

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

Attendance: Chairman Fred Kelley, Vice-Chair Rick Lazott, Selectman Tom Giffen, Selectman Joe Duarte, 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.

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

Highway: Road Agent Lewis read from the attached report. He noted he will start some paving on Patten Hill Road this week. Chairman Kelley mentioned he had met with Mr. Bishop of Candia Golf Links. Selectman Duarte stated he looked at the parking area and didn't see any problems. Road Agent Lewis stated they were directed by the Planning Board not to park on the street. He further stated they should come back to the Planning Board to discuss the issue. Chairman Kelley asked about the drainage. Road Agent Lewis explained that's why there is no parking on the road.

Police: Chief McGillen read from the attached report. Chief McGillen mentioned a couple of recent arrests in Candia in which the individuals were connected to incidents in Manchester. Selectman Lazott noted the department continues to do a good job.

Eugene Beckman asked about parking on 55 South Road. He had recently seen a ~~semi-truck~~ **trailers** unloading horses in the middle of the road. He thought it made for a dangerous situation and asked if the ~~trucks~~ **trailers** could park in the field. Chief McGillen explained to the people the horses should be unloaded on the side of the road where the farm is located. He hasn't seen vehicles parked on the opposite side of the road. Chief McGillen suggested writing a letter (either from the Planning Board or Selectmen) recommending off site parking. Selectman Lazott mentioned parking in the wood lot near the property. Selectman Giffen noted the ~~semi-trucks~~ **trailers** are backing into the road which makes for a hazardous situation, he would rather see them park in the road. Chief McGillen stated he would try to make contact with the owners.

Mary Girard mentioned she reported graffiti on the park slide and asked if it was taken care of. Selectman Robie said it was taken care of as soon as it was reported.

Fire Department: Fire Chief Cartier read from the attached report. He noted training hours were up.

The Board to consider Fire Chief Cartier's recommendation for the appointment of Christopher King as a probationary fire fighter. Fire Chief Cartier presented the Board with a new recommendation. He stated Christopher King lives in Candia and would make a good addition to the department. Selectman Lazott motioned to allow Fire

Chief Cartier to appoint Christopher King as a probationary fire fighter. Seconded by Selectman Duarte. All in favor. Motion carried.

Fire Chief Cartier to present resignations of Jennifer Lavigne, David Maloney, and Joshua Cresswell and discuss leave of absences of Ray LeClerc and William Comier.

Fire Chief Cartier presented the Board with resignations from Jennifer Lavigne, David Maloney, and Joshua Cresswell. Selectman Giffen motioned to accept the resignations of Jennifer Lavigne, David Maloney, and Joshua Cresswell with regret and thanked them for their service. Seconded by Selectman Duarte. All in favor. Motion carried. Fire Chief Cartier explained he has taken a different approach to leave of absences this year. He explained that Ray LeClerc and William Comier have work related issues going on and are unable to devote the time to the department. They see the issues as being a short term problem and want to stay on the department. Fire Chief Cartier suggested a leave of absence instead of resignations. This way they will maintain their place on the department and Fire Chief Cartier will revisit the leave in six months. Selectman Duarte stated he didn't have a problem it. Selectman Lazott motioned to allow Fire Chief Cartier to have a program for leave of absences for Ray LeClerc and William Comier which will be handled between the Fire Chief and Selectman Duarte. Seconded by Selectman Giffen. All in favor. Motion carried.

Building Department: Selectman Lazott read from the attached report. Building Inspector Hallock noted the state just adopted the 2008 Electric Code. The court house is expected to open the week of July 21st. Selectman Lazott asked about adopting a gas piping fee. Chairman Kelley asked how much for the fee. BI Hallock replied \$35.00 for the permit and \$25.00 for the inspection for a total of \$60.00. He explained there are six different licenses that are required for installers (to do gas piping). BI Hallock stated they are currently checking licenses of any persons hired to do gas piping. Homeowners can still do their own work. Selectman Lazott questioned if a homeowner can say he is doing the work themselves; he can still go out and hire someone to do the work. BI Hallock explained the homeowner will have to accept responsibility. Selectman Robie noted the gas piping fee and inspection is including in new construction. The only benefit is if the homeowner hires someone to do the gas piping and it's not done right, then the person (installing the gas piping) is responsible. Selectman Lazott asked Selectman Robie if he thought there should be fee structure. Selectman Robie stated he thought people should be notified they can have gas piping inspected if they want it checked. New construction is already being checked. Selectman Duarte asked what the state regulations were and is there anything the Town would have to adhere to. BI Hallock replied the state regulations require that anyone who does that work is licensed or the homeowner does it themselves. He knows of no specific requirements as far as monitoring. Fire Chief Cartier stated the homeowner couldn't do their own gas piping anymore; it has to be done by licensed gas fitters. Selectman Giffen stated he understands keeping fees to a minimum, but if there is no other entity in the state enforcing the regulation the Board needs to review it. He doesn't object to a fee to compensate for any work that might be incurred and would go along with the Building Inspector's recommendation. Chairman Kelley would like to know if the fees are mandatory or not. Selectman Lazott every time the Town puts a restriction or regulations on something they accept responsibility for it

