th, 2014. Selectman Snow mentioned the discussion about how Boyd Chivers is a Selectman now and could he serve on the ZBA as well. He was told he can serve on the ZBA because it isn't an elected position. He didn't want the public to get the impression that the Board had review and discussed the request from the ZBA to appoint anybody. This is an open issue at the present time. There has been no discussion about Boyd and Amanda being reappointed to the ZBA. He didn't want the public to get the wrong impression that something has taken place that has not. Chairman Robie said they can discuss this at the next meeting. Selectman Snow motioned to approve the Selectmen's Public meeting minutes of March 24th, 2014 as amended. Seconded by Selectman Chivers. All were in favor. Motion carried.

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

Highway: Road Agent Lewis read from the attached report. He mentioned that patch should stay now that the frost is out of the ground. He noted that mud season came late and the worst road was the lower end of Currier Road. It's on the mend now and he tries to keep up with it once or twice a day. Last Thursday the upper end of Currier Road was about 2 ½ to 3 feet deep. Tower Hill and Hook Road had no mud and Flint Road had some. Selectman Snow would like to do some type of exercise that figures out how much gravel they've been putting into Currier Road so they can look at it and see if they should be paving it. He would like to see a firm number of how much money they've been putting into that road. Selectman Soares said they had a warrant article to pave this road and the people voted it down. Selectman Snow replied yes it was. Selectman Chivers said they might find some support to rebuild the road but not pave it. Selectman Snow said they need to consider the cost they poured into that road which still hasn't put it into a passable condition. Chairman Robie asked Road Agent Lewis if he would be willing to put something together. Road Agent Lewis said they could box the whole road out and they could put fabric down and geogrid over the fabric. They could put some layers in there and leave it as a dirt road. It would probably stay solid but it would be a major expense. It's almost more costly than a paving job would be. It's a costly endeavor. He'll put some numbers together this year and they can decide how to proceed. Selectman DePuy said he ran into people from town that live on Currier Road and they didn't want it paved. They rallied the people of the town to vote against the warrant article. They think paving it will be a hazard and people will drive too fast. Road Agent Lewis thought maybe this idea could accommodate everyone. Selectman Soares said they do the patching in between the storms to fill the pot holes. She questioned if it was beneficial for us to patch the holes in between the storms. Could they

use the money for the paving? She knows it's a tossup. Road Agent Lewis replied if you leave the pot holes. They get very deep. They have to patch them. Some towns put stone and sand in their pot holes but once the water gets in them it makes the pot hole that much deeper and freezes a ring around the pot hole. He wouldn't want to not do it because they would have more people coming in here looking for rims and tires. Selectman Soares said she understood it's a lost cause. Road Agent Lewis said it's the best thing to do but it's the only thing to do.

Police: Selectman Chivers said the Chief, two officers, a private citizen, and himself went up Concord for Officer Terelli's graduation ceremony on Friday. Officer Terelli was a member of the 163rd graduating class at the Police Standards and Training Academy accompanied by 58 other cadets. It was a nice ceremony and it was a privilege to be up there with the department and the Chief to witness this. Officer Terelli has already reported for duty. Chief McGillen noted he is on the evening shift. Chief McGillen is in the process to schedule interviews for later this week for two part time officers. He has fourteen or fifteen applicants for consideration. The cut off to get the applicants in the police academy is May 15th for a class that starts on June 15th. They also inventoried surplus equipment that was hanging around the police station. It's stuff that could go to the dump or go to Car World or go to auction. Chief McGillen needs the Board's consideration to get rid of this stuff. The list of items are: a video monitor, a couple of light bars, some blue lights, three shot gun racks, radar detectors, a lap top mount, a bicycle, four Crown Victoria hub caps, four back seats for a car. Chief McGillen is waiting on a court order to get rid of a floor jack, and there is a box of catalytic converters. There is no value representing this stuff. They are just trying to clean up the basement and make room for more equipment. Selectman Chivers said there was a scratch on the back of the newest cruiser and Chief McGillen received a quote to fix it in the amount of \$590. He looked at the scratch and it wasn't worth that amount of money to fix something you can't even see. It's not going to cause any rust and it won't affect the resale value of this vehicle. He can't see spending \$600 on this. So they decided to leave it alone. They have been approved for an OHRV grant. They have been approved for 24 hours of patrol up and down the rail road bed and throughout town on the ATV. The State through Fish and Game pays \$45 per hour. Our actual cost is closer to \$50 per hour. They need the Boards permission to apply for the grant and it will cost the town \$96 to put the officers on patrol for 24 hours. He asked Chief McGillen if he had anything to add. Chief McGillen said someone dropped off a pit bull over the weekend and it's in rough shape at the moment. He hasn't heard the status on it; it may need to be euthanized. It looked like it had been used for fighting. It had no teeth and it had fractured legs. It was wrapped in a blanket and it looked like it was drugged up. The Animal Control Officer picked it up. He doesn't know if anyone saw anything or knows anything. They checked with neighboring departments to see if any activity has been going on. He hasn't heard anything back. They've had a couple of dogs dropped off lately. There's been a lot of ACO call over the past week. It's been fairly busy. They had 224 calls for the month of March. There had been shooting complaints. This is something they try to balance out in Candia. The residents can shot if it's in a safe manner on their property. They had one person call up this weekend that was irate that their neighbor was shooting for over an hour. Last year they had multiple calls like this on the weekends. They try to mitigate and work it out but there is no law saying they have to tell them to stop shooting. They try to work it out and have had success with it. There were no burglaries for the month of March. There has been suspicious activity calls. They will gladly check it out. Chairman Robie asked if the Board would like to kick in the \$96 and have the Chief go ahead with the grant.

