

~~Unapproved~~ **APPROVED**  
**Candia Selectmen's Public Meeting Minutes**  
**November 26<sup>th</sup>, 2018**

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

**7:00 p.m.** Chair Young called the Public Meeting to order.

**Approval of Previous Minutes: Public meeting minutes of 11/9/18 & 11/13/18.** Selectman Robie moved to accept the Selectmen's Meeting minutes for November 9<sup>th</sup>, 2018 as presented. Seconded by Selectman Chivers. All were in favor. Motion carried. Selectman Chivers moved to accept the November 23<sup>rd</sup>, 2018 Selectmen's Meeting minutes as presented. Seconded by Selectman Dann. All were in favor. Motion carried.

**Public Comment:** Resident Sharon Dewitt said she was at the Budget Committee meeting and she had made some comments about the Old Smyth Library. She has brought it to a past Board and she wanted to bring it up once again to this Board. She has a fundamental issue with public meetings being held in non accessible spaces. She would like to put it out there that she would like this Board to do a declaration or whatever a Board would do that you believe in being inclusive and you want as a town to act in such a manner. And you would not hold public meetings in non accessible places. It has been said that the town would decide accessibility. It is the ADA that decides the accessibility issue. You may not need to make a historical building accessible but then they say you cannot hold public meetings in those buildings. So she would ask at some put this is put onto the agenda and that be discussed but she is asking this Board to make the decision not to hold meetings there. You may make the decision that you are not going to be inclusive of everybody and that would sadden her. She is asking not to put that forth and be upfront and outright versus it kind of being slid under the radar. Second she would like to ask, time and time they keep hearing people bring up concerns about the Old Smyth Library and the money they have spent on that. In 2012 town voted against spending \$160,000 on a renovation project and in 2013 a warrant article reading basically only "Would you want to have a Board of Trustees for the Library?" There was no charge or anything and that passed. Apparently they wrote their own charge she was not able to find it online anywhere. That is okay, but she doesn't know what that was. In reviewing some of the minutes she has seen that they said that their job is to listen to the public and bring input on the use of the building to the Select Board. She has heard the Select Board say it is not the Trustees job to come up with a use for the building although they have come up with proposals and brought them to the Select Board. She has also heard that the Select Board say that the town will decide what the use of the building is. Yet each year we continually put money aside and it is not to just maintain the building. They have always heated the building. If you look back at the minutes the Smyth Memorial Building Trustees have stated that their job is for renovation. She disagrees with that, so she would like to ask this Board to stop the renovation part of it. She totally agrees that they need to keep it safe and they need to maintain the building, but stopping the renovation part until they have a plan for the library. It has also been said at the Select Board that anyone can go and get quotes and come up with a plan and present that to the library. She thought it wasn't a fair

statement because as you know you don't want seventeen different people starting to come up with their own financial plans for anything to do in the town. So they've heard it, the Budget Committee spoken that they don't feel it's transparent. She would ask that this Board then instead of continually saying the town will decide and spending money to renovate it, they might be wasting money. She would ask that the Board address that as well. Chair Young asked if Sharon was asking that any town owned buildings in the Town of Candia be ADA compliant. Resident Sharon Dewitt replied no, she is asking them to not to hold public meetings in non accessible buildings. Someone who has a handicap cannot get into that building let alone there are no toilets or water in that building right now. Mrs. Penfield made a comment at the Budget Committee meeting how they were anticipating additional use at the building. She used to work in an old farmhouse. It takes more energy to bring the building up to temperature for that one meeting then it does to maintain it at a lower temperature. Again if she were in a wheelchair she would have to come to them and ask to make an accommodation so she can be part of the town. She thought was wrong if you review the ADA and she had presented that the last time she brought this to the Board. She had presented information on the ADA. The ADA states you cannot hold public meetings in non accessible buildings. So that is what she is asking the Board make a declaration or make a concerted effort, a point of saying hey you know what we do want to be inclusive to all of the residents of Candia and it isn't fair so we will hold meetings. She is not saying don't hold meetings she is saying hold them in an accessible place. Chair Young thanked Mrs. Dewitt and asked if there were any questions from the Board. Selectman Dann asked if this was something they wanted to put on the agenda to talk about on an evening when it is published on the agenda. Resident Sharon Dewitt said however they decide to do it, she would have already hoped that was this Board's choice but it hasn't been. So she is bringing it up and asking them so they can make a conscious decision or a conscience statement that the town will be inclusive to all or the town will not be inclusive to all. Again what they do is their decision, but she thought it put the town at risk because it is then brought up and they know it is not an accessible building and yet you still continue to do that. Chair Young said her comment would be at this juncture that they put something together to get a well and toilets and certainly a handicapped accessible ramp into that building. Either they decide as a Board that they want to put that in for the budget that is coming up or the Fitts Museum or the like are going to have to schedule to meet in this building. Resident Sharon Dewitt said there is the Smyth Library and the School also. Resident Al Hall wanted to remind the Board that this building cannot be swept under the rug. They must address this and do something about it. They have a committee the Old Smyth Public Library and how many years has it been. Also you can't shrink the Selectmen from five to three. He reiterated that you are going to have to do something with this library. How many years has it been, let's do something with it? Chair Young said it might be time to go back to the townspeople and as far as an immediate concern she would suggest the quickest resolution around that would be any committee that is not meeting in an ADA accessible building needs to meet in this building. Selectman Dann added or in the library somewhere accessible. Selectman Chivers asked Resident Sharon Dewitt if it was her position that the Smyth Memorial Building Trustees shouldn't even meet in that building that they should meet here. She didn't believe that every single meeting they need to be in that building. They could do a walk through they have done that before. They've had a meeting here and did a walk through the CYAA, for example, when they were talking about elections. There isn't a lot of stuff going on during those meeting it is just an actual meeting. They may need to look at some stuff and then they can do a site visit. Obviously they have to do that, but to have meeting after

