

~~Unapproved~~ Approved  
**Candia Selectmen's Public Meeting Minutes**  
**Monday, April 28, 2008**

**Attendance:** Chairman Fred Kelley, Vice-Chair Richard Lazott, Selectman Tom Giffen, Selectman Joe Duarte, Selectman Carleton Robie and Selectmen's Assistant Dawn Chabot.

**7:01 p.m.** Chairman Kelley called the Public Meeting to order and immediately followed with the Pledge of Allegiance

**The Board to consider appointment of Michelle Stone based on Fire Chief Cartier's recommendation:** Chief Cartier with Michelle Stone present advised as per his attached letter he was making the recommendation for the appointment of Michelle Stone as an EMS Provider. Chief Cartier advised Ms. Stone had completed the necessary employment checks and has the necessary qualifications. Selectman Duarte motioned to appoint Michelle Stone as an EMS Provider for the Candia Fire-Rescue Department. Seconded by Selectman Giffen. All in favor. Motion carried.

**Fire Chief Cartier to present the resignations of Kevin Deslongchamps and Joshua Mann:** The Board reviewed the two attached resignation letters received from Kevin Deslongchamps (dated 04/13/08) and Joshua Mann (dated 04/21/08). Chief Cartier advised Kevin's resignation was due to work commitments as he was no longer able to devote the time. Chief Cartier recommended the Board accept the resignation with regrets and noted Kevin would be more than welcome to come back to the department. Chief Cartier stated Joshua was looking to forward a career in advanced medical training, furthering his education and also moving out of Town. Chief Cartier advised he would also recommend that the Board accept Joshua's resignation with regrets and noted he too would be welcomed back at any time. Selectman Duarte motioned to accept the resignations of Kevin Deslongchamps and Joshua Mann with regrets. Seconded by Selectman Lazott. All in favor. Motion carried. Selectman Lazott wanted to thank both individuals noting they both grew up in Candia and dedicated themselves to the Town throughout their lives. Selectman Duarte stated he recently ran into Joshua Mann at a Hunter Education class where he was assisting there as well and noted he was a great young man.

**The Board to meet with CYAA Representative James Brennan to discuss possible options on the Summer Recreation Program:** It was noted James Brennan was unable to attend and would reschedule with the Board for a future meeting.

**The Board to consider CYAA's raffle request:** The Board reviewed the attached CYAA raffle request as CYAA Representative Mark Hamel reviewed the request. Mark Hamel noted the drawing would be held on 09/12/08 at the CYAA Golf Tournament and the proceeds would benefit their non-profit organization. Selectman Lazott motioned to grant CYAA's raffle request as presented to help fund their programs. Seconded by Selectman Duarte. All in favor. Motion carried. Selectman Lazott inquired about the Red Sox signed jersey. Mark Hamel advised Steve Singer of Merchants helped out with getting the jersey for the raffle.

**The Board to discuss two 2008 Budget items**

**Effective date on 3% Cola for employees:** Assistant Chabot stated the Board had made a motion on their decision for the 3% COLA figure at their meeting held on 03/24/08. Assistant Chabot provided the Board with the attached list of employees and advised the five highlighted individuals would not receive COLA as four were placed into new positions after January 1<sup>st</sup> and the other was the appointed Deputy Tax Collector's position. Assistant Chabot advised she checked with Former Selectman Brennan on the COLA figure in regards to the revised budget and he advised the calculations were based on January 1, 2008 for the employees. Selectman Giffen motioned to approve the 3% COLA amount retroactive to 01/01/2008 in line with past practices, the funded budget and fair treatment of the employees. Seconded by Chairman Kelley. All in favor. Motion carried. Selectman Lazott noted the Police Officers would also receive COLA and stated some are at the point where they are at the top of the scale, which meant they would only receive COLA. Assistant Chabot asked the Board if it was there intention to adjust the entry levels of the Police Matrix with the 3% figure as done in the past. Selectman Giffen motioned to modify the Police Matrix entry levels with the 2008 COLA figure of 3%. Seconded by Chairman Kelley. All in favor. Motion carried.