Selectman Snow moved to authorize the Chief to apply for the OHRV grant. Seconded by Selectman Chivers. Selectman Soares noted that is at the rate of \$50 which presently is our rate. Chairman Robie said they had this discussion last year. Selectman Snow understood what she was saying, they are losing some money. He noted if you look at the other side they are paying \$45 and it's providing a valuable service. Selectman Soares replied she's not saying they aren't providing a valuable service she just didn't agree with the rate. Chairman Robie called for a vote. Chairman Robie, Selectman DePuy, Selectman Chivers, Selectman Snow were in favor and Selectman Soares was opposed. Motion carried on a vote of 4 to 1. Selectman Chivers asked if they could vote on the disposal of the equipment. Selectman Chivers motioned to authorize Chief McGillen to dispose of the equipment. Seconded by Selectman Snow. All were in favor. Motion carried. Selectman Soares said she went through the payroll and all of our officers except for one officer has overtime. She noted one part timer has 8 hours and the other has 10 hours. She was confused because they had the discussion about using the part timers more often. She questioned why the full time officers have over time and the part timer that offered to work more hours only has 8. Chief McGillen replied that part timer hasn't been available as much as he said he was going to be available. He has been working a lot in the other town he works in. She asked what the status of car 4 and 5 was. They seemed to be sitting in the yard more often than the used car. Chief McGillen noted Sgt. Gallagher uses car 5, it's the Supervisors car. Car 4 is used for details or secondary use car. Selectman Soares asked what the mileage was on car 2 and 1. Chief McGillen said he would get that information for her. There was discussion about the maintenance of the cruisers. Selectman Soares said the maintenance schedule is in place and the administrative assistant has it.

Fire: Selectman Chivers explained they just got word that their application for the Homeland Security Grant has been approved. It is for \$68,000 to buy 13 out of the 20 air packs that the department needs. The remaining 7 air packs (\$5,500 each) will be purchased by the fire department from the capital reserve account. Lt. Cormier has been on top of this and he has had someone helping him out. The town owes him an appreciation for following up on this and making it happen. Selectman Chivers read from the attached report. He mentioned there was a fire in Auburn that Candia helped cover last week. Chairman Robie noted they will except the grant under their quarterly donations.

Building: Building Inspector Murray noted there were only 14 permits issued last month. There are seven code enforcement cases open.

Solid Waste: Selectman DePuy read from the attached reports. The baler was down in February and as a result they tried to work around things. Chuck tried to do the best he could he had to haul loose cardboard and paper. The result was there were four loads sent of loose unbaled paper and cardboard. It cost \$900 to transport and generated \$618 of income. So without the baler they are losing money. He found an outfit in Connecticut that is receiving baled cardboard and paper. They are doing it without a charge for transportation at a better price. He noted it was one of the lowest March's ever. The recycling center will bale and hold things. The metal piles are getting high, but Chuck is trying to get the best price for it. He mentioned that Manchester is doing a pay per bag thing at the Manchester recycling center. It didn't seem to be very popular in Manchester from what he read. Raymond has done it and they had problems initially but they voted on it. He is raising the issue and he didn't know if it was

ever considered here before. His sense is that it might not be a popular thing in Candia. It's food for thought. Selectman Chivers noted every time they charge someone for taking something to the dump, it ends up on Crowley Road. If they have a pay for disposal in Candia the problem will go up and up. If they have to pay to get rid of it they'll just dump it. Selectman DePuy noted they do charge for certain items that are left off like furniture and tires. Selectman Soares noted in their payroll sheets they have two time cards for two different part timers at the recycling center. She thought they were going to have one part timer and one as a backup. They both worked last week. Selectman DePuy said his understanding was there wouldn't be four people working there all at the same time. Paul or Connor would come in as needed. Selectman Soares questioned why both worked on a Wednesday. The total for one of them came to 18.5 hours. These weren't the hours they discussed. She noted one of the part timers had 18.5 and the other 8.5. She noted they had this problem before where they hired a person who was supposed to be on call and it turned into more than that. She didn't want this to become a habit. She has to sign the time sheets and there are certain things she has problems with this is why she brought it up. Selectman DePuy said he would look at the policy and the time sheets and get back to her. Selectman Soares said she didn't think this was the correct amount of hours when they hired the part timers. Selectman Snow noted when they hired two people they hired one to be there part time and the other to be an on call person. He thought they have to give these guys' hours some time if they want to keep them. He noted that Connor is working the week and Paul is working the weekends. Selectman Soares said Connor is working the week and the weekends. Selectman Snow noted they want two people there at all times. They are using as much part timers as they can. None of the employees in the recycling center are ever getting overtime. So they are using part timers to be able to have enough people there. You have to work the part timer or otherwise they are going to be looking for another job. He doesn't personally have a problem with this and he doesn't remember hiring them and then telling them they aren't going to work. Selectman Soares said it isn't not letting them work, but don't have the exuberance. Yes they are hiring a part time person, but it's not to be used as a full time work schedule. They are not over working the individual. If they can't come in then they have a back up person. They hired one with the potential of one being the backup person. Selectman DePuy asked if she was concerned about Connor or Paul. Chairman Robie said neither. Selectman Soares said she just wanted him to look into it and make sure they are following the policy. She thought 18.5 was a little high, but apologized if she was mistaken. They need to follow what they agreed to. Selectman DePuy noted in the period from January to April what's remaining in the part time line is 86.95%. This is good, because it should be 75% after the first quarter. He'll check on the time card for last week. Chairman Robie said they should check the minutes when they discussed hiring two part timers. Selectman Snow said that Selectman DePuy addressed the issue of not having four people there at the same time. He mentioned when Amanda was running it they used to have meetings and it would be nice if Chuck could get all four of them in there at the same time. Selectman DePuy said he would report back next meeting.

