

Approved
Candia Selectmen's Public Meeting Minutes
Monday, October 22, 2007

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

7:03 p.m. Chairman Kelley called the Public Meeting to order and immediately followed with the Pledge of Allegiance.

The Board to discuss with Chair Girard the Planning Board's recommendation on the Southern NH Planning Commission's contract for impact fees: Planning Board Chair Girard confirmed they were hoping the Board would sign the contract as she thought it had been taken care of before as the Board helped the Planning Board with the grant. Chairman Kelley asked how much the contract would be to prepare the impact fee schedule. Chair Girard stated \$22,500.00. Selectman Giffen questioned the unexpended amount remaining within the warrant article used to cover the updating of the zoning and subdivision regulations. Director Emerson stated she did not know as they do not bill right away. Selectman Giffen stated he wanted to know what had been expended. Director Emerson stated that was unknown. Selectman Giffen asked Director Emerson if she felt safe on the funding available. Director Emerson repeated it was unknown because they do not always bill right away. Director Emerson suggested contacting Southern NH Planning Commission to have them provide documentation to ensure that all incurred expenses have been billed. Chair Girard stated the billing was current as they have not done anything for quite some time and indicated the funding was secured. Selectman Giffen motioned to accept Southern NH Planning Commission's contract/agreement for Impact Fee Feasibility Study and Impact Fee Schedule for an amount not to exceed \$22,500.00. Seconded by Chairman Kelley. All in favor. Motion carried.

Possible discussion on the Transfer Station contract: Selectman Brennan stated there were a few items to be addressed within the contract and he hoped to have the changes incorporated for a possible signing at the next meeting. Selectman Giffen noted Stantec was involved in the process as they would need to make sure the facility is built in accordance with the plan.

The Board to review and discuss warrant articles

The Board determined they would address who would speak to the warrant articles at a later date. The Board reviewed the attached "2008 Town of Candia Warrant" Draft dated 10/22/07.

Art. 3 – 13 (the Charitable Organizations that request annual funding): Selectman Lazott wanted to see the detail in regards to their request. Director Emerson stated she would place the package of information from the requesting charitables for the Boards' review. The Board agreed they would review the information prior to the 11/5/07 meeting.

Art. 14 (Operating Budget): Figure not available at this time.

Art. 15 (Fitts Museum): The Board was okay with the article as presented.

Art. 16 (Playground Maintenance Fund): Road Agent Lewis provided information on how the maintenance schedule typically works. The Board would recommend the article as presented.

Art. 17 (Police Details): The Board was in favor as presented.

Art. 18 (Winter Maintenance Fund): Selectman Giffen questioned if the \$50,000 figure was a suitable amount due to rising costs. Road Agent Lewis stated the weather was always unpredictable but thought the figure may be okay because the State had not changed their rate. The Board was okay with the article as presented and unanimously agreed to recommend the article.

Art. 19 (Reconstruction of Patten Hill Road): Road Agent Lewis stated the project would be a 3-year project. The Board agreed Patten Hill Road was in need of reconstruction. The Board was in favor of the article as presented.

Art. 20 (for shim, overlay, and do drainage work on Jane Drive): Road Agent Lewis informed he wanted to present the article to the voters for a shim, overlay and to clean the existing drainage on Jane Drive. Road Agent Lewis noted over the past two years due to flooding storms he lost minor projects that he would normally handle within his budget. Road Agent Lewis advised if the article were to fail he would still try to handle some of the repairs out of the budget. Road Agent Lewis stated the Road had been a problem since it was first built.

Art. 21 (Operating expenses for the Smyth Public Library): Director Emerson noted an increase of \$1,955.00. Selectman Giffen thought the increase was minimal considering there are only 3 or 4 private libraries in the State. Selectman Lazott was okay with the budget but mentioned he was concerned that the library was one of two groups that need yearly prodding to get their information to the auditors. The Board was okay with the article.

Art. 22 (Fire Department Capital Reserve Fund): It was mentioned that the yearly article increased by \$25,000. Fire Chief Cartier mentioned a savings of \$11,000 to \$12,000 by researching a purchase for used SCBAs. Ingrid Byrd of Depot Road questioned the current balance in the fund. Director Emerson advised it was at \$117,000 at the end of last year. Chief Cartier thought the approx. amount of \$89,000 from the tanker would need to be deducted from the year end balance. After some discussion the Board agreed to keep the amount at \$75,000 and also agreed to recommend the article.