**Webmaster stipend:** Selectman Giffen mentioned during the 2008 budget process there was an oversight in which payroll taxes were not budget for the newly proposed stipend. Selectman Giffen stated it was his intention to have the Webmaster stipend run through payroll to be consistent with all other stipends. Selectman Giffen stated impact for the unbudgeted payroll taxes would be approx. \$75.00. Selectman Giffen felt locating the money within the budget would not be a concern as the Board recently made a decision to pro-rate newly appointed Selectman Robie's stipend, which had a \$90.00 impact. Selectman Giffen noted that the stipend amounts should be dispensed quarterly in line with all other stipends. In regards to the Webmaster Stipend of \$1,000.00, Selectman Giffen motioned to structure the stipend to go through payroll and be dispensed quarterly and also motioned to pay Webmaster Joe Miele for the first quarter during the next upcoming payroll. Both motions were seconded by Selectman Lazott. All were in favor of both motions. Both motions carried.

**Chief McGillen to report annual reviews for Sergeant Scott Gallagher and Animal Control Officer Raymond Rodier and a 90 day review for Officer Mahoney and also to recommend reappointment of ACO Raymond Rodier:** Selectman Lazott reviewed the attached memo dated 04/21/08 from Chief McGillen noting favorable annual reviews were conducted on Sgt. Gallagher and ACO Rodier and also a favorable 90-day review on Officer Mahoney. Selectman Lazott advised there were no increase due at this time. Selectman Lazott motioned to reappointment Raymond Rodier as the Animal Control Officer with a 1-year appointment expiring on 04/20/09. Seconded by Chairman Kelley. All in favor. Motion carried. Selectman Giffen felt Kevin Mahoney was working out well. Selectman Lazott agreed noting it took Chief McGillen a while to find a good fit for the department.

**The Board to consider an abatement on Goff properties Map 406 Lot 198 & Map 409 Lot 198 as per a legal tax agreement made in 1999 by a prior Board:** The Board reviewed the tax agreement from 1999 between the Town and Goff Chevrolet. It was noted that they contacted Counsel on the matter as the agreement was to be completed in January of 2008. The Board

reviewed Counsel's input on the matter. Selectman Giffen stated it appeared that they did not have a choice in the necessary abatement because Counsel's finds it to be a legally binding agreement. The Board members agreed and expressed dissatisfaction with the fact that they were faced with a matter agreed upon by a prior Board. The Board reviewed the attached Statement of Account provided by Tax Collector Sanders dated 04/28/08 outlining total taxes due for Goff Chevrolet Inc. Map 406-198 & 409-198, totaling \$348,154.52 (figure includes taxes & interest). Selectman Giffen motioned to abate \$348,154.52, consisting of taxes and interest, for properties identified as Map 406, 198 and 409-198, owned by Goff Chevrolet, noting the motion was made based upon a legal agreement from 1999. Seconded by Selectman Duarte. Selectman Lazott asked if anyone had determined the amount on the taxes owed without the interest figure. Tax Collector Sanders thought it was approx. \$109,000.00. All in favor. Motion carried.

**The Board to discuss Severino's change order request in regards to transfer station:** SWC Chair Paul McHugh advised the change work order was due to the WA for paving passing at the recent elections. SWC Chair McHugh stated the quote for the warrant article figure was obtained from Severino and noted now that it passed it would need to be added to Severino's contract. Selectman Lazott motioned to authorize Chairman Kelley to sign the attached Change Work Order request in line with WA #28, in the amount of \$17,000.00. Seconded by Selectman Duarte. All in favor. Motion carried.

**Approval of Previous Minutes:** Selectman Giffen requested the Public minutes of 04/14/08 reflect the following change: page 2, 5 lines up from bottom, change "dye" to "die". Selectman Lazott motioned to approve the Public and Non Meeting Minutes of 4/14/08 as amended. Seconded by Selectman Giffen. All in favor. Motion carried.