Parks & Rec: Selectman Snow noted Paul Rogers has been working with him in the park. He noted this is his last year, so he needs to train someone on what happens in the park. Paul has been hired by him to do the opening and closing of the bathrooms. The budget he suggested to the Board would have been enough to work him full time. They don't have that so Paul is going to be working three and a half days of the week and the volunteers are going to be working the other three and a half. Paul will get the training that he needs to get a feeling of what goes on at

the parks. So next year they will have someone with the experience and expertise. He will budget it for next year. He will be paid \$8.00 a day for the months of April, May, October, November and \$10.00 for the months of June, July, August and September. This was the amount of money the town was paying somebody when he took over the parks in 2009. The job of opening and closing the bathrooms is that you look around the park and see if there is anything wrong or anything going on that shouldn't be. If the bathrooms aren't open he would be getting complaints. He noted there are people that come down at 6:00 am to use the park. He is reasonable certain that on occasion they've had homeless people and families that have come down and used their bathrooms. It is a perfectly legitimate use of a public facility and that is why we open the bathrooms. Paul is going to be working this year half time to be able to do that. The rest of it is going to be volunteers. Chairman Robie said they hire someone as a Board. Selectman Snow said he is bringing this to the Board to recommend that they hire Paul. Chairman Robie asked the Board if this is what they want to do. He's asking them if they thought it was appropriate to do it this way. Selectman Soares replied this is how they do things, they are the one that hires and fires employees. She noted there is already a pay stub for him for parks and recs that Selectman Snow signed. The Board didn't approve him to work for parks and recs. Selectman Snow said he is the department head and he has the authority to hire. This is a legitimate concern and he doesn't have a problem with it. Selectman Snow moved to hire Paul Rogers on a part time basis to open and close the bathrooms and be paid in a manner he suggested and help with the cleaning up of the park for what he is paid at the recycling center. Chairman Robie thought they should have a job description on what this man is going to be doing. He has a job description at the recycling center. He should be paid the same rate at the park as he does at the recycling center. They need to vote as a Board on whether he should be working at the park. Selectman Chivers suggested that he put in writing everything he just told the Board then maybe the Board could consider this. Selectman Snow said he would write up the process. Selectman Chivers said he could see why they open up the bathrooms in the morning, but why do they close them at night. Selectman Snow replied so no one goes in there. He asked if he had the Boards concurrence. Chairman Robie thought they shouldn't pay Paul different rates to open and close the bathrooms. He thought they should pay him \$10.00 to open and close the bathrooms for all of the months. Selectman Soares appreciated that Dick is getting someone to do this, but he has to remember when he harps on them about doing things appropriately you have to do the same. You needed to bring this to the Board and get their approval. This is the Boards job. Selectman Snow continued to read from the attached report. He mentioned that the Conservation Commission voted at their last meeting to hire Donna DelRosso as their administrative assistant. He asked if the Town Boards or Committees need to come back to the Board of Selectmen to hire an individual. Chairman Robie and Selectman Soares thought that they did because they recently did that with the Budget Committee secretary. Selectman Snow noted that he felt that the Planning Board and the ZBA should be paying for their administrative support. If you don't do that they aren't properly accounting for their expenditures. Selectman Chivers felt that was a separate issue. *Selectman Snow motioned to hire Donna DelRosso as the Conservation Commission's Administrative Assistant at a rate of \$12.57 per hour. Seconded by Selectman Chivers.* Conservation Commission Chair Betsy Kruse wanted to clarify dollar the amount on the motion which is \$12.75. She thought that's what Mimi was making and that is what they wanted to pay Donna DelRosso. She offered her apologies for not bring more specific on this matter, they weren't aware of the procedure. Selectman Snow thought that Mimi was making \$12.57 that is what Payroll/Accounting Clerk

