

~~Unapproved~~ **Approved**
Candia Selectmen's Public Meeting Minutes
Monday, March 23, 2009

Attendance: Chairman Fred Kelley, Vice-Chairman Rick Lazott, Selectman Joe Duarte, Selectman Carleton Robie, Selectman Richard Snow, Selectmen's Assistant Cheryl Eastman, and Administrative Assistant Andria Hansen.

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

Discuss assignments of departments. Chairmanship: Selectman Lazott motioned to re-nominate Chairman Kelley as Chair. Seconded by Selectman Duarte. Chairman Kelley accepted the nomination. All in favor. Motion carried. **Vice-Chair:** Selectman Duarte motioned to re-nominate Selectman Lazott as Vice-Chairman. Seconded by Selectman Robie. Selectman Lazott accepted the nomination. All were in favor. Motion carried. **Budget Committee Selectmen's Rep:** *Selectman Lazott motioned to nominate Selectman Snow as Budget Committee Selectmen's Rep.* Selectman Robie stated he has been a Selectman for a year, runs a business and felt he would be a better fit. He asked the Board to appoint him as Budget Committee Selectmen's Rep. Selectman Snow noted if he was not appointed as the Rep, he would be the alternate. Selectman Lazott stated the person should be computer literate. Budget Committee Chair Penfield stated the Selectmen's Rep wouldn't need a computer; they don't use computers at the Budget Committee meetings. Citizen Ingrid Byrd stated a Selectman with more experience with the budget process would be better suited to be the BC Selectmen's Rep (i.e. Selectman Lazott, Selectman Duarte, or Selectman Robie). She suggested that maybe Selectman Snow could be Rep next year, but the Budget Committee would be better served with an experienced Selectman. Selectman Duarte felt that both Selectmen were good candidates for BC Selectmen Reps. BC Chair Penfield appreciated Selectman Snow's interest, but felt it would be beneficial to have someone familiar with the Budget Committee. Selectman Lazott noted it shouldn't matter if the person has experience, it will be a learning curve. Citizen Fletcher Perkins noted Selectman Robie has experience in accounting and is level headed and conservative. Selectman Lazott felt Selectman Snow would be a better fit. Chairman Kelley called for a vote. *Selectman Duarte seconded Selectman Lazott's previous motion. Selectman Duarte and Selectman Lazott were in favor, Chairman Kelley and Selectman Robie were not in favor, and Selectman Snow abstained. Motion failed due to a tied vote. Chairman Kelley motioned to elect Selectman Robie to be Selectmen's Rep to the Budget Committee and Selectman Snow as the alternate. Seconded by Selectman Snow. Chairman Kelley, Selectman Duarte, Selectman Robie, and Selectman Snow were in favor. Selectman Lazott abstained. Motion carried on a vote of 4 to 1.* **Budget Committee Selectmen's Alt. Rep:** Selectman Snow; **Building Department:** Selectman Lazott; **Cemetery:** Selectman Snow; **Conservation Commission:** Selectman Snow; **Elections:** Chairman Kelley and **Secondary person:** Selectman Snow; **Emergency Management:** Selectman Duarte; **Fire Department and Forestry:** Selectman Duarte; **Health & Welfare:** Selectman Lazott and **Secondary person:** Selectman Duarte; **Heritage Commission Selectmen's Rep:** Selectman Robie; **Highway:** Selectman Robie; **Parks & Rec:** Selectman Snow; **Planning Board's Selectmen's Rep:** Selectman Duarte and **Planning Board Alternate Rep:** Chairman Kelley; **Police**

Department/Animal Control: Selectman Lazott; **Solid Waste:** Selectman Duarte (Recycling Center day to day operations and for employee evaluations); **Solid Waste Committee Selectmen (two):** **Primary** – Chairman Kelley and **Secondary** – Selectman Duarte (Responsible for overseeing new Transfer Station, and Recycling Center/Incinerator closure); **Town Office:** Chairman Kelley; **Safety Committee Selectman:** Selectman Snow; **Town Website:** Selectman Snow.