meeting there it's not accessible, that's her concern. She knows that the Heritage Commission started meeting there. Some other committees have been denied meetings so she is little unsure what that is about. If there are other committees that meet in non accessible buildings, she would suggest that they do it here or at the Smyth Public Library or even at the school. The school can be used for meetings as well. She thought they had plenty space. She didn't think they needed to be meeting in a non accessible building. Chair Young said they could take that under advisement if the Board agrees she can send a memo out effective immediately "If you are meeting in a non compliant building would you please see Andria". She noted that the school had asked to use this meeting room last week because they were out of space, so she is not quite sure that is the answer to go over there. Also, as far as maintenance people and things like that. Selectman Robie wanted to comment on this topic. They probably don't want to make any rational decision immediately on this issue. They have many within their community violations on different things. If they want to start naming them he would be glad to. He didn't think they really wanted to do that right now because they are having a topic on a subject that seems to have a little bit of controversy in it. Chair Young noted different opinions. Selectman Robie would recommend that they take Mrs. Dewitt's statements under advisement and look at the situations and if they want to talk to him about a few things they can at another date or time. He thought they wanted to tread gently on this subject that is just his opinion. Chair Young asked Selectman Dann what he was thinking. Selectman Dann said something was brought forward to this Board and it was not proper they should be acting on it. If you have other situations it should be brought forward to the Board then they can act on them. He agreed with what Sue said and they put a letter out and move forward on this. It is not going to disturb anybody and we're compliant. Chair Young said this seems to have various opinions and it probably should go on as an agenda item if other people would like to speak to it including the Trustees. They should be involved in that. Selectman Chivers said it is a simple matter of complying with the law. If the ADA requires those buildings to be handicapped accessible then they have no other choice. Selectman Robie noted it was like he said there are numerous things within this community with the law, if they are going to comply they are not going to make it happen overnight. Selectman Dann said this is something they could handle and it is a small situation and he would like to hear what other ones there are and have a list brought forward at the next meeting. Come forward with a list they should be looking at. Selectman Robie said do what you think and they will discuss it moving forward in the meeting. Chair Young said it appears the next date there might be a problem is Tuesday, December 4<sup>th</sup> and that would be the Heritage Commission meeting. Selectman Robie said they need to be very careful here. They have Lights on the Hill and they've let people use the building. It is the town's building it is not the Trustee's building or the Selectmen's building. It is the townspeople's building, it always has been and it always will be. He could go on but he is not going to about that things that were said and things that will be said. They need to do what they have been doing. This is the best he can put it. They need to think about what they are talking about here for our community. Selectman Dann said the Lights on the Hill are just people coming in and seeing different things that are there and they are not there for ... it is for the church to use the facilities. It is not a public meeting. Chair Young said it is a public event though. Selectman Dann said it is not a public meeting but a public event at that point. They are talking about public meetings. Chair Young said if they are going to actively address this, she forgot about the Lights on the Hill and was glad that Selectman Robie brought that up. She knows that there are some schools that are short on paraprofessionals and they are not enforcing IEP's. They are legally not complying because they