Becker told him. Chairman Robie said they would find out that information. He thought this was an issue they may want to consider at their next meeting. The motion has been made and seconded and they need to call for a vote. He is going to abstain on this vote. Selectman Snow said they Conservation Commission is going to meet tomorrow night and they need someone to take their minutes. Chairman Robie called for a vote. *Selectman Snow, Selectman Chivers, Selectman DePuy were in favor, Selectman Soares was opposed and Chairman Robie abstained. Motion carried on a vote of 3 in favor, 1 opposed, with one abstention. (3-1-1).* Citizen Ingrid Byrd mentioned the report and it says "The playground surface will need to be redone this year, using money from both the trust fund and the increased funding in the operating budget maintenance line." She asked if this was discussed and approved by the Board. Chairman Robie said they did review and discuss this at their budget hearing in September. They encouraged Selectman Snow to put that warrant article money into the budget. Citizen Ingrid Byrd asked if they would be putting that out to bid. Chairman Robie said Road Agent Lewis usually takes care of that. Road Agent Lewis noted they usually use the same supplier when they put the playground in. They can shop around for prices. They have volunteers move the mulch around. Selectman Snow mentioned the upper Lamprey Scenic Byway is going to be implemented. He's working with SNHPC to make sure the route and all of the places on the route are properly described, so anyone that drives through Candia can see the businesses.

The Board to discuss the mosquito control program for 2014. Building Inspector/Health Officer Dave Murray explained they've had some confusion over the past couple of weeks. The warrant article passed and they submitted the emergency spraying application through Dragon Mosquito. Dragon Mosquito caught wind that the warrant article passed and they moved forward full blast sending out notification that they were going to spray this summer. They didn't notify the town, so he put the brakes on it. The Board needs to approve it if this is what they want to do. The notification has gone out to the bee keepers and the newspaper. It is the same program they did in 2010. He recommends the Board signs the contract tonight and get this moving. They need to get the larvicide program started right away. Selectman Chivers asked if they could consider putting this out to bid. Building Inspector Murrays said it is too late to do that now. In August they can do an RFQ. If they get another company now they'll have to resubmit a permit. If they back out with Dragon they will have to go through the whole process again. Selectman Chivers asked if it was non transferable. Building Inspector Murray replied it was and this is a learning process for all of them. Selectman Soares noted they failed to mention this to us. She should have called the town once the warrant article went through and ask who to contact and what the process was to proceed. The Board needed to approve this. She understood that she should have called first. In previous years we could apply for it and use whoever we wanted, but this time it is not the case. Building Inspector Murray noted they used the same process as they did in 2010 but things have change a little bit. They need to do the bidding process for next time. Chairman Robie noted this program was put together by an individual not the Selectmen. If the Selectman had been interested in a mosquito program when they had to submit the application as Selectmen it would have been their responsibility to shop this product. This was done through a petition warrant article and one gentleman got one price and brought it to the people. He got the price from Dragon and they did the application for permit in 2013. She received the permit in February even before the town vote. The people of Candia voted to spray. This Board needs to say yes and sign this contract. They need to start checking the larva pools. Selectman Chivers said they don't have much choice but to carry out the will of the voters.

Selectman Soares wanted to remind people if you don't want your property checked or sprayed you need to contact Dragon Mosquito. Let them know that you do not want your property on the list or sprayed, so you are not included. She noted that Building Inspector Murray does have some flyers and they will be putting it on the website. They will make it accessible for the people who don't want their property sprayed. Selectman DePuy asked if the spraying was going to be in the limited areas. Chairman Robie explained they aren't spraying anywhere until they test the larva. Selectman DePuy asked if the limited area was the playground and the park. Selectman Soares said those are the high traffic areas that we will be spraying. If there are additional ones they will let us know. Chairman Robie said just as a point of information the school has their own program for mosquito control. He thought the CYAA uses the same people. Dragon is going to set traps in the swamps and the puddles and send it out for testing. If any of the tests come back positive then they institute the spray program later on in the season. Selectman Snow said they do not spray your property period. Now the laticide is different, they won't larvicide unless you ask them to. Building Inspector Murray said they have 106 sites they are going to do larvicide to and they are expanding on that list. Selectman Snow replied they need permission to do that don't they. Building Inspector Murray replied no they don't need permission. Selectman Snow said that was his understanding from when they did it in 2010. They don't go on your property unless you allow them to. Building Inspector Murray noted it was a big argument in 2010. You have to call and tell them you don't want them on your property. Selectman Chivers clarified this is a two step process and does the Board get involved if they have to spray. Chairman Robie said if the tests come back positive they will notify us. He noted in 2010 they were having positive hits in town and they weren't being notified. Selectman Chivers reiterated the Board doesn't have a choice but to carry out the will of the people and they have to start it now. Selectman Snow moved to authorize the Board to sign the contract for the mosquito control program for 2014. Seconded by Selectman Chivers. All were in favor. Motion carried. Citizen Ingrid Byrd asked if Sara MacGregor was a resident of Candia. Selectman Soares replied no, she is the owner of Dragon Mosquito. Citizen Ingrid Byrd said a non resident can come into town and start a warrant article, get people to sign it and it will then benefit her company. Selectman Soares replied as far as they know Citizen Eric Shifflett is the person who generated the petition warrant article. They have no proof of who really generated it. Citizen Ingrid Byrd asked if he was still employed at Dragon Mosquito. Selectman Soares replied no. Chairman Robie said they don't need to be having this discussion. Citizen Ingrid Byrd said this petition warrant article has tied the Board's hands. Chairman Robie said they won't let this happen again; they have gotten wise to this. If they are going to institute their own mosquito control they can implement their own procedures. He reiterated if someone comes in with a petition warrant their hands are tied. He thought the town of Candia could apply for a permit. Selectman DePuy thought they did that. Chairman Robie said they did through Dragon but they can do it on their own. Once they get that then they can take their application for permit and go to any company they want.

