

~~Unapproved~~ **Approved**  
**Candia Selectmen's Public Meeting Minutes**  
**Monday, December 22, 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.

**The Board and Road Agent Lewis to meet with Mr. & Mrs. Silveira and a Rep. from Manchester Water Works to discuss recent concerns regarding Tower Hill Road.** Joe O'Neil of Manchester Water Works was present. Road Agent Lewis explained he had received a call last week from Joe Silveira of Tower Hill Road. Mr. Silveira informed Road Agent Lewis that the road was getting soft; he thought trucks were only hauling when the ground was frozen. Road Agent Lewis explained Manchester Water Works stopped the operation, because the road was getting soft and they would only haul when the ground is frozen. Jon O'Neil noted he did stop the operation when the weather got warm, but when it got cold they resumed log landing. Road Agent Lewis explained he didn't see any truck damage. When he received the complaint on December 15<sup>th</sup>, he addressed it the same day. He noted he graded the road that day to smooth out the road. Mr. Silveira explained the road started to thaw out the week prior to December 15<sup>th</sup> and it didn't refreeze that weekend, it rained all weekend. The week of December 8<sup>th</sup> the road started to become impassable. On December 15<sup>th</sup> he saw the logging truck go by his house; he noticed the gate was open. Mr. Silveira contacted the Police Department and asked them to get a hold of Road Agent Lewis, so they could stop the operation. He was worried the base of the road would become more deteriorated (this was the morning of December 15<sup>th</sup>). When he didn't receive a call back, Mrs. Silveira called the Mayor's office in Manchester after he tried to call Public Works. A representative from Mayor Guinta's office stated they would look into the situation. Mr. Silveira explained they didn't want their tax dollars to pay for the repair of the road, which Manchester Water Works trucks may have caused. Mr. Silveira wanted to come to the Board to explain what was going on, not to complain about Road Agent Lewis who does a wonderful job. Mr. Silveira proposed to the Board as a resident a road ordinance for restrictions on the road during certain times of the year (i.e. spring). They need something that protects the residents of Tower Hill and the tax payers of the Town. Road Agent Lewis stated the Town does have an ordinance. In order to enact the ordinance they have to put a public notice in the paper, as they do in the spring when they post the roads. Road Agent Lewis further explained they could put a bond in place in the amount of \$7,500, which would cover any damage caused to the road. Mrs. Silveira noted over the past couple of years Manchester Water Works has been doing a lot of clear cutting and the base of the road has started to deteriorate. She noted she has tried to get Auburn and Candia to post the roads, so emergency vehicles get through. Jon O'Neil clarified they were not clear cutting they are log landing. He noted he talked to the Road Agents in Candia and Auburn and they told him that there is a spring that has always caused problems on that road (prior to Manchester Water Works log landing). Jon