don't have the bodies to do that. The way that they have addressed is because they are advertising for paraprofessionals, so they are still considered compliant even though they're really not. This is probably similar to that. She thought if they put this on the agenda or they are actively addressing that. She believed that might be the comments that they are referring to here, she didn't know as much about ADA as far as how to comply or timeframes and things like that. She thought it was something that needs to be looked at. It might be something they decide to put in as a warrant article to get the well and septic in there and get it done. Again if the townspeople say no it will have to be that nothing is held up there. This is her opinion on how to best address it. This is just her opinion on how to best address it. Resident Sharon Dewitt said there is a difference between Lights on the Hill. It is a public event but it is being sponsored by the church. This is being sponsored by a private organization. It is not being sponsored by the Town of Candia. It is very clear as much as you wouldn't allow the statehouse to hold where people couldn't access those meetings, they shouldn't be holding those meetings. So there is a big difference you are the town leaders and you are responsible for making sure that you protect the town liability wise. So to say to be careful because there are other things going on that shouldn't be happening. If you know those and you fail to address those you are liable. As a townsperson you say it's the townspeople's, she is a townsperson and I've come to this and I've spoken about it. But she is not the right townsperson apparently. She does feel extremely strong about this and she is asking them to follow the law and the easiest and most effective way to do that is to say, not to put in a warrant article to see if you can add a well and a toilet, it's to say unless a building is accessible they will not hold public meetings in there because that is the law. Selectman Chivers said they just heard Sue state she is going to send a memo out telling all of the department heads. Resident Sharon Dewitt noted she said she wanted to put it on a warrant article and if it didn't pass... Chair Young clarified that she didn't hear her correctly; she was going to send a memo out tomorrow. Resident Sharon Dewitt said that Carleton said to wait and not do that, so she is not sure what is going on. Chair Young stated they are listening to everybody's opinion. Resident Sharon Dewitt guessed his (Carleton's) opinion was different so she was not sure where this Board is at. So she wanted to again stress that she is simply asking them to follow the law and immediately do so because it is really not a hardship to immediately do that. Selectman Robie disagreed completely, but the Board can do whatever they think. He appreciated Mrs. Dewitt coming here and speaking, but it is one person. Chair Young said she did appreciate it. Selectman Robie said there are a whole lot of laws. Resident Sharon Dewitt said they should be following all of them. She stated he just said that when she (Chair Young) was trying to talk to her. Chair Young said she can't speak for the Board, she listens to what she says and she thought that she has proven that we have tried our best to take action when things have been recommended or things like that. She didn't know when she said she is not the right person; she took a little offense to that. But that is okay that is her opinion. They try to accommodate almost everybody. On Carleton's behalf they have certain people who think, even about the Memorial Building itself; they have certain people who feel one way and certain the other. She thought if it was agreeable she will send the memo out. She will look into it more. They need to find out if they could meet as far as Lights on the Hill. This is major thing and you are saying it is not going to be effected. She would rather check with Bart on that. Resident Sharon Dewitt didn't think that would be a bad idea because you allow the church which is part of the town, but again in town buildings you are setting up nativity scenes and those types of things again it is like having the Virgin Mary here in this building. You wouldn't do that because there is a separation, it wouldn't be a bad idea to check with Bart on that. It is the

separation of church and state is what she is saying. Anyway she can send her information about it. She sent this to the Board awhile back and was simply told that the town would decide, but no steps have ever been taken to make any of those achievements. You can still become compliant with the law and still have the Board of Trustees and still have them renovate it. She is opposed to that but she is one person. If they want to renovate that building and spend all of that money then they still can. She is not asking that to not happen. Chair Young said she knows exactly what she is asking for. Resident Al Hall said he has listen to this discussion and discussions for the last ten or fifteen years. He is a Smyth Public Library Trustee and when the old library was put in part of that was the domestic order that came from the Congregational Church. This is a matter of fact or liability whatever you want to call it. So don't say there isn't water there, there is water there. Further the handicapped accessibility has just come in since the original construction. The town is liable. Chair Young said she agreed with him and they do have a responsibility. Resident Al Hall said his point is over the years they've had a number of Selectmen and this building has so many potential assets. It is simple to him the Selectmen presently should do something about it instead of being so wishy washy. Chair Young thanked Mr. Hall for all of his comments. They are going to move on because she thought this deserves a spot on the agenda by itself where everyone can come in and give input. She thought she understood Mrs. Dewitt's immediate concern about the meetings and she thought they could take care of that right away to get rid of that concern and they will find out about the Lights on the Hill. Selectman Chivers asked if Mrs. Dewitt expressed an objection to the nativity scene being set up in the building. Resident Sharon Dewitt said she personally has an issue with that. She doesn't believe in god and Christmas is not a religious thing. She says the Pledge of Allegiance but she leaves the part out "under God". This is just her. Selectman Chivers said he just wanted to clarify. Resident Al Hall said this incident relative to the Christmas thing has gone on every year. He hasn't heard any legal objections. Chair Young said they are getting a little off and they are not going to change Lights on the Hill. There are different communities that do nativity scenes right in their town office building. They are not going to get into all that tonight. She will with the Board's approval issue a letter, because on December 4<sup>th</sup> the Smyth Memorial Building Trustees should meet down here at this time. Administrative Assistant Hansen said she will send out a memo tomorrow morning to the Heritage Commission and the Smyth Memorial Building Trustees. Selectman Robie said they should probably have a vote on this. Chair Young moved that she be allowed to send out an email tomorrow asking that the town committees that meet in buildings that are not ADA accessible to please try to make arrangements to meet in this building or a building that is ADA accessible. Seconded by Selectman Dann. Chair Young, Selectman Dann, Selectman Chivers were in favor and Selectman Robie was opposed. Motion carried on a vote of 3 to 1 (3-1-0). Selectman Chivers said it is a simple statement of our responsibility under the law. Chair Young said they will check with Bart on the other. She is not doing this lightly, because they've had certain committees that have had it up to here and they are probably ready to disband about all of this but they will do what they need to do.