Art. 23 (AmeriCorps Program for the Fire Department): Fire Chief Cartier stated the \$6,600.00 request in conjunction with a Federal and State grant will get the Fire Department a full-time person for 11 months to help out with programs that have fallen by the wayside. Fire Chief Cartier informed he knew Selectman Lazott was concerned that the Fire Department would try to phase the position into a full-time position and that this was not his intention with the program. Fire Chief Cartier stated if the program works out well, the Town can apply the next year, too. The Board was okay with the article as presented and also okay with the request coming from the Board and the Fire Chief.

Art. 24 (capital reserve fund for future re-evaluation): Selectman Lazott stated since the State of NH is recommending that Municipalities re-evaluate their properties every five years, he thought it would be appropriate to request funding for this purpose in smaller amounts perhaps over the next few years. Selectman Giffen asked if the Town was up for Re-val in 2009. Director Emerson advised the Town would be reviewed in 2009 and the State would make a determination at that time. It was noted if the Town does not comply with the requirements of the State, the State could force the Town to comply and decide which Company the Town would hire. The Board agreed with the article as presented and agreed to recommend.

Art. 25 (Candia Resident Only Household Hazardous Waste day(s)): Chairman Kelley noted many complaints were received because the Town did not hold a Hazardous Waste Day in 2007. Chairman Kelley thought the article was extremely important to support. The Board agreed on the article as presented.

Articles 26-32 presented at the request of the Solid Waste Committee: Selectman Giffen advised due to the increasing cost of the steel building the only way the Solid Waste Committee could build the New Transfer Station within the time period was to shave off a few items. Selectman Giffen stated Articles 26-32 represented items the Committee believes should have been included but were unable to do so with the bond money. Selectman Giffen advised the articles represent the necessary funding to wrap up the job. Ingrid Byrd asked if the items were included in the original proposal. Selectman Giffen advised they were but stated the Committee was faced with reducing the cost by \$600,000. Planning Board Chair Mary Girard asked if there were already two cisterns located in close proximity on Deerfield Road. Fire Chief Cartier said there were but they were dedicated to the two sites. Chair Girard questioned if the Planning Board required the cistern. Fire Chief Cartier stated the entire sprinkler system had already been cut noting they were bare bones and felt it was important to have 30,000 gallons of water on site should there be a need. Selectman Lazott informed he had a problem with the fiberglass cistern and felt concrete would be acceptable and more affordable. Selectman Lazott stated he was not in love with the cistern proposal because there were two available within the area. Selectman Giffen noted Severino priced concrete and fiberglass cisterns and the prices were fairly close. SWC Chair McHugh agreed. Selectman Giffen stated the price for the cistern in the warrant article was based upon a firm quote from Severino. Selectman Duarte thought the Board needed to go along with the articles as these were items promised to the Community originally. Selectman Giffen advised the spirit of the warrant articles was to bring the finish product back a little closer to the original proposal so that the people can decide on the items. Selectman Giffen stated some were wants rather than need and other things should be done one way or another, such as, article 29/the top coat layer of the road should be done within a year or two. Fire Chief Cartier stated the Town Engineers specify fiberglass cisterns as well and currently does not recommend concrete. Selectman Lazott stated the information did not surprise him as Stantec is one of the most expensive Engineer Firms in the State of New Hampshire. Road Agent Lewis stated there was one concrete cistern in Town and it was the only one that leaks. Selectman Brennan wondered if the Board should be in support of all the articles presented by the Solid Waste Committee and leave the decision to the voters. Selectman Lazott thought the requests were too much to put on the citizens in one year. Selectman Giffen stated he would like to give them the opportunity to vote. Selectman Lazott stated he was against the canopy and against the cistern. Chairman Kelley stated he would prefer the canopy before the cistern. Chairman Kelley stated there was already 60,000 gallons of water on that road. Fire Chief Cartier stated for Commercial buildings the Site Plan regulation states that a water supply system is to be in place. Fire Chief Cartier commented that the Town has always played by the same rules noting that was why the Town Office building had a sprinkler system installed. Fire Chief Cartier stated if they do not have a cistern on site they could lose a building and fail to protect the Town's interest. Fire Chief Cartier mentioned a two million dollar metal building fire in Auburn. Selectman Duarte thought the requests were important to put out to the voters. The Board was okay with the articles as presented. SWC Chair McHugh took issue with the Board not submitting the articles at their request and not publicly recommending as well. Director Emerson stated SWC articles did not have to be recommended by RSA. After some further discussion the Board agreed on having the warrant articles (26-32) placed on the warrant as presented and to have them labeled by the request of the Solid Waste Committee. Article 26 to be at the request of the Fire Chief.