O'Neil felt this was a lack of communication on everyone's part. Mrs. Silveira reiterated the road has deteriorated since Manchester Water Works started log landing. Jon O'Neil stated before Manchester Water Works started clearing that area was a problem. Mr. Silveira acknowledged that areas of Tower Hill were a problem and respected the fact the Town and Manchester Water Works were working with him. Road Agent Lewis stated it's a gravel road on a steep grade with no drainage and when the ground is frozen there shouldn't be any damage. If there is damage it will be covered by a bond. Chairman Kelley asked Road Agent Lewis if he was satisfied with the arrangement he made with the Manchester Water Works. Road Agent Lewis replied that he was. Jon O'Neil stated their hands are tied, he would prefer to access the land on the Auburn side but the road is too narrow. In addition most of the land is in Candia. Road Agent Lewis agreed and noted it's a difficult road to travel. Road Agent Lewis asked Mr. O'Neil how long this project would take. Jon O'Neil replied they should be finished by March 15<sup>th</sup>. Road Agent Lewis clarified it would take the winter, but it's not something that would be ongoing for years and years. In addition, he would keep a close eye on the road and fix any problems that arise. Jon O'Neil explained this is something they do every 15 years. Selectman Giffen stated it sounds like this issue is resolved, but there is a separate issue of parking on both sides of the road in Auburn. This has no bearing on the Manchester Water Works issue, but it sets the stage for a dialog between the Auburn Selectmen and the Candia Selectmen. He further stated between the two Boards they should try to do something, so there is parking on only one side of the road. Selectman Giffen noted he drove on Tower Hill Road the night of December 15<sup>th</sup> and found it to be in reasonably good shape. He noted there were trucks from PSNH on the road, but didn't see any damage to the road. Selectman Giffen reiterated he would still like to talk to Auburn to get something posted. Mrs. Silveira stated that would be something short of a miracle. Chairman Kelley stated they can't tell Auburn what to do with their land. Mrs. Silveira appreciated the Board recognizing this is an issue. Carol Ober of Tower Hill stated they have met with the Auburn Police Department and Board of Selectmen in regards to the road and nobody seemed to care. Jon O'Neil stated he would be happy to make a recommendation to the Town of Auburn's Selectmen. Chairman Kelley asked Mr. O'Neil to follow up with the Selectmen on this issue.

**The Board to review Conservation Commission's town wide mailing request.**

Chairman Kelley stated he spoke with Atty. Mayer on this and he didn't see any issues. He further explained that CC Chair Fowler would have to sign the brochure. Selectman Lazott stated the brochure only told half the story. Selectman Duarte stated if we vote yes on this bill it will allow the Conservation Committee to purchase land in other communities. They are entitled to put the flyer out and he didn't see anything wrong with it (the flyer). Selectman Duarte stated they should let the voters decide, but he doesn't have to agree with it. CC Chair Fowler stated he was at this meeting to ask for the Boards permission to print the newsletter. The vote will be taken in March. Selectman Duarte reiterated he wasn't against the Conservation Commission putting the flyer out. Selectman Giffen briefly discussed SB381. Selectman Duarte noted it's a State bill and the Conservation Commission can't dictate which part of it they want to adopt. Selectman Giffen clarified they were only looking into adopting one of the chapters. They can adopt one without the other. Selectman Lazott stated if this bill is adopted, it

will allow the Conservation Commission to spend money without Selectmen's approval. Selectman Giffen stated that was correct. Selectman Lazott stated they were elected to oversee the taxpayer's money and the Conservation Commission will be spending money anyway they want. He further stated they need to have a check and balance system and this will not allow for that. Citizen Brian Travis stated its taxation without representation. Selectman Giffen stated rather than having the legislative body, the governing body, and the Conservation Commission all involved, instead you will only have two (the legislative body and the Conservation Commission). He further stated the Conservation Commission can only spend money that is given to them by the legislative body; the Selectmen have nothing to do with the money. It's a more productive way to secure easements and land. Citizen John Cole stated SB381 was amended under method of adoption to read "any Town at any duly warned meeting may adopt *or rescind* provisions of this chapter". He noted "*or rescind*" was added in as an amendment to the bill to give the Towns people the opportunity to vote it down. CC Chair Fowler stated this is not in the language of the warrant article, he's talking about SB381. Selectman Giffen clarified if the Towns people voted it in and decided in a couple of years they were not happy, there could be a vote to rescind. Citizen Carla Penfield asked how much it would cost to print and mail this brochure. CC Chair Fowler replied it would cost \$175 to print and \$75 to send it out with the Boy Scout packets. Selectman Giffen moved to approve the request of the Conservation Commission to produce and distribute the sample draft newsletter. Seconded by Chairman Kelley. Chairman Kelley, Selectman Giffen, Selectman Duarte, and Selectman Robie were in favor. Selectman Lazott was opposed. Motion carried on a vote of 4 to 1.