**Budget committee actions. Master Plan line:** Chair Young wanted to let the Board know about the Budget Committee actions. They removed the master plan line completely, so the \$10,000 has been removed. So it is not a question that they can take \$10,000 from the bottom line and put it somewhere else. Selectman Robie clarified that they took \$10,000 out of the budget. Chair Young said they removed that line completely from what she understands. Selectman Robie said this is how he read the minutes. He thought he asked for those Budget

Committee actions. Chair Young said that she did. She wanted to report to the Selectmen what happened. She wanted to report what happened because Boyd was the only one that was at the meeting. So what they did was remove that line completely and from what she understood it could not be put back in. The \$10,000 can't be used for the master plan. Selectman Robie said lets clarify here. If you look at the minutes "Discussion ensued on what the master plan is and what it is used for and what the vision is". He asked if that was a question. Chair Young said no there was discussion on all of that. If you listen to the tape it is very clear. Selectman Robie read from the Budget Committee minutes "then Katrina Niles motioned to zero out the \$10,000 budget for the master plan". Then they voted "Selectman Young seconded the motion". Chair Young clarified that she did not second that and she got that wrong, but they meet Wednesday and they will correct it. Selectman Robie said then it says who voted in favor and she abstained from the vote. He thought they had this discussion once before and when the Select Board sends a representative to the Budget Committee that voting member should vote the way the Selectmen voted. He thought they've had this discussion on this issue. This was a concern of his. They had the discussion a year or two ago about such an action. If the Budget Committee wants to take \$10,000 out of the budget that is their discretion. It can be put back in and he will do to the best of his ability to get it put back in. Because from their conversation in the first half hour of this meeting this community better plan on doing some planning on something. They need to do that, so he will work really hard to get that money put back in the budget and hopefully there are enough people that realize they do need to plan. He does think this is a preliminary vote. He will go with that approach first. He will go to the Budget Committee meetings and work on that issue with them. Chair Young said she'll be honest it was the Selectmen's budget that they were voting and hearing on. She had the Chairman of the Planning Board who was sitting in the meeting room plus our Selectmen's Rep to the Planning Board who was also there. They walked out as they were being seated to vote on the Selectmen's (budget) and there was only one other Selectman in attendance. Selectman Robie explained he discussed at length the Planning Board probably isn't going to do a whole lot of planning for us and it is up to the Selectmen as the leaders of the community to figure this out. If they decide that they need to do something or go in some direction they need to have some funds available to us to do that. They have talked about it in our budget meeting and after the budget meeting to get that in the budget and get it to the Budget Committee. He agreed with Chair Young and if people were there and walked out, he didn't know that's why he wasn't there were people here that knew how the Selectmen voted that somebody should have said something. This is just this opinion and you can take if for what it is worth. He is pretty sure that they may get more than \$10,000 in the budget because they need it. They can keep doing what they are doing but they are going to need it. Chair Young noted that there were two Selectmen there and that was it. Selectman Robie said no one spoke in favor of the \$10,000. Chair Young said the discussion that the others had and you need to let them talk and you need to listen to them. Which is what she sat there and did, the discussion they had is the amount of money that has been on planning in this town and the lack of results. Selectman Robie asked if they give up on that, because you've had no results as of yet. Everybody knows if you don't have a plan you going to fail and they are failing at a fast rate here. He didn't know if they realize that or not but they are. Chair Young noted that the Planning Board cancelled their last meeting. Selectman Robie said he just talked about the Planning Board and what they are going to expect from them. He noted that Sharon just said "you are the Selectmen; you are the leaders of the town". He has been saying that for years here. His agenda has been to get a plan of what will work for us. If they need to spend more money