Art. 26 (for the purchase and installation of a 30,000 gallon Fiberglass Cistern for the New Solid Waste Transfer Station and Recycling Center): Okay as presented.

Art. 27 (for purchase and construction of a Metal Building to be used as a Swap Shop and Storage Building): Okay as presented.

Art. 28 (for purchase and delivery of 27 Pre-cast Concrete Silo Blocks needed to create bunkers at the New Transfer Station and Recycling Center): Okay as presented.

Art. 29 (for the purpose of paving the Topcoat Layer of the road surface at the new Transfer Station and Recycling Center): Okay as presented.

Art. 30 (for a 100' X 30' canopy for drive thru lanes at the New Solid Waste Transfer Station and Recycling Center): Okay as presented.

Art. 31 or Option 32 listed below (to change the purpose of the existing incinerator Maintenance Expendable General Trust fund to the Incinerator Decommissioning and Site Closure Expendable Trust Fund): The Board discussed the options involving Art. 31, 32 and 32 (additional option). The need to change the purpose of the established fund was important on proceeding with the closure of the facility once the Town locates to the new facility. The Board members thought it was a gamble to dissolve the original fund, deposit the money in the general fund and then ask for the funds again while establishing a new fund. After much discussion the Board unanimously agreed on article 31 as presented. It was noted in order to pass they would need a 2/3rd vote. The Board directed Director Emerson to check with Counsel to see whether they would need to be appointed as agents.

Art. 32 an additional option (to discontinue an expendable trust fund for Incinerator Maintenance): Removed.

Art. 32 an additional option (to create an expendable trust fund under the provisions of RSA 31:19-a to be known as the Incinerator Decommissioning and Site Closure of 119 New Boston Road Recycling Center): Removed.

Art. 33 (to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of an Emergency Fund in cases of natural Disaster, etc.): Selectman Giffen stated the fund would cover emergency issues that could arise. Selectman Lazott thought it was a wise approach noting if the funds do not get used they get returned. Selectman Giffen stated that was not the case it would establish an emergency fund. Ingrid Byrd suggested placing a cap on the fund so that voters do not think it would go on forever. Selectman Giffen was not in favor of placing a cap on the fund noting the voters would decide at the polls. Ingrid Byrd noted there was a cap on the school's leaky roof fund. Selectman Lazott stated he was in favor of a cap. Fire Chief Cartier asked how much flooding cost the Town. Road Agent Lewis stated \$128,000 in road repairs and the Town was reimbursed only \$108,000. Selectman Giffen did not know how you would place a value on a disaster and did not see a reason for a cap. After much discussion Chairman Kelley, Selectman Brennan, Selectman Lazott and Selectman Duarte were in favor of placing a \$50,000 in contributions cap on the article. Selectman Giffen was opposed. The Board was in favor of recommending the article. Director Emerson was instructed to make the necessary changes to the article.

Art. 34 (to vote to create an expendable trust fund under the provisions of RSA 31:19-a, to be known as the Town Building Maintenance Fund): Director Emerson stated the article was at the

request of the Board and the Board would need to determine the amount on the article. Chairman Kelley and Selectman Lazott discussed a recently discovered problem with the trim boards at the Town Office Building and noted the total rot damage was unknown at this time. Chairman Kelley stated it was difficult to put a total price on the job until the rotten areas are removed and the contractor is able to see what is behind the rot. It was noted that two estimates had been received one for \$2,800 and the other for \$3,400. Chairman Kelley mentioned a need to repair the bulk head as well. After much discussion the Board decided to place \$10,000 within the article. Fire Chief Cartier suggested that the Board contact Dean Young to find out more about the flashing on the building. The Board agreed to change the wording to state "Town Office Building Maintenance Fund". The Board agreed to recommend the article.

