

~~Unapproved~~ Approved
Candia Selectmen's Public Meeting Minutes
Monday, October 6, 2008

Attendance: Chairman Fred Kelley, Vice-Chair Rick Lazott, Selectman Tom Giffen, Selectman Joe Duarte, Selectman Carleton Robie, Finance Director Beth St. Pierre, and Secretary Andria Hansen

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

The Board to discuss possible expenditure from the conservation fund. Chairman Kelley mentioned they had a public hearing on September 8th regarding this matter. The purpose was to seek citizens input on the Conservation Commission purchasing the development rights to the Sanders property. Conservation Committee (CC) Chair Ed Fowler asked for the Board's approval to hold executory interest on the Sanders easement. Selectman Lazott stated he didn't believe in purchasing development rights. Selectman Giffen noted the citizens have voted to support conservation in Town. This easement fits into the Town's open space plan. In addition, he was in favor of the Town holding executory interest and would be voting in favor of it. Selectman Kelley stated the way he understood it was the Town would hold the easement not Bear Paw. He thought the front lots (Healy Road) would be prime land for building lots and the back part of the lot would be put in an easement. Selectman Giffen noted it doesn't meet the open space plan. Selectman Kelley replied there isn't a lot of land in Town to build homes and you could build three houses on the front part of that lot. Selectman Duarte thought maybe there could be a compromise and some of the land could be used to build houses. He mentioned using some of the land to build work force housing and leave some for open space. Chairman Kelley asked if they could put some language on the easement, if they were to hold executory interest. CC Chair Fowler replied yes they could have a say. Selectman Robie stated he was not in favor of this, they need to leave some land for housing. If all the land is put in conservation easements no one will have the chance to buy. Selectman Robie clarified now that the Conservation Commission has spent the money, does the Board get to have a say on how the land is conserved. Chairman Kelley asked who was writing the easement. CC Chair Fowler replied Bear Paw. Selectman Duarte stated the Conservation Commission brought this to the Selectman to take a vote and they went behind their back and purchased the development rights anyway. CC Chair Fowler explained the Conservation Commission made the decision to purchase the development rights prior to the September 8th Selectmen's meeting. He went on to explain that it got misinterpreted they weren't asking to spend the money, they were asking for executory interest. Selectman Duarte noted some of the Conservation Commission members are also Bear Paw members and asked if they voted to purchase the development rights. CC Chair Fowler stated those members recused themselves from the vote. Selectman Duarte replied he didn't like the way it was done and felt the Board was pushed into a decision. He added sometimes disagreement is good, but didn't like the way this process went. Selectman Giffen stated the way the RSA is written is that the Conservation Commission examines the proposal and then makes a recommendation to the Board of Selectmen. There was nothing back door or out of line and none of the Bear Paw members voted. Selectman Giffen added the Conservation Commission did not choose Bear

