

~~Unapproved~~**APPROVED**
Candia's Selectmen's Public Meeting Minutes
March 27th, 2017

Attendance: Chairman Carleton Robie, Vice-Chair Susan Young, Selectman Scott Komisarek, Selectman Russ Dann, Selectman Mark Laliberte, and Administrative Assistant Andria Hansen.

7:00 p.m. Vice-Chair Young called the Public Meeting to order and immediately followed with the Pledge of Allegiance.

The Board will discuss assignments of departments and address Chairmanship. Selectman Dann wanted to welcome the newest member. Vice-Chair Young asked the Board if it was their consensus to start with appointing the Chairmanship and then go to the Department assignments. It was the consensus of the Board to proceed this way. *Vice-Chair Young motioned to nominate Carleton Robie as the Chairman of the Board of Selectmen. Selectman Komisarek seconded for discussion.* He has given this quite a bit of consideration. When he thinks about what is best for our community, he felt Carleton has the corporate knowledge, the experience, and he has a good sense of the challenges they face as a community. He has the vision to address those things. One thing he would like to talk about that is important to him is as a Board they create an environment that fosters civility. They certainly need to revisit code of conduct in light of everything that has happened on a national level and on a local level. They need a code of conduct – one that is respectful, one that is patient, and one that considers all points of view. If Carleton is elected to Chair, it is his expectation he will uphold these basic principles. Carleton said he would take on that responsibility if that is what the Board wants. Selectman Young asked if there were any other nominees, if not she will call for a vote. Selectman Dann noted that Selectman Young had been Vice-Chair, so he was going to suggest that she be Chair. Selectman Young said thanks but no thanks. She appreciates the nod, but she would prefer to stay as Vice-Chair at this time. They will try their best to live up to that code of conduct. Selectman Dann thought they have and they will continue with it. Selectman Dann said he could think of instances where there was a lot of emotion anytime they get differences of opinion and with free democracy emotions can run high. He can think of some instances where he wasn't proud of his behavior. As a Board they are role models in the community and he thought they really have to take note and make sure that we adhere to these basic principles and if they don't they need to hold each other accountable. Selectman Young said she wanted to piggyback on that and honesty to her is number one. She doesn't care if they don't always agree, but honesty and trust is number one. She thought it should be this way for all Boards. Selectman Young called for a vote. *All were in favor. Motion carried.* Chairman Robie thanked the people who voted for him and for the ones that didn't he'll do his very best to make them as proud as possible of your Board of Selectmen as a whole. **Vice Chair:** Chairman Robie said they needed to appoint a Vice Chairman. Chairman Robie moved to nominate Susan Young as Vice Chairman. Selectman Young accepted the nomination. Seconded by Selectman Dann. All were in favor. Motion carried. **Budget Committee:** Chairman Robie noted that Selectman Young was the Selectmen's Representative last year and was she interested in keeping that position. Selectman Young said she was definitely interested. Selectman Dann asked Selectman Laliberte if he was interested. Chairman Robie asked if Selectman Komisarek if he was interested. Selectman Komisarek said he was not interested and he doesn't have any expertise in that area.

Selectman Laliberte explained that his hope was to go back on that Committee. They had a discussion at the beginning of last year about this and Selectman Young wanted this. They had a little bit of discussion and he deferred. He was happy to do that although he did enjoy being on the Budget Committee. He was hoping maybe they could switch the roles, he could be the representative and she could be the alternate representative. It would be up to this Board to make that determination. He thought the people on this Board know what he brought to that. Chair Chivers was on the Committee with him and the rest of the people on this Board know what he did in the last year on this Board. This is his hope and there are no hard feelings with whatever happens. *Selectman Dann moved to nominate Selectman Laliberte to be the Budget Committee's Selectmen's representative. Selectman Komisarek seconded for discussion.* He would like to hear the pro's and con's of the people that want to do it. He noted that he has gotten input from some residents and committee members. Again he comes back to the code of conduct and he felt it was an important thing. He would like to understand what Sue's experience was and where she is at. He would like to make the best decision for the town and try to understand. Selectman Young said she would like to offer her point of view. She noted it was not always pleasant being on the Budget Committee. Prior to doing it last year, she read the minutes from a couple of years beforehand. Some were when Selectman Laliberte was on the Budget Committee. She had a lot more input and a lot more questions about a lot of things. She thought that probably made some Budget Committee members uncomfortable. Anyone who listens to the audio tapes can hear that these were respectful questions, there wasn't any name calling and she was always calm. Unlike others on the committee that might have lost it a couple of times she was always even keel. When she wants an education she asks questions, she asked questions on this Board. She has a saying what's popular is not always right and what's right is not always popular. She represents not only the Board of Selectmen, but she resents all of the community members. She represents the young, the old, the in-between, the poor, and the wealthy. She felt in order to make good decisions she had to get facts and there were questions that were never answered before. The one thing she felt she was successful at is getting the schools reports on time. This has never been done and she was told it couldn't be done. It is legally required and it is being done for the most part. She also pushed for the audio tapes on the website. Prior to that there were just minutes and they were very short minutes. Now they are very detailed. She wanted to thank the Budget Committee Chair for taking a very active role in that. She felt this was important and she wasn't sure if this would have happened in her absence. It's up to the Board on what they want to do. She thought she had the experience and education in town politics at this point, probably both in more areas than Mark. Again what's right is not always popular and popular is not always right. She felt the questions she asked were logical, they were calm, and they were respectful. She thought that she and the other committee members needed that information to make appropriate decisions for the community and a budget. Selectman Komisarek said he did get a lot of feedback and he did get a lot of comments both ways. It seems like some things were emotionally charged and he also got feedback that it was great. He just wanted to be fair. Selectman Laliberte felt that one of the ways they are successful as a town is to build up a level of trust and a working relationship interdependent with the other Boards. One of the things they were really good at last year was being involved with more Boards and getting the input to and from the Selectmen back and forth. To him the Budget Committee would really benefit from having somebody there to say here is what is going on, on the Selectmen's side and what are the concerns here and really have a consensus. He does have a background in this. He worked on budgets for three years for the City of Manchester, he has a Master's in Public Administration,

