

~~Unapproved~~ Approved
Candia Selectmen's Public Meeting Minutes
Monday, October 12, 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.

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

Highway: Road Agent Lewis read from the attached report. Selectman Duarte explained that Citizen Joe Saxton of Critchett Road told him there was a problem on the road heading towards Raymond. Road Agent Lewis noted there is a culvert there he will be replacing on Thursday. Selectman Robie mentioned the Halls Mill road bond will be due at the end of this month. Road Agent Lewis replied that he has made an appointment with Stantec to meet next Tuesday at 8:00 a.m. He'll get a hold of the developer and get it taken care of. Selectman Robie asked if everything has been presented to the town, i.e. the deed, the paperwork. Road Agent Lewis noted the deed was presented last year, they can't accept it until they accept the road.

Police: Selectman Lazott read from the attached report.

Fire: Chairman Kelley noted due to the situation going on with the Fire Department, they will not be doing a departmental report this evening.

Building: Selectman Lazott read from the attached report.

Solid Waste: Selectman Duarte noted the Solid Waste Committee was looking at haulers. Chairman Kelley stated they're still looking at haulers and will be discussing further details at the next Solid Waste Committee meeting.

Parks & Cemetery: See attached.

Emergency Management Director Bob Panit to discuss grant to be used for revising the Hazardous Mitigation Plan and Emergency Plan. Emergency Management Director Panit was present. He explained to the Board that the Town was sent a form for the purposes of securing a grant. The amount of the grant would be \$6,666.66. This would allow the Town to update the Hazardous Mitigation Plan and the local Town Emergency Plan. In addition, it would allow them to use a consultant who they've used before with great success. The local Emergency Plan was updated and brought up to the proper format in March of 2004. It's recommended by FEMA to update this every 5 years. The Mitigation Plan was done 3 years ago and it would be nice to do them both at

the same time. EM Director Panit explained this is a 75% grant, so the Town is responsible for 25% of it. They can do this in one of two ways. They can do it in like funds (actual dollar figures) or do it in a soft grant format. He explained with the soft grant format the dollar figure will be assigned to each hour spent by each individual involved. It would be potentially a non-dollar item for the community. EM Director Panit explained he needed the Board's approval to do this and would need three of the Selectmen to sign the agreement. Selectman Lazott motioned that the Selectmen recommend applying for this grant. Seconded by Selectman Duarte. All were in favor. Motion carried.

Chief McGillen to discuss with the Board Trick or Treat hours. Selectman Lazott motioned to accept Chief McGillen's recommendation for the Trick or Treat hours. Seconded by Chairman Kelley. All were in favor. Motion carried.

** Trick or Treat hours will be on October 31st from 5:00 p.m. to 8:00 p.m.*

FEMA Funds: Selectman Robie noted this has to do with the winter storm and the State matching funds. The Town was sent a check in the amount of \$16,091.20, this was 12 ½ % of the cost that FEMA had estimated. This will be deposited with the \$82, 000 that FEMA had sent the Town for the storm damage. Selectman Lazott motioned to accept the reimbursement from the State. Seconded by Selectman Duarte. All were in favor. Motion carried. EM Director Panit explained it's nice to get these anticipated funds again, because several years ago the State did away with reimbursing the 12 ½ %. Selectman Robie and Selectman Lazott thanked Road Agent Lewis and EM Director Panit for all the hard work they did on this project.

Authorize Building Inspector Hallock to do Fire Inspections: Selectman Duarte read from Acting Fire Chief Davis's letter. Selectman Lazott motioned to authorize Building Inspector Hallock to perform Fire Inspections outlined in Acting Fire Chief Davis's letter. Seconded by Selectman Duarte. All were in favor. Motion carried.

Approval of Previous Minutes: Public meeting minutes of 9/19/09 and 09/28/09. Selectman Robie motioned to accept the public meeting minutes of 9/19/09 as presented. Seconded by Selectman Duarte. All were in favor. Motion carried. Selectman Robie motioned to accept the public meeting minutes of 09/28/09 as amended. Seconded by Selectman Lazott. All were in favor. Motion carried.

