

Approved on 07/23/07
Candia Selectmen's Public Meeting Minutes
Monday, July 9, 2007

Attendance: Chairman Fred Kelley, Vice-Chair Tom Giffen, Selectman James Brennan, Selectman Richard Lazott, Selectman Joe Duarte and Secretary Dawn Chabot.

7:01 p.m. Chairman Kelley opened the Public Meeting and immediately followed with the Pledge of Allegiance.

The Board and Road Agent Lewis to meet with Mr. Ernie LeFebvre of Jane Drive at his request to discuss his concerns with Jane Drive: Ernie LeFebvre of 105 Jane Drive introduced himself and Sonja McMahon of 121 Jane Drive to the Board noting they were not representing all of Jane Drive. Mr. LeFebvre stated that a portion of Jane Drive from the Giffen residence at 79 Jane Drive down to the bottom of the hill was in terrible shape. Mr. LeFebvre noted there have been temporary fixes on the potholes and back filling but felt that the back filling was creating a bigger problem. Mr. LeFebvre advised the Road at the bottom of the hill was a serious problem. Mr. LeFebvre commended the Road Agent for his efforts on the Road considering the minimal budget he has to work with. Mr. LeFebvre stated there were (9) depressions on the Road which are similar to speed bumps. He noted cars would bottom out at 20 MPH because of the bumps. Mr. LeFebvre commented that the problem was not just a surface problem but an overall water problem. Mr. LeFebvre mentioned some of adjustments made by various property owners which had in turn caused problems for the property owners abutting them which he described as an unfortunate vicious cycle. Mr. LeFebvre stated he was hoping the Town could put a bigger plan in place although he was aware it would be expensive. Mr. LeFebvre stated if the problems were to continue it would impact their property values if not already impacted. Mr. LeFebvre advised he was hoping a plan could be put in place with a date set. Chairman Kelley asked Road Agent Lewis to speak to the matter. Road Agent Lewis agreed that the Road was a disaster noting there is no way to accommodate the utilities in the ditch line because of the way they were installed back then. Road Agent Lewis stated the Road could not be completely fixed without the installation of a detention pond which would be next to impossible because it would require approx. 1 acre of available land. Road Agent Lewis stated the best the Town could do is shim the Road. Road Agent Lewis informed the 9 bumps on the Road are where the utilities cross. Road Agent Lewis stated it would be difficult to do much with the drainage. Road Agent Lewis stated Jane Drive has been #1 on the paving list for two years but was bumped as a result of two years of major storm events. Road Agent Lewis stated the Town could propose the repairs of the Road in the form of a Warrant Article but doubted it would pass due to low volumes of traffic. Road Agent Lewis informed that Jane Drive was now the worst Town Road and was on top of the list. Selectman Kelley asked the Road Agent if paving would correct the water problem. Road Agent Lewis stated no and was unsure where the water could be directed to. Road Agent Lewis informed he could clean up some of the ditches as well. Mr. LeFebvre stated each small fix made by Town and property owners changes the water flow and causes other problems. Mr. LeFebvre commented that he recently spent approx. \$12,000.00 correcting problems on his property. Mr. LeFebvre thought it would be nice if the residents could work with the Town to find the best solution. Sonja McMahon mentioned that her new neighbors may not know they're responsible for their driveway culvert and wondered whose responsibility it was in notifying new owners. Road Agent Lewis advised by law the Town is responsible for the Road culverts only and informs owners through the Town Report

every year. Road Agent Lewis commented that the Town always gets calls when neighbors make changes by redirecting the water. Mr. LeFebvre stated the residents were seeing more water than they did 20-years ago. Road Agent Lewis agreed. There was some discussion on the problems with the original underground utility installation and the fact that the Utility Companies were not willing to correct the problem. Road Agent Lewis noted unfortunately the underground utilities were installed when the Road was constructed in the early 70s and now underground utilities are installed properly due to stricter requirements. Road Agent Lewis noted in some spots the utilities are buried only 4 to 5 inches down. Mr. LeFebvre agreed stating his contractor recently hit a utility wire at 6 inches. Mr. LeFebvre thanked the Board and the Road Agent for their time and stated any help they could offer would be greatly appreciated. The Board agreed that Selectman Brennan and Road Agent Lewis would go out on site for an inspection, talk to the residents and discuss possible solutions to bring back before the Board.