and he was on the Budget Committee for two years. While he may not have been demonstrative about some of the ways he went about things, but the people on that Board did think he was effective. He asked questions, he talked and he did look at the numbers. He thought what was important is that in the coming year and coming years they continue to build upon what they have talked about in the past, building up those relationships and trust. So when they do get into controversial and difficult decisions they are able to come together and make those difficult decisions. Sometimes what we really need to do is get everyone's opinions together and find a way to make it work for as many people as popular, he believes in consensus and working with people. A lot of the time he wasn't asking questions because he was the secretary and taking notes. He didn't believe that would be the case this time. Above and beyond that he thought how they are on these Boards reflects upon us and can invite more ideas and more people to get involved in town government which will then increase the commonwealth of ideas and improve our town. He felt he could bring that to the Budget Committee and build upon his two previous years of experience and bring a critical eye to the budget for both the school and the town in a way that builds consensus. Selectman Young wanted to bring to the Boards attention that there are two new Board members on the School Board. She felt this was a very positive move and she thought they are going to find it might affect other things in a positive way. Chairman Robie asked if Selectman Dann had any comments. Selectman Dann said just his motion. *Chairman Robie called for a vote on Selectman Dann's motion. Selectman Dann and Selectman Laliberte were in favor. Chairman Robie, Selectman Young, Selectman Komisarek were opposed. Motion failed on a vote of 2 in favor and 3 opposed.* Chairman Robie asked if there was a motion for Selectman Young. *Chairman Robie moved to nominate Selectman Young as the Selectmen's Representative to the Budget Committee. Seconded by Selectman Komisarek. Selectman Komisarek, Chairman Robie, Selectman Young were in favor. Selectman Dann and Selectman Laliberte were opposed. Motion carried on a vote of 3 in favor and 2 opposed.* Chairman Robie said he was the Selectmen's Representative to the Budget Committee for seven years and it does take a long time to figure out both sides. The town side and the school side and they are going to give Selectman Young that chance for another year. Chairman Robie moved to nominate Selectman Laliberte as the alternate Selectmen's Representative to the Budget Committee. Seconded by Selectman Young. All were in favor. Motion carried. **Building Department/Health Department:** Chairman Robie asked Selectman Komisarek if he would like to keep this department. Selectman Komisarek said not particularly. Chairman Robie asked if he would like to keep that under the Town Offices. He questioned if Selectman Komisarek could fit this in. Selectman Komisarek said he could but there was some question about a conflict of interest. This came up so he thought it might be a smart thing not to be involved. Chairman Robie asked if it would be the fancy of the Board to incorporate it back into the Town Office. Selectman Dann asked why it was separated. Chairman Robie said he was not sure, it happened a year ago. **Elections:** Selectman Laliberte said he would like to stay on that if possible. Selectman Young nominated Selectman Laliberte as the Selectmen's Representative for Elections. Seconded by Selectman Dann. All were in favor. Motion carried. Chairman Robie moved to nominate Selectman Young as the secondary Representative. Seconded by Selectman Laliberte. All were in favor. Motion carried. **Emergency Management/Fire Department/Forestry:** Chairman Robie moved to nominate Selectman Dann to be the Selectmen's Representative to Emergency Management, Fire Department, and Forestry. Seconded by Selectman Young. All were in favor. Motion carried. **Heritage Commission:** Selectman Dann said the Chairman Robie has been on it in the past and thought he might want to