The Board to discuss list of bid items with Road Agent Lewis. Road Agent Lewis provided a list of bid items that pertain to their purchasing policy (see attached). He asked how the Board wanted to proceed with this. They could bid the whole project out or they could bid parts of it out. He said the Board could bid some of these out. Chairman Robie said this is for Depot Road, Lane Road, and Green Road. Road Agent Lewis explained that it was paving on Lane Road and Green Road, drainage work on Depot Road and the box culvert on Depot Road. He

contacted Stantec on the sizing of the culvert and for the sizing and the entire permitting which is a tier 3 permit it will cost \$10,000. The culvert would be designed and stamped by the manufacturer. There is a \$10,000 cost for all of this. Selectman Soares asked if they could look at other options and look at other engineering firms that might cost less than Stantec. They've always had Stantec and maybe they aren't getting the best price. This is a big chunk out of the budget. Chairman Robie asked if they were just going to do the sizing and permitting. Road Agent Lewis replied they are going to do the sizing and the wetlands permit. Basically if he gives them the okay they will complete that and they will send it to DES. On a tier 3 permit DES has 105 days to get it back to us. This is putting the project three months out from now. Selectman Snow thought they could address Selectman Soares' concerns by bidding out a whole number of things this year like the engineering firm and our auditors. They could be bid out during the year for next year. They went through the process of getting Stantec as the town engineer a long time ago. It makes sense to rebid the town engineer. This is a discussion for the Planning Board and the Board of Selectmen, but right now they have a dead line. They need somebody to put this stuff together, so the Road Agent can do a road project in August. He can't envision them doing this if they have to bid it right now. Road Agent Lewis said this is a worst case number. He was hoping the number would come in at a lower price. Chairman Robie said he is going to spend approximately \$10,000 for the sizing of the culvert and the specs. He already has a quote on the gravel, sand, paving and they are going to do the reconstruction the same way they've been doing it as far as he is concerned. They have a \$150,000 warrant article to do that job down there and the Road Agent thinks he can make it work. He thought he could get three bids on the asphalt. The gravel and the stone he can do what he always does. Selectman Snow said if they are going to do gravel and stone for the project why don't they do it for the entire year. Road Agent Lewis noted sometimes that works and sometimes it doesn't on projects. Sometimes he buys it local and it is a big savings. If they are to bid this out and a bidder comes in from Hooksett or Pembroke they by paying the trucking cost. It is hard to do that. If they were to bid this out they would bid it separately from the roads. *Selectman Chivers moved to waive the competitive bidding process as it applies to item one warrant article projects. Seconded by Selectman Soares. All were in favor. Motion carried. Chairman Robie motioned that Road Agent Lewis get three quotes on asphalt paving for the year 2014. Seconded by Selectman Soares.* Road Agent Lewis clarified if the Board wanted bids or quotes. Chairman Robie said he would like quotes. Road Agent Lewis said he would write it up so that they are all quoting the same thing. *All were in favor. Motion carried. Selectman Chivers moved to waive the competitive bid process for the remainder of the items – stone, sand, salt, snow plowing, trucking, backhoe.* These items should be a case by case basis. Our system has working so far and he couldn't imagine changing it. There was a discussion about bidding the salt. Selectman Snow stated from a bottom line of a management prospective on the highway department in the Town of Candia, you will not find better roads at a cheaper price anywhere in the State of New Hampshire. The Road Agent builds good roads and they last and they are as inexpensive as you can get them. Chairman Robie asked if Road Agent Lewis could get some gravel prices. Road Agent Lewis said he would, like he always does. Chairman Robie said the loader work, snow plowing, trucking, and backhoe items he agreed with Selectman Chivers. Selectman Chivers said they are going to require quotes on gravel and stone and winter sand and salt. Road Agent Lewis said sand is tough and a lot of towns end up with a frozen block. Selectman Chivers clarified they will get quotes for paving, gravel and stone, sand and salt. For the remaining five items they will go with the way they have been doing it, no quotes. Selectman Chivers withdrew

