

~~Unapproved~~ Approved
Candia Selectmen's Public Meeting Minutes
Monday, July 27, 2009

Attendance: Chairman Fred Kelley, Vice-Chairman Rick Lazott, Selectman Joe Duarte, Selectman Carleton Robie, Selectman Richard Snow, 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.

Round Table Discussions – The Board will address the Boards, Departments, and Committees' requested three topics in the order they were received.

Planning Board: Update other Boards on what is going on what the Planning Board has been working on. Planning Board Chair Girard was present. She explained the Planning Board has completed the impact fee regulations for transportation and solid waste. The regulations will not go into effect until October 1st. The Planning Board is working on a COCS (Cost of Community Services) study. The Conservation Commission received the grant for this. There is also an open space plan being done that is paid for by SNHPC (Southern New Hampshire Planning Commission). They put in a request for a \$10,000 CTAP grant. This will be used to update the ordinances. Chair Girard mention there was a Regional Economic and Development Committee being organized by SNHPC. They are looking for two members and Planning Board alternate Scott Komiserek and Citizen John Cole have volunteered to be on the committee. She mentioned that the Planning Board members are now receiving plans in PDF form. She noted that hard copies of the plans would be kept in the Land Use office. Chair Girard raised the issue of plans being taken out of the office. It is a rule of the Planning Board that none of the plans leave the office, because sometimes they come up short when they go to sign the plans. Chairman Kelley stated that the Local Government Center and Atty. Mayer told him that no public documents are to leave the Town Office. If anyone wants a copy of the plans they can pay for it. Selectman Lazott clarified that people are allowed to come and inspect any public documents during the office hours, but the documents are not allowed to leave the building. If people want copies of the documents they will have to pay for them. Citizen Brian Travis noted state law says you don't have to pay for copies; you can bring in camera and take pictures of the documents.

Conservation Commission: What are other boards working on and how can we help each other? Conservation Commission Chair Susan Wilderman stated she would like to give everyone an update on what the Conservation Commission has been working on. They are in the process of working on a Natural Resource Inventory (NRI) of the Town. This falls in line with the Master Plan. The Conservation Commission feels this is important because the main water shed (Lamprey River) is being watched for drinking water quality. There has been a steady rise in nitrate in the Lamprey River, which is a major concern with drinking water issues. The scientific research is showing that headwater streams are important to protecting the water quality. The Town falls within

the small order streams. They are approaching levels where the total maximum daily load (TMDL) will have to be put in place to protect water quality. What it could mean for the Town is that there will have to be mitigation. She further stated by doing a Natural Resource Inventory they will continue to gain a better understanding of what resources are there and how they can work together to protect the resources. The Conservation Commission is trying to gain a better understanding of what other Boards are working on and how we can do a better job of working together to improve the Town. Selectman Duarte questioned where they were getting their figures. Chair Wilderman replied that the University of New Hampshire's water research lab, run by Bill McDowell, has been monitoring the Lamprey River water shed for the past 15 years. They have been gathering base line data and observing the movements. This information had been presented at a Lamprey River Water Shed conference back in early June. Chair Wilderman explained there is concern for other Towns as well, especially Towns that are drinking that water. If a river is impaired they look to the headwater, that's where the pollution is coming from. The challenge is to protect the watershed and rivers. Selectman Duarte asked what the information from the State was on this. Chair Wilderman replied she would get him some information on that.

Conservation Commission member Judi Lindsey added that they would like to let the Townspeople know more about the Town owned land. She mentioned for his Eagle Scout project Ben Lewis did a parking lot at the Deerfield Forest. Judi Lindsey further stated they would like to have a binder in the office with a list of trails. They currently have a rough draft, but the information is available on line.

Betsy Kruse mentioned as part of the NRI they are also asking the wetlands scientist, who will be doing that work, to help with a proposal for designating prime wetlands. The Town will need to vote on this. They as a Commission are in charge of presenting the Town with a proposal for particular areas to be designated as prime wetlands. She expects this will have some impact on the Zoning Revision and Review Committee. At some point the Conservation Commission would go to them for input and discussion on creating some type of ordinance to protect some of those wetlands.