do it again. Chairman Robie said if he didn't want to do it he would. Selectman Dann said it is a good group. He had a request from the Heritage Chair that you had been the Representative in the past and to talk with Chairman Robie to see if he would like to do it. Chairman Robie said that was Selectman Dann's decision and he told them if they needed anything, he would be there to help them. Selectman Dann said he enjoyed being the Selectmen's Representative and they are a good group. He would like to continue being the Representative. Selectman Young moved to nominate Selectman Dann as the Selectmen's Representative to the Heritage Commission. Seconded by Selectman Komisarek. All were in favor. Motion carried. **Highway:** Chairman Robie moved to nominate Selectman Young as the Selectmen's Representative to the Highway department. Seconded by Selectman Laliberte. All were in favor. Motion carried. **Parks & Rec (includes pond park):** Selectman Young moved to nominate Selectman Komisarek as the Parks and Rec Representative. Seconded by Chairman Robie. All were in favor. Motion carried. **Planning Board:** Selectman Komisarek thought it would be in the best interest of the town if someone else was in that role. Again he is subject to conflicts of interest. Selectman Young asked if anyone else was interested in this. Selectman Laliberte said he would defer to the Chair because he has been actively involved in it. Chairman Robie said this is something he would be interested in. *Selectmen Laliberte moved to nominate Chairman Robie as the Selectmen's Representative to the Planning Board. Seconded by Selectman Young.* Chairman Robie asked Selectman Komisarek if he was sure he didn't think this was in his best interest. Selectman Komisarek said this is something he really enjoys and he put a lot of time into. He thought they were promoting a culture of Planning, but with his private position it made him subject to attacks of conflict of interest. In some instances it was probably valid. He felt this was best for the community. Chairman Robie called for a vote. *All were in favor. Motion carried.* Chairman Robie moved to nominate Selectman Laliberte as the Secondary Planning Board Representative. Seconded by Selectman Young. All were in favor. Motion carried. **Police Department/Animal Control:** Chairman Robie asked Selectman Laliberte if this is something he would be interested in. Selectman Laliberte said it's a little difficult for some of these and he does enjoy working with the police, but he does work during the day. He would like to defer to someone else. Selectman Komisarek said he would be interested in doing this. *Chairman Robie moved to nominate Selectman Komisarek as the Selectmen's Representative to the Police Department. Seconded by Selectman Dann. All were in favor. Motion carried.* **Solid Waste:** Chairman Robie moved to nominate Selectman Dann as the Selectmen's Representative to Solid Waste. Seconded by Selectman Laliberte. All were in favor. Motion carried. **Town Offices/ Building & Health Department:** Selectman Young moved to nominate Chairman Robie as the Selectmen's Representative to the Town Office, Building Department, and Health Department. Seconded by Selectman Laliberte. All were in favor. Motion carried. **Safety Committee:** Selectman Dann said he didn't want to take it and not be able to show up for it. Chairman Robie asked Selectman Komisarek if this is something he could fit in. It was noted that the Safety Committee meets quarterly. Selectman Komisarek asked if they could have a secondary representative for something like this. He is out of town sometimes as well. Selectman Dann noted the Committee moved very well without him showing up. Chairman Robie said it might be a good idea to have a Selectman there to gather information that is discussed. Selectman Young asked if this involves the Fire Department. It was noted it involves all of the town departments. Selectman Komisarek said if Selectman Dann wanted to take it and he would be the secondary rep. Chairman Robie moved to nominate Selectman Dann as the Safety Committee representative. Seconded by Selectman Young. All were in favor. Motion

carried. **Town Website:** Selectman Dann moved to nominate Selectman Laliberte as the Town Website liaison. Seconded by Selectman Komisarek. All were in favor. Motion carried. **Welfare:** Selectman Dann moved to nominate Selectman Laliberte as the Welfare liaison. Seconded by Chairman Robie. All were in favor. Motion carried. **Economic Development:** Selectman Laliberte said he would like to defer this to Selectman Komisarek. He and Selectman Komisarek have had some conversations in passing and he seems very excited about it. He had introduced him to a friend of his who used to be the head of Economic Development in Windham and they have been talking. He felt Selectman Komisarek would be a great person for this. Selectman Laliberte moved to nominate Selectman Komisarek as the Economic Development liaison. Seconded by Selectman Dann. All were in favor. Motion carried.

The Selectmen will hold a public hearing at their regular scheduled meeting to accept quarterly grants and donations in accordance with RSA 31:95-b, III (a). Selectman Laliberte announced the grants received for the 4th quarter: State of New Hampshire – Highway Block Grant in the amount of \$32,214.79 and U.S. Department of Justice – Ballistic vest in the amount of \$437.50. Selectman Laliberte announced the donations received for the 4th quarter. Donations received for the food pantry: John & Melinda Pelkey (for Amy Kemisared) in the amount of \$50.00 ; Dawn Clancy & Elizabeth Kruse for Evelyn Schroeder in the amount of \$30.00; American Legion in the amount of \$100.00; Scott & Tammy Baker in the amount of \$1,000.00; Robert Despathy in the amount of \$100.00; Cogswell Benevolent Trust in the amount of \$2,500.00; David & Nancy Kelso in the amount of \$100.00; Michael Ryan & Robin Steiner in the amount of \$50.00; Richard & Katherine Caron in the amount of \$200.00; George & Eileen Denancourt in the amount of \$200.00; Anonymous in the amount of \$20.00; Danielle Pond in the amount of \$20.00; David & Kristen Gould in the amount of \$500.00; and Steven & Sandra Schubert in the amount of \$300.00. Donations received for welfare: Pine Ridge Lights in the amount of \$854.00. Donations received for fuel assistance: Ask Land Title Services, LLC in the amount of \$500.00. Donations received for holiday assistance: Thomas, Alice, Crystal Seward in the amount of \$50.00 and Lucinda Griswold in the amount of \$100.00. Donations received for a handicap ramp: Carol Jordan in the amount of \$500.00. Donations received for cemetery maintenance: C. Lloyd or Kay Castner in the amount of \$50.00. The total amount of donations received for the 4th quarter was \$7,224.00. Selectman Dann asked about the handicap ramp and how does that get budgeted. Welfare Director DelRosso said she could discuss it with Selectman Laliberte or the Board afterwards. Chairman Robie asked if it was for a client. Welfare Director DelRosso said it was not for a client. Selectman Dann clarified that is for any resident that needs it. Selectman Dann moved to accept the 4th quarter grants and donations for 2016. Seconded by Selectman Laliberte. All were in favor. Motion carried.