not being done properly. Selectman Duarte would like to check with other Towns and see how they are doing it. Selectman Robie asked what the Building Inspector is charging now. BI Hallock replied \$25.00. Selectman Lazott motioned to table this discussion until the August 25th Selectmen's meeting. Seconded by Selectman Giffen. All in favor. Motioned carried. BI Hallock stated he check with other Town's and see what they are doing.

Solid Waste: Selectman Duarte read from the attached report. He noted Facility Operator Chuck Whitcher thanked the Board for the tools. Selectman Duarte stated he is please with the way the new recycling center is coming along.

Pond/Park: Selectman Robie mentioned the Land and Water Conservation Fund paper work needed to be signed for the pond project. Selectman Robie motioned to allow Chairman Kelley to sign the Land and Water Conservation Fund paper work. Seconded by Selectman Lazott. All in favor. Motion carried. Citizen Richard Zang asked if ice-skating would be allowed on the pond. Chairman Kelley replied it is allowed. They would prefer not to see hockey when there are younger children around.

Tax Collector Jane Sanders to provide Board with recommendation for pay increase for Deputy Tax Collector Ellie Davidson based on favorable 90 day review.

Tax Collector Sanders stated Deputy Tax Collector Ellie Davidson continues to do a wonderful job. Selectman Giffen motioned to provide Deputy Tax Collector Ellie Davidson with a 25-cent hourly increase effective on 07/06/08, based on a favorable 90 day review, new rate to be \$11.25. Seconded by Chairman Kelley. All in favor. Motion carried.

Conservation Commission Chair Fowler to discuss possible expenditure from the conservation fund.

Chairman Kelley stated he has received a request to discuss the Sanders property map 406 lot 046 and the Sieminski property map 406 lots 038, 059-2, and 060. The Conservation Commission is proposing to use the conservation fund to purchase a portion of the development rights. Chairman Kelley told CC Chair Fowler they could only discuss the Sanders property, because he didn't provide the Board with information on the Sieminski property. CC Chair Fowler presented the Board with maps. CC Chair Fowler introduced Phil Auger who is a land and water conservation specialist for UNH Cooperative Extension. Mr. Auger explained he had worked with the Sanders when he was a county forester. He further explained this area is a wonderful forest. The Town would be doing a good thing for the Sanders by putting the land in an easement. CC Chair Fowler stated the trust department at the Citizen Bank has been handling this property since Mrs. Sanders died. The daughters have indicated to the trust department they want to see this land conserved. They have listed the land with Parade Properties and have found people who are interested in buying it as a conservation buyer. The trust department felt the best way to conserve this land was to do it prior to it being sold to someone else. The reason being who ever bought the land might not follow through (with the Sanders wishes) and not put a conservation easement on the property. However, the trust department wants to do the best they can to provide some funds to the daughters. They are not in the position to donate all of the land, valued at \$200,000