because spending \$10,000 a year isn't enough. Selectman Chivers said that's the problem and when you go to the Budget Committee they want to know how much they have spent on planning so far and what they've gotten for it. They were unable to answer those questions. If you are unable to answer those questions they aren't going to get anymore. In \$10,000 increments those are pretty good chunks. If you don't think \$10,000 is enough what is the right amount. Selectman Robie said he is not that expert but together as a Board they should sort that out and find out what is the right amount and find out who is the right person to put in that position to get us that. Selectman Chivers said he will give good example of how planning goes. They spent money with Stantec to help us with our Capital Improvement Plan. It was adopted by the Planning Board in 2015 and the municipal needs at the time indicate that we need \$3,000 for this building to put a shower in the Police Department. Three years later this Board submits a warrant article asking for \$100,000. This is after they spent money on Stantec to help us develop this plan. They don't follow the plans they pay for. They paid for a master plan and they don't follow that. They aren't even looking at it when they talk about the village district. They paid for a capital improvement plan and they don't look at that. People in this town are going to say why are they going to hire a planner if they are just going to go off in another direction in two to three years anyhow. So you can throw more money at this thing but this town has a history of not following the plans that they paid for. They just go one year to the next for doing what feels right. Selectman Robie said he doesn't disagree with him a bit and he feels today and he has all along that it is the Selectmen's responsibility to get this stuff done. Just like he came and put a warrant article forth. Selectman Chivers said why don't they do that from year to year and forget this big, huge plan. Chair Young said why don't they follow the plans in place already and make other plans. They might have to be adjusted because time goes on but she thought it was the same thing that people are saying with the Smyth Building. They keep putting money into and it is never done. That same complaint was true with the Budget Committee. She asked if Selectman Komisarek and Planning Board Chair Cartier were staying for the meeting and they both walked out. Selectman Chivers said the Budget Committee focused on the Smyth Building and the planning. That was 90% of the whole meeting. Selectman Robie asked if they were done with that topic, because he did want to talk about the Smyth Building. Chair Young asked if there was anything else he wanted to say on this. Selectman Robie said not on that topic. **Smyth Memorial Building:** Chair Young said they took out \$5,500 out and the intent of that and again they can't control that, but they took \$500 out of the electric bill and then they took \$5,000 out of the electrical upgrade. Selectman Robie said once again the Selectmen's Rep didn't vote in favor of this. Chair Young stated that she was opposed to taking that out. Selectman Robie said on that subject the Trustees were voted on by the people. The Selectmen put forward a warrant article to institute trustees up there. If for any reason the Selectmen think that the Trustees aren't fulfilling their obligation they can put forward another article to disband the Trustees and take the building back over. It will last another twenty years, because it was falling in. It was leaking water when the Trustees took it over. He didn't believe it has ever been said, it might have been said out of context but the Trustees have never done any renovation at the building. They have kept it weather tight and fixed a few issues that needed to be fixed, but as far as renovating the building for a use. It's never been done. The only things that have been fixed up there are things that were falling apart. The electrical upgrade that needs to happen because the service was probably put on there in 1938 when that building was donated to the town specifically for a library only. But they changed that 15 years ago, he thought that is what Mr. Hall said. If they are going to keep the lights on and the heat on in that building the service needs to be upgraded

and that was the quote. It was \$5,000 to upgrade the electrical service because it is pretty bad repair. If you had a meter socket on your house for the past 50, 60, 80 years it is probably in pretty bad shape. So this is why that was in there and he didn't know if that message got passed on very well. Chair Young noted that Smyth Memorial Building Trustee Chair Carla Penfield was there. Those are two things for a 3 million dollar budget, two little issues like that. He felt that \$15,000 was splitting hairs. Chair Young believed it was said when Mrs. Penfield was asked what they were going to spend, because she has a big balance. Selectman Robie said he knows what she was going to say. Chair Young asked him what she was going to say. Selectman Robie said she was going to say what the rest of the money was going to be spent on for this year. Chair Young clarified that she included the \$5,000 in this year's budget. Selectman Robie noted the \$5,000 was in next year's budget. This is what the upgrade was going to be if she quoted that she misquoted herself. He is going to work on getting those two items back in the Selectmen's budget that they approved and send it on to the Budget Committee. Selectman Chivers asked how he was going to do that. Selectman Robie said he will go to the next Budget Committee because this says it is preliminary not final. Chair Young said this was their first public hearing. Selectman Robie said if that is not the case there are other avenues to address that issue. Selectman Dann said a qualification and correction there has been renovations in that building. The bathrooms have been torn out and shelving has been torn out. They have taken bushes out in front of the building because they didn't like the way they looked. One year they paid to have them trimmed and the next year they pulled them out. Then there is another bush that appeared in front of the building. What he is saying is they have done a lot of nice things to that building and he is condemned because he speaks against it. He wants that building used and that is what frustrates him. There is no way of anybody getting a way of using it. There is \$5,500 for electrical. Until they know, yes we could put a new entrance in, but rewiring the building until we know what needs to be done. There is no reason to do that. Every year they present a budget, ideas with their budget and it changes. It is what they want to do and it is not getting that building to be used by the residents of Candia. Three years ago a committee said it could be a community center. There are a number of people that were invited by the Chairman to come to the public meeting. They came and talked and they were willing to do a bake sale, do a lot of things like that. It was said this will not be a community center and when it was asked about and the majority of people that were at the special town meeting, it came across that this does not represent the town. The people came forward and worked to help move that to be a usable building. They were turned down. What he is saying is there are people here that would like to help. It is just sitting there for year after year. It has been four years now that they've had the Trustees and they are nowhere closer to being used, but it is water tight. This is what the Budget Committee asked for last year to have it water tight. She will say that it definitely is right now. Selectman Robie said the building has been up there for twelve years since the Smyth Public Library abandoned it and turned it over to the town. They abandoned the library. It sat there for eight years. Mr. Snow and he were the only two Selectmen that knew that building was our responsibility. As time went on the Heritage Commission worked very diligently to see if they could get something done there in that six or eight years. They came forward with a plan it was a lot of money and they voted on it and the people weren't ready because they didn't have a use. The community didn't have a use for it. At the time the windows started to wick water, the roof started leaking there were numerous things that needed to be addressed. He said the Board of Selectmen aren't going to be able to do this. They aren't going to do it, they aren't interested. When he came on as a Selectman one night out of the clear blue



