

**Approved
Candia Selectmen's Public Meeting
Monday, November 13, 2006**

Attendance: Chairman Clark Thyng, Vice Chair Fred Kelley, Selectman James Brennan, Selectman Tom Giffen and Selectman Richard Lazott.

6:00 p.m. The Board opened the Public Meeting while they were in attendance of the Annual Firefighters' Appreciation Banquet at the Candia Fire Station, 12 Deerfield Road.

Attendance: Chairman Clark Thyng, Vice Chair Fred Kelley, Selectman James Brennan, Selectman Tom Giffen, Selectman Richard Lazott, Director Carolyn Emerson and Secretary Dawn Chabot.

7:02 p.m. Chairman Thyng called the regularly scheduled Public Meeting to order and immediately followed with the Pledge of Allegiance.

Departmental Reports

Highway: Road Agent Lewis reviewed the attached report noting heavy rains dictated a large amount of the workload consisting of patching, grading, ditching and culvert cleaning.

Solid Waste: Selectman Kelley stated the Town was still waiting for the wetlands crossing permit for the future Transfer Station located on the Deer Run Road property and noted they would not be able to do anything on that property until the permit is received.

Chairman Thyng stated he had received positive feedback on the widely advertised closure of the Recycling Center for the Veteran's Day Holiday this past Saturday. Selectman Kelley stated they worked hard to get the word out.

Building: Selectman Lazott reviewed the attached summary report.

Police: Selectman Lazott presented the attached report for Chief McGillen who was temporarily delayed. Selectman Lazott stated he was aware the department was actively working with other communities on a couple of open investigations.

Favorable Annual Review for Chief McGillen: Selectman Lazott stated he had completed a favorable annual review for Chief McGillen. Selectman Lazott stated in the past Chief McGillen had received a cost of living increase at the time of review and not at the time when the other employees receive it. Selectman Lazott stated Director Emerson had more information on the matter. Director Emerson stated she had seen the matter addressed differently on a couple of reviews for Chief McGillen. Director Emerson stated the Board does not know if the Cost of Living is approved until it gets voted on in March therefore it is difficult to predict what the other employees will receive. Director Emerson stated his contract notes he is to receive at least the Board approved COLA as other employees. Chairman Thyng thought this was another example of a situation in which it would be easier to have all the employees reviewed at the same time. Selectman Lazott stated he spoke with Chief McGillen on the COLA concern and that Chief McGillen was okay with receiving it the same time the other employees do once it is voted on in March. Director Emerson asked Selectman Lazott to clarify what date Chief McGillen's COLA would be retroactive to. Selectman Lazott stated it was his intention that it would be retroactive

to January 1, 2007 noting Chief McGillen is okay with waiving this month and the next. Chairman Thyng suggested that Selectman Lazott review the wording on Chief McGillen's contract to be sure his proposal on the COLA date is allowable. Selectman Lazott stated he would double check.

7:12 p.m. Chief McGillen joined the Public Meeting. Chief McGillen added to the monthly report commenting that Halloween was quiet this year. Chief McGillen reported the department would be starting background checks on five candidates for the vacant full (one) and part-time positions.

Fire Department: There was no report to present. Chairman Thyng advised that Fire Chief Cartier may be in attendance later in the meeting but was currently unable because of the Annual Firefighters' Appreciation Banquet being held this evening.

The Board to discuss Health Insurance rates recently received: The Board reviewed the attached package of information provided by Director Emerson and the Town's Insurance Broker Cindy Theberge on health insurance rates. It was noted the documents were emailed to the Board for their review prior to the meeting and that Chief McGillen was provided with copies as well. It was also noted that the renewal rate for the current plan, Anthem HNE11, came in at an average of a 24.3% increase. The Board reviewed and discussed the quotes for renewal. The Board expressed dissatisfaction for the Town and the employees with the 24.3% increase on the renewal for the current plan. After some discussion on the various plans, percentages of increase and services covered or not covered the Board determined they favored the Harvard Pilgrim NetOption 71 which represented a 10.5% increase. Chairman Thyng motioned to accept the Harvard Pilgrim NetOption 71 Plan as the 2007 health insurance provider for the Town of Candia. Seconded by Selectman Kelley. All in favor. Motion carried.