his previous motion due to a lack of a second. *Selectman Chivers motioned to get quotes on paving, gravel & stone, winter sand, and salt. Seconded by Selectman DePuy. All were in favor. Motion carried.* Citizen Ingrid Byrd said since her property is on the lowest part of the road, the Road Agent in the past has jokingly said he was going to raise the road 2 feet. She would like to have it up front that isn't going to happen. Chairman Robie said if he raised your driveway 2 feet he would certainly blend your driveway back in there. Citizen Ingrid Byrd asked how the road is going to change. Road Agent Lewis explained he is going to put in a box culvert at the same elevation as now. It would be foolish not to have a relief valve as it comes towards your house. Where the culvert is at this elevation they would have a relief valve so if something blocked up the culvert it would not flood her property. It would be able to go over the road, but with a properly designed culvert it should never have to do that. Citizen Ingrid Byrd said the two culverts did the job as long as they were cleaned out. Once she stopped cleaning them out they blocked up. Road Agent Lewis said he checked them the other day and they were as clean as a whistle. He noted they are in tough shape. He further explained they are going to lower where the tracks are. Citizen Ingrid Byrd asked what is going to happen to the cables that are under the tracks. Road Agent Lewis replied they were supposedly buried 8 feet, but he doubted if they were. If they can't lower them they will bring both sides up. In front of Mr. and Mrs. Byrd's house the grade has to come up some. Citizen Ingrid Byrd asked him to define some. Road Agent Lewis noted it could be a foot or 15 inches. They will see when the engineers measure the culverts. They will be open bottom. Citizen Ingrid Byrd wanted it on record if it affects her three driveways the town will have to pay for it. Road Agent Lewis said most driveways will be affected because they are changing most of the culverts. He noted they will pave those aprons in like they do with every other road. It will be far better than what they have. There will be no dramatic change in front of her house. Chairman Robie said this is where engineering changes the whole prospective, because it is on a plan and there is no discrepancy. This is where Road Agent Lewis and Mrs. Byrd are going to get along. Selectman Snow wanted to make sure that they lower that crossing where the rail road goes across there. His son almost got killed there because someone was coming over in his lane. He had to go to the left to get out of the way. It needs to come down. Road Agent Lewis said he was going to meet with AT & T and Sprint, because they will tell him how far down the wires are buried and they will engineer it to what is allowed. They will make this work one way or another.

The Board to review by-laws for the Smyth Memorial Building Trustees. Chairman Robie said Selectman Chivers and he wrote up draft copies of by-laws. They looked at the Fitts Museum by-laws. He asked the Board if they reviewed them. He noted that Selectman Chivers spelled out a lot of things the Heritage Committee has already done over the past few years to no avail. The Selectmen's idea of trustees was to get that building in the hands of some people and let them oversee the maintenance of it. If a use of the building came along in the future that was applicable to our town they would bring it to the citizens and the Board of Selectmen. This was his take on the way he wrote the by-laws. Selectman Chivers version and his were a little different. He noted they've only received a few applications for the trustees. He is a little disappointed, but they are still working on it. Selectman Soares asked about the finances section in the by-laws. It says "No Trustee shall receive compensation for services beyond the amount of actual expenses incurred in carrying out his or her Board responsibilities." She asked if he could explain what expenses he is talking about. Selectman Chivers said it would be if they bought something on behalf of the Board of Trustees like office supplies or traveling to a meeting.

Selectman Soares clarified that this is not a paid position. Chairman Robie replied certainly not. Selectman Soares said she wanted clarification because after reading the by-laws it could be interpreted that way. She assumed this ran the same way the Fitts Museum does. They have a line in the budget for the Smyth Memorial Building and are they keeping that in their town building expense or are they keeping that money at a certain level like the Fitts Museum. We have \$14,000 in the budget which was approved this year. She asked if they will be asking for their money through a warrant article or will it stay in the town budget. Chairman Robie said his interpretation is just how the by-laws are written "The Trustees must see that the adequate funds are raised and are expended in a manner which most benefits that Smyth Memorial Building, with its history preserved." So whatever it takes for those trustees to come to the Board of Selectmen and get it in the operating budget or come to the Board with a warrant article. This is going to be their responsibility. If they fail to do this, it is the Board's building to maintain and take care of. This is the whole intent to get it out of our hands and let this group of people make those kinds of decisions. Selectman Soares said it will no longer be in our operating budget. Chairman Robie said if they ask us to put it in for them it may be an option. The Fitts Museum asks us to put it in as a warrant article for them. Selectman Soares noted if it is in our operating budget the Board has the option of dispensing the money as they see fit. Chairman Robie said that is why it is written the way it is, so the trustees will go out and get the funding so that can't happen. The way this can't happen is through a warrant article. Right now they have \$4,000 in the budget to heat and light the building. There is window repair that needs to be done and they put it in the budget this year and it passed. If they get these trustees in place it will be our responsibility to see that they get that funding. This is how he views the situation. Selectman Soares understood but it's not always how it's perceived by everyone else. Chairman Robie said they understand the process here. Selectman Soares understood the process but didn't agree with it. Selectman Snow said the trustees have a specific meaning in statute. They have coming up the annual trustee's thing that charitable trust does. The way that the Fitts Museum has been operating, he is pleased to see they have by-laws. The way they have been operating appear to be not in conformance with statute, because they are in essence a charitable trust. He mentioned raising money by donations. He noted the statutes do not allow the co-mingling of private and appropriations. He suggested the Board carefully considers and review perhaps in concert with other authorities the meaning of the term trustees within the context of a municipality. He has concerns with the implementation of this and they need to clarify that. He noted the two sets of by-laws they have are opposed. One says they want to keep it and the other says they want to get rid of it. Before they appoint the trustees they should have a mission saying what they want to do with it. He thought all of the words they have in there is something they don't need to do as a Board. Chairman Robie said it was just a by-law to get the trustees started on. It says the trustees should review the by-laws annually. If they are reasonable people and they have good ideas they are going to approve anything they want. They need to move forward with this. All they are trying to do is get the same function going like the Fitts Museum trustees. Selectman Snow said the concept they are putting forth is what he wants then you do not want the Board involved in anything they do. He's not sure that conforms to statute. Selectman Chivers commended Selectman Snow for being able to discern the difference between his and Chairman Robie's by-law drafts. His by-laws require the new trustees to accomplish what the previous Board of Selectmen couldn't do for the last 10 years nor has the Heritage Commission been able to do. They need to identify a purpose for this building, identify the town's commitment to this building, and identify how it fits into the town's community life. This building has sat up there