Departmental Reports

Highway: Road Agent Lewis reviewed the attached report. Road Agent Lewis stated he spent a huge amount of time (6 days and approx. 15 to 20 evenings at home) meeting with the FEMA Representative and compiling the necessary information. Road Agent Lewis stated the total spent at this time on Town Roads as a result of the 2007 flooding event was \$168,000.00. Road Agent Lewis stated FEMA will reimburse 75% and the figure may be approx. \$172,000.00. Road Agent Lewis advised the State reimbursement should be \$15,000.00 to \$20,000.00. Road Agent Lewis stated the costs for the repairs have been coming out of the operating budget and at this time (before the reimbursements) his budget is \$80,000.00 in the red. Selectman Duarte told Road Agent Lewis that the Board appreciated all the time he put into working with FEMA for the reimbursements. Selectman Lazott asked Road Agent Lewis if drainage swales were considered wetlands noting he was aware of someone who was recently denied a building permit for a garage because he was not making the setbacks from what was considered poorly drained soil. Road Agent Lewis advised there was a relatively easy permitting process through the state in which a person could maintain their drainage ditch. Road Agent Lewis stated just because it is a ditch does not mean it is poorly drained soil. Conservation Commission Chair Fowler stated in order to be considered poorly drained soil it would have to have wetlands vegetation verses a drainage ditch which does not typically grow vegetation.

Police: Police Chief McGillen presented the attached report. Chief McGillen mentioned thefts of scrap metal were on the increase due to higher returns. Chief McGillen stated they were waiting for final approval on the OHRV grant and would be starting the Hwy 101 corridor patrols grant.

Commendation Award for Officer Kevin Bowen: Chief McGillen stated that Officer Kevin Bowen was recently awarded a Commendation Award from the Attorney General's Office for his recent participation on a Child Exploitation Task Force. Chief McGillen noted Officer Bowen has also been trained in finding "Online Predators". Selectman Duarte asked Chief McGillen to thank Officer Bowen for the Board.

Police Department Report Continued: Chief McGillen informed that the department was recently involved in solving a case in which a 60-year old male was sharing child pornography. Chief McGillen reported the department remains busy. Selectman Lazott commented that he had

a recent opportunity to speak with Officer Cashman (who did not know he was a Selectman at the time of the conversation) and that he was very polite and professional.

Fire: Deputy Fire Chief Roger Davis presented the attached reports (June report and Year to Date report). Deputy Chief Davis stated calls were up 60% over last year. Deputy Chief Davis stated the ad for the Mack truck was being worked on. Selectman Duarte asked Deputy Chief Davis if the appointed Fireman residing out of Town were getting to calls. Deputy Chief Davis admitted he was initially concerned about that but was pleasantly surprised because it has worked out well. Deputy Chief Davis noted one out of Town individual has now decided to move to Town partly due to his involvement in the Fire Department. Selectman Duarte noted the Town was spending a lot of money paying for training and wanted to be sure the Town wasn't spending money on out of Town people for resume building. Deputy Chief Davis advised the individuals from out of Town are responsible for paying for their own academy training and because of their affiliation with the department they receive a discount (\$800.00 verses \$2,300.00 without an affiliation). Selectman Lazott asked if there was some type of protection agreement in place like the Police Department has. Deputy Fire Chief said there was not and agreed that the Town was paying the outfitting costs but noted most all of the equipment was re-usable.