Mr. Snow said they were going to have a Cemetery Trustees meeting. Well when he signed on to be a Selectman he didn't know he was going to be a Cemetery Trustee either. When he signed on as a Selectman he didn't know he was going to have to take care of this building that was abandoned by the Smyth Public Library twelve years ago. He took it upon himself to get to where they are today. This is where they are. He missed the first year (of being a Trustee) because one dropped off and no one wanted to fill the vacancy so he took it. This is how he got there. If it wasn't for him and the people voting for Trustees to take care of our building the building would be in bad repair because the Selectmen weren't going to do it. He sat here and witnessed it. This is his eleventh year sitting down here and he has witnessed everything they have talked about from the beginning when that building was abandoned by the Smyth Public Library which says in the deed that Mr. Smyth gave us that the Smyth Memorial Building should never be anything but a library. This is what the deed says and it should always belong to the Smyth Public Library, but they didn't want it. They gave it to us which he thanks them very much because it is a keepsake for our community. They need to get focused on what is important here. Right now what is important is that building. When this community makes a plan and decides to grow and get some people maybe a community center might be good. Do I think that would make a good community center? No it wouldn't not in today's standard of what people expect in society. This is not a feasible building to put a community center in. It might be a great building for the ladies to meet instead of certain people's houses in the middle of the week. Maybe they could all go there to have a cup of tea or something if they could ever get it to that point. The way they are going here they are never going to get to that point. The community like Selectman Chivers said doesn't want to do anything. They want to pay for a plan then they want to throw it in the closet. He has been here ten or eleven years and he has been talking about this stuff since he's been here and nobody will get on board and do anything except fight and argue about what they are doing. It is crazy what they do, the attitude they get back and forth and nobody knows the history of how they got to where they are. Chair Young said he is right he has been here the longest and she been here four years. She does not have the knowledge and she didn't remember the public meeting where they said no community center. It might have been before her time. She knows that people don't know the history and she knows there are different thoughts about who knows the history, who cares. She thought they represented everyone whether they agree with them or not. They can stand up for their beliefs and their thoughts and their feelings but they have to listen to everyone and try to compromise. In her opinion that is the only way they are going to make any of this, whether it is the budget whether they agree on getting a half of cruiser or a whole cruiser. They all just have to compromise and work together. She knows that by working weekend after weekend on that park with a bunch of young kids who don't have a child. She worked over there and she knows how hard it is. You get everybody who wants all of this done, but no one will actively be involved. She thought they could change that, if they could just keep ourselves open to different ideas you might not agree with. She thought if they work together they get something going there and they'll get on the right track. She has faith in their residents, she really does. She thought some of them might be afraid just like when they talk about the school and everyone is afraid to speak against the school because of retaliation. She didn't want people to be afraid to help us on the town side of things because they are going to get made fun of or their ideas aren't good or there's animosity. This is what she personally is trying to get rid of in this town and hopefully they can all work together. Selectman Dann said it all boils down to if there was a purpose for it then people can say they can spend money, if you don't have a reason to spend money or a goal at the

end of the tunnel. Chair Young said that Selectman Robie was right when he said their charge was to maintain and get the building weather tight. It is not their charge to think of a use for it. She said that at the Budget Committee to the women that were interested in finding a use for it. She told them to get together or maybe get a committee together to look for a use for it. Selectman Dann said the by-laws state they are supposed to be bringing ideas to the Board. If there was a reason for it, people love this building and they would support it. But to turn around and say they are going to do a little bit of this and a little bit of this it just irritates more people than anything else. Let's say this is our plan, they talk about planning. Chair Young thought they went to that when the \$160,000 didn't go through and they had to do something to keep it from falling down. Selectman Dann said they have done that and it has been accomplished. It has totally been accomplished. Chair Young said then let's move on. Selectman Dann said the other is it was stated here earlier by a Board member that didn't pass because they didn't have a reason for it. Chair Young thought this was something they should definitely put on the agenda. She apologized to Carleton if he was disappointed or she didn't represent the Board accurately, but she doesn't speak about things that she doesn't know. She doesn't give information that she doesn't know. The unfortunate part was when they voted on the Smyth Building Carla had already left. So they were asking questions and she is not going to "bs" her way through it. She is not going to tell them something that she doesn't know whether it's true or not. Resident Al Hall said it has been a misstatement of fact in the last few minutes regarding the Smyth Public Library. Historically you will find in the legal records when the old historic Smyth Public Library outgrew its facilities and speaking as a Smyth Public Library Trustee a legal document was presented to the Smyth Public Library Trustees in exchange for a 99 year lease on the present building. The Smyth Public Library Trustees legally gave the town the title of what we now call the old Smyth Library. From what he understands as Trustee the Smyth Public Library Trustees presently have no obligation and they turned that over to the town. Chair Young said he is right there is no connection there. Resident Al Hall said what he heard the last 10 minutes it the Smyth Public Library Trustees is obligated in his opinion. The strings that are attached to that old building is the water comes from the Congregational Church and the old library used the old septic system. So his point is the Town of Candia is liable for the old building, the well, the water, and the septic. Chair Young said she wanted to put this on the agenda. They just spoke church and state so she didn't think they were going to get into that. They aren't going to get into the water coming from the church. Selectman Robie said when Mr. Smyth's wife had the money that they wanted to donate to the Town of Candia. The Trustees of the Library were operating in the museum building. Their task was before they were going to take Mr. Smyth's money they wanted to make sure that what they were using for a library had a use. It is right in the deed they weren't going to take his money for a new library until they had a use for the building they were using. When they did find a use they took the money and built the Smyth Public Library at the top of the hill which was deeded that it was always going to be a library. This is how the deed read until fifteen years ago they came upon themselves and need a new library. This got turned around by the attorneys that the Smyth Public Trustees could turn that over to the town not going in accordance with how that was given to us. He read all through that information years ago because he does have an interest in that building. Going back to 1938 when those Trustees asked if they wanted this money. They had enough on the ball to say gee we're not going to take this money until we have a use for our own money. As a Selectman you can see how we ended up where we are. They have been doing that on a regular basis in this town since even before that. We think we need something new but they don't have a use for the

