

~~Unapproved~~ **Approved**
Candia Selectmen's Public Meeting Minutes
Monday, May 19, 2008

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

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

Representative from the Candia Community Women's Club to discuss a proclamation proposal. Selectman Lazott spoke on behalf of Denise Lazott (CCWC Anniversary Committee). He explained the CCWC were requesting June 4th be declared Candia Community Women's Club Day. Selectman Lazott stated they do a lot for the community and didn't have a problem with the request. Selectman Lazott motioned to establish June 4th as a day to recognize the Candia Community Women's Club for 25 years of dedicated service and the outstanding job and work they put into the community. Seconded by Chairman Kelley. All in favor. Motion carried.

Selectman Lazott to report favorable review of Building Inspector William Hallock and Police Chief Mike McGillen. Selectman Lazott stated Building Inspector William Hallock and Police Chief Mike McGillen received favorable reviews and continue to keep up the good work.

Chairman Kelley to report favorable 90 day reviews on Selectmen's Administrative Assistant, Dawn Chabot; Selectmen's Secretary, Andria Hansen; and Finance Director, Beth St. Pierre and consider increases. Chairman Kelley reported favorable reviews for Selectmen's Administrative Assistant, Dawn Chabot; Selectmen's Secretary, Andria Hansen; and Finance Director, Beth St. Pierre. Selectman Lazott motioned to provide Administrative Assistant Dawn Chabot and Secretary Andria Hansen with a 50-cent increase and Finance Director Beth St. Pierre with a \$1.00 increase based on favorable reviews. Seconded by Chairman Kelley. All in favor. Motion carried. Chairman Kelley announced the new rates: Administrative Assistant Dawn Chabot's current hourly rate is \$19.25 and with the 50-cent increase will be \$19.75 effective 05/06/08; Secretary Andria Hansen's current hourly rate is \$15.50 and with the 50-cent increase will be \$16.00 effective 05/18/08; and Finance Director Beth St. Pierre's current hourly rate is \$18.00 and with the \$1.00 increase will be \$19.00 effective 05/24/08.

The Board will consider authorizing Chief McGillen to execute documents on behalf of the Town in regards to the State of New Hampshire Fish and Game OHRV Grant. Selectman Lazott stated he didn't have a problem with authorizing Chief McGillen to execute documents on behalf of the Town. Selectman Lazott motioned to allow Chief McGillen to sign paperwork for the OHRV Grant. Seconded by Chairman Kelley. All in favor. Motion carried.

The Board will hold a discussion with Planning Board Chair Mary Girard on Town engineering services. Selectman Giffen asked Selectman Duarte (Selectmen's rep. for the Planning Board) if the Planning Board felt it was time to review the Town engineer's services. Selectman Duarte stated would like to review the Stantec's services and look at other engineering firms to get some comparisons. Selectmen Giffen noted Stantec seems to provide a high quality of service and represent the Town well, but it's in the Town's best interest to periodically review their services. He suggested looking at other engineering firms every five years to see what's out there. Chairman Kelley mentioned the town has been approached by a couple of engineering firms and wanted to mention it to the Board to see if they were in favor of meeting them. Selectman Duarte stated the Board should mention it to Chair Girard and leave it in the Planning Boards hands. Selectman Giffen added by RSA they have to leave it in the Planning Boards hands, but could send a letter to Chair Girard voicing the Selectmen's strong support for a periodic review of the Stantec's services. Chairman Kelley was in favor of asking Stantec to review their fee structure. Selectman Lazott thought some of Stantec's fees were a little steep (i.e. \$500 to write a letter). It was the consensus of the Board to have the Planning Board review Stantec's services and possibly look at other engineering firms. Selectman Giffen suggested drafting a letter to Chair Girard stating that the Board of Selectmen were recommending that the Planning Board review Stantec's services and fee structure. Selectman Duarte stated they would discuss this issue at the May 21st Planning Board meeting.