The Board to review Fire Chief Cartier's memo of 07/09/07 recommending termination of four department appointments: Deputy Fire Chief Davis requesting the Board consider acting upon Fire Chief Cartier's memorandum dated July 9, 2007. The Board reviewed the attached memo in which Fire Chief Cartier recommended the termination of four appointments due to minimal activity over one-years time and also due to lack of response or explanation to his June 4, 2007 letters. Selectman Giffen motioned to accept Fire Chief Cartier's recommendation to terminate the appointments of Gary Gosselin, Robie Kelley, Michael Noone and Angela Baker. Seconded by Selectman Duarte. All in favor. Motion carried.

The Board will consider a proposed increased for Fire Department Adm. Assistant Natalie Ducharme based upon a favorable 90-day review based upon Fire Chief Cartier's recommendation: The Board reviewed the hire motion of Fire Department Administrative Assistant Ducharme of 02/26/07 which indicated a 25-cent hourly increase based upon a favorable review. Selectman Duarte noted the Board members had the opportunity to see the favorable review. Selectman Duarte motioned to provide Natalie Ducharme with a 25-cent hourly increase, new rate to be \$11.50, effective on 90-day review date June 30, 2007. Seconded by Selectman Lazott. All in favor. Motion carried.

Building: Selectman Lazott review the attached report noting a decrease in the building trend which is reflective in the review received comparing 2006 to 2007. Selectman Lazott stated Building Inspector Hallock continues to stay on top of things.

Solid Waste: Selectman Giffen stated he did not have the figures as of yet for the June report but wanted to address a couple of minor issues. Selectman Giffen stated their electronics recycling company North Shore Technologies was no longer working out as they decided to raise their prices after being unhappy with the Town's newly set up containers. Selectman Giffen stated Facility Operator Whitcher was able to located East Coast Electronics a company willing to recycling the Town's electronics at a yearly cost of \$2,600.00, which was cheaper than the current vendor. Selectman Giffen informed he authorized Facility Operator Whitcher to go with

the cheaper vendor East Coast Recycling. Selectman Giffen informed that the pump used when brush burning ceased to operate and that he authorized Facility Operator Whitcher to purchase another one for \$500.00, which was within the budget. Selectman Giffen noted the new pump would transfer to the new site. The Board members were okay with the authorizations mentioned.

Selectman Brennan to outline the RFQ process for the future Transfer Station: Selectman Brennan advised six RFQ's had been received and noted three of the Companies had bid originally. Selectman Brennan stated Stantec had called references on all of the Companies and also accomplished a breakdown as of today. Selectman Brennan stated that he and Stantec are recommending rating packets be completed by five trust worthy individuals in order to determine which companies receive requests for proposal packages. Selectman Brennan suggested the following individuals receive rating packages: two Board members, SWC Chair Paul McHugh, SWC Volunteer Roger Steenback and Building Inspector Hallock. A couple of Board members were not in favor of Roger Steenbach receiving a rating package. Roger Steenbach experience and qualifications were noted. After some discussion the Board members agreed that the following individuals would receive a rating package: Selectman Giffen, Selectman Brennan, Paul McHugh, Roger Steenbach and William Hallock. Selectman Brennan stated all individuals would need to return their ratings to the Office no later than 1:00 p.m. on Thursday 07/12/07 at which time a Board phone poll is to be conducted indicating the results. Selectman Brennan stated Stantec would be informed of the results on Friday in order to send out the RFPs.

Update from Selectman Brennan on other Committees or Departments he oversees

Heritage Commission and Pond Update/Selectman Brennan stated the Soldier's Monument was now back to it original state thanks to the Heritage Commission and also thanks to those that donated funding for the project. Selectman Brennan informed the Pond Park project should be started up again soon and the project should be completed by the end of the year.

Budget Committee/The Board to discuss the Budget Committee's request of 06/29/07 to attend a 08/08/07 Meeting: Selectman Brennan stated the Committee meets on the 2nd Wednesdays of the month. Selectman Brennan asked the Board if they were okay with attending the Budget Committee's meeting on Wed. August 8, 2007 as requested in their memo dated June 29, 2007. The Board was okay with attending the meeting and agreed it was important to have Director Emerson attend as well if she is able to.