The Board to discuss the Old Library Building: Selectman Kelley advised that he had spoke with Town Clerk Dupere and Tax Collector Sanders about moving to the Old Library Building and they are interested. Selectman Kelley stated that he and Selectman Lazott have been working on obtaining pricing for the necessary building renovations and have spoken with Building Inspector Hallock as well. Selectman Kelley stated they have found out that the following would need to be accomplished: installation of a bathroom on the 2nd level, the installation of a well, the installation of a new septic system and the installation of a handicap ramp for the front door. Selectman Kelley stated that he and Selectman Lazott were concerned about the time frame noting they were still obtaining prices and thought they may need to make their request in the form of a petition warrant article. Chairman Thyng noted they still had two weeks if they wanted to propose a warrant article for the Board to review and consider placing on the warrant. Selectman Kelley stated they received suggestions at the voting polls from individuals that wanted them to consider installing a ramp that has granite facing with a cement base. Selectman Kelley stated the individuals feel this would be most aesthetically pleasing for the historic building. Selectman Lazott stated they could always construct a wooden ramp if it is too costly for this time around and then present a future warrant article for a more aesthetically pleasing ramp. Chairman Thyng noted it appeared they were still in the planning stages and thought it should be addressed at the next meeting. Selectman Lazott stated they just wanted to make people aware of what they were working on. Selectman Lazott mentioned they would be saving on heat because they recently changed tanks and will not longer be heating with kerosene. Selectman Lazott stated they have determined the downstairs to be unsuitable for public usage. However the Town is now storing the voting booths in the basement which would save \$750.00

in yearly rental fees. Selectman Lazott stated if they can't get the total pricing together in two weeks then they would go the petition warrant article route. Selectman Kelley stated he spoke with flooring individuals on the cork floors and they thought it would not be beneficial to refinish them. Selectman Kelley asked attendees to contact him if they know of someone in the flooring business which could provide expertise on the cork floors. Selectman Lazott thought they should consider a loose lay indoor/outdoor carpet. Selectman Brennan stated he would like Building Inspector Hallock to attend the next meeting when it is discussed. The Board agreed on the request. Selectman Giffen asked if there was a feeling on the budget figure for this project. Selectman Kelley estimated \$50,000.00. Selectman Kelley stated he heard Road Agent Lewis was in the granite business and mentioned he would like him to consider the ramp project. Road Agent Lewis Road Agent Lewis asked if there was an architect designing the ramp to insure it comes out right. Chairman Thyng stated he was sure they would have Cheryl Killiam (NH Development Disability Council) out to provide her ADA expertise. Selectman Brennan asked Selectmen Kelley and Lazott if they're spoken with an Architect. They indicated they had not. Selectman Lazott stated they were trying to keep the costs down and asked if anyone knew of an architect that would work at a reduced rate. It was noted that if Selectmen Kelley and Lazott are ready to proceed the matter would be addressed at the next regularly scheduled meeting on Monday, November 27, 2006.

The Board will review warrant articles

Articles 3-12 (the traditional charitable articles): Selectman Kelley question why Article 3/\$300.00 request to the YWCA Crisis Service had doubled from last year's request. Chairman Thyng reviewed their detailed request letter dated 10/31/06 which outlined that 20 Candia residents were served in 2006. The Board felt satisfied with the justification provided. The Board members unanimously agreed to support Articles 3-12.

Article 13 (Rockingham County Community Action Program (RCCAP) request for \$6,145.00): It was noted that RCCAP received zero funding last year because they did not send a request apparently due to a staffing issue. Chairman Thyng reviewed a report sent by RCCAP outlining the following assistance provided to Candia families in 2006: 45/fuel assistance, 43/electric assistance, 1/assisted with workforce development program, 30/provided with the WIC Program, 28/provided assistance with the literacy program, 1/assisted with the security deposit loan program, and 90/assisted with home calls. Chairman Thyng asked Director Emerson what funding the RCCAP was provided in 2005. Director Emerson stated \$5,839.00. Selectman Lazott stated he felt okay with the Article since he now understood how the funds were being utilized. Selectman Lazott motioned to support Article 13. Seconded by Selectman Giffen. All in favor. Motion carried.

Article 14 (Operating Budget): Unable to address at this time.