Approval of Previous Minutes: Public meeting minutes of 5/19/08. Selectman Lazott motioned to approve the public minutes of 5/5/08 as presented. Seconded by Selectman Giffen. All in favor. Motion carried.

Other Business

Pond Park update: Selectman Robie mentioned the Pond Park is almost done and will be calling the state for an inspection. There was a complaint regarding blue-green algae in the pond, which was caused by fertilization and seed leaching into it. Selectman Robie stated he would keep an eye on it, but felt no action should be taken at this time. He asked that Thank You letters be sent out to all of the volunteers who worked on the gazebo (Ron Severino, Rich Champagne, Dave Murry, and Fletcher Perkins, Jr.). Selectman Lazott asked Kathleen Bailey of the Union Leader to put a note in the paper thanking these individuals. Selectman Robie mentioned they may be receiving a donation of picnic tables from the Raymond Rotary Club, if it doesn't come through he will find them elsewhere. The Board thanked Selectman Robie on doing a good job on the Pond Park.

COLA over site discussion: The Board reviewed the attached memo provided by Finance Director Beth St. Pierre which reflects the total financial impact of \$222.74. Chairman Kelley explained that Dawn Chabot and Andria Hansen were doing their previous jobs for the month of January and some of February. He felt they should be eligible for COLA for that time period. The Board was in agreement. Selectman Lazott motioned to grant COLA to Dawn Chabot for the time period of January 1, 2008 to February 6, 2008 in the amount of \$150.73 and to Andria Hansen for the time period of January 1, 2008 to February 18, 2008 in the amount of \$72.02. Seconded by Selectman Giffen. All in favor. Motion carried.

Discussion on recent input from Town Counsel on Candia Crossing bonding: Chairman Kelley stated paperwork had been sent to Town Attorney Mayer for his review. Selectman Duarte stated Mr. Cole provided a letter of credit which noted a time frame. It was his understanding that the letter of credit was for the first phase and the work (water testing) will be done well within the year. Selectman Giffen mentioned retainage and that any latent defects could show up a year after the work is done. He further stated that Mr. Cole's approach seems unorthodox and is inclined to go with Atty. Mayer's recommendation to protect the Town's interest. There should not be any exceptions, because if they do it for one person they will have to do it for everyone. Chair Girard (Planning Board) stated the Selectmen need to make a decision because Mr. Cole doesn't have a restoration bond in place and the work is almost done. If the Town doesn't like Mr. Cole's letter of credit someone should let him know, he is very cooperative. Selectman Giffen stated Atty. Mayer has provided an example document that the Town can use as a guideline and it should be conveyed to Mr. Cole and Mr. Komisarek immediately. Chair Girard asked if the Board could approve the amount. Chairman Kelley confirmed that the Planning Board came up with amount of \$154,000 and thought that was a proper amount. Selectman Giffen motioned to submit the document provided by Atty. Mayer to John Cole and to execute it immediately for the amount determined by Stantec and the Board grant approval for the surety bond in the amount of \$154,000. If it is dually executed it should be considered approved. Selectman Giffen asked why Mr. Cole was working without a bond in place. Selectman Duarte stated they had a preconstruction meeting and Mr. Cole was given the go ahead by Building Inspector Hallock. He added they should have had the money up front and there was miscommunication at some point. Chair Girard noted the Planning Board didn't authorize Mr. Cole to do anything. Road Agent Lewis stated there was misunderstanding because they didn't realize the work Mr. Cole was starting would be permanent. He was under the impression that Mr. Cole was just clearing for a road to do the water wells, nothing that would require Stantec inspections. Road Agent Lewis added that normal preconstruction meetings are usually held at the site with a site work contractor, this one was held differently. He thought the preconstruction meeting in April was just to discuss the tree cutting and the rough driveway to get to the water wells. A couple of weeks after the preconstruction meeting Mr. Cole called for an inspection for the pipe. Road Agent Lewis stated no permanent work should have been done without a bond in place. Selectman Duarte stated we need to get the bond properly in place and he didn't see anything wrong with Atty. Mayer's recommendation. Selectman Lazott seconded Selectman Giffen's motion. All in favor. Motion carried.

