

~~Unapproved~~ **Approved**
Candia Selectmen's Public Meeting Minutes
Monday, April 14, 2008

Attendance: Chairman Fred Kelley, Vice-Chairman Tom Giffen, Selectman Richard Lazott, Selectman Joe Duarte, and Secretary Andria Hansen.

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

Board to address appointment of Selectman's vacancy. Chairman Kelley asked each of the potential candidates to make a quick statement on why they would like to be a Selectman. **Todd Allen** stated he would apply his experience as project management to his role as Selectman. In addition, he manages a group of 30 personnel and a budget of over 2 million dollars. He felt this experience would help with working on the issues of the Town. **Charles Bowman** stated he has been a Candia resident for 47 years. He had served on the Planning Board for 11 years, on a past Select Board for 3 years, and had served on the Zoning Board of Adjustment for 6 years. Mr. Bowman felt he could do better job than anyone else and would like to fill the vacancy. **Carleton Robie** stated he has lived in Town for 54 years and is the 10th generation. Mr. Robie stated he would like the opportunity to participate in the Town he has lived in his whole life. Some issues he would like to address would be going back to the old fashion way of doing business and let people do what they want with their property. He has run his own business for 32 years. Now that he has raised a family he has more time to get involved with the Town and would like to be considered for Selectman. **Amanda Soares** stated she has run in the past two elections and is active on most committees in Town. She felt she has a lot to offer and would like to participate on the Select Board.

Chairman Kelley read RSA 669:63 to the audience and stated he would abstain from voting to avoid a tie vote. Selectman Giffen commented that one of the characteristics he felt was desirable for a Select Board member was the experience of working with various Boards within the Town. He felt that Charlie Bowman stood out amongst the candidates and added he is a good man. Selectman Lazott stated a lot of people don't have the time to serve on Boards and would like to see someone serve who does have the time. He added that he would like to see someone serve who hasn't had been on the Board before. Selectman Duarte stated Mr. Bowman has terrific credentials. He would like to see someone serve on the Board who has lived in Town for a long time and Mr. Bowman and Mr. Robie are both highly qualified. Selectman Lazott motioned to appoint Carleton Robie to fill in the Selectman's seat vacated by James Brennan until the March 2009 election when the term will expire. Selectman Lazott commented that Mr. Robie was raised in Candia and has raised his own family in Candia and felt he only has the Town's best interest at heart. Seconded by Selectman Duarte. Selectman Giffen thanked all of the candidates for submitting a letter and felt they all had the best interest of the community at heart. There was no further discussion. Selectman Lazott and Selectman Duarte were in favor of the motion and Selectman Giffen abstained. Motion carried. Town Clerk Christine Dupere swore in Carleton Robie as Selectman. Selectman Robie was seated at the Board.

Discuss assignments of departments. Chairmanship: Selectman Lazott motioned to re-nominate Chairman Kelley as Chair. Seconded by Selectman Duarte. Chairman Kelley

accepted the nomination. All in favor. Motion carried. **Vice-Chair:** Selectman Giffen re-nominated himself and asked for the support of the other Selectmen. Selectman Lazott nominated himself as Vice-Chair, because he has more availability. Selectman Duarte motioned to nominate Selectman Lazott as Vice-Chairman. Seconded by Chairman Kelley if Selectman Lazott accepted the nomination. Selectman Lazott accepted the nomination. Chairman Kelley, Selectman Robie, and Selectman Duarte were in favor of the motion. Selectman Lazott and Selectman Giffen abstained. Motion carried. **Budget Committee Selectmen's Rep:** After some discussion it was the consensus of the Board that Selectman Giffen would be best representative; **Budget Committee Selectmen's Alt. Rep:** Chairman Kelley; **Building Department:** Selectman Lazott; **Cemetery:** Selectman Robie; **Conservation Commission:** Selectman Giffen; **Elections:** Chairman Kelley and **Secondary person:** Selectman Lazott; **Emergency Management:** Selectman Duarte; **Fire Department and Forestry:** Selectman Duarte; **Health & Welfare:** Selectman Lazott and **Secondary person:** Selectman Giffen; **Heritage Commission Selectmen's Rep:** Selectman Robie; **Highway:** Selectman Giffen; **Parks & Rec:** Selectman Robie; **Planning Board's Selectmen's Rep:** Selectman Duarte and **Planning Board Alternate Rep:** Chairman Kelley; **Police Department/Animal Control:** Selectman Lazott; **Solid Waste:** Selectman Duarte (Recycling Center day to day operations and for employee evaluations); **Solid Waste Committee Selectmen (two):** **Primary** – Selectman Robie and **Secondary** – Chairman Kelley (Responsible for overseeing new Transfer Station, and Recycling Center/Incinerator closure); **Town Office/Safety Committee Selectman:** Chairman Kelley; **Town Website:** Selectman Giffen.