The Board to meet with Mike Ebbett of Block 5 to discuss IT contract. Mike Ebbett from Block 5 was present. Chairman Robie thought there were some concerns about a three and a half percent increase. He asked Mr. Ebbett if that was what the increase was. Mr. Ebbett said off of the top of his head he didn't know. He explained the Board has a version of the quote in their hands. It was noted this was the most recent quote from Block 5. Mr. Ebbett reviewed the contract with Board. The total was \$1,926.50 per month for 2017. He was told the questions the Board had for him this evening were revolving around what is included in the service. He asked the Board if they had any specific questions. Selectman Laliberte thought Selectman Young was asking about the set up of the Town Clerk's Office. Selectman Young said that was one

question. The other question they had was about a 3 year proposal. Mr. Ebbett said that option is gone now. He explained for years he had included everything they have done within the monthly price. Unless there has been some new project that has come up outside the scope of maintaining and managing their operating environment as it stood. They have always made it a point to include any set up of any working stations in that contract. In the past they bought six or seven new work stations and they never charged additionally for any of those services. Selectman Dann asked if there was some question on whether they needed a new system (in the Clerk's office). Selectman Laliberte clarified the second computer was so obsolete Block 5 was going to bring in a second computer. Mr. Ebbett explained the other way he was going to offset a very necessary price increase for them was to donate a PC of equivalent cost to make up for some of that budget you didn't have available for this year. His offer was to stop any further price increases other than investigating standard cost of doing business i.e. cost of living increases and future contracts. They donated equipment and they have spare monitors they can bring in. They have always been pretty flexible when the town has needs. Selectman Dann asked if they would be able to get that second window open. Mr. Ebbett explained that he has already had a couple of his engineer's call in and launch a few extra conversations. They have stopped in and talked with office to make sure they were all on the same page with what the problems were and things going wrong that weren't taken care of. Selectman Young clarified that the contract was not a multiyear. Mr. Ebbett said that was correct and it was just a one year. Chairman Robie asked if they have been paying the increased amount for 2017 for the last three months. Mr. Ebbett believed so and he should probably pay more attention to the money, but he pays more attention to taking care of the customers. When he hears that there is a problem that's when he gets involved. Chairman Robie asked if Mr. Ebbett was here because this increase wasn't budgeted for. Mr. Ebbett said he wasn't sure and he had made a plan months ahead of time. He had spoken with Accounting and Payroll Clerk Becker months ago to see if there was going to be a pay increase this year. He made a proposal and she said they only had this much lined up for this year and he said they would give the town a computer and try to make it fit in what they had planned. Chairman Robie said moving forward in September they need to iron this contract out before they get into the month of March 2018. Selectman Young moved to ratify the Block 5 contract. Seconded by Selectman Laliberte. All were in favor. Motion carried.

The Board to reappoint Dennis Lewis and Susan Wilderman as full members of the Conservation Commission. Selectman Laliberte said he learned a lot from Conservation Commission last year and he really enjoyed working with them and being a part of that Board. Selectman Laliberte moved to reappointed Susan Wilderman and Dennis Lewis to the Conservation Commission as full members. Seconded by Selectman Dann. All were in favor. Motion carried.

The Board to reappoint Donna Hetzel as Deputy Town Clerk. Selectman Young moved to reappoint Donna Hetzel as the Deputy Town Clerk. Seconded by Selectman Dann. All were in favor. Motion carried.

The Board to discuss cost of resident's Right to Know request. Chairman Robie asked if someone on the Board could brief him on this. He noted there as a timeline in the meeting folders. Selectman Dann said he is asking for background information and they hadn't discussed

it at any Selectmen's meetings. Selectman Laliberte said he somehow got in the middle of this and he had nothing to do with it. He explained there was a Right to Know request from a citizen. He thought it would be best to have the citizen involved speak on this because he would do it no justice. Selectman Young added it is public record. Resident Sharon Dewitt said that it was not a problem for her. She explained that she had made a request on February 28th. She made three RTK requests two to the Budget Committee Chair for Susan Young and Dana Buckley and one to the Select Board Chair for Susan Young. She was charged \$691 for the copying of these RTK requests and she is asking for review or reimbursement for the following reasons. Her RTK request specifically asked to let her know when the records were available for inspection. She offered that they could be emailed to her or she would provide a zip drive. She didn't ask for copies of the emails. On April 19th of 2016 there was a court case Green vs. SAU 55 and on that date the Supreme Court issued a unanimous decision that public bodies must if requested provide documents in electronic format when they are maintained electronically and she referred the Board to HB 606 which basically says that. At one point she did question Boyd Chivers who was the Chairperson of the Select Board as how one might access this information without a fee because the spirit of the RTK law is transparency, but it is not so transparent if you have to pay \$700 for a RTK request for emails. He also consulted with the Town Attorney and he forwarded her the following response "An alternative to paper copies is a thumb drive which would reduce the cost. Nevertheless, you need to review each email to ensure personal confidential information such as home and email addresses, social security #s, names of minors, and the like is redacted. You need to explain this obligation to Ms. Dewitt. It is part of the process. I have no technological skills, so I assume that it would still require printing all of the pages, redacting, scanning, and loading onto the thumb drive. Perhaps the middle ground is you review emails on file and load those that do not require redaction. Those that require redaction are not readily available and therefore must be "created" in a format for release. There would be a charge for those on a per page basis." She did review all of the documents and she has not found any redactions, so that would indicate to her, going on the Attorney's advice as well as the laws that should have all been put onto a thumb drive or sent to her electronically. So not only could the emails have been provided electronically, but the attachments as well. Things like agendas and minutes which were already on the website for free were already printed out. Of the 1,883 copies that were provided to her, 1,029 were attachments for a total of \$546.50. Of those 1,029 copies 223 were extra copies. She had multiple copies of minutes printed with the same email and that was \$111.50. She is asking for the Boards attention to this matter and review whether or not the spirit of the law was followed. She does ask if they are going to be voting on this and since Selectman Young was subject to one of the requests that she recuse herself from that matter. Chairman Robie asked Mrs. Dewitt where she got the email she just read from. Mrs. Dewitt said she received it from Boyd Chivers; he had contacted the Town Attorney and had emailed part of it to her. Selectman Young stated she never received that email, nor did others. Chairman Robie said he is a little confused and Selectman Dann knew nothing of this. Selectman Dann clarified and said they did not discuss this at a Board meeting. They saw an email that Mr. Chivers had sent which said this is happening. Chairman Robie noted they never got the response which had the comment made by legal counsel to Mrs. Dewitt. Selectman Dann explained Mr. Chivers had turned around and stated that the cost was getting out of hand and asked the Board what they wanted to do at that point. Mrs. Dewitt said that was correct, but if you look at the RTK laws and she has been in contact with RTK New Hampshire they were very clear as well as the laws especially give HB 606 and if a file can be provided electronically it

