

**Approved**  
**Candia Selectmen's Public Meeting Minutes**  
**Monday, February 27, 2006**

**Attendance:** Chairman Gary York, Selectman Clark Thyng, Selectman Fred Kelley and Assistant Carolyn Emerson.

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

**7:00 p.m. The Board will hold a Public Hearing in accordance with RSA 40:14 on a received citizen petition to adopt the provisions of RSA 40:13 (known as SB2) to allow official ballot voting on all issues before the Town.**

Chairman York opened the public hearing at 7:01 p.m. and reported that the hearing was properly noticed in the Hooksett Banner. Chairman York noted that the Board was required by RSA 40:14 to hold a hearing on the citizen petition that was received to change the means of voting to the official ballot voting (SB2). Chairman York asked if anyone was present to speak to the proposed article.

Tom Giffen spoke stating he was surprised that none of the petitioners could make it to the meeting. Mr. Giffen added that his understanding is that at deliberative sessions approximately 80% of the attendance is lost (compared to the traditional town meeting) and that SB2 makes it harder to get the information on the proposals being voted on.

Town Clerk Christine Dupere stated she had researched SB2 very in-depth a few years ago when it was proposed and had received the attached opinion paper from the Secretary of the States Office. Town Clerk Dupere stated that: SB2 takes away the Town Meeting as we know it. They had done a survey when SB2 was previously proposed. The survey involved going through checklists to get a percentage of the voters that show up at town meeting. The survey results indicated that there were a very high percentage of registered voters at town meeting. The deliberative sessions are usually poorly attended except for special interest groups. She believed many people who signed the petition were misinformed. She had sample ballots, one from the Town of Atkinson that is 13 pages long, pointing out concerns over whether voters understood the time it would take to vote.

Chairman York noted while looking at the current town ballot with the few zoning amendments proposed, it occurred to him that it was difficult to detail the intent in a couple of sentences. Chairman York added that at least at town meeting you have some means of getting the message out and informing the voters. Chairman York stated it was unusual that no one was present to speak to the article.

Tom Giffen added that if SB2 does pass, he thought having something on a cable channel and being able to get the minutes on the town website were possibilities of being able to inform the public on what was being proposed.

Town Clerk Dupere commented that going to SB2 would greatly increase election costs. Town Clerk Dupere stated the current cost of printing the ballots is 25 cents per page multiplied by 1,500 ballots. Town Clerk added that the attendees at the deliberative session could make changes to proposed articles and that is what gets voted on at the Election Day vote.

Chairman York stated there are conflicting opinions on SB2. Chairman York noted that the municipal affiliated people that he has spoken to say that SB2 has not worked favorable in helping their towns.

Rudy Cartier stated he had attended about 22 town meetings since moving to town. He has found it to be the only way to really conduct business. The people are interested and informed by the time they vote. Mr. Cartier added that to him it was "the most pure form of participatory democracy that's in this country and we should not let that die".

Chairman York stated while attending the CTAP meetings he has been able to converse with other towns. The town officials that he has spoken to seem to think that SB2 is unfavorable and if you are going to move to a different form of government you should go to a full alderman or town counsel type situation.

Chairman York seeing no other comments, motioned to close the public hearing at 7:10 p.m. Seconded by Selectman Thyng. All in favor, motion carried.

**Approval of Previous Minutes:** The Board reviewed the following minutes: Public Meeting Minutes of 2/6/06, 02/09/06, and 2/13/06. Selectmen Kelley motioned to approve the Public Meeting Minutes of 2/6/06, 02/09/06, and 2/13/06 as written. Seconded by Selectman Thyng. All in favor, motion carried.

**The Board will review the 2006 Town Maintained Road List for Seasonal Posting of Weight Limits presented by Road Agent Lewis:** The Board reviewed the attached annual seasonal road list presented by Road Agent Lewis. Chairman York read the attached notice which was to be printed in the Hooksett Banner on March 2, 2006. After review, Selectman Thyng motioned to approve the 2006 Seasonal Road List for posting, allowing Road Agent Lewis the discretion for when the posting will commence and end. Seconded by Selectman Kelley. All in favor, motion carried.