Heritage Commission: To speak on present projects of 1) signage and 2) long-term plans for 250th Anniversary of the incorporation of the Town of Candia? Heritage Commission Chair Diane Philbrick was present. She explained the HC is looking at a long-term focus on the Town's 250th Anniversary, which will be in the year 2013. They're looking at certain projects, which would be focused in that direction. The actual Anniversary of the Town is in December and to do a big celebration in that month is not realistic. The Heritage Commission has toyed with the idea of using the whole calendar year as a Town historical year. For every month of the year they would have some group within the Town (Scouting group, Moore School, etc.) have a special event throughout the course of the year. The Moore School is already on board and thinks it's a great idea for the 4th graders. 4th grade is the year the students study New Hampshire history. The concept would be an interdisciplinary concept. They are doing a walking tour of each of the historic settlement areas in Town. The first one they did is at the top of the hill. She noted Heritage Committee member Chris Dupere has done the artistic

work on the maps. What they intend to do is a map like the one presented for each of the settlement areas. East Candia will be the next settlement area they work on. Chair Philbrick noted that Citizen Boyd Chivers would like to see the Town get on a waiting list for the State markers. It would be a State marker for East Candia, which would be the shoe factory, the railroad depot, and the old sawmill. They would like to see an official sign for the Smyth Building now that it's been a designated historic building. Selectman Lazott thought the Heritage Committee was doing some great work. He asked about a plaque at the old common. Chair Philbrick stated she wasn't aware of one, but if there was let her know. Road Agent Lewis thought it was taken. Chairman Kelley mentioned to Chair Philbrick that she could speak with Charlie Dylun, he knows a lot about the Town's history. Chair Philbrick replied those are exactly the people they would like to talk to. Selectman Lazott mentioned that his Aunt Ethel Blickman recently donated some leather bound books from the old librarian, which could be a good source of information.

Fire Department: Fire Chief Cartier would like to discuss adequate funding for the Fire Department. Chairman Kelley stated he didn't want to discuss the budget this evening. Fire Chief Cartier replied he would like to discuss staple funding and how we should be funding the Fire Department. He explained more demands have been put on the Fire Department and there are things they will be required to do. He has been working with the Planning Board and SNHPC and looking for more information from the other Boards and Committees on where the Town is going. Selectman Duarte mentioned the Fire Department did a great job on their recent open house. He asked Fire Chief Cartier to extend his thanks to the Fire Department.

Betsy Kruse to briefly discuss her and Bill Stergios's role as town representatives to the Southern New Hampshire Planning Commission. Betsy Kruse explained she and Bill Stergios are attending meetings every month and there is a lot of information SNHPC gives out. She noted SNHPC sends a lot of emails and are increases their activities. She felt that she and Bill Stergios haven't had an opportunity to report back to the Town on a lot of this stuff. Originally they thought they should report back to the Planning Board, but some of the topics are for other committees. She mentioned the Brownfield's Grant for the old recycling center. There is a lot of information that comes out of SNHPC and she and Bill Stergios don't feel like they have a way of reporting it to the different Boards. Betsy Kruse noted they could write up a brief report and email it to someone in the Town office. She would like some direction from the Boards/Committees on what would be the best way to get the information back to Town. She asked if it would be helpful to the Boards/Committees if she emailed a brief report to the Planning Board or Selectmen. Selectmen Lazott suggested typing an updated report for the website, maybe under a section for the SNHPC. Chairman Kelley would like to see a report emailed to the main office and highlight special items. This way it will go into the Selectmen's sign folder for their review. Selectman Lazott thought that was a good idea and once the Selectmen have reviewed the update it can go to the website. Heritage Committee Chair Diane Philbrick thought it would be helpful if Betsy could flag a particular area, specifically to the Board/Committee the information is pertaining to. Betsy Kruse asked the Board if there has been any discussion on the Brownfield's Grant, because there is another round coming up. This time around they would be in a position to consider the

old recycling center as a project. She questioned if the wells were starting to show signs of leaching. Selectman Duarte replied to his knowledge the old recycling center is not a Brownfield area. Betsy Kruse replied it's a capped landfill. Selectman Duarte stated it wouldn't hurt to put in for the grant, but it wouldn't qualify. Selectman Lazott noted they don't want to do anything at the old recycling center, because if anything disturbs the cap they could be in trouble. Chairman Kelley stated they are in the process of closing the recycling center. He has been working diligently on this project. The wells are not showing anything bad. He noted they are currently monitoring 5 wells in that area. Betsy Kruse asked if there was any discussion about use of the land for anything else in the future. Chairman Kelley replied he would like to move the Cemetery Department to that area. Selectman Lazott agreed with that, because the Cemetery Department would be the least intrusive.

Chairman Kelley thanked the members of the various Boards/Committees for coming.