should be. If they are going to do business by email and a citizen has to pay \$.50 a copy for every single one of those emails that is not transparency. She understood it was a big request, but what she is asking is not to tell me how you feel about her request but to say is this town meeting the law. This is what she would like the Board to review. Chairman Robie thought he knew a little about this case. Electronic or printed still has to be done by our office or the person providing the electronic copy and the law states that they are reimbursed for their service. Selectman Young said she was not going to recuse herself from this. Mrs. Dewitt said she just asked and she didn't have to do it. Budget Committee Chair Lynn Chivers said she wanted to clarify this. She explained that she and Boyd had talked with Atty. Mayer and they asked him about the reimbursement for time and Bart said they cannot charge for time. Chairman Robie said that wasn't what he said, but they can charge for the copy. BC Chair Lynn Chivers said they can charge for the paper copy but they cannot charge for anybody's time. Chairman Robie said they can charge for the electronic copy because it is just as much work to put it out there electronically as it is hard print. BC Chair Lynn Chivers reiterated you can't charge for people's time, his is what Bart had said. Mrs. Dewitt said she would like the Board discuss it and whatever the decision the Town makes she then she will go forward with that decision. Mr. Dewitt said there is no cost to sending an email, there is labor involved but no cost. You push a button, you forward it, and you're done. If it is electronic there is no cost you can't charge for your time. Chairman Robie felt there wasn't clarity with the correspondence. The Board can do what they want with that. Selectman Komisarek said he is still trying to understand the timeline. Selectman Young said that wasn't entirely accurate; there were phone calls during that time. Mrs. Dewitt stated her letter had nothing to do with a timeline. Selectman Komisarek said what he is hearing was Bart had suggested a middle ground on this and there would be not charge unless something had to be redacted. Selectman Young explained that was not what was said, but she hadn't gotten a copy of the email that Sharon is talking about. Selectman Komisarek asked if the email was included in the packet she handed out. Mrs. Dewitt said the email is on the back page. It will say Chris Dewitt because her husband copied it for her at this office. This was just a forward, so the blue is what came from Bart or whoever the Town Attorney is. She noted she was not sent the whole email. Selectman Young said she was not questioning her actions. Selectman Komisarek read from Atty. Mayer's letter "perhaps the middle ground is to review the emails on file and load those that do not require redaction. Those that require redaction are not readily available and therefore must be "created" in a format for release. There would be a charge for those on a per page basis." This is what he sees as the recommendation from Bart. He is just trying to be fair here. The email was sent on March 2nd. Selectman Young said she doesn't know what the full email says; she has never seen the email and that was not recommended. She pointed out a couple of facts. There were documents that were not given to Mrs. Dewitt that she is not aware of because they were not given to her which contained information about personnel. Also this RTK request timeline does not include the previous phone calls to Mrs. Dewitt nor does it include when I called the office and said she was up to two hundred and something copies and did Mrs. Dewitt give us a cap. Selectman Komisarek referred to the timeline and on March 2nd 2017 it says "identified over 100 copies provided by Dana Buckley, estimated total expense to be incurred and called Sharon Dewitt to advise her potential cost of this request. She asked that it be terminated immediately." As he is reading this timeline he is seeing that there were a hundred copies provided by Dana. Selectman Young said just for Dana at that point, not from her. She had kept the previous Chairman informed on what number she was up to. This is why she asked Administrative Assistant Hansen if Mrs. Dewitt give us a