Paw as the easement holder, it was the land owners. He felt Bear Paw was a good easement holder and the negative feelings from some of the Board members were not justified. Selectman Lazott stated buying development rights is keeping people from buying land for future development and stopping the opportunity to build houses. In addition, it's driving up the price of house lots. CC Chair Fowler stated land owners have the right to make that decision, we can't tell them they have to develop their land. Selectman Lazott noted it's costing the Town a couple of \$100,000 to keep it from being developed. Betsy Kruse stated the issue is being confused. It's a Planning Board/ ZRRC (Zoning Revision and Review Committee) issue when talking about land being developed, not the Conservation Commission's. She explained that residential housing doesn't keep taxes down it increases them and commercial development tends to hold or at least keep taxes steady. At some point in the future Candia will reach build out and currently Candia is in a position to choose where they want development. Betsy Kruse went on to say that if we build every stitch of land in Candia we are increasing the tax burden and hurting the natural resources. Selectman Duarte stated he pays \$5,000 now how would new development increase the tax rate. Betsy Kruse replied they would increase due to public services used and providing education. Selectman Duarte stated if they are putting an easement on the land it will keep the Town from growing. There should be a compromise. Carla Penfield asked what the difference was if the Selectmen gave their approval or not. CC Chair Fowler stated if the Selectmen vote in favor of having executory interest, they would have a chance to give input on the language of the easement. If Bear Paw fails as the primary easement holder and the Town did not vote in favor of it they would not have a say. Carla Penfield asked if the Town votes in favor wouldn't they hold the easement. CC Chair Fowler stated they would be a back up easement holder. Bear Paw is the primary easement holder at the request of the family. Selectman Lazott questioned how much land would be taken out of use before its enough. When will the Conservation Commission decide they don't want to purchase any more development rights or conservation easement? CC Chair Fowler stated the Forest Society's goal is to have 25% of land protected, which is across the state. Chairman Kelley asked how much protected land do we have in Town now. CC Chair Fowler thought close to 500 acres. He added a lot of the protected land currently in easements is a vote away from being taken out (i.e. by warrant article). Selectman Lazott mentioned there is a lot of land that is protected by the state. Betsy Kruse asked when enough commercial and residential development is enough. Selectman Lazott replied probably when there isn't anymore you can develop and if the build out is already 65% that doesn't leave a whole lot to develop. There is probably on 15% of land left in Town that can be developed. Betsy Kruse replied that's not a bad thing. Selectman Lazott stated yes it is because the Towns tax base will become stagnant. Tom St. Martin asked what happens of the Board votes no and Bear Paw fails to hold the easement. CC Chair Fowler replied that would be between the owners of the land and Bear Paw to find another easement holder. Selectman Duarte stated he appreciates keeping Candia rural, but they need some growth. He noted the Planning Board worked really hard on Liquid Planet. Some people thought it would ruin the Town. Liquid Planet provided 54 jobs this past summer. Selectman Duarte stated there are some services that would be beneficial to the Town (i.e. a grocery store). The people in the Town have asked for that and they are still working on that. Selectman Duarte questioned where the balance is on developing and conserving land in Town. Selectman Duarte stated a lot of people have in interest in this conservation easement and thought the Selectmen and the Conservation Committee could work together to find a balance. Selectman Giffen stated the Board has two choices they can have an executory interest and have a say on how the land is used or they can have the Conservation Commission donate the funds to

facilitate the bargain sale of the easement and have a far lesser say. *Selectman Lazott motioned that the Selectman do not approve Conservation Committees direction.* Selectman Giffen clarified by stating the vote is to disapprove of the purchase of an executory interest in the Sanders property on Healy Road. Selectman Robie stated the Conservation Commission is purchasing the development rights anyway. If the Board doesn't vote in favor they won't have a say. Selectman Duarte asked CC Chair Fowler if the Board voted in favor of this back in September would they be dealing with this problem now. Selectman Robie stated the Conservation Commission came with the same thing in September. Selectman Duarte clarified if the Board had agreed in September to the Conservation Committees request would they have more of a say in the easement. CC Chair Fowler replied if they want the Town to have executory interest the Conservation Committee would have to present it to the Board for their approval as they did. CC Chair Fowler stated if the Board does approve the request then the Conservation Committee will hold another public hearing to discuss the conservation easement. Chairman Kelley stated there is a motion on the floor. *Seconded by Selectman Duarte. Selectman Lazott and Selectman Duarte were in favor. Chairman Kelley, Selectman Giffen, and Selectman Robie were opposed. Motion failed on a vote of 2 to 3.* *Selectman Giffen motioned that the Selectmen approve the Conservation Committees request to pursue executory interest in the easement on the Sander property on Healy Road and moved for discussion.* There was some discussion on Bear Paw holding the easement. Chairman Kelley asked who has the power to put the language in the easement. CC Chair Fowler stated they will attempt to come to a consensus at the public hearing to come up with what the easement will say. Selectman Lazott asked if snowmobiles would be allowed on the land. CC Chair Fowler stated that's up for negotiation. Selectman Duarte stated he would vote on what he thought was in the best interest of the community and felt this was not in the best interest. He further stated that he had reservation on how much input they would have on the easement.

The Board took a short recess. While waiting Selectman Lazott mentioned some recent burglaries in Town and was asked by Chief McGillen to relay this information.