old things. They need to just think about that. He apologized that his heart is in it. Chair Young said no one is judging.

**Discuss abandoned cemeteries:** Selectman Robie said the Selectmen acted as Trustees until they figured out that they didn't want to be the Trustees. They have a Board of Trustees now. Through their research they have a deed for the Holbrook Cemetery and one for the Hill Cemetery. They don't have a deed for Bean Island, old Village Cemetery, new Village Cemetery, and East Candia Cemetery, but they do maintain them. They are going to keep maintaining them. They need to acquire deeds for them. RSA 289:20 declares the procedure for the municipality to get a deed on those properties. So this came about because they were going to fix a gate down at Bean Island which is a bedspring leaned up against two rocks but the cost of a new gate is substantial. They figured they ought to have the deed, so if the owner comes back and wants to take back their cemetery and gate. He thought it would still be a good deal if they had put a new gate on it. To get the proper paperwork they need to start the procedure of RSA 289:20. The Trustees are asking the Selectmen to see if they can get that done. It is spelled out pretty clearly and the attorney can draft a deed. Chair Young asked if they would all be under one deed. Selectman Robie said they have a brief description of them once they get to that point they can give it to the attorney. Most of those cemeteries are walled in Bean Island and the Village might be sketchy in a couple of spots. Selectman Chivers moved to commence the process to acquire the title to any abandoned cemeteries as prescribed by RSA 289:18. Selectman Robie seconded for discussion. He noted that they may want to clarify that any abandoned cemeteries that the town is maintaining at this point, because they have numerous abandoned cemeteries. He asked if Selectman Chivers could reword his motion. Selectman Chivers moved to commence the process to acquire the title to any abandoned cemeteries currently maintained by the Town of Candia as prescribed by RSA 289:18. Seconded by Selectman Robie. Chair Young asked if the Cemetery Trustees take care of this. Selectman Robie said they Selectmen's Office will handle it. Selectman Chivers said they post notice in the paper, wait 90 days and then declare them abandoned at this meeting. Selectman Robie said then they can contact legal and get a deed. The Trustees will supply the description. Chair Young called for a vote. All were in favor. Motion carried.

**Upcoming dates.** Chair Young announced some upcoming dates. On December 5<sup>th</sup> the Budget Committee is meeting with the school. On December 6<sup>th</sup> non petition warrant articles are due by 3:00 pm. The public hearing with the Budget Committee for the town budget will be on Wednesday, December 12<sup>th</sup>. The public hearing with the Budget Committee for the school budget will be Thursday, December 13<sup>th</sup>. The Town Offices will be closing early at December 7<sup>th</sup> at 12:30 pm for the Christmas Party. The Planning Board will be having their public hearing on December 19<sup>th</sup> for the zoning article recommendations. The Selectmen are not having a meeting on December 24<sup>th</sup>. The Selectmen's meeting will be December 26<sup>th</sup> at 7:00 pm. They'll go over encumbrances. She asked the Board if they wanted to change the time of the Selectmen's meeting. After some discussion the Board decided to change the meeting time to 3:00 pm on December 26<sup>th</sup>.

**The Board to authorize payment of payroll checks and accounts payable checks. The Board to authorize payment of payroll checks and accounts payable checks.** Selectman Chivers announced the grand total for accounts payable and payroll checks for November 21<sup>st</sup>

and November 29<sup>th</sup> was \$112,744.52. Selectman Chivers moved to approve the accounts payable and payroll checks for November 21<sup>st</sup> and November 29<sup>th</sup> was \$112,744.52. Seconded by Selectman Dann. All were in favor. Motion carried.