The Board to consider a donation to the Boy Scouts for the 2009 delivery of the Town Reports. Selectman Lazott motioned to donate \$300.00 to the Boy Scouts for the delivery of the 2009 Town Reports. Seconded by Chairman Kelley. Selectman Snow recused himself from the vote. Chairman Kelley, Selectman Lazott, Selectman Duarte, and Selectman Robie were in favor. Motion carried.

The Board to discuss request for bids for the repair of Fire Department roof. Chairman Kelley asked the Board what they would like to do. Selectman Lazott suggested posting the bid at the post office and Town Hall and putting an ad in the Hooksett Banner. Selectman Robie thought the amount on the proposed warrant article (\$35,000) was too high. He looked at the roof and came back with an amount of \$20,000. Selectman Robie expressed concern with someone else bidding on the job for less money and thought he would lose out. Selectman Lazott replied that no one guaranteed he would do the work. Selectman Robie stated nobody did, but he did the leg work and got the estimate. Selectman Lazott replied than you did your job as a Selectman. It never occurred to him that Selectman Robie did it with intentions to bid on the job and he personally has backed off from bidding on jobs because he thought it would be controversial. Selectman Lazott thought the job should be put out to bid, that's the way it's always been done in the past on other projects. Selectman Duarte asked if Paul Frazier, who has been working on the roof, will be bidding on the job. Chairman Kelley stated anyone who wants to bid on the job will have the opportunity to do so. Selectman Robie stated he was withdrawing his bid. Carla Penfield asked if the job had to be awarded to the lowest bidder. Chairman Kelley replied it did not. Fire Chief Cartier noted if it is sent out to bid they would need to come up with some specifications and it should be in writing. He also thought the amount of \$20,000 it might need to be reported to the Attorney Generals Office, because Selectman Robie is a member of the Board. Selectman Robie replied he was withdrawing his bid, so it's not an issue. Selectman Snow stated if Selectman Robie bids on the job it would create a conflict of interest. Selectman Robie replied he was not trying to create a conflict of interest. Selectman Snow asked if the Board looked into an ARRA grant to repair the roof. Selectman Lazott stated Selectman Snow should look into that. Selectman Snow handed out an article to the other Board members regarding proposals for stimulus money (see attached). Chairman Kelley expressed concern with stimulus money and heard they would have to pay it back. Selectman Snow stated a grant would be part of the money and a low cost loan would make up the rest. Selectman Robie noted they have money appropriated to repair the roof. Fire Chief Cartier stated there is \$500 million dollars of stimulus money to build new fire stations and its 100% funding. Selectman Snow stated the generator at the school could qualify for stimulus money where it is a shelter for the Town. Roger De Manche of In-Law Construction stated he came to the meeting to see how he could get on the bid list for the roof repair and what the specs were. Chairman Kelley stated the office will be working on a quote and they will put an ad in the paper. Selectman Lazott stated he will come up with a spec list, have the Board review it, and then send it out. Chairman Kelley

noted once they came up with a quote people can submit sealed bids. The bids will be opened at a Selectmen's meeting and a decision will be made on who will get the job. Selectman Snow clarified that Selectman Lazott will draft an RFQ and it will be reviewed at a Selectmen's meeting. Chairman Kelley stated the RFQ didn't need to be approved at a Selectmen's meeting. Selectman Snow asked how long the bid will be open. Chairman Kelley stated that something needs to be done fast. Chairman Kelley told Selectman Lazott to work with Selectman Robie on the RFQ and hopefully at the next Selectmen's meeting they could open the bids. Selectman Snow questioned if that was enough time for people to bid and how long were they leaving the bid open. Chairman Kelley replied ten days and this should be enough time before the next meeting. Selectman Snow stated he was not comfortable doing this in such a rush. Chairman Kelley stated it needed to get done.