Art. 35 (to change the percentage of the land use change tax collected): Selectman Lazott stated when the current use program was instituted the tax penalty was originally paid to the general fund. Selectman Lazott advised to help lower taxes and also due to the fact that the Town has collected over \$100,000 in current use tax penalties he wanted to propose that 25% would go to the Conservation Fund (instead of 100%) and 75% would go back to the general fund to help offset the tax rate. Selectman Lazott stated at this point in time he found the taxpayers to be strapped and felt they deserved to get some back. Selectman Duarte advised he liked the proposal. Selectman Giffen stated he was not sure if Selectman Lazott's history of the program was correct stating he thought it was the goal of the legislature to preserve the State and maintain its rural character. Selectman Giffen was unsure of the 25% proposal and thought the article may fail due to the 25% whereas 50% would be more of a guarantee. Charles Bowman of High Street disagreed with Selectman Giffen's take on the history of the program noting it was not designed to go to the Conservation fund. Selectman Duarte asked the amount currently in the Conservation account. Director Emerson stated approx. \$790,000. Conservation member Lewis noted \$500,000 of that was spoken for with the Sanborn land vote. Director Emerson noted the money had not been officially signed off on but had been discussed. Selectman Giffen disagreed noting the Board of Selectmen approved the deal on the Sanborn property. Director Emerson stated she did not think there had been hearings on the purchase as of yet. Selectman Giffen agreed but noted the Board had signed off on the grant for the Sanborn property. Director Emerson stated it was not a finalized as of yet. Chairman Kelley and Selectman Lazott agreed it was not a done deal. After much discussion, four were in favor of presenting the article as presented. Selectman Giffen was opposed noting he would have been happier with a 50/50 split on the percentages.

Art. 36 (to accept the granting of a conservation easement for the Deerfield Road Town Forest): Selectman Lazott asked if the easement was a done deal with Bear Paw. Selectman Giffen stated the Commission shopped around and Bear Paw was the cheapest easement holder. Selectman Lazott stated he was against having a 3rd party holding an easement. Selectman Giffen stated it was written into the purchase and sale that the Conservation Commission will have an easement holder on the property. Mary Girard wondered why it had taken so long and wondered if there was a time table on when it should have been done. Selectman Lazott reiterated he was against 3rd party easements and did not believe the Town should hire outside management and was not in favor of the Town paying a 3rd party to manage its property. Conservation Member Lewis stated they don't manage it, they just monitor the terms. Selectman Lazott stated the responsibility should stay with the Commission and the Board and not go outside of the Town. Selectman Giffen said that was perhaps for the future but the Town was already in a position to commit to the terms of the Purchase & Sales agreement. Selectman Giffen noted it was a recorded legal document. Selectman Giffen noted that the Commission was required by RSA to hold a Public Hearing on the language of the easement which would include to keep the property in its natural state and to allow hunting, fishing and using the property for

educational purposes. Selectman Lazott added I hope they include trapping. Selectman Giffen encouraged attendees to attend the Public Hearing to express the opinions on the language of the easement.

Art. 37: (Are you in favor of the proposed sale of the town owned property (identified as Map & Lot's 410-161 and 410-162.1) at Exit 3? The Board noted they were required to have this petition warrant article on the warrant in accordance with the RSA voted in at a prior Town Meeting. Selectman Lazott stated the voters will have to re-affirm their intentions to go along with their prior vote on the larger parcel and vote yes, yes and yes.

The Board determined they would continue their final review of warrant articles at their November 5th Meeting.

Selectman Lazott to present a favorable 1st year review for Land Use Administrative Assistant Andria Hansen: Selectman Lazott stated Land Use Administrative Assistant Andria Hansen has been doing an outstanding job considering the amount of work with the two recently combined positions and with the amounts of new projects before the Town as well. Selectman Lazott advised he conferred with Building Inspector Hallock on the review and proposal and both agreed on the quality of work from the individual. Selectman Lazott stated he understood the budget crutch in 2007 but thought it was important to propose a little something to this new employee after her first year review. Selectman Lazott motioned to provide Andria Hansen with a 30-cent hourly increase effective on 09/25/07 based upon an outstanding 1st year favorable review, new rate to be \$14.75. Selectman Lazott read the attached document. Selectman Lazott noted that the Office Staff agreed on the quality of work provided by this individual as well. Selectman Lazott stated the proposed increase was a small token of their appreciation. Seconded by Selectman Duarte. All in favor. Motion carried. Selectman Duarte commented on the outstanding work Assistant Hansen does for the Planning Board and thought the proposal was a great idea.