### **Any Other Business**

**Recent Fire Department Complaint:** Selectman Duarte advised in regards to a recent complaint that Chairman Kelley had received a call on and was in the process of getting additional information. Fire Chief Cartier advised he sent Selectman Duarte information from the fire fighter involved and also sent a copy of the State RSA for his review. Chief Cartier advised he was having trouble getting information because the Fire Chief did not want to deal with him directly. Selectman Duarte stated it was not clear to him as to who was complaining. Chairman Kelley stated he gave Selectman Duarte the message and hoped he would call him to obtain further. Selectmen Giffen and Robie stated this was the first they had heard of the situation. Fire Chief Cartier suggested the Board consider a Non-Public under the personnel RSA at the end of the meeting for a quick briefing on the matter.

**Roadside Clean Up Discussion:** Selectman Lazott stated he received concerns that individuals volunteering to pick up roadside trash were being required to separate the garbage at the Center for disposal. Selectman Lazott felt if they were willing to clean up the Roads the Board should consider allowing them to just simply throw it away unsorted to be hauled away. Selectman Lazott thought the Board should allow a specific time period for people wishing to clean up the roads and dispose of the items without sorting. Chairman Kelley advised if the clean up takes place on State Roads, the State will pick up the bags on the side of the road. Chairman Kelley

suggested having the people fill out a form previously designed for the clean up week. SWC Chair McHugh stated for the month of April as part of an agreement the volunteers are told they need to sort the garbage collected. Selectman Giffen noted that recycling was mandatory as per Town Meeting vote within the ordinance and did not think it would be allowable to override the vote. Selectman Giffen stated in some cases the employees have taken it upon themselves to assist if someone runs out of time. Selectman Lazott was not in favor of paying someone per hour to sort through the garbage. Selectman Lazott thought it was a small drop in the bucket and that the dollars spent on hauling would serve the people well. Jane Sanders noted when she does the clean ups she carries several bags. Road Agent Lewis thought it was hard to lug a lot of bags around. Road Agent Lewis suggested a separate dumpster during the clean up month in order to get an idea of the volume of trash received. Chairman Kelley stated he had received a couple of complaints as well on the sorting requests. Chairman Kelley noted they did get a separate dumpster for the event approx. four years ago. Jane Sanders felt the sorting would be valuable to the Community as the majority of what she has picked up is aluminum. Todd Allen of Palmer Road stated he picked up garbage on Palmer Road and was not in favor of opening the bags up. Selectman Robie thought the Board should use the overflow dumpster for the event. It was the informal consensus of the Board's majority not to have the Citizens sort through the garbage that they pick up on the side of the road during the clean up month. Chairman Kelley stated the Board could look at the matter again so that it is addressed prior to next year's clean up.

**NH The Beautiful Grant for a Horizontal Baler:** SWC Chair McHugh announced that the Town received a NH the Beautiful Grant of \$5,000.00 for the purchase of a horizontal baler for the future Recycling Center. SWC Chair McHugh noted it would free up some of the money in the budget.

**Chairman Kelley to discuss upcoming quote From Pelmac for an Burglary Alarm System at the Future Recycling Center:** Chairman Kelley advised he recently met with Pelmac to obtain a quote for the future Recycling Center which would include transferring the keypad at the current facility. Chairman Kelley advised he found out that they would not need additional wiring for the system. Chairman Kelley stated Pelmac recommended installing two cameras at the new facility, one by the gate and one in the area where the trash gets thrown in. Chairman Kelley advised he requested two quotes one burglary system with the cameras and one without the cameras. It was noted that the system did not get factored in to the new facility's construction budget due to an oversight.

**Selectman Lazott to inform the Public on recent odd thefts:** Selectman Lazott told the attendees to be on the look out for odd thefts due to the poor economy. Selectman Lazott reported he was aware of a recent theft of a four wheeler and also a theft of a lawn mower from Crowley Road. Selectman Lazott stated he was advised that thefts of gas may pick up as well. Chairman Kelley stated at a recent meeting with Severino there was mention of thefts involving diesel fuel.

**Selectman Robie to update on Construction at the Future Recycling Center:** Selectman Robie advised he attended a productive Solid Waste Committee meeting in which they discussed with Severino that the construction was going well and that they anticipate completion around

the middle of July or so. SWC Chair McHugh noted they were told that they may be able to move in around the middle of June.