**Josh Mann of the Candia Volunteer Firefighters Association to present a donation of a set of Res-Q-Jacks valued at \$3,434.00 to the Candia Fire Department.** Fire Fighter Josh Mann was unable to attend the meeting. Vice President of the Candia Volunteer Firefighters Association Matt Richter presented the Town of Candia with a donation of a set of Res-Q-Jacks to the Candia Fire Department. He asked the Board to accept the donation. Selectman Giffen moved to accept the generous donation by the Candia Firefighters Association for the Res-Q-Jacks valued at \$3,434.00. Seconded by Selectman Robie. All were in favor. Motion carried.

**The Board to consider the appointment of Jason Bolduc based on Fire Chief Cartier's recommendation.** Fire Chief Cartier stated Mr. Bolduc is a Certified Firefighter Level 2. He lives in Manchester and is working on becoming EMT. He has successfully passed his background check. Fire Chief Cartier recommended appointing Jason Bolduc as a Candia Volunteer Firefighter. Chairman Kelley moved to accept Fire Chief Cartier recommendation to appoint Jason Bolduc as a Firefighter. Seconded by Selectman Duarte. All were in favor. Motion carried.

**The Board to accept grants and donations on behalf of the Town in accordance with RSA 31:95-b III.** Secretary Hansen announced all of the grants and donations received (see attached) for a grand total of \$6,533.00. Selectman Lazott moved to accept the grants and donation on behalf of the Town in the amount of \$6,533.00. Seconded by Selectman Giffen. Chairman Kelley thanked everyone for all of the generous donations.

**The Board to address yearend items: \*Review & Approve 2009 proposed updated budget spreadsheet (containing insurance figures) and Memo dated 12/22/08; \*Review Updated Expenditure Sheet; \*Review & Approve 2009 Default Budget Calculations prepared by Finance Director St. Pierre, \*Review and approve 2009 sources of revenue, and \*Consider to vote on any encumbered items.** Selectman Giffen stated he spoke with Finance Director St. Pierre and she informed him there was only \$2,000 that could be returned to the general fund. In past years they were able to return 3% of the budget back to the general fund. Chairman Kelley noted if the Road Agent Lewis plows one more storm we will be in trouble. Selectman Lazott stated when he had spoke with Finance Director St. Pierre they were able to come up with a little bit of money. There was some discussion on the Road Agent's budget. Fire Chief Cartier suggested talking with the DRA to access the reserve since this is an extenuating circumstance. Selectman Giffen suggested freezing non-essential expenditures (payroll, insurance, etc.). He further suggested deferring any billing until after January 1<sup>st</sup> and it should apply to all departments. Citizen Ingrid Byrd stated the school has frozen all expenditures, except for the essentials. **Review and Approve 2009 Default Budget:** Selectman Giffen read from Finance Director St. Pierre "2009 Default Budget Consideration" (see attached). He noted if the budget fails to pass this year, this is the budget the Selectmen have to spend for 2009. Selectman Giffen moved to accept the default budget as prepared by Finance Director St. Pierre. Seconded by Selectman Robie. All were in favor. Motion carried. **Review and Approve 2009 proposed updated budget spreadsheet (containing insurance figures):** Selectman Giffen read from the attached spreadsheet. Selectman Duarte moved to approve the 2009 proposed updated budget. Seconded by Selectman Giffen. All were in favor. Motioned carried. **Review and Approve 2009 sources of revenue:** Selectman Lazott read from the attached sheet. There was discussion about the recycling market. Selectman Giffen moved to reduce the Recycling Center income line from \$54,000 to \$20,000. Seconded by Chairman Kelley. All were in favor. Motion carried. There was some discussion on the interest on investments. Selectman Giffen thought reducing this line 20% was reasonable. Chairman Kelley moved to reduce the interest on investments line from \$28,000 to \$14,000. Seconded by Selectman Lazott. All were in favor. Motion carried. There was discussion on the meals and tax line. Selectman Giffen moved adjust the meals and tax line from \$183,315 to \$165,000. Seconded by Selectman Robie. All were in favor. Motion carried. There was some discussion on the motor vehicle fee line. Selectman Giffen moved to adjust the motor vehicle fee line from \$756,500 to \$730,000. Seconded by Chairman Kelley. All were in favor. Motion carried. Selectman Giffen moved to accept the 2009 estimated sources of revenue numbers as amended. Seconded by Selectman Lazott. All were in favor. Motion carried. **Review Updated Expenditure Sheet:** Selectman Giffen reiterated they freeze all non-essential expenditures. **Consider voting on any encumbered items:** Selectman Giffen couldn't see how any items could be encumbered. Selectman Lazott thought Chief McGillen may have some thing encumbered. Selectman Giffen suggested finding out what they are. He noted Finance Director St. Pierre has taken a bottom line approach. Selectman Lazott moved to freeze all spending except for anything encumbered and payroll. Seconded by Chairman Kelley. All were in favor. Motion carried. Fire Chief Cartier noted there would be a