Recent Hazardous Waste Day: Selectman Duarte noted they recently had a successful Hazardous Waste Day. He explained they were out of the allotted money by 11:30 a.m. and might want to consider increasing the amount next year. It would be something to consider for the 2010 warrant article.

Newly appointed Tax Collector: Chairman Kelley announced that Candice Stamatelos has been appointed as the new Tax Collector. She will start on Wednesday October 14.

Any Other Business:

Discuss Bean Island Road Bridge: Selectman Snow noted Bean Island Bridge isn't properly marked and is in bad shape, his suggestion would be to close the bridge. The people who live on the other side (near Bean Island Cemetery) have access to Raymond Road. Road Agent Lewis noted they replace the signs at the bridge quite frequently and the same with the guardrails. He explained he could put up new guardrails and replace the signage, but he wouldn't recommend closing the bridge. Road Agent Lewis further explained it's another access to all of those houses. It's very congested there and he would hate to see the bridge close. He noted if something was to happen at the other end it should stay open. Someday they can look at replacing it. Selectman Snow asked if the Town would be responsible for replacing the bridge and could we get any state aid. Road Agent Lewis replied they probably could. Selectman Snow asked how much it would cost to replace it. Road Agent Lewis replied that he would have to look into it.

Selectman Snow to discuss Southeast Watershed Alliance: Selectman Snow stated he was unable to attend the Southeast Watershed Alliance meeting. He explained the proposed management that is going to take place, when the state comes around to doing it, would impact Candia. They are asking the Town to join them and he would strongly suggest they formally join the organization and they appoint a representative to it. Chairman Kelley asked if the Conservation Commission was involved in this. Selectman Snow stated he can bring it up to them and have their recommendation by the next Selectmen's meeting. Chairman Kelley stated he would like Selectman Snow to present this to the Conservation Committee.

Rudy Cartier addresses the Board: Mr. Cartier explained when he returned from his vacation on Sunday he had received a letter from Atty. Mayer. The letter was dealing with the Selectmen's decision to request his leave of absence (with two conditions). The first condition was he would not return to the Fire Department for any reason and the second condition was he returned all files and equipment to the Town. He explained that he didn't return the files to the Fire Department and he was entrusting them with the Selectmen. He noted that he has returned thousands of dollars worth of equipment. In addition, he has returned all files and records and some need to be addressed immediately. Chairman Kelley explained that they would make sure that Acting Fire Chief Davis would get the equipment and files. Citizen Judy Szot urged the Board to carefully read the information that the County Attorney had provided them and to not just read the summary of information. She noted the summary did not match the documents. She reiterated that she would urge the Board to carefully read the report and to think about who got the charges and why the charges were brought about. Judy Szot further noted they should think about whether or not there is a grudge involved with these allegations. She felt that Mr. Cartier's reputation has been irreparably damaged and irrespective of what happened with this investigation the two newspaper articles are there forever. These articles are irretrievably attached to his name. She would hope that as Selectmen they will look at every thing in the reports and if the charges are founded then they act appropriately. If the charges are unfounded the Selectmen should do everything they can to repair this man's good name. Citizen Bill Stergios of Currier Road stated he read the letter to the Selectmen and the brief summary, but he didn't see report anywhere. He didn't see it on the Town website. He called the Union Leader and they didn't have