monetary cap. It was because of her actions not because anybody else had said anything. She called and asked if Mrs. Dewitt was aware of how much money they are up into. Atty. Mayer told her to print the attachments too. Mrs. Dewitt got her copies from the Budget Committee with all of the attachments because they were required. She got Dana's copies as well. They were all copied together and then Mrs. Dewitt wanted all her "allyoungs" email which contained the same information. If we made an error and you got two copies instead of one for an attachment she said she would handle it when she got back from vacation. Selectman Young said she doesn't know how many she had from her Budget Committee and personal emails and Mrs. Dewitt got all of them and she was told to do it right away. Dana and I complied and she did all of her own printing. She did exactly what the Attorney advised us. She thanked Mrs. Dewitt for including the email from Atty. Mayer and she would love to see the whole thing maybe Boyd can provide it. She had never seen "perhaps a middle ground". She never saw the email that Boyd sent to Mrs. Dewitt and not to her. This is a serious concern of hers, she didn't see it and Dana didn't see it. She knows Boyd is here tonight and she didn't want put him on the spot, but he did tell her exactly what to do. She actually heard about the RTK request through the grapevine not from her Chairperson. She had to ask the Chairperson to let her know about this. On March 1st when Mrs. Dewitt was given a letter which said she would be charged \$.50 a copy. Mrs. Dewitt clarified the letter was drafted on March 1st potentially and went out in the mail on March 2nd. She didn't receive the letter until after the copying had stopped. The letter still came afterward, but Boyd had called her before. There were a couple of things she would like to clarify, the timeline the Board is referring to is not hers. Selectman Young replied no it's Boyd's. Mrs. Dewitt said they have kind of mixed things together and she wanted to make sure that things are clear on what she is providing. The second thing is her RTK request specifically says if you deny any portion of this request please cite each specific exemption to be used to justify the denial to make any of those records available for inspection. So the town following the RTK law, if they refuse to provide information whether it is confidential or whatever she needs to know what that is. They don't need to show her the email but how can she be sure. She is not questioning their integrity she is saying in general for the public to know and for transparency if they are given this, no one told her anything had been redacted or kept from her when she picked up those copies. You are saying I got it all, but I didn't get to it all, so she is not sure what she received. The RTK specifically does say she would like to know when she can come in and inspect these records. She didn't ask for copies she asked for it to be provided for inspection, emailed, or put on a thumb drive. She had forwarded some links when she sent the request to get on the agenda. She didn't know if anyone had taken the time to read those links. Selectman Young said she had. Selectman Dewitt said the Board has done their research and they can discuss it. Chairman Robie said it seems that there are different players in this process and it got convoluted. Mrs. Dewitt said it was very organized as far as emails and attachments. She literally got four copies of the minutes. It didn't print from your email and the other one was the same exact email. There were multiple copies. She would be glad to sit with someone and go over the copies. She still contends that she shouldn't have to pay for the mistakes as well as those other emails. Selectman Dann asked if there were some copies that she felt she shouldn't pay for. What is the final number that she felt was justified. Mrs. Dewitt said there were a couple of things. First is that she has never been charged for a RTK request before. She had also requested the amount of RTK fees the town collected in 2016 which was zero. To be honest she was going to request the RTK fees from 2004 when the town voted for a \$.50 per copy fee, but because of comments that have been made she really didn't want to put herself out there further

by asking that question. She didn't know if anybody has taken it upon themselves to investigate what the copy fees were. She has been provided electronic copies and she has been provided paper copies, again they are not to this amount but copies of the minutes etc. those attachments, if these are the approved minutes you can't redact anything from those. This is a public document and it could have been put on a disk drive, you did not need to print all of those things. This is her understanding from the research she has done, the court cases that have been explained to her and she is here asking the Board to review that. Did the town meet the law and the spirit of what a RTK request is? Again are they saying to everybody in town here, we will make public statements about you if you make a RTK request and you cannot have transparency on what is going on in this town unless you pay for the emails? They need to look at this as a town. Selectman Dann asked if the town had not charged anybody in 2016. Selectman Young questioned who else has asked. Mrs. Dewitt said she had RTK requests in 2016. Selectman Young said she didn't know if a lot of people ask for RTK requests. Mrs. Dewitt said in the copies she got Dana had requested some information from you and that was provided to him. Was he charged for that? Selectman Young said she didn't know. Mrs. Dewitt said that is what she is saying. She knows other people had gotten information. For example, someone might have come in and asked what the transfer station collected. This is a governmental record which is available for public inspection, so there should not be charges for those things? All she can tell them is with the research she has done and the people she has spoken with, she is asking the Board to make a decision. Selectman Young said with all due respect she is very active with the RTK laws. She is very active and concerned with transparency for all government departments. She does take offense with her saying that the Board of Selectmen is not transparent. Mrs. Dewitt said that is not what she said. Selectman Young said if there is any question of that, she does take offense and if not then not. She will gladly sit down, because she has copies of what Mrs. Dewitt has copies of. She thought something was going to come of this, she didn't think it was going to be quite this. She will gladly go through every one of the emails she got, if she made an error or if someone else made an error, she even sent an email to the Board if they made an error please wait until she comes back. She said if there was an error it was probably hers not the ladies (in the office). She did what the Attorney told her to and she did immediately. There was no hesitation which is why there are so many being copied and she stopped when she was told to stop. Mrs. Dewitt said she was not debating that. Selectman Young said she would support a refund for any duplicates she did by mistake. You got emails from Dana, hers with the Budget Committee and her personal email. They were told all of the attachments had to be there. Mrs. Dewitt said to Selectman Young she doesn't make the single decision, I mean you just made a decision for the entire Board. She fully expects the Board would if there were mistakes made and she was overcharged for something, then yes this would be happening. However, she is there specifically to say she does not feel \$691 was warranted. She felt it should have been provided electronically, she felt the law was in her court and the Board may feel otherwise and that is ok. The Board can ask her more questions. She is hoping that based on you guys following those links and looking at that stuff and to be quite honest as she was preparing for this and further looked at Bart's letter, she said wait a minute it says right here – you know this. What is important is looking at her RTK request and what it requested. Nobody called her and said we cannot provide these for inspection, we cannot provide these for electronic transfer until after all of the copies had been made. So again it wasn't what happened when the copying started or whatever was not based on her RTK request specifically because it asked just for inspection. Selectman Komisarek said Boyd is in the audience and wanted to comment. He