**The Board will consider approving the raffle request made by Candia Dollars for Scholars:** The Board reviewed the attached raffle request received from Lorraine Briand, President of the Candia Dollars for Scholars. It was noted that the raffle will help defray the mailing and printing costs of the scholarship applications and fund the Honorarium award that is presented to an adult returning to college. Chairman York motioned to approve the raffle as presented. Seconded by Selectman Kelley. All in favor, motion carried.

**The Board will consider approving the raffle request made by Candia Cheerleading Coach, Karen Blackman:** The Board reviewed the attached raffle request received from Karen Blackman, Cheerleading Coach at Moore School. It was noted that the raffle will fund the purchase of 3 mats which will be used by the cheerleaders, school gym classes and anyone renting the gym. It was noted that Ms. Blackman had stated on the phone she wanted to sell the tickets at the School District Meeting (March 11<sup>th</sup>) and had apparently written the incorrect date of March 10<sup>th</sup> on her letter. Selectman Thyng motioned to approve the raffle for March 11, 2006 contingent upon the raffle being coordinated with Moderator Ronald Thomas. Seconded by Selectman Kelley. All in favor, motion carried.

**The Board will discuss favorable reviews for Recycling Center employees Full-time Susan Shaine and Part-time Allan Studley and Selectmen's Assistant/Finance Director Carolyn Emerson. The Board will also consider possible increases:**

Selectman Kelley reported favorable reviews for employees Susan Shaine and Allan Studley. (Susan Shaine's review was her yearly performance review and Allan Studley's was for his 90-day review) Selectman Kelley motioned to provide Assistant Facility Operator Susan Shaine with a 50-cent increase, new rate to be \$16.35, effective on her anniversary date of December 24, 2005. Seconded by Selectman Thyng. All in favor, motion carried. Selectman Kelley motioned to provide part-time facility attendant Allan Studley with a 50-cent increase, new rate to be \$9.00, effective on his 90-day review date of February 2, 2006. Seconded by Selectman Thyng. All in favor, motion carried.

Chairman York stated he was not ready for Selectmen's Assistant Carolyn Emerson's review and asked that it be tabled until the next meeting.

**Chief McGillen to discuss favorable reviews on Full-time Officers Dan Gray and Kevin Bowen:** Police Chief McGillen stated he had completed favorable reviews for Officer Dan Gray, Officer Kevin Bowen and Sergeant Scott Gallagher. Chief McGillen noted that he was requesting that Officers Gray and Bowen be moved to Step 3 of the matrix plan and Sergeant Gallagher be moved to Step 4, the final step, of the matrix plan. Chairman York motioned to provide Officer Dan Gray and Officer Kevin Bowen with an hourly increase of \$1.25 in accordance with Step 3 of the matrix plan, new rate to be \$19.46, effective on their anniversary date of February 7, 2006. Seconded by Selectman Thyng. All in favor, motion carried.

Chairman York motioned to provide Sergeant Scott Gallagher with an hourly increase of \$1.50 in accordance with Step 4 of the matrix plan, new rate to be \$23.54, effective on his anniversary date of March 13, 2006. Chairman York asked what the Board will need to do now that Sergeant Gallagher is at the final step of the matrix plan. Selectman Thyng stated the dollar amounts are correct but the matrix has a finite life span and in the next 2 years the matrix would either need to be extended with additional steps or a plan would need to be developed for our post-matrix employees.

Rick Lazott questioned if the matrix was a ceiling and if there were salary caps in town. Selectman Thyng responded that the matrix is a predetermined series of steps that an officer will follow and that he was not aware of any ceiling caps for employees. Mr. Lazott stated that most companies have a salary cap and that is what you stay at unless the employees were to receive a COLA. Mr. Lazott stated he thought the town should consider something of that nature.