Cemetery Department: Selectman Brennan stated he had not had the opportunity to meet with Superintendent Anderson recently. Selectman Brennan stated to Mr. Anderson that he would like to arrange an upcoming meeting. Mr. Anderson agreed noting he had some updates for Selectman Brennan.

Parks & Rec: Selectman Brennan briefed on an upcoming skateboarding demonstration event to be held on Saturday July 14, 2007 from 12:00 to 3:00 p.m. Selectman Brennan stated the event was being coordinated by Mr. and Mrs. Roger Leavitt and by Jordan Davis. Selectman Brennan noted volunteer forms were being completed by volunteers as recommended by the Town's liability insurance carrier in the past. Chief McGillen questioned the attendance noting if they anticipated a large crowd they should hire a detail officer for the event. Selectman Brennan did not think there would be a large turn out but stated he would try to find out and let

the Police Chief know. The Board was okay with the upcoming event. **Summer Recreation:** Selectman Brennan reported that the program started on today's date but noted the weather was not completely cooperative.

The Board to discuss figures received in regards to the Tax Collector's Office relocation:

Chairman Kelley stated the Board would discuss the possible relocation of the Tax Collector's Office. Planning Board Chair Mary Girard mentioned that other Boards utilize the small meeting room and wondered why no one checked with her as the Planning Board Technical Review Committees uses the room as well. Chair Girard stated citizens use the room to compile abutters list and was unsure why the Tax Collector needed a separate offices after all these years. Chairman Kelley stated he brought the matter up as he felt more citizens were falling upon hard times and were having to come up to the half door to discuss their financial situations in front of all of the citizens waiting at the Town Clerk's office. Chair Girard stated citizens encountering hardships have to go before the Board not to the Tax Collector. Chairman Kelley stated he was aware of the uses of the small meeting room and noted the Board has considered making alternate arrangements for the Committees or Boards. It was noted that the hallway by the small room would be available for storage, map display and possible a small meeting area as the Board determined they could remove the exit sign because it was not a necessary form of egress. Conservation Chair Fowler was asked if he preferred his files stored upstairs in the space office (the old Land Use Office) or downstairs in the hallway. Chair Fowler did not have a preference. Supervisors of the Checklist Chair Stamatelos informed they had many files. It was noted that the Supervisors of the Checklist files would need to be located on the main floor. Chairman Kelley asked Chair Stamatelos about the frequencies of their meetings. The Board noted the large meeting room still had days available on the schedule. Chair Stamatelos indicated they did not have a standard schedule but would need to meet several times a year. Chair Stamatelos questioned if they would still have access to the internet connections in the large meeting room. The Board stated they would. Selectman Lazott stated he had received complaints from citizens they were waiting for the Clerk and felt uncomfortable hearing private discussions. Chair Fowler stated he could see the concerns but wondered what would happen to the RSA books current in the small meeting room. Secretary Chabot stated it was the municipality's responsibility to make those RSAs accessible to the public. It was noted that the RSA would need to be located on the main floor. Chair Girard repeated that tax relief was not a function of the Tax Collector. Chair Stamatelos noted the public could request to speak with the Tax Collector privately. Tax Collector Sanders noted the relocation proposal was not as a result of a request from her but as a result of residents complaining. Chair Girard stated she had heard about the proposal through the grapevine and thought notification would have been nice. Chair Kelley noted former Tax Collector Mabel Brock was a great woman and would often bring citizens into the office by her desk. Chairman Kelley noted due to safety reasons in this day and age that type of arrangement no longer works. Chair Girard wondered why the Tax Office could not be relocated upstairs to the vacant office. The Board noted too many elderly residents come in to pay their taxes. It was noted that the hallway leading to the office was required to be locked and not open to the general public as the Police Department provides a second form of egress. Chair Fowler, Chair Girard and Chair Stamatelos were directed to see if their existing keys opened the hallway doors and if not report back to the office to have a key made. Chair Stamatelos asked the total costs for the office relocation. Chairman Kelley briefly reviewed the attached list noting many items would be handled by volunteer labor. Chairman Kelley advised the half door in the current office would be relocated to the small office and that an extra door in the basement would be cut and fitted for the Selectmen's Office. Chairman Kelley informed the