The Board to consider a policy for purchases over a \$1,000. Selectman Snow asked if we currently have a purchasing policy. Chairman Kelley replied no and felt they should make a decision on this. Selectman Snow asked what the purpose of this discussion was. Chairman Kelley replied it's to stop department heads from going out and spending money without consulting the Selectmen first. They are on a budget and we need to keep tight reins and have better control. Selectman Lazott questioned if this was on every purchase even if it's within the line item. He further stated he has a problem with this because if they approve a budget with line items (i.e. uniforms, bullets) then the department heads should be able to purchase what they need. He would hate to restrict the department heads. Citizen Judy Szot stated you don't have a line item budget; you have a bottom line budget. They can spend it anyway they would like. Selectman Snow stated if they are looking at a long term solution, they need a purchasing policy stating any purchases over \$1,000 ought to be dealt with in a formal method. Selectman Robie felt the department heads have been doing a pretty good job working within their budgets.

Selectman Robie to discuss default budget. Selectman Robie suggested to the Board that they follow the Budget Committees recommended budget, which is .17% less than last year's budget. The Town voted on a default budget which increased our budget by \$31,000. He went on to explain if we use the line items that the Budget Committee put together for us we'll have \$31,000 on the side. Selectman Robie explained the default budget is a copy of last years budget with the 1.4% added in. The lines in last year's budget didn't work for us, the department heads, or the community. Selectman Lazott stated he had a problem using that budget, because last year the cruiser line got zeroed out and the police department needs a new cruiser. Selectman Robie stated last year the Road Agent went over his budget by \$100,000 and the roads are in bad shape. He reiterated the budget we used last year didn't work and felt they should use the Budget Committee's recommended budget for 2009 and use the additional \$34,000 for when we need it. Selectman Lazott questioned Selectman Robie about the cruiser. Selectman Robie replied he would not vote for that. Selectman Lazott stated he would make a motion before the nights over to purchase a new cruiser. Selectman Robie stated they are talking about the Budget Committees recommended budget, the numbers work and nobody gets laid off. Selectman Robie asked how much money is the Town getting compensated for the use of the cruisers for detail. Chief McGillen replied they are getting \$10.00 per hour, which goes back to the Town. There is also money taken out for the officer's retirement (approx. \$4.00). Selectman Robie asked if there was a fund this money goes into. Chairman Kelley thought it went into the general fund. Selectman Robie asked if they were going to make a motion on the budget. Selectman Snow stated he

agreed with Selectman Robie's concept, but understood Selectman Lazott's concern. *Selectman Snow motioned that the interim 2009 departmental operating budgets be established at the same levels approved for their 2008 operating budgets and that all nonessential expenditures be frozen until a comprehensive review of the proposed budgets and actual year to date expenditures has been completed and an accurate time phased 2009 budget has been prepared, presented, reviewed and approved. Further, that no Board of Selectmen stipends be approved or expended until the end of the 2009 fiscal year.* Selectman Robie stated the Budget Committee worked countless hours to prepare a budget, even before the Deliberative Session the Selectman took their budget and added \$67,000 to it. We went to Deliberative Session and it didn't go right. Fire Chief Cartier noted before the Town meeting the department heads worked hard on their budgets and the difference of what they came up with prior to the Town meeting was about \$30,000. *Selectman Robie motioned to use the Budget Committee's line item budget and take the default money and use it for unexpected expenditures. Motion failed for a lack of a second.* Selectman Robie stated the departments need a line item budget to work with. Selectman Lazott stated Mother Nature had a lot to do with the budget being over expended last year. Selectman Snow stated he would go through the budget line by line and make recommended changes, so we don't lose any of our services and spend less money. He further stated he didn't have a problem with the budget number, but he does have a problem with the methodology of using municipal budget committee's budget. Selectman Robie reiterated the budget last year didn't work. Selectman Snow stated the problem is that the Finance Director won't be able to roll those numbers in because she doesn't know what they are. Chairman Kelley asked Selectmen's Assistant Eastman to explain how the default budget works. Selectmen's Assistant Eastman explained it isn't a budget that was put together by the Budget Committee; it's like last year's budget with adjustments. It's still the bottom line of \$2,355,410 and the Board still needs to decide how they are going to distribute it. Selectman Robie stated he understood that, but he is still recommending the Budget Committee's recommended budget. Chairman Kelley noted in the Budget Committee's recommended budget they lined out the cruiser. Selectman Robie stated something has to come out. Selectman Lazott stated we still have a default budget. Selectman Robie stated the default budget is a number. Selectman Lazott noted the cruiser is still in the default budget. He added that the Budget Committee also under funded Health and Welfare. Selectman Lazott stated he didn't consider the Budget Committee's budget a credible budget, because of what was spent and where we had to spend it. Selectman Robie stated we did consider it, we sat here as a Board and added \$67,000 to it. Selectman Lazott stated we needed it. Selectman Robie asked where the Finance Director gets the numbers for the default budget. Selectmen's Assistant Eastman stated it's last year's budget with plus' or minus' for one time expenses. Selectman Robie stated the Town voted in the default number not the lines. Selectmen's Assistant Eastman stated the Board has the right to move funds around as they see fit. Selectman Robie stated that's what they are trying to do. BC Chair Carla Penfield explained the lines are there to help the Selectmen come up with a total amount of money they need. The Selectmen should tell the Budget Committee how much money they need next year and show them why they need that money. The Budget Committee's recommended budget was just a recommendation. They were thinking about the taxpayers and what they would want and that was to be as frugal as possible. BC Chair Penfield went on to explain that they look at what was absolutely needed and what we could live without. It is a very frugal budget. *Selectman Robie motioned to use the Budget Committee's recommended line item budget for the departments.* There was further discussion on the budget. Chairman Kelley stated he didn't have a problem

