

~~Unapproved~~ **APPROVED**
Candia's Selectmen's Public Meeting Minutes
January 25, 2016

Attendance: Chairman Carleton Robie, Vice-Chair Boyd Chivers, Selectman Susan Young, Selectman Craig Sandler, and Administrative Assistant Andria Hansen. **Absent:** Selectman Scott Komisarek.

Chairman Robie opened the meeting with the pledge of allegiance.

Approval of Previous Minutes: Public and Non-Public meeting minutes of 1/11/16: Selectman Chivers moved accept the Selectmen's Public meeting minutes of January 11th, 2016 as presented. Seconded by Selectman Young. All were in favor. Motion carried. Selectman Chivers moved accept the Non Public Selectmen's meeting minutes of January 11th, 2016 as presented. Seconded by Selectman Young. All were in favor. Motion carried.

The Board to appoint David Melendy as a Volunteer Firefighter based on Chief Young's recommendation. Selectman Chivers read Fire Chief Young's recommendation. Selectman Chivers moved to appoint David Melendy as a Firefighter to the Candia Volunteer Fire Department based on Fire Chief Young's recommendation. Seconded by Selectman Sandler. All were in favor. Motion carried. Selectman Chivers asked what had happened on Patten Hill Road. Fire Chief Young said they really don't know the cause of the fire. It was a garage fire and it was fully engulfed when they got there. It wasn't suspicious. The resident lost a lot of his automotive collection which was heartbreaking for the resident. He noted that overall everything went well and no one got hurt.

The Board to discuss FairPoint case. Chairman Robie read from the January 15th, 2016 edition of the NHMA bulletin. He noted that Upton and Hatfield have prepared a document that will go out to FairPoint. He further noted that taxation of the right of way use is in the legislature right now. They are going to rewrite the law, so if they don't renew their license to have the poles and utilities in the right of way the taxes will still be due. This is SB 442. Selectman Chivers said it is up to the Board to schedule the hearing. The upside to this whole lawsuit was the license to use the poles has to contain language that clarifies that they have to pay property taxes. He clarified that they are going to accept Upton and Hatfield's recommendation and amend all of the licenses with the utility companies. Selectman Chivers moved to authorize Upton and Hatfield to commence the process to amend our licenses so that the utility companies conform with the law. Seconded by Chairman Robie. All were in favor. Motion carried.

The Board to decide who will move and second warrants articles at the Deliberative Session. The Selectmen will move and second as follows: Article 2 will be moved by Chairman Robie and seconded by Selectman Chivers; Articles 3 thru 13 will be moved by Selectman Young and seconded by Selectman Sandler; Article 14 will be moved by Chairman Robie and seconded by Selectman Young; Article 15 will be moved by Chairman Robie and seconded by Selectman Sandler; Article 16 will be moved by Selectman Sandler and seconded by Selectman Chivers; Article 17 will be moved by Selectman Chivers and seconded by Selectman Young; Article 18 will be moved by Selectman Young and seconded by Selectman

Chivers; Article 19 will be moved by Selectman Young and seconded by Selectman Chivers; Article 20 will be moved by Selectman Young and seconded by Selectman Chivers; Article 21 will be moved by Chairman Robie and seconded by Selectman Sandler; Article 22 will be moved by Chairman Robie and seconded by Selectman Chivers; Article 23 will be moved by Selectman Chivers and seconded by Selectman Young; Article 24 will be moved by Selectman Chivers and seconded by Selectman Young; Article 25 will be amended and moved by Chairman Robie and seconded by Selectman Young; Article 26 will be moved by Chairman Robie and seconded by Selectman Chivers; and Article 27 will be moved by Selectman Chivers and seconded by Selectman Young. The Deliberative Session will be on Saturday, January 30th at 9:00 am.

The Board to decide on schedule for the February 9th Presidential Primary. The Board will wait until the February 8th Selectmen's meeting to decide on their schedule for the Presidential Primary. Chairman Robie noted that a Selectman can appoint a person to sit in for them if they are unable to attend.

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 January 21st and January 28th was \$124,273.35. Selectman Chivers motioned to accept accounts payable and payroll checks for January 21st and January 28th in the amount of \$124,273.35. Seconded by Selectman Sandler. All were in favor. Motion carried.

Other Business

Memo regarding soliciting by town employees and volunteers: Selectman Chivers mentioned last year during election season an employee of this town brought this memo (date stamped 3/4/11) to his attention. It was from the Board of Selectmen advising town employees and volunteers to not politic on town property. They shouldn't endorse anybody running for election, collecting signatures for petitions, or use their position to influence the election in anyway. When the employee brought this to his attention it was after the elections, so he thought he would bring it up this year before the elections. The question before this Board is this memo still in effect and does the Board support the intent of it. If it is in effect do they want to circulate it to remind our employees what the policy of the Board is? Selectman Sandler said if it is a standing policy now he didn't see how why they should change it. Chairman Robie said he didn't know who was familiar with this policy other than this Board. Selectman Chivers said this is for the employees of the town. This is an employment policy that the Selectmen have adopted. Chairman Robie said this is for employees and volunteers on town property. So if you are at a facility working or volunteering and talking politics this is for bidden. Just like you can't go to the Recycling Center and campaign on town property. You can stand in the circle. Canny Griswold of Old Deerfield Road said this came up years ago when they were having arguments about the swap shop. Selectman Soares wanted this. It is not signed, it just says Selectmen. She thought it was determined at that time that it was unconstitutional. Selectman Chivers questioned if the Board even adopted this policy. Chairman Robie said it wasn't initialed anywhere. He agreed that an employee should not be soliciting a candidate, maybe the volunteers could. The employee can do it privately but not on town time. Most people go by a code of ethics anyway. Selectman Sandler agreed this could be unconstitutional. It used to be the same way for state workers and that has all been changed. They have the same rights as any non

employee. Selectman Chivers said federal workers don't, you can't solicit or advocate someone's candidacy. Fire Chief Young said he is an employee of the town, so last year he stood out with a sign for his wife. Chairman Robie said that was allowed because that area was designated by the moderator. There is an area set aside and roped off which is legal. It was noted that this isn't a policy. Selectman Young said she wouldn't agree to this policy. Selectman Chivers asked the Board what he should tell this employee. Chairman Robie said tell them it's a free for all. Selectman Young reiterated that she doesn't support this the way it has been written. Selectman Chivers questioned if this policy was ever adopted by the Board of Selectmen. Selectman Young said she didn't see any signatures. Citizen Al Hall asked if this memo could be handed out to the public. Chairman Robie read the memo (see attached). Chairman Robie motioned to rescind the memo of January 26th, 2009 on Jan 25th 2016. Seconded by Selectman Young. All were in favor. Motion carried.

Selectman Sandler moved to adjourn 7:27 p.m. Seconded by Chairman Robie. All were in favor.

Respectfully submitted,
Andria Hansen, Recording Secretary