development rights. CC Chair Fowler explained he would like the Town to maintain some kind of interest in the property. They would purchase it at \$100,000 and in return they get an executory interest in the conservation easement. The Town then has the responsibility to find another easement holder. The Town will also have a say in the language of the easement and the public will have access to the property through the trails. CC Chair Fowler stated they were looking for the Boards approval to go ahead and have an executory interest in this piece of property (that will have an easement on it). Chairman Kelley asked how many acres the easement would be put on. CC Chair Fowler replied 40 acres. He further explained they are reserving the right to have one house built on Healy Road, a 3 acre piece plus some acreage around it. Selectman Lazott stated this is not a good time to spend money on developmental rights, and it's not a great piece of land. He further stated he felt the money would be better spent elsewhere. Chairman Kelley asked if the Town was the only one putting money on the easement (not Bear Paw). CC Chair Fowler stated just the Town of Candia. Selectman Lazott believed if Dr. and Mrs. Sanders were alive today they would have given the land to the Town or put a deed restriction on it. Selectman Robie asked where the other half would come from. CC Chair Fowler replied the daughters would donate the other half. Selectman Robie asked how much the 40 acres of back land was worth. CC Chair Fowler stated the development rights are worth \$200,000, determined by Stan Hope Appraisal Services out of Portsmouth. Selectman Robie stated that money could be better used, especially in these tough economic times. CC Chair Fowler explained they have the money in the conservation fund and if someone comes along who wants to bargain sale they are ready to talk to them about it. Selectman Duarte noted this request was written on July 9th and felt there wasn't enough time to review the request. He added something like this should be posted on the website and the Board should have at least 30 days before they contemplate taking a vote on it. Jeanie Menard of Parade Properties explained there was enough frontage to create three house lots. There are currently no offers on the property; buyers have been waiting in the wings to see what the easement language is. She added if the Town is serious about conserving land, than the time to conserve is when there isn't pressure at the door. If this is a piece of property that the Conservation Committee would like to conserve, then consider doing it now and don't wait until the market is too brisk. Mr. Auger agreed with Ms. Menard and added that a lot of the land trusts don't have large funds that support these kinds of projects. It just so happens the Town's conservation fund is ideally matched for this. Richard Zang asked how much road frontage they would want because that would be important. CC Chair Fowler all he heard was three acres, but didn't know how much road frontage there would be. Mr. Zang asked if there would be enough frontage to create three new lots. Mr. Auger explained there would be enough frontage for three new lots plus a 50 foot right away beyond that. CC Chair Fowler stated he spoken with the trust officer recently, who spoke with the Sander's daughters, and they agreed if the Town is contributing funds to pay 50% then public access would be allowed on the property. The easement language would state that. Carla Penfield asked if the Conservation Commission would be using money they already have. CC Chair Fowler stated that was correct. Carla Penfield stated it would not upset next year's taxes at all if they have the money. She then asked if the Conservation Commission spends the \$100,000, would they maintain the \$500,000 balance. CC Chair Fowler stated they would not go below \$500,000. There was some

discussion about easements and developmental rights. John Cole asked what type of development would take place. CC Chair Fowler stated none. Jeanie Menard stated when an appraiser comes and looks at a property they not only look at frontage, but the whole parcel to see if a developer would buy the land to build houses. She thought there was enough land (50 feet) to put a road in. Chairman Kelley stated you need 60 feet to put a road in. Jeanie Menard stated the land is highly developable in terms of topography; lay of the land, minimal wetlands, etc. Mr. Auger explained there was a development scenario drawn up for the property as part of an earlier appraisal. Selectman Duarte motioned to table this matter until the August 25th Selectmen's meeting, so the Board is more prepared to make a decision on it. Seconded by Selectman Robie. Chairman Kelley, Selectman Robie, Selectman Lazott, and Selectman Duarte were in favor. Selectman Giffen was opposed. Motion carried on a vote of 4 to 1. Todd Allan suggested posting the information of the potential sale on the website for the citizen's of the Town. Selectman Lazott stated even though the Conservation Commission has the money in their account; it's still taxpayer's money and it should go back to the voters for their decision. Tom DiMaggio stated with the potential land being available to the Conservation Commission, it's a perfect way for the Town to expand their recreational area. Judi Lindsay noted the majority of the money in the conservation fund is coming from developers who take land out of current use and pay the tax and the Town's people are only benefiting. Selectman Lazott replied current use was put in to repay the taxpayer for what the Town absorbs for allowing people to keep their land in current use. The money that comes from current use was designed by the legislature for the first eighteen years, to go into the general fund to offset the tax rate.