large bill for the repair of Engine 3. There was further discussion regarding the Engine 3 repair bill. Fire Chief Cartier estimated the bill would be approximately \$6,000, but may be able to negotiate the amount. Selectman Giffen stated he would contact Finance Director St. Pierre regarding this bill. There was some discussion about Road Agent Lewis's budget and the recent snowstorms.

**Approval of Previous Minutes: Public meeting minutes of 12/01/08:** Selectman Giffen moved to accept the public meeting minutes of 12/1/08 as amended. Seconded by Chairman Kelley. All were in favor. Motion carried.

### **Other Business**

**YMCA request for funds:** Selectman Lazott stated he didn't have a problem with this being put on the warrant. Selectman Lazott motioned to put the request from the YWCA on the warrant for the amount of \$325. Seconded by Selectman Duarte. All were in favor. Motion carried.

**RFP's for 2009 update of values:** Selectman Lazott read from the attached memo. He announced the proposals and the bids received. They are as follows: Avitar at \$112,500; Cross Country at \$80,000; John McSorley at \$35,000; and Vision at \$56,000. Selectman Lazott stated he would like to eliminate Avitar and Cross Country due to the high bids. He further stated he would like to go with Vision since we already deal with them for assessing. Selectman Lazott thought they could negotiate the cost. Selectman Robie stated they could increase the warrant article amount \$6,000. The Board agreed to increase the warrant article amount. Selectman Robie moved to amend Warrant Article #24 from the requested amount of \$25,000 to \$31,000. Seconded by Selectman Lazott. All were in favor. Motion carried. Budget Committee Chair Carla Penfield asked that an edited copy of the draft warrant article be provide to the Budget Committee.

Citizen Todd Allen asked if the Selectmen would defend the proposed budget. Selectman Giffen stated this will be done at the deliberative session.

Citizen Todd Allen noted that he saw a police cruiser traveling at a high rate of speed on Route 101 (heading towards Exit 2) on December 18<sup>th</sup> and the lights were not on. Selectman Lazott stated it could have been a silent run. Selectman Robie stated they would speak to Chief McGillen about this.

Fire Chief Cartier commended the Board on the keeping the insurance line item around 6%. Selectman Giffen noted the health end of it is around 12%.

Fire Chief Cartier noted the Fire Department answered 75 calls during the ice storm and commended his firefighters for a phenomenal job. There was over 500 staff hours for storm coverage. Selectman Robie asked what the calls consisted of. Fire Chief Cartier replied there were lines and trees down, co alarms, flooded basements, and medical calls.

Chairman Kelley stated he would like to thank the Selectmen for their work during the storm.

Mr. Anderson noted the cemetery went unscathed during the ice storm.

Selectman Duarte motioned to adjourn at 9:15 pm.

Respectfully submitted,  
Andria Hansen, Recording Secretary