

~~Unapproved~~ Approved
Candia Selectmen's Public Meeting Minutes
Monday, December 7, 2009

Attendance: Chairman Fred Kelley, Vice-Chair 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 reports.

Police: Selectman Lazott read from the attached report.

Fire: Fire Chief Davis noted they had 26 calls this month. They had a couple of guys complete a Firefighter II course. Selectman Duarte noted that things seem to be running well at the department. Chairman Kelley asked about the egress door in the building next to Lars. Fire Chief Davis explained that he hasn't heard anything about it, but would check with Building Inspector Hallock. He further explained there have been quite a few issues with that building.

Building: Selectman Lazott read from the attached report. He mentioned they have received the test results from the water test done in the Town Office and it came back clean and acceptable. Selectman Snow noted he would like to do another water test in the park bathrooms.

Solid Waste: Selectman Duarte read from the attached report. Selectman Duarte noted he would like to have a report done starting the first of the year showing the difference in prices on recyclables. Selectman Duarte explained they received about \$12,000 in recycling fees for the months of August, September, and October. It was mentioned that the tires have been replaced on the loader.

Cemetery/Parks and Rec: Selectman Snow provided the Board with reports (see attached).

The Conservation Commission to present a proposal for an easement on the Sieminski property. Selectman Snow explained they would not be talking about the Sieminski property this evening, but Conservation Commission Chair Susan Wilderman would be discussing the conservation easement process. She provided the Board with a copy of the conservation easement process and procedures (see attached). CC Chair Wilderman explained the conservation easement process is broken down into five steps. The first step is initial inquiry. At this point some of the Conservation Commission

members walk the property. The owners of the property will come to the Conservation Commission and let them know what they are hoping to do. The Conservation Commission then will make a decision on whether or not to move forward with the easement and inform the property owners within 60 days. If they decide to move forward they will bring the proposal to the Selectmen. The next step would be the initial BOS project review. CC Chair Wilderman noted the whole purpose is work with the Selectmen as a team and to be on the same page. In addition, this would be a good time for the Selectmen to bring any questions up. The third step is moving forward with a proposal. This is when they determine the value of the land, which would be done by a qualified appraiser. The forth step is formal easement negotiations. At this point they will find an easement holder to help with that process. A copy of the draft easement language would be given to the Selectmen for review. She noted that additional property studies might have to be done at this point. The last step would be the formal easement acceptance. Selectman Duarte felt the procedures were well written and they should be on the website. Chairman Kelley thought these procedures helped clarify what both Boards were trying to accomplish. CC Chair Wilderman noted the Sieminski property is still at step one. Selectman Lazott stated that if the tax payers' money is going to be used to purchase a conservation easement, there should be a stipulation in the easement stating the land can be used for recreational use. He noted the Mrs. Sieminski was currently not allowing residents to hunt on her land, but if the land goes into an easement that should change. CC Chair Wilderman replied one of the ways to manage conservation land is to be able to use it for recreational use and noted Selectman Lazott's point was valid. Chairman Kelley thanked CC Chair Wilderman for her presentation.

Selectmen to discuss encumbering funds. Selectman Robie noted the department heads have been doing a good job with not over expending their budgets. He further noted there were a few things in the 2010 proposed budget that they may be able to encumber out of this years budget (see attached). It looks like there will be approximately \$100,000 in the budget. He noted they are trying to cover winter expenses through this budget without using the \$75,000 warrant article. Selectman Lazott stated he didn't agree with this. Selectman Robie replied he didn't have to agree with it, but they are going to discuss it. He continued to explain there are a few things they need and a few they don't need in the 2010 budget. For example, a cruiser, computers for the office, a battery back up, and BMSI training for new employee Donna Becker. If they were interested in encumbering these items in the 2009 budget and taking them out in the 2010 budget, it would be 2% of the 2010 budget. The Selectmen were 4% high and the Budget Committee is sticking to there plan to level fund the budget. Selectman Robie mentioned a few more items, which were the server upgrade for \$1,425, and a new 2010 contract with a new IT company for \$7,200. This would be a total of \$52,125 for encumbered items. Selectman Robie mentioned that a culvert needed to be replaced on New Boston Road. He thought there was about \$125,000 left in the budget. Selectman Lazott asked what other items have they held off on. In addition, he would like to talk with Chief McGillen to see what items he has been holding off on. He felt the Building Department was fine. Selectman Robie felt the department heads have done what the Selectmen have asked them to do all year. Selectman Lazott stated they usually have year-end items. Selectman Robie stated it comes down to wants and needs and if you haven't bought it