Article 15 (Operating request for the Fitts Museum for \$5,000.00): Trustee Janet Lewis stated their requested amount is the same as last year's amount which was amended by Citizen Ingrid Byrd. Selectman Kelley motioned to accept Article 15 as presented. Seconded by Chairman Thyng. All in favor. Motion carried.

Article 16 (Final phase of roofing project for the Fitts Museum for \$8,000.00): Trustee Janet Lewis stated the roof is now 20-years old and the final phase of the roofing project would

address the two L's off the back of the Museum. Chairman Thyng motioned to accept Article 16 as presented for \$8,000.00. Seconded by Selectman Lazott. All in favor. Motion carried.

Article 17 (\$500.00 for Playground Maintenance Fund): Director Emerson noted there was now approx. \$1,800.00 in the fund. Road Agent Lewis stated the playground resurfacing is done every 4-5 years and that he is not sure of the current price for the materials. Chairman Thyng advised that Primex the Town's Liability Insurance carrier encouraged us to resurface every 2-3 years. The Board flagged Article 17 and directed Road Agent Lewis to check on the pricing for the next meeting.

Article 18 (Request for a Pay & Classification study to be conducted by the Local Government Center(LGC) in the amount of \$4,500.00): Chairman Thyng asked Selectman Lazott to explain the warrant article noting the article was at his request. Selectman Lazott explained that the Pay & Classification study would be accomplished by the LGC which would classify positions and compare with surrounding towns. Selectman Lazott stated the study would establish a new employee matrix which would provide salary caps and this would mean there would no longer be the sky is the limit. Selectman Lazott stated the study would be conducted on 18 positions and would be accomplished for the Board to consider adopting. Selectman Lazott informed the study would give the Board the basis to see where the employees stand and would also give the Board something solid on wages that they would be able to give the Budget Committee. Director Emerson stated as part of the study the LGC will also review job descriptions and benefit. Selectman Lazott mentioned that the Town of Auburn recently had LGC conduct a study and the people he has spoken to from there seem to be pleased with the results. Town Clerk Dupere asked if the study would include elected officials. Selectman Lazott stated no just paid employees. Kim Byrd of Depot Road asked how long the study would be good for. Selectman Lazott noted some Towns have established a 30-year matrix and others establish a 15-year matrix. Kim Byrd asked what happens if there is a new hire. Selectman Lazott stated the matrix would establish a beginning wage or the Town could call the LGC for advice. Selectman Lazott stated he had taken exception in the past when employees were hired at a higher rate. Kim Byrd thought it looked like the Town would be getting involved in a program. Chairman Thyng stated he and Selectman Lazott disagree on the proposal and matrixes. Chairman Thyng stated if you don't make an internal cost-of-living adjustment to the Matrix, then the cost of living ends up killing the Matrix. Chairman Thyng stated an outdated Matrix can be difficult noting some of the employees have been here so long that they're no longer in the Matrix. Chairman Thyng stated he was aware one was done in 1991 and that there are three copies sitting on the shelf in the Selectmen's Office. Selectman Giffen asked if it was ever used. Chairman Thyng said as far as he knew no. The Board asked Director Emerson if she knew. Director Emerson thought they were initially using it but knew there were issues noting when she first started she was doing things that were part of someone else's job description. Chairman Thyng stated by conducting the study the Town may find that some positions are under paid. Budget Committee member Carla Penfield asked Director Emerson if she knew why the Town didn't use it. Director Emerson said she was unsure the study was done prior to her hire. Director Emerson suggested that the Board members review the job descriptions to make sure someone isn't giving inaccurate information on their job description and duties. Selectman Giffen thought the Matrix would get outdated quickly if there were no cost of living adjustments and also thought in order to be fair it would need to be reviewed every 5-years. Selectman Lazott agreed thinking 5-7 years would be more appropriate. Chairman Thyng in regards to the job description changing discussion stated that was why the Board was proposing a part-time employee to try to free up Director Emerson from basic tasks since she is the office catch all.