it. He noted after he checked a few sources he was unable to get the report and felt it was pretty important to get that information. Chairman Kelley referred Bill Stergios to the County Attorney's office and they would be able to give him the information. Bill Stergios felt the report should be made available and Mr. Cartier's reputation has been damaged. Selectman Snow noted all of this information is public information now. Selectman Lazott stated this is not the way the Board wanted this to transpire. They wanted to give Mr. Cartier the opportunity to come back and speak with them without this being in the press, but it didn't happen that way. Chairman Kelley stated the Board has done what the Town Attorney has told them to do. He further stated Mr. Cartier has the opportunity to meet with the Town Attorney to discuss this further. Bill Stergios stated he would like to review the report. Chairman Kelley again referred him to the County Attorney's Office. Citizen John Penfield asked if the DVD and the CD would be made available to the public through the Selectmen's Office. Chairman Kelley explained the Selectmen's Office didn't have the equipment to make copies of the DVD and CD. Mr. Penfield asked if he could bring his equipment in to review it. Chairman Kelley replied they would have to check with their Town Attorney first. Citizen Beverly Wright of 307 High Street asked if the Selectmen brought this on. Chairman Kelley stated the County Attorney and State Fire Marshall's Office initiated the investigation. Citizen John Penfield asked who brought it to them. Chairman Kelley replied they couldn't answer that, because they don't know. Citizen Kerry Johnson asked if the Board had any further plans of investigating this, because what she read in the paper was vague and this situation wasn't just about Mr. Cartier. Chairman Kelley replied that hasn't been decided yet. Selectman Duarte noted that Acting Fire Chief Davis is speaking to the members of the Fire Department and trying to decide what his next step is. He will be bringing that information back to the Board. Selectman Lazott read the official press release (see attached). Citizen Jake Robie of Merrill Road suggested that all five Selectmen go through the property (Mr. Cartier returned to the Town) and have a witness sign off on it. Chairman Kelley stated they would do that. Mr. Cartier noted he has not been offered a copy of any of the reports. His response letter addressed to the Board was on the allegations he had heard. Citizen Beverly Wright just couldn't understand how Mr. Cartier could be accused of such a thing that he has no control over. She understood the Selectmen were in the middle, but what was Mr. Cartier's recourse. Citizen Boyd Chivers noted he came to the meeting just knowing what he read in the newspaper, but it seems this case has gone pretty far based on someone's allegations and a report that not everyone has read. He further noted Mr. Cartier has been publicly disgraced on the basis of what could be unfounded allegations. He questioned where the due process was regarding his reputation. He thought his leave of absence was like being fired without a real good explanation. Citizen Boyd Chivers felt Mr. Cartier's reputation has been disgraced and his rights have been trampled. Chairman Kelley noted the County Attorney's Office released this information to the paper. Citizen Boyd Chivers replied the honorable thing to do would have been to ask Mr. Cartier to step down until all of the facts were known. Chairman Kelley explained they sat down with the Town Attorney and went over all of the information. Citizen Boyd Chivers questioned if Mr. Cartier was given the chance to defend himself. Mr. Cartier replied that he was not given the opportunity. Chairman Kelley explained that is why they granted Mr. Cartier his leave of absence, so he would have time to review this stuff. Citizen Boyd Chivers thought Mr.

Cartier had the capacity to continue as the Chief while the allegations were being investigated and there wasn't any basis to them. Citizen Fletcher Perkins felt it would be hard for Mr. Cartier to continue as Chief during these investigations. He felt the Selectmen did the best thing possible for the Town and they still have an actively working Fire Department during this investigation. In addition, he felt it was the honorable thing for Mr. Cartier to do during this investigation and he'll have the chance to clear things up. Mr. Cartier clarified he received a call from Chief McGillen on Thursday night (when he was in Florida) and he informed him that there was an issue involving him and the Fire Department. He noted that Chief McGillen was instructed by the Board to call him and to inform him of what was going on which he appreciated. Mr. Cartier explained he was told if he didn't get in touch with the Selectmen by 10:00 he would be terminated. He told Chairman Kelley he needed time, because he didn't know what the allegations were. The Board has put him between a rock and a hard place and he didn't hold them responsible. Mr. Cartier stated his reputation was irreparably damaged and there was no question about it. He noted he has spent the last 26 years in fire service and the past 5 years as chief. He further noted he was concerned about the reputation of the Fire Department, because they've built a phenomenal cadre of people at the department. He wants the Firefighters to hold their heads up high during this crisis. He hasn't decided what he wants to do, he may decide to resign or retire. He still has a couple of years in which he has things he would like to accomplish. Mr. Cartier stated his ultimate goal is that Fire Department keeps the reputation it has built up over the years.

Selectman Robie motioned to adjourned at 8:00 p.m. Seconded by Selectman Lazott. All were in favor.

Respectfully submitted,
Andria Hansen, Recording Secretary