using the default budget and arguing over this isn't solving anything. We have a bottom line budget and have a certain amount of money to spend. Selectman Lazott noted its just a guideline, whether we use the default budget or the Budget Committee's recommended budget. Selectman Lazott preferred to use the default budget. Selectman Robie stated we did that last year and it didn't work. Selectman Duarte reminded the Board there was a motion on the floor. *Selectman Robie's motion was seconded by Chairman Kelley.* There was further discussion on the budget. BC Chair Penfield stated the Selectmen should be conservative with the budget, because you really don't know what your revenues are going to bring in. Chairman Kelley stated they may have a problem with the recycling center. Selectman Duarte stated they will be doing a comprehensive report for the first quarter of this year. They are not getting the money they used to get on the recyclables, but they are getting a little bit. The focus is to take as much as they can out of the waste stream. Selectman Duarte stated they will have all of the stats and figures for the first meeting in April. Chairman Kelley stated the \$30,000 should be left for the recycling center. There was some discussion on Road Agent Lewis' warrant article. Road Agent Lewis noted he is in much better shape this year than he was last year. Selectman Snow stated he would vote for this, but he wanted to make an amendment to Selectman Robie's motion. He would like a letter from the municipal Budget Committee expressing that this a bottom line budget and we are not going to be held by the Budget Committee for any lines they have zeroed out in there budget. Judy Szot replied the Budget Committee's budget didn't pass. Chairman Kelley stated this has nothing to do with the Budget Committee's budget. Citizen Fletcher Perkins stated they should pass something tonight, so the Board has some guidelines to work with. Selectman Lazott stated he didn't want to vote on anything tonight. They should get a quarterly report and then work with the Department Heads individually. It's a bottom line budget and they need to work with it. BC Chair Penfield stated they should be reviewing the departmental expense sheets on a monthly basis. Selectmen's Assistant Eastman stated the Finance Director provides the Board with monthly budget updates, up until now we didn't have a budget to put in until Town Meeting. She does provide the Board with expense updates. Selectman Robie stated we don't have an expense sheet if we don't have a ledger. He further stated we are discussing line items, the Board needs to know what is spent in each line. *Chairman Kelley called for a vote of who was in favor of Selectman Robie's motion. Selectman Robie and Chairman Kelley were in favor. Selectman Duarte, Selectman Snow, and Selectman Lazott were not in favor of the motion. Motion fails in a vote of 3 to 2. Selectman Lazott motioned to table this discussion until we can get a cost analysis done for the first quarter of 2009. Seconded by Selectman Duarte. Selectman Duarte, Selectman Snow, and Selectman Lazott were in favor. Selectman Robie and Chairman Kelley were not in favor. Motion carried on a vote of 3 to 2.* BC Chair Penfield suggested getting the monthly reports in spreadsheet format.