would like to clearly understand this and they have to get this right. This is sort of a precedence type of thing; they have to get this squared away. Chairman Robie said on the outside looking in and being on the inside, it seems that there was a lot of information being passed around that not everyone was privy to. This is the first thing that needs to be addressed and he didn't know how they were going to address it. This email stuff is out of control. Any email that takes place amongst this Board ought to go through this office. This way there isn't two or three copies on personal servers or whatever they are called. Everything that happens amongst this Board should go through the office. Like Selectman Dann said he didn't know anything about this. Selectman Laliberte was thrown into it. Selectman Laliberte said he was sent a couple of emails and sent them straight to the office. He was sent two emails one from Sharon and one from Boyd and he sent them over to Administrative Assistant Hansen. He felt this was the best approach. Chairman Robie said if what happened is Mrs. Dewitt got two or three of the same copies, I guess it needs to be looked at. If Mrs. Dewitt asked Selectman Young to recuse herself then it should be on another Selectman to go through that. Selectman Komisarek said Boyd wanted to comment and clear some things up. Former Select Board Chairman Boyd Chivers said he would like to state that the town complied with the spirit and the intent of the RTK request. Selectman Young copied every email that she was required to and Dana copied every email that he was required to. If there was some duplication, it wasn't up to them to figure that out. They were obligated to respond to that RTK request. Now the issue here is whether there is any value to it to Sharon. It is not whether we complied with the request; it's whether she got any value for her efforts. This is a separate issue all together, we complied with the law. As to that email from Bart, when Sharon asked me if there was an alternative to spending \$.50 per copy for something she wanted on a thumb drive, he sent Bart a request which said Sharon wanted to know if there was an alternative. Bart sent him back an email and told him what his thoughts were. He asked Bart if it was ok to share the email with Sharon and tell her what the alternative was. The alternative to photocopying these emails was just as labor intensive as photocopying them and giving them to her. This meant you had to go through all of the emails, redact, photocopy and then put it on a thumb drive or electronic format. You had just as much labor in his alternative as you did in the first instance. He didn't share that, but he shared almost everything else he got from Bart with this Board. When he received this RTK request he called Bart and told him to call Selectman Young and explain to her how to comply with this. He didn't call Sue because he didn't want the message to get misinterpreted by him. Bart explained everything to her and communicated to Sue what her obligations were. He communicated with Lynn who is Chair of the Budget Committee, what Dana Buckley's obligations were. He gave the Board the timeline to show how quickly this unfolded, within three days it was over with. They received RTK on February 28th, March 1st they got an opinion from Bart and he called Sue. They started photocopying; by March 2nd it became apparent this was going to cost someone a lot of money. Sharon said if it is going to be that much, stop what you are doing. She asked for the authority to charge \$.50 per copy which we did. It was in 2004 that they initiated that policy. Everything kind of happened in two or three days. Sue photocopied what she was required to and Dana Buckley sent his password to the town office. They photocopied everything they were required to and now this is where they are. They are not motivated by some ill intent here; they wanted to comply with things. Mrs. Dewitt said she wasn't implying there was ill intent. Chairman Robie agreed with her and that is the problem here. The information needs to come through the Selectmen's Office and that slows it down, so everybody is up to speed and everybody gets their input on what is going on. This is the intent of using the office as a terminal to get everyone's

information out to everyone. Selectman Young clarified she made the request to the Chairman to please let the other Selectmen know. She also made that request to the Budget Chair. The other members should be in the loop and are aware. Boyd Chivers noted the Board was kept in the loop. Mrs. Dewitt said it sounds like Chairman Robie is implying because she didn't send something through the town office that she did something wrong. Chairman Robie said she didn't do anything wrong, she sent her RTK request to the office. Mrs. Dewitt said she did not, she sent an email to the Chairman of the Select Board Boyd Chivers and Chair of the Budget Committee Lynn Chivers. Unless there is a policy where they expect people to do that she is not the only person this is an issue with. Chairman Robie said they are going to move on, they are getting to far away from it and they might have learned a lesson here. They will get to the bottom of this. Selectman Dann felt the bottom of it was if they haven't charged someone in the past it's not right to start something either. Chairman Robie said that is something they are going to address at a future date. Selectman Laliberte thought what Selectman Dann was saying is if they haven't charged in the past is he suggesting a refund. Selectman Dann thought some type of adjustment needs to be made. If there are duplicates or triplicates, it is something that needs to be address. They have a policy and they are not going to the policy of charge that should be addressed. Mrs. Dewitt said she was told there is no policy, it was voted on at the town meeting. She noted that the 2004 town report was not on the town website. She noted in 2006 there was a vote to discuss upping the charges to \$.50. Is there a policy or manual at the town hall, is there a procedure to identify when you charge somebody, and what is considered a big request. She didn't approve the \$.50 a copy, she said ok you're telling me it is going to be \$.50 a copy and you have already made these copies. She was going to pay for it and go from there. Boyd Chivers wanted to clarify from 2016 that they have a revenue account in the town office for money received for photocopying. He doesn't know if it was a RTK request, they do receive money every year for photocopying requests. Chairman Robie said a copy tax card is a RTK request. Boyd Chivers said they collected \$650 last year. Mrs. Dewitt said so it is a policy that any RTK request is charged through this office is what you are saying. Selectman Young said we were probably making a mistake not charging you. Chairman Robie said you might have got a copy of something out of generosity. Administrative Assistant Hansen noted Mrs. Dewitt usually asked for copies on her flash drive. Mrs. Dewitt said putting it on an electronic which still could have been done. This was her point. Selectman Komisarek said the one thing he didn't understand on the timeline was "March 2nd, 2017 received email from Sharon Dewitt confirming her intention to terminate the request at 12:21 pm. Andria and Sue notified." Then they go out ten days "March 12, 2017 Spoke with Sue. Learned app 1,000 documents will be available before expiration of the 2 week period specified in the RTK acknowledgement letter." Are we saying all of those copies were actually made by the 2nd of March? Selectman Komisarek said his feeling on this is that they have to get it right. Mrs. Dewitt has brought up a couple RSA's and said perhaps they didn't get it right. He thought they should get an opinion from Bart and tell him what has transpired and then going forward they'll know. He is still not clear. Selectman Young said she is pretty clear. Mrs. Dewitt asked for a copy of the timeline. Citizen Dean Young said they all know that Sue is his wife and as the Board is considering this the RTK it's hugely important. Every time there is a RTK request there is a lot of time involved with that. He knows you can't be paid for time, but he knows how much time his wife put into that RTK request. The Board needs to be real careful, if they knock this price down because anyone could come in here and ask Selectman Komisarek for his emails or anybody at anytime and you have to do it. He knows they don't get big money to be Selectmen and they do it