Selectman Lazott agreed on Director Emerson's overload. Chairman Thyng mentioned the Board recently hired office help for \$16.00 an hour. Ingrid Byrd commented that the Board was disillusioned because they let an outstanding Land Use secretary go who was making approx. \$12.00 to \$13.00 and had requested more. Ingrid Byrd stated she's reviewed minutes since the prior secretary left and has found them appalling. Ingrid Byrd said the last Secretary's minutes were outstanding. Selectman Lazott motioned to approve Article 18. Selectman Giffen noted in the past the Board has conducted informal surveys with surrounding towns prior to hires but did not think surveys were conducted for existing employees. Selectman Lazott stated he had a problem with the fairness issue when he was told there was a 5% wage pool in which he was told he could give one employee 2% and another 8% if need be. Selectman Giffen stated to Selectman Lazott that he was looking for a measure of impartiality. Selectman Lazott stated he was. Selectman Giffen said the downside of that was it would be difficult to reward outstanding performance. Ingrid Byrd provided insight on how the school system rewards outstanding performance and also that employees apply for extra jobs to get more money. Citizen Joe Duarte stated he would be concerned with not being able to reward for outstanding performance because the exceptional employees are the ones you want to keep. Chairman Thyng asked if there was a second to Selectman Lazott's motion to approve Article 18. Seconded by Selectman Kelley. Chairman Thyng requested the motion be amended to approve Article 18 to be placed on the warrant. Selectman Lazott amended his motion. Chairman Thyng called for a vote. Selectmen Thyng, Kelley and Lazott in favor of placing Article 18 on the warrant. Selectmen Giffen and Brennan opposed. Article 18 to be placed on the warrant. Chairman Thyng requested a vote on who is in favor of recommending Article 18. Selectman Lazott motioned to recommend Article 18. Seconded by Selectman Kelley. Selectmen Kelley and Lazott in favor. Selectmen Thyng, Brennan and Giffen opposed. It was questioned if the not recommending and the count on the vote would be placed on the warrant. The Board asked Director Emerson to research the rules associated with placing recommendations and counts on the warrant for the next meeting.

Article 19 (For Reimbursement Costs for Police Details): Selectman Lazott motioned to approve Article 19 as presented. Seconded by Selectman Brennan. All in favor. Motion carried.

Article 20 (\$50,000.00 winter contingency): Road Agent Lewis stated the weather is a gamble and these funds for winter maintenance are there just in case there is a difficult winter. Road Agent Lewis advised if they don't use it the funds will go back to the Town. Selectman Lazott motioned to support Article 20. Seconded by Selectman Kelley. All in favor. Motion carried.

Article 21 (3rd and final phase of South Road Reconstruction for \$150,000.00): Chairman Thyng motioned to have Article 21 on the warrant and support it. Seconded by Selectman Kelley. All in favor. Motion carried.

Article 22 (\$124,000.00 for operating expenses for the Smyth Public Library): It was noted that the request was level funded from last year. Budget Committee member Carla Penfield stated last year the Committee had requested a more clearly defined budget. Chairman Thyng quickly reviewed their spreadsheet provided and noted it appeared to be the same as last year. Selectman Lazott motioned to support Article 22 as presented. Seconded by Selectman Brennan. All in favor. Motion carried.

Assistant Emerson asked if the Board wanted to wait on Articles 23, 24, and 25 since Fire Chief Cartier was not present. The Board noted the articles were last and felt they should proceed.

Article 23 (\$75,000.00 Capital Reserve Fund for the purchase of Fire Apparatus and Equipment): Director Emerson noted that there would be \$154,000.00 in the account at year-end. It was noted that the request had increased by \$25,000.00 from last year's request. Selectman Lazott stated he would like to reduce the request back to \$50,000.00. Chairman Thyng questioned if any one knew how long the request was at \$50,000.00. Selectman Kelley and Ingrid Byrd thought it had been at the \$50,000.00 amount for some time. It was noted that Chief Cartier had provided the Board just that evening with an apparatus replacement schedule which shows he would like to purchase a new rescue vehicle in 2008 with a proposed \$200,000.00 expenditure and refurbish an engine in 2009 with a proposed expenditure of \$45,000.00. Selectman Kelley stated he agreed with Selectman Lazott in reducing the warrant article back to \$50,000.00 noting he did not think the equipment was that bad. The Board reviewed the attached Apparatus Replacement Schedule. Selectman Lazott thought with the proposed amount of \$200,000.00 the fire department may be asking for the state of the art rescue vehicle. Selectman Giffen motioned to table Article 23 until the next meeting when Fire Chief Cartier can show justification. Selectman Giffen felt the article could go to zero until justification is properly shown. Ingrid Byrd of Depot Road felt impact fees would be helpful in the matter and thought the Planning Board should do what they need to do to make it happen. Planning Board Chair Mary Girard thought there was enough money in their capital improvement plan to proceed. Budget Committee member Carla Penfield thought they should look at the maintenance costs to see if the funds were warranted. Chairman Thyng stated he had no problem putting money away for future purchases and thought it was good to have a plan in place. Selectman Lazott wanted to make sure the Town wasn't purchasing the Lexus of Rescue vehicles. After some further discussion on the amount requested the Board determined they would table Article 23 until the next meeting so Chief Cartier could provide justification on the \$25,000.00 increase.