reason for the door transfer was due to a custom made tax payment box. Chairman Kelley stated there would be no costs associated with the doors because Building Inspector Hallock agreed to help out. Chairman Kelley informed he was unhappy with the price obtained from Pelmac the Alarm Company and had placed a call to the owner. Selectman Lazott stated there was an extra safe in the Selectmen's Office which could be relocated, have the code changed and bolted to the floor in the new office so the Tax Collector's Office can stand alone. Chair Girard asked where the money would come from as nothing was budgeted. Chairman Kelley stated the money would come from the building maintenance line. Chairman Kelley stated Selectman Brennan had come up with plans for office redesigns in the past however due to budget reductions the costs were too excessive. Chair Stamatelos referred to the meeting minutes of June 11, 2007 and wondered how much higher the cost would be from the originally mentioned \$500.00 figure. Chairman Kelley stated it would cost about that. Selectman Brennan asked if the Board was still waiting on figures for a few items. Chairman Kelley stated he was waiting for a better figure from Pelmac. Tax Collector Sanders stated she did not fax or copy much and could use the equipment in the Selectmen's Office. Selectman Lazott stated it would not cost too much to have a printer/fax/copy combination available to her in her own office. Tax Collector Sanders stated her software prefers a laser jet printer and she priced a Lexmark laser printer for \$200.00. Selectman Giffen suggested that the Town consider not buying the bottom end printer. Selectman Lazott asked Tax Collector Sanders if she had some unexpended funds available to go towards the project. Tax Collector Sanders stated she did. Selectman Brennan stated in addition to the printer the Board should provide a fax machine with copying capabilities. The Board agreed. Selectman Brennan asked if Selectman Lazott or Chairman Kelley planned on presenting a warrant article for the relocation of the Town Clerk and Tax Collector's office to the old Library Building as discussed this past year. Selectman Brennan did not want to proceed with the office relocation if there was an upcoming request. Selectman Lazott felt that proposal was on hold due to more pressing issues such as the Transfer Station. Chairman Kelley and Selectman Lazott agreed they would not present a warrant article for this year. The Board agreed to table the matter until their next meeting on July 23, 2007 in order for Chairman Kelley to obtain a final figure from Pelmac and also to obtain figures on a printer and a fax/copier combination.

The Board to consider the recommendation of the Historical Society to name Dora Pickles as the Boston Post Cane recipient: Secretary Chabot read the attached letter dated June 27, 2007 from the Historical Society recommending that citizen Dora Pickles born on March 29, 1912 be name the Boston Post Cane recipient. Based upon the recommendation of the Candia Historical Society, Selectman Lazott motioned to name Dora Pickles of Chester Turnpike the Boston Post Cane Award as being the oldest resident in Town (recipient to be awarded a certificate only). Seconded by Selectman Duarte. All in favor. Motion carried. It was noted that Selectman Lazott and Historical Society member Janice Maxwell would schedule a time to present the certificate to Dora Pickles. Secretary Chabot informed the family was comfortable with a small write up in the local paper but was not comfortable with a photo.

The Board to review Counsel's recommendation on the signing of the Goff Deed: Selectman Duarte stated Counsel was in favor of proceeding with the deed and at Goff's Attorney's request the full Board is to sign the document. Selectman Duarte reported that the fence had been repaired. The Board members signed the attached deed. Selectman Duarte noted surveyor James Franklin would be instructed to install the boundary markers now that the deed has been finalized.