Pending Items which need someone to oversee: **Exit 3 Property Marketing:** Selectman Duarte; **Vacant Old Library Building (Two):** **Primary** – Chairman Kelley and **Secondary** – Selectman Robie; **Metro Center:** Selectman Duarte.

Jack Munn of SNHPC to discuss impact fees and source water protection plan. Jack Munn of Southern New Hampshire Planning Commission was present. Jack Munn first addressed impact fees. **Impact Fees:** Jack Munn stated he was working with the Planning Board to develop a methodology to implement impact fees. He stated that SNHPC was at the point where they needed financial information from the Town and asked the Board for permission to speak with Finance Director Beth St. Pierre. Selectman Giffen stated she could provide him with bond information as well. Selectman Giffen asked if it was the consensus of the Board to allow Jack Munn to move forward with the financial part of the impact fees, the Board was in agreement. Selectman Lazott added he did not have a problem with impact fees but would like to see the structure of how the impact fees would be set up. He went on to explain if it's based on dollar value, it wouldn't pertain to the Highway Department. Jack Munn stated they would be developing a report that will go into the assumptions, as well as the criteria and structure for each one of the areas. He explained if the Town is not ready to build a safety complex within the next 6 years it should not be included in the impact fees. Instead they should look at the warrant article type of improvements (i.e. a new ambulance). Selectman Duarte stated the safety complex is not a priority. Selectman Lazott stated the Town is not in ~~dire~~ dire need of a safety complex, maybe in 10 to 20 years, but there are other things that are priority like a new rescue truck and the roads. Jack Munn stated the structure will be set up to calculate the maximum sustainable impact fee that's justified based on future growth potential. Then the Planning Board can look at it and water it down. Selectman Lazott asked if there would be a monetary break

down, for example, \$.10 for fire and \$.5 for roads. Jack Munn replied it would be broken down based on assisting residential growth versus the new anticipated growth.

Source water protection plan: Jack Munn explained that SNHPC will be doing a source water protection plan for the community and be no cost to the Town. He went on to explain they would be looking at all of the wells of Town owned buildings and facilities and come up plan to protect the ground waters. They will look into voluntary approaches and regulatory approaches. Jack Munn stated they would be doing a BMP (Best Management Practices) survey and they will need the Boards assistance in identifying 2 or 3 properties (Town or privately owned) with public water systems. They may find some violations and if so DES will be notified, and then DES would issue a notice of violation. Jack Munn stated they would need an advisory committee and asked if the Health Office, Fire Chief, Emergency Management Director or any applicable Town official could attend a couple of meetings. Selectman Giffen stated all of those people have very little time and are out straight. There was mention of Building Inspector Hallock attending the meeting, since he is Deputy Health Officer. Chairman Kelley asked Fire Chief Cartier if he could attend the meetings or if he had a backup that could. Fire Chief Cartier stated he could definitely help out and he's already on the Brownfields project anyway. The Board thanked Jack Munn for his time.

Departmental Reports: Highways, Police, Fire, Building, Solid Waste & any other depts.