The Board resumed the meeting. Selectman Duarte stated he was not confident that the Selectman would have a say in the easement. Selectman Robie replied if they vote no they will not have a say in the easement. CC Chair Fowler noted if they show up at the public hearing they will have a say in the easement. *Selectman Giffen motioned that the Selectman approve the Conservation Committees request to pursue executory interest in the easement on the Sander property on Healy Road. Chairman Kelley, Selectman Giffen, and Selectman Robie were in favor. Selectman Duarte and Selectman Lazott were opposed. Motion carried on a vote of 3 to 2.*

The Board to finalize the 2009 budget.

- **Mr. Anderson to discuss possible rate increase for Bob Pike and possible changes to his 2009 cemetery.** Mr. Anderson stated Bob Pike was hired at \$15.00 per hour and next year he will be using his own equipment and would like an increase of \$3.50. Mr. Anderson noted he couldn't authorize that and was asking for the Board's approval. Selectman Lazott stated if he is maintaining his own equipment, \$18.50 per hour is

cheap. Selectman Robie motioned to allow Mr. Anderson to give Bob Pike a \$3.50 increase per hour. Seconded by Selectman Giffen. All were in favor. Motion carried.

- **The Board to discuss possibly increasing the Budget Committee's secretary wage line based upon meeting on 09/24/08 with Chair Penfield, Finance Director St. Pierre and Assistant Chabot.** Budget Committee (BC) Chair Penfield stated she didn't want to increase the secretaries wage line. She explained what is happening right now is the ladies in the Town office would like the Budget Committee secretary to assume some work that the Town office had been previously doing. She added their secretary is not necessarily prepared to take on the work. BC Chair Penfield stated she would like to get through the rest of the year with the ladies in the office helping and next year they will budget accordingly. Selectman Lazott thought that making copies was the Budget Committee's secretary's work and it should have come out of the Budget Committee's budget to begin with. BC Chair Penfield stated in previous years the Selectmen's office provided all of the copies the Budget Committee needed and their secretary isn't prepared to come in and do this work with out notification. She further stated there is no way to schedule for this work. BC Chair Penfield noted their secretary's job description was based on the Town office providing the same service they have provided for the past four years. She noted they really can't afford this year. Finance Director St. Pierre stated she is part-time and they may want to look at her time versus the Budget Committee's secretary's time. She can't rely on Assistant Chabot and Secretary Hansen all of the time. She added it's hard for her to make copies given the limited time she is in the office. BC Chair Penfield stated there is no specific time when the Budget Committee requests information. Finance Director St. Pierre replied maybe they could come up with some kind of schedule. She noted she has a 5-6 hour day and can't make changes and fulfill Budget Committee's request especially when she has other things to do (i.e. payroll, bills, etc.). Finance Director St. Pierre stated they should find a balance. Selectman Giffen stated it sounds like we're making unrealistic demands out of a scarce and valuable resource. He though they could come up with some type of plan. BC Chair Penfield stated the Budget Committee is looking at five meetings coming up and to come up with a plan at this point is short notice. Selectman Lazott thought maybe a member from the Budget Committee could step up and help out with the copies. He further stated the girls in the office don't have the time. Selectman Giffen stated perhaps they should develop some kind of procedure that is mutually acceptable. BC Chair Penfield reminded the Board that last year the Budget Committee did not receive information early enough to provide the recommendations the Board wanted them to make. As a result the Board was not happy with the decision the Budget Committee made. In addition, giving the Selectmen an extra two weeks this year gave the Budget Committee two weeks less to work on the budget. She thought the Board would be forth coming with all the information the Budget Committee needed and the Town office would provide everything for them (i.e. changes, copies, etc.). BC Chair Penfield stated all of their members work out of Town, so it's hard for them to coordinate with the office. She would like the Selectmen and their office to figure out how to make this work and they will make an effort to try to come up with a better system for 2009. Selectman Giffen noted there is a great deal of frustration from Board to Board. He asked if the Budget Committee would be able to work with a one week turn around on change request. BC Chair Penfield stated they meet twice in one week that won't work. Selectman Giffen

stated rather than having a lot of photo copies being made, maybe send it electronically and the members can print it off at home. BC Chair Penfield replied they can't, some members don't have printers. Selectman Lazott stated next year the Budget Committee will need to increase their secretary wage line. BC Chair Penfield replied they have the money, but the secretary can't commit the time. She stated they will just go day to day and figure it out.