Selectman Giffen mentioned a letter (dated May 11, 2008) which came from Mr. Cole regarding ADS pipe. He felt Mr. Cole has come down hard on Road Agent Lewis in the letter. Mr. Cole claims the pipe issue has cost him a great deal of money and he didn't receive notice regarding this issue. Selectman Giffen spoke with Rene LaBranche of Stantec and he stated this issue was not news to Mr. Cole. Stantec wrote a review letter that noted Mr. Cole should ask for a waiver (to use ADS pipe in place of concrete pipe). There was a revised notice of action as of January 7th, 2008 as well. Selectman Giffen stated Mr. Cole was made fully aware that he needed to ask for a waiver and came unglued when Road Agent Lewis called him on it. Selectman Duarte explained it was miscommunication and the ADS pipe was noted on the plans. Selectman Lazott commented Mr. Cole should get a waiver, but is

not sure he has to get one. Road Agent Lewis explained the Town has regulations that he needs to follow and enforce. If a written waiver wasn't presented to him or requested, he will tell the applicant to put in concrete pipe. He doesn't have a choice. Road Agent Lewis further stated he called his supplier for the concrete pipe and was able to get Mr. Cole the pipe in just a few days. Road Agent Lewis explained that Mr. Cole questioned the fact that there is plastic piping in Town why can't he use it. Road Agent Lewis stated the only plastic piping he used was in the April floods of 2008, because he had to. Selectman Duarte questioned why Road Agent Lewis would say there is no plastic piping in Town when there is. Road Agent Lewis replied there has never been a road replaced or a subdivision put in Town without concrete pipe. Selectman Duarte stated they should move on, the situation has been taken care of. Selectman Giffen felt this letter needed to be discussed publicly as a Board. He further explained that he felt the letter was harsh. Chairman Kelley agreed with Selectman Duarte and felt there was a lot of miscommunication and confusion. Selectman Giffen stated Mr. Cole should retract his letter. Selectman Robie asked Selectman Duarte if he could ask Mr. Cole to retract his letter. Selectman Lazott stated things were said in the heat of the moment, it's a done deal and we should move on.

Jane Drive update: Road Agent Lewis commented that it was looking good. He has put in a cross culvert.

Budget Committee update: Selectman Giffen stated his first meeting with the Budget Committee went well. Some issues were the Highway Department's budget: payroll for 2007/2008 was over budget by \$78,000, salt was over budget by \$227,089, and sand was over budget by \$10,000. He mentioned the \$50,000 warrant article. Road Agent Lewis explained that it was already spent. Selectman Giffen recommended proposing a larger amount for that warrant article next year. He mentioned the question of any anticipated reduction in tax revenues and that there may be reduction.

There was a brief discussion regarding liens and when the Town can deed the property. Chairman Kelley look into the time frames and report back to the Board.

Selectman Robie asked Road Agent Lewis about the fuel rate and asked what the State rate was. Road Agent Lewis explained the State rate is \$51.60 an hour (which includes hauling, fuel, etc.) for a 10 wheeler. Selectman Robie asked if the State regulates the fuel charge monthly. Road Agent Lewis replied not really because they don't hire trucks to haul. Road Agent Lewis stated he would look at current fuel prices and compare them to last year's prices. He would report back to the Board once he gets the information.

Announce Next Regularly Scheduled Meeting Date: The next regularly scheduled Selectmen's meeting will be June 9th at 7:00 p.m.

Selectman Lazott motioned to adjourn at 8:30 p.m. Seconded by Selectman Giffen. All in favor.

Respectfully submitted,
Andria Hansen, Recording Secretary