Highway: Road Agent Lewis read from the attached report. Chairman Kelley asked Road Agent Lewis about a fallen tree on Brown Road. Road Agent Lewis explained that it was a rotted tree that fell near the monument and he had taken care of it. Selectman Lazott asked if the ban was lifted for the weight limits on the roads. Road Agent Lewis replied that he only post a few roads, there wasn't a need to post this year. Selectman Duarte commended Road Agent Lewis and his workers for doing a great job on the roads this winter.

Police: Chief McGillen noted there have been no reported violations on the posted roads. Chief McGillen read from the attached report. Chief McGillen mentioned there has been increase on juvenile calls. Selectman Lazott asked if there was an increase of breaking and entering reports due to the down economy. Chief McGillen stated they have seen an increase of check fraud and unauthorized spending calls. Chief McGillen mentioned the Department was in the process of receiving \$40,000 to \$50,000 worth of free equipment from Project 54, which is a partnership between the University of New Hampshire and the Feds. Chief McGillen praised Officer Langlois because he was very instrumental in this project. Chief McGillen noted they have applied for three highway safety grants. Selectman Lazott thanked Chief McGillen for his work on the grants and Officer Langlois for his work on Project 54. Chairman Kelley mentioned he received a highway safety grant to sign. Selectman Giffen motioned that the Board of Selectmen authorize Chairman Kelley to sign the highway safety grant on behalf of the Board. Seconded by Selectman Duarte. All in favor. Motion carried.

Selectman Lazott wanted to thank Town Clerk Christine Dupere for attending the Selectmen's meeting to swear in new Selectman Carleton Robie.

Fire Department: Fire Chief Cartier read from the attached report. Fire Chief Cartier mentioned that two of his Fire Fighters were in the Inspector 1 course. In addition, Building

Inspector Hallock is taking the course, which will allow him to do oil and gas burner inspections. Fire Chief Cartier noted this would help him out a great deal. Fire Chief Cartier stated he has been working on violations at the Moore School and the school has been extremely cooperative. He mentioned they may be able to recoup some of the excess funds they paid for the tanker through FEMA. Fire Chief Cartier asked the Board if they would be okay with sending out postcards to all of the Candia residents. It would be in regards to changes to open burning permits. The postcards will direct the residents to the website and tell them what to do. It was the consensus of the Board to send out the postcards. Selectman Giffen asked about the cost and a budget line from which to expend. Fire Chief Cartier stated it would be from the Fire Prevention postage and he would have a cost at the next Selectmen's meeting. He mentioned the Department of Labor inspection and the building needs a new ventilation system. It could cost anywhere between \$25,000 to \$50,000. He would look into costs and report back to the Board. In addition, he would look into grants that could pay for it. Fire Chief Cartier asked when the Transfer Station moves could the Fire Department use the old location for a training ground. Chairman Kelley noted that location will be capped and they wouldn't be able to do too much with it. Chairman Kelley mentioned the Cemetery Department may be moving into that location, but no decisions have been made. Fire Chief Cartier suggested maybe sharing that location with the Cemetery Department.

Board to discuss Fire Chief Cartier's request for letter of support to State Fire Marshall.

Chairman Kelley explained to the Board that signing this letter would authorize Fire Chief Cartier to inspect buildings in Town for Fire Code violations. Selectman Lazott asked if this would overlap with Building Inspector Hallock job. Fire Chief Cartier explained Building Inspector Hallock enforces the Building Codes. Fire Chief Cartier's authority is under RSA 154, which is to make sure life safety and fire safety are properly enforced under the NH fire code. Selectman Duarte asked why is this being addressed now. Fire Chief Cartier stated it was suggested by the State Fire Marshall's office. Selectman Duarte expressed concern with people receiving citations for minor issues. Fire Chief Cartier stated he is willing to work with people and citations would be a last resort. Selectman Robie suggested issuing the violations and have the building owner report back. Fire Chief Cartier stated it's his responsibility to make sure life safety issues are corrected. If he doesn't follow up the Town could be liable. Selectman Duarte stated he felt the Fire Chief would work with the people. Selectman Robie asked if he would be doing random inspections. Fire Chief Cartier stated they would be no unannounced inspections and he would call ahead of time. If he found something he would issue a citation and set a time frame to correct the issue. Selectman Duarte motioned to allow Fire Chief Cartier to issue citations for violations of the fire code. Seconded by Chairman Kelley. All in favor. Motion carried.