vacant for the last 10 years; it hasn't had a clearly defined purpose. Our policy with respect with maintaining it and managing it has been kind of vague. So thinking that the trustees would want to know they have the support of the town for any appropriations going forward, he charges them with determining and recommending to the legislative body the advisability of continued municipal use and ownership of the structure. He did that after looking back the last 10 years. There was a warrant article in the 2004 warrant to hire an architectural firm to help design a community center that failed. The following year there was a warrant article for \$808,337 for a community center that failed. In 2013 they had a warrant article for \$163,500 to use that building as a community center and that failed by a 3 to 1 margin. He said to himself the town of Candia hasn't evidenced any support for continued ownership of this building. The first thing the trustees ought to do is ascertain whether there is a use for this building or if there is a better way to dispose of it. Then they could come back to this Board with a recommendation before the next town meeting on what to do with it. If the town votes that they want to keep and maintain it then they have a clear mandate of what to do. For now what they are asking the trustees to do, the town has been unable to articulate for the last 10 years. He agreed with Chairman Robie they shouldn't let it fall apart it has historical significance. They have a responsibility to maintain what they have. They should determine whether or not they need this thing. This is why he set it up this way. He noted Chairman Robie's by-laws make it real simple, they say we are going to keep it and we want the trustees to manage it while we do keep it. The Board's decision is a tough one but this is the moment of truth. To ask the trustees what to do with this building is a lot. Chairman Robie noted the Heritage Commission has done this for 4 years. They had the plans and spent serious money. Obviously we don't have a use for it yet and can't expect the trustees to come in and determine a use for that building. This isn't for us; it's for the generations down the road. They'll probably never be a legal meeting up there unless he goes up and unlocks the door. Someday they'll be a use for that building. He didn't believe the community would vote to sell it. Selectman Snow said the Board of Selectmen could very simply put in a warrant article that says lets sell it to Jesse Remington. Selectman Chivers said he can't imagine ever replacing that building it has historical significance, it sort of defines Candia. He suggested amending Chairman Robie's by-laws and clean those up a little bit. Selectman DePuy didn't think it was a question of getting rid of it or keeping it, because we got it. He noted Citizen Fletcher Perkins submitted a well written letter (of interest) and it said one thing he will look at as a trustee is the various uses for the building. He didn't think the town would spend money if it didn't have a use for the town. This is why these warrant articles failed because they didn't have a perceived use. He liked the mission statement on Chairman Robie's draft. He thought the trustee should find uses that would demonstrate to the town that this building is worth the money and the uses would make economic sense to the town. Chairman Robie said they are going to keep the building and to eliminate the Board from this, they need to do this. He knew a lot of people would go along with his mission statement, which is to maintain that building and preserve its historic value. Selectman Soares asked if there ever was a warrant article that asked if the citizens wanted to keep the Smyth Memorial Building. Selectman Snow replied the answer is no. Chairman Robie didn't know why anyone would write such a thing. Selectman Soares said it is a basic question and it would answer all of your questions. It is the most important question you could ask every resident. It's a very simple and basic question. Citizen Ingrid Byrd didn't think you could ask a yes or no question without explaining what you are talking about and what the implications of the no would be. If they vote no are you going to have the Road Agent come down and demolition it. The other thing is those

three warrant article referred to a community center and maybe the people voted the way they did because they didn't want a community center. Citizen Fletcher Perkins said to put in a warrant article like that someone wouldn't have the history behind it. It would be devastating to even suggest that. There are a lot of residents that don't have the history of this town and that is important. If you destroy parts of history you are destroying the heart and soul of this town. Road Agent Lewis agreed with Fletcher and it comes down to whoever is the best salesman. They could probably win the majority to sell the school but is that what they want to do. The trustees shouldn't be the determining factor of the use of the building. They should be there to preserve the architecture, make sure future uses don't destroy its architecture, or the whole setting. The uses still need to come back to the Board. He didn't think a warrant article was the route to go or a yes or no. He didn't think this was a problem but an asset. Citizen Frank Reczkowski said once you have trustees in place and people start seeing what it looks like then you will find uses for it. Selectman DePuy and Selectman Chivers will work on the by-laws and they will discuss it at the next meeting.