Chairman York stated there are a lot of options on how to cover wages. Chairman York added that probably the most important asset the town has is it's employees, the town has good employee retention, and it's very costly to replace employees. Chairman York stated the Board had done a lot of work the past couple years in regards to wages in an effort to be competitive. The board has wanted to retain good employees and they feel they have above average employees. The Board felt retaining employees is more favorable in the long run and less costly then to continue to retrain officers and office staff. Mr. Lazott asked how the town compares to surrounding town similar to Candia. Chairman York stated he believed Auburn as an example had 4 employees in their Selectmen's Office compared to 2 in Candia and that he believed Deerfield had more staff in the office as well. Chairman York added that you need to look at the whole picture not just percentages, look at the number of people doing the job as well as the rates. Chairman York added if you have more information to help the Board, it would be

appreciated. Chairman York called on the vote. Seconded by Selectman Thyng. All in favor, motion carried.

**Discussion on policy regarding liability coverage for individuals (employees & elected officials) associated with the Town:** Chairman York reviewed the attached RSA's 31:105 and 31:106. Chairman York noted he thought it was important to address an indemnification policy in light of a recent court filing where former and current employees and elected officials were named in a claim of violating an individual's civil rights. Chairman York noted he had Assistant Emerson contact the Local Government Center (LGC) and RSA's 31:105 and 31:106 were reviewed. The LGC noted that RSA 31:105 allowed the Board of Selectmen to set policy as to whether an employee or elected official would be indemnified and held harmless from personal loss if acting in the scope of their employment or office. RSA 31:106 (civil rights suits) states the town **shall** indemnify and save harmless. The LGC noted that a prior Board probably had already voted but it would not be harmful for the current Board to take a vote in accordance with RSA 31:105. After review of the RSA's, Chairman York motioned to indemnify and save harmless for loss or damage occurring after said vote any person employed by it and any member or officer of its governing board, administrative staff or agencies including but not limited to selectmen, school board members, charter school trustees, city councilors and aldermen, town and city managers, regional planning commissioners, and superintendents of schools from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in the injury, damage, or destruction was acting in the scope of employment or office. Seconded by Selectman Kelley. All in favor, motion carried.

### Any New Business

**Cell phone for the Building Inspector:** Chairman York reviewed the attached research that he had asked Assistant Emerson to compile. Chairman York stated he thought it was important to have some means to contact the Building Inspector when he is out on inspections. Selectmen Thyng asked if this expense was in the budget. Chairman York stated that last year they had requested the line item, and then removed the line item. Chairman York added that he had considered a reimbursement arrangement to Building Inspector Hallock. However, Inspector Hallock has a pay as you go phone and it would not work for the accounting of what was town expense.

Chairman York asked Chief McGillen what his thoughts were and how the Nextel coverage was. Chief McGillen noted that it might be helpful to the police department if the Building Inspector had a means of contacting the Police Department. Chief McGillen added that since Inspector Hallock is out in the neighborhoods, Inspector Hallock may come across something that needs to be reported. Chief McGillen noted that there are some weak areas of coverage with Nextel. Road Agent Lewis reported he has Verizon and the coverage is very good. Chairman York stated that Verizon is a little more expensive than Nextel but based on the coverage being better he would recommend going with the basic Verizon plan.

Rick Lazott questioned whether the phone would be used for town business only. Chairman York responded that the usage would be for town business and the good thing about Verizon is you can go online and retrieve a detailed list of the phone calls made. Chairman York motioned to provide the Building Inspector with a 300 minute basic cell phone plan through Verizon

Wireless for \$35.00 per month plus tax, with the phone being a flip phone in the \$30.00 range, and the contract to be a two-year contract with an activation fee of \$25.00

**Next meeting date:** The next regularly scheduled meeting will be held on Monday, March 13, 2006 at 7:00 p.m.

**7:45 p.m.** Chairman York motioned to adjourn. Seconded by Selectmen Thyng. All in favor, motion carried.