Building Department: Selectman Lazott read from the attached report. He noted things are slow due to the depressed economy.

Solid Waste: Selectman Giffen read from the attached report.

Cemetery: Mr. Anderson stated he received a call from Mr. Minnick in regards to a tree that was taken down on the corner of Brown and Palmer Road (near the Samuel Walter Foss Monument). Mr. Minnick and couple of neighbors would like to plant another tree. Chairman

Kelley asked Road Agent Lewis if there was room. Road Agent Lewis stated there was plenty of room. It was the consensus of the Board to let Mr. Minnick plant another tree.

Other Business

Formal announcement of Deputy Tax Collect Ellie Davidson's hire. Chairman Kelley read from the attached memo. Chairman Kelley noted the Board motioned to hire Mrs. Davidson at the March 24th Selectmen's meeting, but wanted to make a formal announcement based on successful required employment checks.

Attorney John Vetne of Raymond to discuss proposed quarry in Raymond. Atty. Vetne and John Hedman of Raymond were present. Atty. Vetne stated they were there to discuss a related Planning Board application that slipped through the cracks and some abutters were not notified. Mr. Hedman who is the coordinator of the Upper Lamprey Neighbors Group addressed the Board. He explained the Group is made up of the abutters and neighbors of the quarry. He went on to explain the excavation permit was issued and the abutters were not notified. Thibeault wants to expand the operation. The trucks coming in and out of that facility are making 150 trips per day and 40% are going through Candia and 60% through Raymond. In addition, they found out that an inadequate traffic study was done. Atty. Vetne explained the Raymond Planning Board renewed Thibeault's excavation permit in March of 2005. He stated there are ground water pollution, dust, and noise issues. Atty. Vetne explained they are petitioning the superior court to review the decision of the Raymond Planning Board this Friday (April 18, 2008). Atty. Vetne stated it would help the Upper Lamprey Neighbors Group immensely if the Town of Candia was part of the petition. It would add credibility and status to the petition. It would be nice if the Town could make a monetary contribution, but it is not necessary. Atty. Vetne stated the first option is the Selectmen would authorize one or two of it's members to execute an agreement to be a petitioner, after consultation with Town Attorney Bart Mayer. He reiterated this must be done before the Friday deadline or it may be too late to be a petitioner. The second option is that the Town could intervene in the case, but they would be a separate party (not part of the petition). The third option is that the Town could be an amicus (a friend of the court) in the case. It means the Town has an interest, but doesn't want to be part of the petition. Atty. Vetne went over Thibeault's various violations. Selectman Duarte asked if a traffic study was done. Atty. Vetne stated a traffic study was not done; it should have been done in 2005 before it was approved. There was discussion about this being a project of regional impact. Atty. Vetne stated the Raymond Planning Board did determine that this was a project of regional impact. Selectman Giffen stated this sounds like something actionable based on the deficiencies in the 2005 application. He felt the Town should stay away from the court in terms of expense and this is on short notice. Selectman Giffen was in favor of being an amicus, because it would give the Town a voice and reduce their liability. He added that he would like more information before becoming a co-petitioner. Selectman Lazott agreed with Selectman Giffen. There was some discussion about the intersection at Exit 3 and how dangerous it is due to people running the stop sign. Increased traffic will add to hazardousness of this intersection. Selectman Giffen motioned to authorize Chairman Kelley to enter the Town into the action as an amicus and to have Town Attorney Bart Mayer draft the relevant paper work for them should he make a positive recommendation. In the event Atty. Mayer makes a negative recommendation, Chairman Kelley will bring it back to the Board at the earliest possible opportunity. Seconded

by Selectman Lazott. All in favor. Motion carried. Selectman Duarte stated he didn't recall the Candia Planning Board being noticed. Atty. Vetne stated that Candia did not receive notice in March of 2005; they did for the proposed quarry in September of 2007. Atty. Vetne thanked the Board for their time.