Selectman Robie to discuss recent generator research for the Town Hall. Selectman Robie stated he received a quote for the generator (see attached). He had an electrician come and look at it. Selectman Robie asked the Board if they were in favor of spending \$1,575 to fix the generator. Chairman Kelley stated the generator they currently have cannot supply the entire Town Hall with power. Selectman Robie noted there are certain rooms that do not have power during an outage. The work being done will take care of this problem. Fire Chief Cartier stated he wished someone had called him since he worked on the original generator project. Selectman Robie stated this was talked about at a prior meeting. Fire Chief Cartier stated if a 30,000 watt

(400 amp service) generator can't run the Town Offices something is wrong; there's not a tremendous amount of electrical equipment being used. Selectman Robie replied it probably will run the offices, but they have to put a probe on it to see what it is drawing. *Selectman Robie motioned to have Michael Green Electric come in and fix the generator.* Chairman Kelley stated the reason he would like this issue taken care of is due to the recent ice storm and the Town Office could have been used during the emergency. Chief McGillen clarified the Town Hall is the emergency operation center for the Town and Moore School is the emergency shelter. There was some further discussion about the generator. It was the consensus of the Board to table this discussion until they did some further research. Selectman Snow stated he would like to review the information on the generator.

The Board to discuss upcoming public hearing for the easement on the Sander's property.

Chairman Kelley informed the Board that he sent the easement to Atty. Mayer and is waiting to hear back. He and Selectman Robie have been working diligently on this issue and will be attending the public hearing on March 31st. Chairman Kelley stated he would like the rest of the Board to review the easement and give their feedback. Selectman Robie felt what the Conservation Commission produced was acceptable. Selectman Lazott stated he wished they didn't have to spend the money at all. Selectman Duarte stated he would like to see something in writing from Atty. Mayer regarding SB381 before he makes a decision. Chairman Kelley noted they did receive something in writing from Atty. Paul Sanderson from the Local Government Center. The letter states that it will allow the Conservation Commission to operate as always, but they will not be allowed to spend a penny. Selectman Duarte stated he spoke to Atty. Sanderson two days before they received something in writing and his answer was totally different. Selectman Duarte stated he was told by Atty. Sanderson the Conservation Commission couldn't do anything. Selectman Robie thought if it's in writing it's probably correct. Chairman Kelley instructed Selectmen's Assistant Eastman to ask Atty. Mayer to provide something in writing. Selectman Snow noted the Public Hearing for the Sanders easement will be held on March 31st.

Approval of Previous Minutes: Public and Non Public Meeting Minutes of 3/09/09.

Selectman Lazott motioned to accept the public meeting minutes and non-public meeting minutes of March 9th as presented. Seconded by Selectman Duarte. Chairman Kelley, Selectman Lazott, Selectman Duarte, and Selectman Robie were in favor. Selectman Snow abstained. Motion carried.

Any Other Business:

The Board will accept, in accordance with RSA 31:95b, donations on behalf of the Town:

Chairman Kelley reviewed the attached breakdown sheet containing donations totaling \$908.00. The Food Pantry donations were as follows: Dawn Clancy & Elizabeth Kruse/ In the name of Eve Schroeder - \$30.00, Elizabeth Kruse/ In the name of Helene Haggard - \$30.00, Kenneth & Deborah Mills/ Court Restitution - \$50.00, George & Eileen Denoncourt - \$200.00, Ellsworth Williams - \$30.00, Rockingham Lodge #76 - \$125.00, Car World - \$250.00, Champagne Oil, Inc. - \$100.00, and Swift Water Girl Scout Council - \$93.00. Selectman Snow motioned to accept the donations for the Candia Food Pantry. Seconded by Selectman Lazott. All in favor. Motion carried.