The Board to discuss supporting CACR 19 (Constitutional Amendment Concurrent Resolution 19). Selectman Chivers said they didn't need to support anything; all they need to do is get it on the warrant by law. Selectman Snow assumed each Board member heard from Senator Boutin. He called him and said he needed the Board's support. This concurrent resolution through the legislature by formally having the Board of Selectmen report the concept and encourage their legislatures to vote yes for it. This concurrent resolution says they want to change the constitution so any fees that are collected and put in a fund for the purpose of which those fees were collected cannot be changed or taken out unless those guys up in Concord vote 2/3 majority to do so. In other words, if they take your money and put it up in Concord and put it in a fund and they try to change the purpose of what you gave them the money for. You don't want them to do that. So you need to change the constitution, the way you do that is the Senate has voted and it is going through ways and means right now. They are saying wait a minute we normally sweep money out on house bill 2 and we take it out of special funds to be able to fund something else. Senator Boutin would like the Board to formally vote to recommend to our representatives that we support CACR 19. Chairman Robie noted this is the same thing that happened with our state retirement. They funded that retirement and then the state took the funds and spent them on other programs. If this was in place that 90 million would still be there and retirement wouldn't be 56% unfunded. This is just like the NH state gas tax; once it gets passed those funds have to go to the highways not to anything else. This is what this amendment is going to make sure happens. Right now half of it isn't going to our highways and bridges. It is being funneled away because this was not in place. They are asking us to support this bill and those are two examples of taxation and funds in our state. Selectman Snow said they want to get this on the November ballot so the people can vote on it. *Selectmen Snow moved that the Board resolves that it supports the passage of CACR 19 and we further advise our representatives that we would appreciate a positive vote on this when it comes up for a vote in the house. Seconded by Selectman Soares.* Selectman DePuy said he didn't know if he should vote for or against this because he doesn't know how it is going to affect the town of Candia. He is not prepared to vote on this tonight. If he is going to vote on changing the constitution of our state he would like to give it more thought. *Chairman Robie called for a vote. Chairman Robie, Selectman Snow, Selectman Chivers, Selectman Soares were in favor and Selectman DePuy abstained. Motion carried with 4 in favor with 1 abstention. (4-0-1)*

Update on 2014 revaluation. Selectman Snow said he was looking for a couple of things. He was interested in what was coming out of the Vision Software. The other thing he had was the issue of the Vision licenses. Chairman Robie said they weren't discussing tonight. It is a house keeping item and he can discuss it with Administrative Assistant Hansen and himself in the office. Administrative Assistant Hansen explained she was going to have a written update for the Board this evening, but one of the partners at Commerford, Nieder, and Perkins was in a fatal car crash this weekend. There will be a write up for next meeting. They are done with the data collection. They have a few properties they need to look and they are ahead of schedule.

The Board to authorize request for funds from the Trustees of the Trust Fund for current and future invoices for the current reval. Chairman Robie asked if they could just authorize Accounting & Payroll Clerk Donna Becker to request the funds from the Trustees. Selectman Snow said you need a voucher. He would like to approve each one as they come. Selectman Snow moved they authorize the expenditure from the reval account in the amount \$2,556. Seconded by Selectman Soares. All were in favor. Motion carried.

The Board to authorize payment of payroll checks and accounts payable checks. Chairman Robie announced the grand total of payroll and accounts payable checks for April 3rd, April 10th, and April 17th was \$818,607.53. Selectman Snow motioned to accept the accounts payable and payroll checks for April 3rd, April 10th, and April 17th in the amount of \$818,607.53. Seconded by Selectman Soares. All were in favor. Motion carried.

The Board to appoint Mark Laliberte to the ZBA as an alternate member. Selectman Chivers moved to appoint Mark Laliberte to the ZBA as an alternate member. Seconded by Selectman DePuy. Chairman Robie, Selectman DePuy, Selectman Chivers, Selectman Snow were in favor and Selectman Soares abstained. Motion carried with 4 in favor and 1 abstention (4-0-1).

Upcoming meetings: Selectman Snow mentioned some workshops coming up. The 2014 Local Officials workshop and NHMA has a webinar coming up. The Land Use Certified Record for Court might be something the Planning Board and ZBA would be interested in. DES is having a number of listening sessions on wetlands programs rule making which he'll be attending some of. There are grant opportunities available for wetlands restoration; it is coming out of ARM funds. He strongly suspects the Hoffman easement will be looking at getting some grant money for half of the cost of the easement. There is a Broadband Conference on May 16th; he thought Selectman DePuy would be interested in that.

The next regularly scheduled meeting is April 28th, 2014 at 7:00 p.m.

Chairman Robie motioned to adjourn 9:16 pm. Seconded by Selectman DePuy. All were in favor. Motion carried.