Article 24 (vote to establish the full-time paid position for Fire Chief and \$35,000.00 to cover the salary, benefits and taxes for the position for the period 7/1/07 to 12/31/07): Selectman Lazott thought the request was misleading because it only covered half of a year, when the yearly costs would actually be \$70,000. Selectmen Lazott and Kelley were in favor of removing the article. Selectman Brennan was in favor of tabling the matter in fairness to the Fire Chief to hear what he had to say on the request. Selectman Kelley stated he did not know why the Board would consider it at all. Joe Duarte of Critchett Road pointed out that the Town of Kingston was a much large community and started its Fire Chief out at \$49,500.00. Ingrid Byrd of Depot Road thought warrant articles 24 and 25 should be combined. Chairman Thyng thought \$10,000.00 would come out of Article 25 if 24 were to pass. Selectman Lazott mentioned that the current Fire Chief was appointed and thought the Board would be held under stricter guidelines if the fire chief were a paid employee. Mary Girard of Deerfield Road stated she was not in favor of Article 25, did not think the Town was ready for it and said she was concerned about the article because some firefighters show up for every call and some only show up for five calls a year. Selectman Lazott said he could see the transparencies when the Town took the fire department over and felt they were setting up positions for example wiring alarms for a dispatch. Selectman Brennan reiterated that he thought they should table the discussion until the Fire Chief could speak to his proposals. Ingrid Byrd felt the Town was not ready for a full-time Fire Chief and thought the Board should make a decision on the concept. Chairman Thyng disagreed and felt the Board should have all the information before making a decision. Al Hall of Adams Road commented that enough was enough noting the Board could table it until the cows come home. Budget Committee member Carla Penfield said she agreed with Mr. Hall and was not sure anyone knew what was going on with the Fire Department. Carla Penfield wanted

to know if there were calls to justify the position and thought a person wanting a job could find a way to justify it. Selectman Giffen stated the Fire Chief may argue that it would lower homeowners' insurance rates. Attendees disputed the comment about lowering insurance rates. Chairman Thyng stated as a person in insurance he was aware that it would affect insurance rates and that it was specifically called the "ISO rating". Al Hall asked if the figure on the warrant article included workers compensation. The Board thought it did because of the wording. Selectman Giffen stated he did not trust some of the information. Selectman Lazott thought a position was being created when there was not a need. Selectman Giffen stated he would like to hear what Chief Cartier had to say. Kim Byrd of Depot Road asked if the Fire Chief was expected to be at the meeting. Chairman Thyng advised the meeting was the same night as the Appreciation Banquet and that he told the Fire Chief he did not have to attend if the Board was provided with what they needed. Selectman Lazott expressed concerns over the liability over the fire department hooking up fire alarms to an unmanned station. Chairman Thyng stated he preferred the Fire Chief to be present noting he wasn't necessarily for or against the proposal but felt it didn't cost anything to listen and learn. After much discussion the Board determined they would table Articles 24 and 25 to give the Fire Chief the opportunity to be present for the discussion on them.

Article 25 (vote to establish and fund a Fire Department Annual Stipend Program effective 07/01/07 and appropriate the sum of \$25,000.00 to cover stipends from 07/01/07 to 12/31/07): Article 25 tabled in order to give Fire Chief Rudy Cartier the opportunity to be present for the discussion.