(by year end) you didn't need it. Selectman Lazott noted Chief McGillen usually waits to until the end of the year to buy his ammunition. He also noted that Chief McGillen was holding off on some electronic items as well. Selectman Duarte mentioned that they might be able to move money around from the Recycling Centers budget. Selectman Robie mentioned that he was not in favor of a new cruiser in the 2010 budget. He noted the budget committee moved money into the maintenance line and took out the new cruiser. Selectman Lazott stated they definitely need a new cruiser. Selectman Robie noted the budget committee would present there recommended budget on December 9th. He will provide the Selectmen a copy of the recommended budget the week of the December 14th. Selectman Lazott felt they shouldn't be taking money out of the operating budget for winter maintenance when they have a \$75,000 warrant article for it. The citizens voted for it and if anything is left over it will go to the general fund. Its easier to track if it comes out of the warrant article. Road Agent Lewis explained when they wrote that warrant article it was meant to do two things. The purpose was to not stave the highway department in summer and when they exhaust the winter maintenance line the warrant article would kick in regardless of what was left in the Town's budget. Road Agent Lewis further explained when his budget reaches \$111,000 they should have started using the warrant article. He noted that his budget shows he is \$27,000 over, but they should be \$27,000 into the warrant article. Selectman Robie mentioned that if the budget passed the way they presented it Road Agent Lewis's budget wouldn't have been overspent. Selectman Robie stated it's the Selectmen's job to manage the budget and it was stated in the Auditor's report. Selectman Duarte felt they needed to work as a group not individually. Selectman Robie noted that's why he brings the information back to the Board. *Selectman Lazott motioned that any future money needed for Candia's winter road maintenance comes out of the winter maintenance fund. Seconded by Selectman Duarte.* Chairman Kelley felt they should wait and see where they at on December 21st. Selectman Lazott thought Road Agent Lewis should be using the winter maintenance fund, because that's what it was designed for. There was some discussion about the default budget. Road Agent Lewis stated if they keep under funding the winter maintenance line and the warrant article doesn't pass they could be in big trouble. Selectman Duarte felt the community would continue to vote yes on that warrant article. Road Agent Lewis noted if they consistently use that money every year people might start to question it. The DRA suggested that if the warrant article is submitted three years in a row, they would like to see that amount added to the budget. Selectman Robie stated they were trying not to use it this year. Selectman Lazott replied by not using it your giving the citizens a false sense of security, because their taking money from somewhere else in the budget. If they show they have using money out of the winter maintenance fund on a yearly basis the citizens will have a better idea. Selectman Robie felt the citizens would always vote yes on the winter warrant article. Selectman Lazott noted whatever money isn't used will go back to the general fund. Selectman Robie stated they are just talking about encumbering 2% of the budget for wants and needs. Chairman Kelley replied most of the encumbered items are needs. There was further discussion about the encumbered items. Chairman Kelley felt they should discuss the encumbered items at the December 21st Selectmen's meeting. Selectman Snow would like the option to have a meeting on December 28th if necessary. Chairman Kelley thought that would be fine.

Selectman Snow to give update on Thibeault Sand & Gravel. Selectman Snow recently attended the public hearing and presented the Raymond Planning Board with a list of concerns from the Town of Candia. He met with Atty. Matt Serge who put together a five-page report of a request of findings and facts. It lays out all of the issues that were addressed by the Town and abutters regarding the Thibeault application (see attached). Selectman Snow felt this would go to court no matter what the Raymond Planning Board's decision is. Selectman Robie asked Selectman Snow how much this was going to cost the Town in legal fees. Selectman Snow noted he put a lot of work into this and didn't charge the Town anything. He would have to look into how much it cost for the legal consultations and court time.

Approval of Previous Minutes: Public meeting minutes of 10/9/09, 10/26/09, 11/9/09, 11/23/09, and the non-public meeting minutes of 10/5/09 and 10/8/09. Selectman Lazott motion to accept the public meeting minutes of 10/9/09, 11/9/09, and 11/23/09. Seconded by Chairman Kelley. All were in favor. Motion carried. Chairman Kelley motioned to accept the public meeting minutes of 10/26/09. Seconded by Selectman Duarte. Chairman Kelley, Selectman Robie, Selectman Duarte, and Selectman Snow were in favor. Selectman Lazott abstained. Motion carried. Selectman Lazott motioned to accept the non-public meeting minutes of 10/5/09. Seconded by Chairman Kelley. All were in favor. Motion carried. Selectman Lazott motioned to accept the non-public meeting minutes of 10/8/09. Seconded by Chairman Kelley. Chairman Kelley, Selectman Duarte, Selectman Snow, and Selectman Lazott were in favor. Selectman Robie abstained. Motion carried.

Other Business:

Warrant Articles to be submitted by Selectman Snow: Selectman Snow presented the Board with warrant articles he felt were important and would like their feedback (see attached). He noted every warrant article that he would like to submit is intended to reduce the operating budget. The Board reviewed each warrant article. **Warrant Article 101:** The majority of the Board was not in favor of Warrant Article 101. **Warrant Article 102:** The majority of the Board was not in favor of Warrant Article 102. **Warrant Article 103:** The Board would like to get information from the LGC to see if this warrant article would help the Town. **Warrant Article 104:** The Board agreed with Warrant Article 104. **Warrant Article 105:** The majority of the Board was not in favor of Warrant Article 105.

Selectman Snow noted the Southeast Watershed Association is meeting December 14th and he will be attending.

Selectman Robie asked about the ground water testing that was discussed at a recent Planning Board meeting. Selectman Duarte replied they discussed the Ground Water Protection Act and Planning Board will be voting on it. Selectman Robie asked for copies of all the information regarding this. Selectman Duarte explained it to protect well heads in Town and main water supplies to make sure there is no pollution.

Selectman Snow noted that he would be doing a water test in Moore Park bathrooms next year. It will be free (from Izzy). Selectman Lazott replied that test should be done by Nelson Labs. Selectman Snow stated that would be fine.

Selectman Robie asked Selectman Snow if anything has been done with the generator. Selectman Snow replied he has been working on this and has a good idea on what needs to happen. He would like to see a copy of the estimate and proceed with the process. Selectman Snow noted he has taken pictures and looked at the wires down in the basement. Chairman Kelley stated the biggest problem is not the wiring; it's whether the generator can run the whole building. Selectman Robie stated his proposal is for the electrician to come in and test load everything and find out where we are at. If possible hook everything in. Selectman Duarte felt that generator had the capability to run the building. Selectman Snow would be working on this issue.

Chairman Kelley motioned to adjourn at 8:30 p.m.

Respectfully submitted,
Andria Hansen, Recording Secretary