because they want to help the town. She stayed up three nights in a row to do this work. It was a huge amount of time because she wanted to do it right. It was \$690 and in his mind it should be five times that amount because he knows how much time she has into this. Really think hard about giving someone a rebate on some copies. He knows she can't get paid but \$.50 a copy is cheap money for what went into that. You set precedence if you're not going to charge people for the RTK, because next time it might be 5,000 copies someone might need to have. Selectman Laliberte asked when they do RTK are they paying the town or the person making the copies. If he got a RTK request like that he would have submitted his password to Administrative Assistant Hansen kind of like what Dana did because this is something that would go through the central office. He asked if Mrs. Dewitt paid the Town of Candia. Chairman Robie said she did. Selectman Laliberte asked if Selectman Young got reimbursed for her work. Selectman Young said she didn't. Chairman Robie said this is why it should go through office; they have staff to do that work for us. If he runs his email through the office then the town is responsible for his decisions. Selectman Komisarek said at the end of the day they have to understand the law. He can see where this could be incredibly burdensome. He just wants to make sure that they get this right. Chairman Robie said Selectman Young has an email of what Bart recommended her to do. Selectman Young said she did exactly what he told her to do immediately. Selectman Komisarek said Sharon has brought up RSA's whether the town has authority to charge. Chairman Robie said they know they have the authority to charge. Selectman Dann said not electronically. Selectman Young said they can charge according to the Town Attorney. Chairman Robie said there is still a fee for producing the document. Mr. Dewitt said he was with Selectman Komisarek and there is RTK laws and the reason they are there is for transparency. Chairman Robie said they are going to move on now. He asked who will be responsible for getting all of the information gathered and bring it back to the Board. Selectman Laliberte said he has been getting the emails so he will take care of it. Also he will make sure everyone is kept in the loop including the office. Chairman Robie asked Mrs. Dewitt if this was reasonable. Mrs. Dewitt said sure and she asked if her actually RTK request was sent to Atty. Mayer. Selectman Young said it was. Chairman Robie reiterated if someone has a RTK request let's send it through the office and then they will send it to Bart. Selectman Laliberte said he would like to have this information on the website, so at some point he would like to talk to Chairman Robie and the Board on how to best approach this. Selectman Young said it might be time to revisit the policy and be very specific on how it should go for everyone and everything. Mrs. Dewitt asked if this is going to be on the agenda for the next meeting. Chairman Robie said it would be on the next agenda. Mrs. Dewitt asked if they going to discuss it at the next meeting and take a vote. Chairman Robie said the Board will have to wait for legal counsel to give them advice. Mrs. Dewitt asked if someone will let her know what is going on from that point. Chairman Robie said certainly.

The Board to authorize payment of payroll checks and accounts payable checks. Selectman Laliberte announced the grand total for accounts payable and payroll checks for March 23rd and March 30th was \$110,653.96. Selectman Dann moved to approve the accounts payable and payroll checks for March 23rd and March 30th in the amount \$110,653.96. Seconded by Selectman Komisarek. All were in favor. Motion carried.

Approval of Previous Minutes: Public meeting minutes of 3/13/2017. Selectman Dann moved to approve the Selectmen's meeting minutes of March 13th, 2017 as presented. Seconded

by Selectman Laliberte. Selectman Dann, Selectman Laliberte, Selectman Young, Selectman Komisarek were in favor and Chairman Robie abstained. Motion carried on a vote of 4 to 1.

Boy Scout Thank You: It was noted that a Thank you letter went out with the Boy Scout donation for delivering the Town Reports.

HR Consultant: Selectman Young asked the Board when they would like her to come in. It was the consensus of the Board to have her come in for the April 10th Selectmen's meeting.

Elections at the CYAA: Selectman Laliberte said the sense he got is that people seemed to like the CYAA. The feedback was positive and he didn't hear any concerns. He wanted to give kudos to the CYAA.

Special Election: Selectman Laliberte mentioned the State Senator Scott McGilvray has passed away and they will probably have a special election.

Selectman Dann moved to adjourn at 8:42 pm. Seconded by Selectman Laliberte. All were in favor. Motion carried.