### **Other Business**

**Road Agent – Helpful hints:** Road Agent Lewis said he mentioned at the last meeting that he would like to send out some sort of a flyer to the residents to remind them to clean their driveway culverts, not push the snow out into the road, things like that. He gave the Board a copy for them to review. Selectman Chivers liked the “We do our best to avoid mailboxes, but with hundreds to avoid, some fall victim to the snowplow. We will repair or replace what we damage.” Road Agent Lewis said they always do. Sometimes it not the same day, but they always replace them, repair them, or do something. They sent these cards out about twelve or fifteen years ago and it really made a difference. It's really getting out of hand. They almost plow the town a final time after they think everyone is done doing their damage. It's getting kind of expensive and everybody is tired. Selectman Chivers asked if he wanted to send something post card sized. Road Agent Lewis said something like that. They can take it out of his budget to pay for it. He just wants the Board to agree with what is on it. Selectman Robie said he didn't know if it was their obligation to replace mailboxes that are too close to the road to begin with and the posts are rotted off. He really didn't know if it was obligation of the town or not. Road Agent Lewis said it usually doesn't cost the town anything. It's either the drivers or himself replacing them. The town has never paid for them. Selectman Robie said it wasn't his point. Road Agent Lewis said in a course of a winter they may have three or four, so he doesn't look at it as a real issue. When you talk to people whose mailboxes were knocked over you would think it is the worst thing in the world. Selectman Robie said his mailbox got knocked over four times in one year and he fixed it. He didn't believe it was done anywhere else. Road Agent Lewis said some towns do and some don't, it is probably a 50/50 split. He has asked different towns what they do and some replace them and some don't. It is not a town expense and it is something they do. Selectman Dann asked if he was content with doing it. Road Agent Lewis said he has been for 22 years.

**Brown Road Sand Pit:** Road Agent Lewis noted there is another pit on the other side of the town sand pit and it is privately owned. They have both dug to each other. There is this cone of sand between the two and how do we divvy that up. Severino has used the other side of the pit. So they have been in conversation for the past several years over how they are going to do this. He would assume that they have dug all of Candia's sand out of it and the rest belonged to the other owner. But there is some survey work and calculations and they still have 6,000 yards and they have 16,000 yards on their side. They will in and take their 16,000 out and leave the remainder 6,000 for us to use on Adams Road next year. He thought they were almost done with that, but it will give us another year or two to do the road work. So there is some activity going on in the pit which started last week to do that. They are going to berm across on the property line, so it is not open and flat between the two. Similar to what is there but quite a bit lower. This was something they had to for some time and they have a use for it all of a sudden. They are going to use our pit entrance because it is shorter and not as deep. He has no issues with it and he hopes that the Board doesn't either. When they went over there to look someone changed the lock on the pit. He didn't know if anyone knows about that but they couldn't get in. It is

locked the same as any other thing in town – the cemeteries, the salt shed. So they took that look off and put the old one back on. This is what's on with the pit if anyone was concerned over who is hauling out of there. They will be hauling out of there for a week or two. Then they will be done with that side of the pit. Selectman Robie said they talked about doing something down at the pit numerous times now. As far as reclamation they've talked about it numerous times. He thought they talked about a week or two ago and they should have a plan on what they are going to do there and make sure they create some value on that piece of property for our community whether it is this generation or a generation or two down the road. Chair Young asked if Road Agent Lewis had done something already. Road Agent Lewis said it has all been seeded and shaped. All that is left is the area that they are working in. He seeded it again this fall when they hauled 400 loads for Adams Road he regarded it and shaped it. There is one corner that they have some pipe which is old pipe from different road jobs. Then there is a pile of asphalt and gravel that they are going to crush to use. Other than that it is pretty much laid out and reshaped and it will be whatever the Board chooses to do with the property afterwards. From the stream that runs parallel with where they have been working for the last ten years on the other side of that stream between there and Brown Road there will be more usable sand. So at some point they will clear that and it should last another ten or fifteen years of road work. Most of the area they are working in now is Auburn. The town line runs diagonally through there. Selectman Chivers asked if there was any mention of this in the master plan. Road Agent Lewis said he didn't think they had an hour to discuss that. Selectman Robie asked what it will be. He has been asking for ten years. Road Agent Lewis said it is a property that someday they'll want to do something with, but a lot of it is in Auburn. He noted if anyone wants to take a walk, there is a very interesting three town boundary in the woods. It has Auburn, Candia, and Chester.

Resident Al Hall said there are some abandoned cemeteries which were not mentioned. One of which is in the Village on the other side of the river which DES prohibited a private land owner to fix it up. He mentioned the upcoming dates and the Budget Committee is meeting tomorrow night. Chair Young clarified that they are meeting Wednesday night and are meeting here. They have the big binder from the school and they will go through it as a committee. They will be generating questions for the school. Then in December they meet at the school with the SAU on the 5<sup>th</sup>. She noted as far as a public hearing first they do the towns on the 12<sup>th</sup> and then on the 13<sup>th</sup> is the school and both will be at the Town Hall.

Resident Al Hall wanted to compliment the Board on their efficiency and right up to snuff with what you are supposed to be doing. Chair Young thanked him and she felt that everybody works harder than some people are aware.

Selectman Dann moved to adjourn at 8:24 pm. Seconded by Selectman Robie. All were in favor. Motion carried.

Respectfully submitted,  
Andria Hansen, Recording Secretary