Board to address Tower Hill Road abatements.

The Board reviewed and addressed the attached following five abatements requesting a site index change from an 8 to a 6 and also reviewed attached abatement calculations provided by Assistant Chabot. Selectman Lazott motioned to approve the abatement requests as follows: Laurie LeMay, 205 Tower Hill Rd, Map 411, Lots 2 & 87, assessed value for Lot 02 from \$528,600 to \$493,700 and Lot 87 from \$5,100 to \$3,900; Ron and Susan Purdy, 54 Tower Hill Road, Map 411 Lot 079-1, assessed value from \$224,400 to \$197,400; Andrew and Rebecca Bettez, 111 Tower Hill Road, Map 411 Lot 008, assessed value from \$278,100 to \$253,700; and Jean Reed, 246 Tower Hill Road, Map 411 Lot 090-1, assessed value from \$305,000 to \$280,600. Seconded by Selectman Giffen. All in favor. Motion carried. The Board then addressed Barbara Cunningham's abatement. Selectman Lazott motioned to deny Barbara Cunningham's request for an abatement for years prior to 2007 based on the fact she did not file with the State Board Tax Land Appeals and to grant Barbara Cunningham's abatement request for 2007, 230 Tower Hill Road, Map 411 Lot 90, assessed value from \$528,200 to \$501,500. Seconded by Selectman Giffen. All in favor. Motion carried.

Board to discuss Chief McGillen's memo in regards to traffic detail ordinance. Chief McGillen explained this item was tabled and would be revisited at a later date.

Approval of Previous Minutes: Public Meeting Minutes of 3/24/08 and 4/7/08. Selectman Giffen motioned to accept the Public Meeting minutes of March 24th, 2008 as written. Seconded by Selectman Lazott. Chairman Kelley, Selectman Lazott, Selectman Giffen, and Selectman Duarte were in favor. Selectman Robie abstained. Motion carried. Chairman Kelley motioned to accept the Public Meeting minutes of April 7th, 2008 as written. Seconded by Selectman Lazott. Chairman Kelley, Selectman Lazott, and Selectman Duarte were in favor. Selectman Robie and Selectman Giffen abstained. Motion carried.

Thank you to Emergency Management Director Bob Panit. Chief McGillen wanted to thank Bob Panit for doing the CPR training for the Police Department.

Deadline for letter of interests for openings on Conservation Commission, Heritage Commission, Zoning Board of Adjustment, and Solid Waste Committee. Selectman Lazott stated they have posted the vacancies at the Town Hall, the website, and at the post office. Selectman Lazott motioned to give the citizens of Candia the opportunity to submit a letter of interest until May 2nd and address it at the May 12th Selectman's meeting. Selectman Giffen seconded for discussion. Selectman Giffen thought the deadline should be April 25th and the Board should address it at the April 28th Selectmen's meeting. He added delaying it would be inflammatory to people (who are looking for reappointment). Selectman Duarte stated the Board should give everyone in the community the opportunity. Selectman Lazott amended his motion to allow the citizens of Candia to submit letters of interest until April 30th and the Board would

address them at the May 5th Selectman's meeting. Seconded by Selectman Duarte. All in favor. Motion carried.

May Selectmen's meetings. Selectman Lazott motioned to move the May Selectmen's meetings to 5th and 19th due to the holiday. Seconded by Chairman Kelley. All in favor. Motion carried.

Selectman Giffen motioned to adjourn at 9:40 p.m. Seconded by Selectman Giffen. All in favor.

Respectfully submitted,
Andria Hansen, Recording Secretary