Purchasing Police Cruiser: Selectman Lazott stated the Police Department has one cruiser that just about junk and the other one isn't far behind. They have a cruiser now that will cost \$1,500 to \$2,000 just to keep on the road and it has 125,000 miles on it. Selectman Lazott stated the Board needed to make a decision. They have a cruiser on order for \$24,500. Selectman Lazott noted the Police Department has 82% of its operating budget left. He can't see dumping money into broken down cruisers. Selectman Kelley agreed that two cruisers are in rough shape. Chief McGillen stated he has 3 cruisers over a 100,000 miles, one cruiser at 40,000, and the SUV, which has been extremely helpful during the winter. Selectman Snow asked Chief McGillen if the Board votes to purchase a new cruiser, will he be able to take it out of his budget. Chief McGillen replied they would have to make it work and felt it was essential for his officers to have a safe vehicle. Chief McGillen noted they spent \$11,000 on maintenance last year and they only budgeted \$7,000. Selectman Snow asked Chief McGillen what his long range plan was for purchasing cruisers. Chief McGillen replied he would like to purchase one per year. *Selectman Lazott motioned to authorize Chief McGillen to purchase a new cruiser. Seconded by Selectman Duarte.* Health and Welfare Officer Hall questioned what happens when two of the cruisers die; the Board needs to support their Fire Department and Police Department. Selectman Duarte stated it's easy to say no, but they have two cruisers that could break down and this is a high priority. Chairman Kelley called for a vote. *Chairman Kelley, Selectman Lazott, Selectman Duarte, and Selectman Snow were in favor and Selectman Robie abstained. Motion carried.*

Engineer research: Selectman Duarte stated he has received some quotes and looked at three different firms. He will bring the information to the Board in a couple of weeks.

Island Road: Selectman Lazott thanked Road Agent Lewis for fixing the pothole on Island Road.

Citizen Ingrid Byrd commented that purchasing a police cruiser should have been an agenda item. Selectman Lazott stated he brought it up under the budget discussion and noted he would bring it back up later in the meeting. In addition, the room was full when he made that announcement.

Selectman Snow's Other Business items: Chairman Kelley stated he sets the agenda, so if Selectman Snow has an agenda item he needs to run it by him. Selectman Snow stated a policy or procedure needed to be written for that. * Selectman Snow mentioned that two of the charitable warrant articles got voted down (Articles 12 & 14). He felt those two will significantly affect the Town's welfare. Selectman Snow would like to see an audited annual financial report and an information return from the charitable organizations. Chairman Kelley stated they already do that. Citizen Ingrid Byrd stated asking for that information from the non-profits is a waste of time. There was further discussion on the non-profits. * Selectman Snow noted he would like to discuss ARRA funds at the next meeting. * Selectman Snow thought they should try to bring back the summer recreation program as a donation type of thing. A way they could do that is by establishing a recreation committee. Selectman Snow would like to discuss this at the next Selectmen's meeting. Chairman Kelley noted he should keep in mind the insurance cost. *Selectman Snow asked about roadside clean up from the ice storm. Road Agent Lewis stated he had met with a FEMA rep and they could not start clean up until after

April 8th. Chairman Kelley stated if Selectman Snow wanted information about other departments, he could go to the Selectmen's Rep for that department. * Selectman Snow asked if the reval contract has been signed. Chairman Kelley stated they have and it's not a full reval. * Selectman Snow stated Goodwill is now accepting computers. He would like to talk to Goodwill, see what their doing, and bring it back to the Board.

Selectman Robie asked Selectman Lazott if Building Inspector Hallock could attend some Planning Board meetings. Selectman Lazott stated he might be able to adjust his night hours and he would talk with Building Inspector Hallock about it.

Back-Up System repair: Chairman Kelley noted they have had a problem with the computer back up system. The cost to fix it is \$1,579.64 and there is money in the equipment repair line to pay for it. Selectmen's Assistant Eastman stated they were getting \$850 parts for free. Selectman Snow moved to expend the amount of \$1,579.84 to repair the computer back up system. Seconded by Selectman Lazott. All in favor. Motion carried.

Fire Chief Cartier thanked Chief McGillen and the Police Department for their services at Lenny Wilson's funeral.

Announce Next Regularly Scheduled Meeting Date: The next regularly scheduled Selectmen's meeting is April 13th at 7:00 p.m.

Selectman Lazott motioned to adjourn at 10:00 p.m. Seconded by Selectman Duarte. All were in favor.

Respectfully submitted,
Andria Hansen, Recording Secretary