Restoration Bond for Wildcat Land Development: Selectman Duarte explained Mr. Dana's sold lot 410 map 137-1 and the new owner, Wildcat Land Development, has to go back to the Planning Board for acceptance of the bond. Selectman Duarte asked for permission to act on behalf of the Selectmen at the July 16th Planning Board meeting (to approve the bond amount). He noted if the developer has to wait until the next Selectmen's meeting it will hold him up 2 weeks. Selectman Robie motioned to let Selectman Duarte act on behalf of the Board of Selectmen at the July 16th Planning Board meeting to approve Wildcat's restoration bond. Second by Selectman Lazott. Chairman Kelley, Selectman Robie, and Selectman Lazott were in favor. Selectman Giffen was not present at the time of the motion. Motion carried.

Board to review with department heads current expenditures and discuss status of 2008 budget to date.

Highway: Road Agent Lewis explained the condition of his budget was all weather related. Chairman Kelley asked Road Agent Lewis what his projected amount was to get him through the rest of the year. Road Agent Lewis replied that it depended on the weather. If it doesn't snow much in December the budget will be fine. If he plows three times a week (in December), it could be \$60,000. There was some discussion on fuel and rates. He stated worst-case \$50,000 to \$60,000. Road Agent Lewis added he anticipated the price of salt going up. Selectman Giffen stated it would be prudent for the Board to allow for the worst-case scenario based on extreme weather events over the past few years. Selectman Lazott suggested sending out a memo to all the department heads to

tighten up on their spending. **Solid Waste:** Selectman Giffen noted burning is cheaper than land filling. The recycling rate has improved. It looks like there is a lot of money unspent, but once the incinerator is shut down the price of landfill will go up. **Police Department:** Chief McGillen stated his budget is looking pretty good. He believed his cruiser maintenance line would be over, due to some expensive repairs. The fuel line is looking good. **Fire Department:** Fire Chief Cartier noted he had about a month and a half left in his fuel budget and is trying to be frugal. He is concerned with the winter coming and more fire related calls (with people burning wood.) Selectman Duarte suggested mailing out a safety memo. Selectman Giffen mentioned shuffling his budget around, due to the fuel cost and heating the building. Fire Chief Cartier noted the Fire Department still receives generous donations. **Building Department:** BI Hallock stated he's running right on line. He's holding off on office supplies and other things. **Cemetery:** Mr. Anderson stated he doesn't start using his budget until mid-April. When the fall comes it will start to diminish. **Health/Welfare:** Health and Welfare Officer Hall stated she has 38% left and will be over budget by the end of the year. The majority of the money is going to people in need of medicine, oil/propane, rent, and electric bills. H & W Officer Hall stated she would take out her mileage and do it with her taxes. She has enough protective clothing and can get them through emergency management if she needs it. H & W Officer Hall's biggest concern is the direct assistance line. The food pantry is not a problem. Chairman Kelley asked H & W Officer Hall what her largest expense would be. H & W Officer Hall replied assistance for oil and propane. She added she was going to re-write the way she pays bills as far as the amount that she pays. She was only going to pay the current due on bills (i.e. electric bills). H & W Officer stated she was going to check with other towns, to see how they are paying. Selectman Lazott noted he wouldn't be surprise if direct assistance reached \$75,000. Fire Chief Cartier asked if anyone was getting state fuel assistance. H & W Officer Hall explained she sends people to the Rockingham Community Action and if they don't qualify they come back to the Town. H & W Officer Hall thanked BI Hallock for all of his recent help.

Selectman Giffen suggested sending a memo to all the department heads to cut costs and come up with ideas to economize. He added they should come up with a total amount of \$60,000 for the remainder of the year. Selectman Giffen motioned to table the review of the 2008 budget until the August 11th Selectmen's meeting. Seconded by Chairman Kelley. All in favor. Motion carried.

Board to discuss two abatement requests received. The Board decided to table the abatement requests until the July 28th Selectmen's meeting.

Approval of Previous Minutes: Public meeting minutes of 6/23/08. Selectman Robie motioned to approve the public minutes of 6/23/08 as presented. Seconded by Selectman Giffen. All in favor. Motion carried.

Any Other Business:

Signing change of work order and authorization: Chairman Kelley announced he recently authorized and signed a change of work order for the Transfer Station.

Betsy Kruse to discuss Brownfield: Betsy Kruse presented the Board with information on Brownfield sites with potential contamination. She noted Fire Chief Cartier has been working on this project as well.

Selectman Giffen motioned to adjourn at 9:30 a.m. Seconded by Selectman Duarte. All in favor. Motion carried.

Respectfully submitted,
Andria Hansen, Recording Secretary