The Board to address 2005/2006 tax liens unredeemed and deed waivers. Tax Collector Jane Sanders was present. Selectman Lazott asked if she has received anything back regarding Cole Gravel Pit. TC Sanders stated she has received some and she copied Selectmen's Assistant Eastman on this. **Item #2:** Selectman Snow questioned whether they should take the deed to #2 (see attached). Chairman Kelley questioned if this property goes to auction would the Town's lien get paid first. TC Sanders replied that would not be part of the claim that goes to bankruptcy court, because its not part of the bankruptcy. TC Sanders explained she just got the paper work from the bankruptcy court asking to file a notice of claim and she has until November to do so. There was some discussion about the property being auctioned. Selectman Lazott stated this land is all swamp. He asked if the piece on the Bean Island side was a separate deeded piece. TC Sanders replied that piece is a third parcels individually owned. Selectman Snow asked if the piece was near the cemetery and why wouldn't the Town take the deed. TC Sanders noted it was .19 of an acre. Chairman Kelley stated it looks like there isn't a mortgage on the land. TC Sanders explained the criteria for not excepting the deed would be if it encumbers the Town in some way or if it would be a liability. Selectman Snow suggested giving him a quitclaim deed. Selectman Robie thought they should send him a letter and give him some warning. TC Sanders replied he has been sent certified letters stating the property will be deeded to the Town if he doesn't pay. Selectman Snow questioned Item #6. TC Sanders explained when she gives the deed to the Town she has to show some record of it in the software. This is how the software recognizes the forgiving of a tax. Selectman Snow asked if the owner were to come back to the Town what would he have to do. TC Sanders explained that if the owner came back to the Town he would have to pay his taxes from 2006 forward in order to get that property back. Selectman Robie asked when the letters were sent out. TC Sanders explained they were sent out in April of 2009. There was some further discussion on Item #2. Selectman Robie stated for \$162.00 they should wait it out for a while. TC Sanders stated that's just the base amount. *Selectman Robie motioned that the Board moves on to Item #3. Seconded by Selectman Lazott.* Chairman Kelley stated they should go back to Item #1. *Selectman Robie withdrew his previous motion.* **Item #1 – 843 High Street:** Chairman Kelley asked if the gentleman that owns it still lives there. TC Sanders replied

to the best of her knowledge, but she hasn't gotten any response. *Selectman Robie motioned that the park owner dispose of the trailer. TC Sanders believed someone was still living there. Selectman Snow agreed. Selectman Snow motioned that the Board sign the deed waiver. Seconded by Selectman Duarte. All were in favor. Motion carried.*

Item #2 – Bean Island Road: *Selectman Robie motioned to wait 6 months before doing anything with this deed and have TC Sanders notify the property owner. Seconded by Selectman Lazott. Selectman Snow stated why doesn't the Board sign the deed waiver form and have the TC Sanders notify the Board in 6 months and then they can reconsider. Selectman Snow motioned that the Board sign the deed waiver form and have TC Sanders report back to the Board in 6 months. Seconded by Selectman Duarte. All were in favor. Motion carried.*

Item #3 – 26 Old Manchester Road: The deed waiver form for item #3 was not signed.

Item #4 – Vacant Land: Selectman Snow stated its vacant land and thought they should wait 6 months on this item. There was discussion on the vacant land. TC Sanders stated the taxes on this land have been outstanding since 2006. *Selectman Lazott motioned to sign the waiver and have TC Sanders report back to the Board in 6 months. TC Sanders stated she would contact the Power of Attorney and have them contact the Selectmen's Office. Seconded by Selectman Robie. All were in favor. Motion carried.*

Selectman Duarte asked in the future if letters could go out to notify property owners before it goes before the Selectmen.

Item #5 – 80 Old Deerfield Road: *Selectman Snow motion to sign the deed waiver. Seconded by Selectman Robie. All were in favor. Motion carried.*

Item #6: The Board did not sign the deed waiver form.

Item #7 – 324 Raymond Road: The deed waiver form for the item #7 was not signed.

Selectman Robie to discuss YTD budget updates. Selectman Robie read from the attached report. There was some discussion in regards to the first question on expenditures. Selectman Lazott clarified if they are short because of the \$10,000 - \$20,000 veterinary bill, they can dip into the capital reserve without going through DRA because it was a court settlement. Selectman Snow stated it doesn't make sense if the Town loses the case. Selectman Robie stated if the court finds the Town unjust than they lose the case. Selectman Lazott added if the Town wins the case the Judge might not award any expenses. The Town could still be responsible for the expenses. Selectman Duarte noted the Town is going to have to pay this on the front end and then try to get reimbursed. Selectman Robie explained the budget committee was questioning how the bill would be paid if the Town received it.