- **Ambulance Contract and Pricing – Rudy to contact Rocking Ambulance.** This item was tabled – waiting for Fire Chief Cartier's response.
- **Health, Dental, Property, Life Insurance Rates – pending until legally available.** It was the consensus of the Board to table this until the Board receives rates.
- **Ski Program – The Board to review email from Karen Blackman 09/25/08 and consider reducing ski program line from \$1,600 to \$1,490 based on email.** It was the consensus of the Board to reduce the ski program line from \$1,600. to \$1,490.
- **Chairman Kelley to provide input on his research on Street Light Removal.** Selectman Kelley stated he was still working on this. Selectman Lazott noted the lights are still on at the old recycling center. Selectman Kelley said he would look into having those lights shut off.
- **The Board to consider reducing the Program Voting Machine & Booth Repair line due to recent coding information. Consider \$500.00 remaining in line for unanticipated booth repairs.** It was the consensus of the Board to reduce this line to \$500.
- **Board to review additional back up material from larger departments as requested on 09/24/08 at the request of the Budget Committee.** BC Chair Penfield stated the more stuff the Selectmen gives the Budget Committee in the beginning the better off they will be. Selectman Giffen noted the Budget Committee will be meeting on Wednesday to discuss the finalized budget.

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

Highway: Road Agent Lewis read from the attached report.

Police: Selectman Lazott mentioned burglaries happening in Town and people should be aware. There was an arrest made for damage to Town property and they are seeking restitution. Selectman Lazott read from the attached report.

Building: Selectman Lazott read from the attached report.

Fire: The report wasn't available.

Solid Waste: The report wasn't available.

Summer Recreation Program: Selectman Robie stated he received the attached email from former Selectman Jim Brennan. Selectman Robie asked if the Board was in favor of appropriating funds to the summer recreation program. They have someone who is willing to run the program. Selectman Lazott stated he didn't have a problem with budgeting for it. After some discussion it was the consensus of the Board to have the Summer Recreation Program in the amount that was budgeted last year.

Approval of Previous Minutes: Public meeting minutes of 9/13/08, Public and Non Public meeting minutes of 9/22/08. **Approval of Previous Minutes:** Selectman Lazott motioned to approve the public and the sealed non-public minutes of 9/22/08 as presented. Seconded by Selectman Giffen. All in favor. Motion carried. Selectman Giffen motioned to approve the public minutes of 9/13/08 as presented. Seconded by Selectman Lazott. All in favor. Motion carried.

Any Other Business

Change meeting dates for November: The Board changed the Selectmen's meetings dates to the 1st and 3rd Mondays in November. The meetings will be on November 3rd and November 17th at 7:00 pm.

Planning Board Chair Girard asked if the Board received a letter from them regarding Fire Chief Cartier's inspection fees. Secretary Hansen informed the Board the office was researching information regarding the letter. Chairman Kelley stated they would address the letter at the next Selectmen's meeting.

Howard Swain of 75 Old Deerfield Road questioned if housing was more expensive than open space. He wondered why no one in Town has addressed it. He thought Selectman Duarte would be a good person to look into this and find out how many houses are in Town and how many children are going to school. Then they can figure out how much each house brings in for taxes and how much it really costs. Selectman Duarte stated it sounds like a Planning Board issue and will check with Planning Board Secretary Carrier to look into it. Chair Girard noted they had a build out study couple of years ago by Southern New Hampshire Planning Commission and it is available to review.

Announce Next Regularly Scheduled Meeting Date: The next regularly scheduled meeting date is October 20th at 7:00 p.m. in the Town Hall meeting room.

9:15 p.m. - The Board may consider holding a Non-Public Meeting in accordance with RSA 91-A: 3 II (a).

Respectfully submitted,
Andria Hansen, Recording Secretary