The Board to discuss Chief McGillen's memo dated 10/10/07 reporting a favorable review for Part-time Officer Ken McCarron and recommending his re-appointment: The Board reviewed the attached memorandum from Chief McGillen. Selectman Lazott motioned to reappoint Special Officer Kenneth McCarron as a part-time Police Officer with a term to expire on 09/28/08. Seconded by Chairman Kelley. All in favor. Motion carried.

The Board to discuss the Candia Garden Club's request for storage space: Chairman Kelley provided input on the request noting he said no to the request for space within the Town Office Building basement due to the security of the documents. Chairman Kelley motioned to allow the Candia Garden Club to utilize a space at the Old Library Building. Seconded by Selectman Lazott. All in favor. Motion carried. The Board agreed in allowing the Club to sign out a key as needed. Selectman Lazott stated the members of the Club had been doing an outstanding job for the Town and felt that was the least the Board could do in return. The Board members agreed.

Approval of Previous Minutes: Selectman Giffen motioned to approve the Public Meeting minutes of 10/08/07 as amended and Non-Public Minutes of 10/08/07 as presented. Seconded by Selectman Duarte. Selectman Brennan abstained. Four in favor. Motion carried.

Chairman Kelley motioned to approve the Public Meeting Minutes of 10/10/07 as presented. Seconded by Selectman Duarte. Three in favor. Selectmen Giffen and Brennan opposed.

Any Other Business

Formal Announcement of the 2007 Tax Rate: Chairman Kelley announced that the 2007 Tax Rate was \$18.59 from last year's \$18.94.

Deputy Tax Collector Position: Chairman Kelley noted that the required employment checks for candidate Jane Twitchell had been successfully completed. The Board informed Tax Collector Sanders that she could proceed with the employment of her newly hired Deputy.

Discussion on Fire Department Job Descriptions: Secretary Chabot informed a couple years back at the request of Fire Chief Rudy Cartier the Fire Department job descriptions were placed in the sign folder for the Board's review but never officially endorsed by the Board. Selectman Duarte wanted the Board members to review the information to include a newly submitted job description for the Fire Chief position so the Board can hold a discussion at their November 5th meeting. Selectman Lazott mentioned what he had proposed last year with the Local Government Center wage and job classification survey would have assisted the Town with the job descriptions but unfortunately the proposal failed. Fire Chief Cartier stated the Fire Chief's job description was important as his current term was expiring in April in 2008 and the Board would need to have something in place to judge prospective candidates on. Selectman Lazott pointed out as a small Town he did not want the qualifications set too high meaning he did not want to require a doctorate in order to be Fire Chief. The Board and the Fire Chief discussed the recommendation/appointment process as they knew it to be noting the recommendation would come from the Fire Department. After some discussion the Board agreed to discuss the job descriptions and the process of appointing the Fire Chief position further at the 11/5/07 meeting. The Board also agreed to review the job descriptions and the Town Meeting vote (that addressed the Fire Department transitioning over to the Town) which had outlined the process for the appointment of a Fire Chief.

Request to Purchase Air Packs out of the Capital Reserve Fund: Chief Cartier advised he was looking for authorization from the Board to purchase air packs out of the Capital Reserve Fund. Selectman Brennan requested the Chief place the request in writing so that his request could be addressed at the 11/05/07 meeting.

Announce Next Regularly Scheduled Meeting Date: The Board noted they would meet on the 1st and 3rd Mondays instead of their typically 2nd and 4th rotation for the months of November and December due to the holiday schedule. The next regularly scheduled meeting will be held on Monday, November 5, 2007 at 7:00 p.m.

9:40 p.m. Selectman Lazott motioned to close the Public Meeting. Seconded by Selectman Duarte. All in favor. Motion carried.