**Question from Todd Allen on the Board's possible Amicus involvement on the Thibeault Corp. legal matter:** Chairman Kelley stated the Attorney that attended the last Selectmen's Meeting was in contact with Town Counsel and that the Board was waiting for input from him on the matter.

**Update on the Exit 3 Committee's Progress from Selectman Duarte:** Selectman Duarte advised that 123 flyers were handed out at the 4/23/08 Grocers Convention.

**Permits for new Facility:** SWC Chair Paul McHugh stated the new permits were moving along. SWC Chair McHugh stated he spoke with DES and they advised there would be a short turn around time of approx. 2-3 weeks once they are received.

**Comments from Town Clerk Dupere regarding the future of the Summer Recreation Program:** Town Clerk Dupere mentioned the 2007 revenue brought in by the program verses the budget and thought the program was close to being level funded. Town Clerk Dupere thought it would be too bad if the Program was not available to the children of Town. It was noted that former Selectman Brennan would be at a future meeting to discuss the future of the program through CYAA. Assistant Chabot informed Town Clerk Dupere at a prior meeting the Board had relocated the funds for the Program to other areas of the budget. Selectman Lazott commented that the Board may need to find more money within the budget due to recent correspondence from the Auditors. He noted the budget contains \$8,500.00 and the Auditors are anticipating an expense of \$13,000-\$15,000.

**Chairman Kelley to discuss recent inspection from the Department of Labor:** Chairman Kelley reported a recent unannounced inspection from the Dept. of Labor which resulted in approx. 43 chairs that needed to be replaced as they were determined to be a tip hazard. Chairman Kelley stated fortunately a resident with a strong heart helped the Town out with a donation through his Company Surplus Office Equipment. Chairman Kelley advised Jeff Marion was able to locate a donation of 50 chairs to the Town and that he and Assistant Chabot went to Nashua to pick up with his truck & trailer. Chairman Kelley wanted to thank Jeff Marion because the donation saved the Town money for this unbudgeted, unforeseen expense. The Board members and Town Clerk Dupere noted many occasions before in which Mr. Marion had helped the Town out. The Board noted they wanted a certificate of appreciation to be drafted to Mr. Marion for a possible Public presentation at a future meeting.

**Todd Allen's question on the Playground at Moore Park:** Todd Allen of Palmer Road wondered who maintained the playground. Road Agent Lewis advised he was responsible for the bark mulch material in line with the warrant article. Road Agent Lewis advised he would be looking for parents to volunteer to help spread the material once delivered. It was noted that some of the equipment needed to be fixed as well as the chain linked fencing. Selectman Lazott expressed that he would like a liability waiver for the playground based upon a recent lawsuit in which the Town paid out \$14,000 for a broken arm. Selectman Giffen stated the problem with agreements is that they are largely unenforceable. Selectman Duarte felt it was worth looking

into with Counsel. Assistant Chabot mentioned that Primex would come out upon request to assess risks as well. Selectman Lazott noted unfortunately if they came out they would make recommendations that are not covered within the budget.

**The Board to sign a Project Agreement for the Pond Park Project:** Assistant Chabot advised the paperwork was shipped over from Department of Resource and Economic Development extended the project until 12/2009. Assistant Chabot noted that Selectman Brennan had provided the Board with an outlined on the four remaining items. Selectman Robie as new overseer of the project asked if there was any money available to accomplish the necessary items such as finishing the Gazebo. The Board members answered no. Selectman Giffen motioned to authorize Chairman Kelley to sign on behalf of the Board. Seconded by Selectman Lazott. All in favor. Motion carried.

**Announce Next Regularly Scheduled Meeting Date:** The next regularly scheduled meeting will be held on Monday, May 5, 2008, at 7:00 p.m. Due to the Memorial Day Holiday the Board changed their rotation during the month of May from the 2<sup>nd</sup> and the 4<sup>th</sup> Mondays to the 1<sup>st</sup> and the 3<sup>rd</sup>.

**8:10 p.m.** Selectman Duarte motioned to adjourn and in accordance with RSA 91-A:3 II (a) enter into Non-Public Session. Seconded by Selectman Lazott. Roll call vote conducted: Selectmen Kelley, Lazott, Giffen, Duarte and Robie all in favor. Motion carried.