The Board will re-address abatement application received from Jeffrey Kantor, 250 Raymond Road, Map 409, Lot 113: It was noted that there was some confusion at the last meeting due to the two values indicated by Assessor Jameson in her recommendations. Secretary Chabot advised the ad valorem value was necessary to maintain as it is the value that the property would hold if it were to discontinue its current use status. Based upon the recommendation of Assessor Jameson, Selectman Lazott motioned to grant Jeffrey Kantor's abatement request for his property identified as Map 409, Lot 113, located at 250 Raymond Road, new ad valorem value to be \$267,000.00 and new current use value to be \$146,395.00. Seconded by Selectman Duarte. All in favor. Motion carried.

The Board to discuss recent correspondence from Candia Crossings on a complaint regarding a wetlands crossing: The Board reviewed the attached complaint dated July 2, 2007 received from John Cole of Candia Crossing LLC regarding the Conservation Commission's recent handling of his Dredge and Fill application for a Wetlands Crossings. Chairman Kelley advised he spoke with Conservation Commission Chairman Ed Fowler on the complaint as he felt the Commission had overstepped their bounds by addressing other matters other than the Dredge and Fill application. Chair Fowler informed after his conversation with Chair Kelley he spoke with Mr. Cole to inform him that a letter would not be sent to DES as indicated at the last Conservation Commission meeting and that Mr. Cole was invited to their next meeting to further discuss the project. Chair Fowler noted the Commission was concerned about the proposed Elderly Housing project because the water drainage from the steep slopes could impact the Lamprey River but had decided to wait on any action until their next meeting. Chairman Kelley noted the Commission should address other concerns on the project once it is before the Planning Board. Chairman Kelley reiterated that the Commission went beyond the Dredge and Fill application that was before them. Chair Fowler stated Chairman Kelley was right in some respect in regards to the Wetlands Crossing. Planning Board Chair Girard felt the Commission jumped the gun as well noting the Planning Board had not even received an application for the project. Chair Fowler stated he spoke with Mr. Cole prior to the last meeting and unfortunately told him he did not think he had to be at the meeting. Selectman Duarte felt that Chair Fowler handled the matter well. Chairman Kelley advised he would contact Mr. Cole to inform him that a letter would not be sent to DES as indicated at their meeting.

Approval of Previous Minutes: Selectman Lazott motioned to approve the Public Minutes of 6/25/07 & the Sealed Non-Public of 6/11/07 as presented. Seconded by Selectman Giffen. All in favor. Motion carried.

Any Other Business

Selectman Lazott's recommendations on the 2007 Town Report Dedication Page: Selectman Lazott requested the Board consider dedicating the Town Report to the following individuals: Fletcher Perkins Sr. as a caring Business owner, Rudy Kobel as a former State Representative and George Beane as a former Selectman and a member of the Candia Volunteer Fire Department. It was noted that prior recipients had served the Town directly in some capacity and that prior dedication pages were typically for one individual. Selectman Duarte suggested naming George Beane because of his Town service and listing the two other individuals as an honorable mention. After some discussion the Board agreed to obtain figures

associated with naming three individuals and to wait until yearend to make the official decision on who or whom would receive the dedication.

Solid Waste Committee member Amanda Soares request: Amanda Soares requested that the Board consider presenting House Hold Hazardous Waste Day in the form of a warrant article for 2008 because many citizens have expressed a need for the program. The Board noted they had already agreed to present that item in the form of a warrant article for 2008. Amanda Soares informed the Solid Waste Committee looked into partnering with the City of Manchester but stated the costs were unknown. Mary Girard asked if the Town accepted computers at the Recycling Center. Selectman Giffen advised they do accept them for recycling.

Announce Next Regularly Scheduled Meeting Date: The next regularly scheduled meeting will be held on Monday, July 23, 2007. Chairman Kelley noted the Board would also hold a Public Meeting on Monday, July 16, 2007 at 7:00 pm at the Candia Moore School for the purpose of seeking public input on the potential development of the Town-owned properties located at Exit 3.

9:12 p.m. Selectman Lazott motioned to adjourn the meeting. Seconded by Selectman Giffen. All in favor. Motion carried.