8:50 p.m. to 8:55 Chairman Thyng recessed the meeting and assured attendees that the Board would not readdress Articles 23, 24, and 25 until their next regularly schedule meeting on 11/27/06.

Approval of Previous Minutes: Due to the late hour Selectman Giffen motioned to table the approval of the Public Meeting Minutes of 10/30/06 and Ascertainment Hearing Public Meeting Minutes of 11/2/06 to the next meeting. Seconded by Selectman Kelley.

The Board will discuss road deeding information recently provided by the Local Government Center: Planning Board Chair Mary Girard and Road Agent Lewis were present for the discussion. The Board reviewed the attached memo dated 11/07/06 provided by Director Emerson as a result of her discussion with the Local Government Center Attorney on the matter. Director Emerson said she spoke with Town Counsel on the concerns and he advised the Town should get deeds on Roads approved by the Planning Board. Director Emerson stated Town Counsel recommended that the Town receive the deed at the time of application from the developer and then record the deed at the final road acceptance phase. Road Agent Lewis said he new knew developers were not providing deeds to the Town. Director Emerson stated Counsel was recommending that the Town go to the developers that they know are still around and ask them for deeds on the roads that were not done correctly. However Counsel did not think the Town should go to extremes at this point if we can't locate the developers on older roads. It was noted that the LGC Attorney thinks the Planning Board should come up with an agreement to allow the Road Agent to maintain the Road before it is turned over to the Town. PB Chair Girard questioned the Planning Board's role in the deed process. After some discussion the following was decided: Director Emerson would contact Town Counsel to request he draft a boiler plate deed and also request he assist in drafting a road maintenance agreement. It was noted that the Planning Board application should be updated to incorporate

the deed requirement at the time of the application. Road Agent Lewis noted why he felt it was important for the Town to maintain Roads prior to the formal acceptance. Town Clerk Dupere noted the importance of maintaining Road Acceptance information for permanent records. For the next meeting the Board determined that Director Emerson would draw up the process that the Town wishes to make happen and forward the draft to PB Chair Mary Girard and Road Agent Lewis for their review.

The Board to hold a discussion on the property located on Raymond Road identified as Map 409, Lot 204 in regards to the Main Street & Raymond Road intersection concerns: Selectman Lazott mentioned that at the meeting with DOT on the two intersections the proposal is to make the intersections come to a 90 degree angle. Selectman Lazott stated the State may not have enough right-of-way to make this proposal happen. Selectman Lazott mentioned that the State said the Town may want to consider procuring land in the area. Selectman Kelley stated the State is looking into who owns the property around the area and truly how much right-of-way they own. It was noted that Selectmen Kelley, Brennan, Lazott, and Police Chief McGillen attended the recent DOT meeting along with the SNHPC representative Tim White who is working with the Town on the proposal to the State. After some discussion it was noted that SNHPC was currently working with the State on the preliminary steps and the proposed design.

Any Other Business

Ready to advertise the retired Building Department vehicle: Selectman Lazott informed that they were now ready to place the vehicle out to bid. Director Emerson informed she would proceed with the advertising as previously reviewed.

Request for Non-Public Meeting with the Board in regards to a proposal for the Town owned Exit 3 Property: Chairman Thyng advised the Board has been approached by a potential developer for the Exit 3 property and they are requesting a non-public meeting with the Board. It was questioned what RSA the Non-Public Meeting would be held under. Chairman Thyng stated under RSA 91-A:3 II (d) consideration of the sale of personal property. The Board noted that they were very particular about what would go in the property and that it was favored that a grocery store be at that location by past and prior Boards. Ingrid Byrd questioned if the developer would go to the Planning Board with their proposal. Chairman Thyng stated he thought the purpose of the meeting with the Board was to float the idea past them before anything gets proposed to the Planning Board. Selectman Giffen thought the Board could meet with the requested in a half hour prior to their next regularly scheduled meeting. The Board directed Secretary Chabot to contact the individual and set up the meeting for 6:30 on 11/27/06.

Next Meeting Date: The next regularly scheduled Public Meeting will be held on Monday, November 27, 2006 at 7:00 p.m.

9:30 p.m. Selectman Kelley motioned to adjourn. Seconded by Selectman Lazott. All in favor. Motion carried.