2010 Budget Timelines: Selectman Robie went over upcoming budget timelines (see attached). Selectman Robie stated he would like the first budget hearing for the Board on September 26th. Road Agent Lewis explained he wouldn't be able to attend the meeting on September 26th. Selectman Robie asked him if September 19th would be better. Road Agent Lewis replied he would be able to make the September 19th meeting. Selectman Snow asked if this would be a public hearing. Selectman Lazott explained it's a public hearing with no public input. He further explained it's like a work session. Fire Chief Cartier thought once the Selectman agreed on a budget, and then they have a public hearing for public input on the proposed budget. Selectman Robie stated they have to present a budget to the Budget Committee by October 7th. Selectman Lazott stated the citizens could come to the September 28th Selectmen's meeting and give their input.

There was further discussion on the budget process and public input. Fire Chief Cartier asked when the Selectmen would like the department's budgets. Road Agent Lewis noted in the past the budgets were usually due a week to a week and a half before the meeting. Selectman Lazott motioned that the department heads submit their budgets by September 11th. Seconded by Chairman Kelley. All were in favor. Motion carried.

Approval of Previous Minutes: Public meeting minutes of 7/13/09. Selectman Lazott motioned to approve the public minutes of 7/13/09 as amended. Seconded by Selectman Duarte. All were in favor. Motion carried. * Selectman Snow provided a clarification to the 7/13/2009 Selectmen's meeting minutes (see attached).

Any Other Business:

Chairman Kelley mentioned to the Board that some of the Selectmen have been getting into their fellow Selectmen's departmental business. He asked them not to do this. If they have a problem with what the Selectman is doing then go and talk to him. Chairman Kelley stated if they still can't solve the problem then it should be brought to the whole Board. He further stated they should worry about their own departments. Selectman Lazott added in an effort to keep the cost down in the office they should reduce the amount of copies being made. The information in the sign folder is not to be copied unless it's your department. Selectman Lazott checked with the LGC and if its paperwork pertaining to your department or something to do with a legal issue dealing with your department then it's okay to obtain a copy. If it has something to do with another Selectman's department then you shouldn't be making copies of paperwork. It's a waste of time and money. Selectman Duarte stated there was a recent Planning Board meeting and there was an incident that involved Selectman Snow. He explained when the Planning Board receives a set of plans they become property of the Town and if people aren't able to attend the meeting they have the plans on file for people to review. The plans were not left on the table for people to take home. He asked politely for Selectman Snow to bring them back. Selectman Duarte stated they should make it clear that nothing is to leave the office. Chairman Kelley stated it has been handled and it won't happen again. Selectman Duarte stated it's a bad reflection on the Board when we can't work together. Selectman Robie noted if one of us has made a mistake it should be rectified immediately. Selectman Snow noted he has agreed with everything Chairman Kelley had to say regarding getting into other Selectmen's departments. When it comes to making copies it's his understanding that each one of them is responsible for anything that happens as a Selectman. Chairman Kelley replied if it's something to do with your department then you can have a copy. The sign folder is there to see what's going on with other departments. Selectman Snow stated he has a problem with that. He further stated whether it's his department or not he wants to know about it. Chairman Kelley told Selectman Snow to go to the Selectman in charge of the department if he wants more information. Selectman Robie stated it's up to the Selectman in charge of the Department if they want to share certain information. Selectman Snow noted everything should come to the Board and they need to make decisions as a Board. Selectman Snow mentioned he recently went to a Safety Committee meeting. It was discussed that the Board should be looking at a policy for bringing guns into Town Hall. Selectman Lazott stated it was superseded by the state. Selectman Snow stated

they could set a policy that says how they want it to be handled in accordance with the statute. The issue that was raised at the recent Safety Committee is that he has employees in the office that can't carry a gun. He has a problem with that; he would like the employees to have the option to carry a gun. He asked the Board how they handle this as the Board of Selectmen. Selectman Lazott replied that is a policy procedure enacted by a Board of Selectmen, which can be changed at any given time. Selectman Snow asked how do they address this as a Board. Selectman Lazott stated they can have Selectmen's Assistant Eastman draft up a policy and procedure change stating that all Town employees who are properly trained and obtain a license be allowed to carry a concealed weapon in the Town Hall.

Fire Chief Cartier mentioned that he has been nominated by the Board of Professional Engineers to serve on the NH Building Code Review Board effective last week.

Announce Next Regularly Scheduled Meeting Date: The next regularly scheduled meeting will be August 10th at 7:00 p.m.

Chairman Kelley motioned to adjourn at 8:55 p.m. Seconded by Selectman Lazott. All were in favor. Motion carried.

Respectfully submitted,
Andria Hansen, Recording Secretary