

~~Unapproved~~ Approved
Candia Selectmen's Public Meeting Minutes
Monday, January 11, 2010

Attendance: Chairman Fred Kelley, Vice-Chair 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.

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

Highway: Road Agent Lewis read from the attached report. He noted some work has been done on Bean Island Bridge.

Fire: Selectman Duarte updated the Board on the progress of the Fire Department. He very pleased with what has taken place at the department. He thought Fire Chief Young is doing a very good job. Selectman Snow mentioned he recently received a call regarding the Durgin house and what was happening with it and who owns it. Selectman Lazott thought it was in the hands of the insurance company and the family right now.

Building: Selectman Lazott read from the attached report.

Police: Chief McGillen read from the attached report. He noted there was a fatal crash last month and thanked Road Agent Lewis for spreading some sand and salt even though it was a state road. Chief McGillen mentioned that he received a complaint from a resident who was trying to get a petition signed at the Recycling Center and was told to leave. Chairman Kelley stated there was a policy which states there will be no campaigning in the Recycling Center, but in the cul-de-sac is fine. Chief McGillen noted the law says the Selectmen enforce the ordinance. He noted Facility Operator Whitcher asked the citizen to leave and if they didn't the police have to get involved. Selectman Lazott confirmed that the Board definitely made a policy and thought this issue started at the old recycling center. Chief McGillen also mentioned that he received information from the Hooksett PD regarding day time burglaries on High Street. He will be putting information up on the Town website. Chief McGillen noted there was a fire on Pine Ridge Drive this afternoon and everyone got out okay. Selectman Robie asked if the smoke detectors were working. Chief McGillen replied they were not. Selectman Robie noted that people should check their batteries and the Fire Department was still giving out free smoke detectors if residents were in need of them.

Solid Waste: Selectman Duarte noted the Recycling Center employees continue to do a good job. He noted the residents have gotten better about recycling. Selectman Duarte read from the attached report and noted the Recycling Center brought in approximately

\$12,000 in revenue from recyclables. Selectman Robie mentioned that it would be nice to see a quarterly report with the revenues from recyclables.

Cemetery/Parks and Rec: Selectman Snow provided the Board with reports (see attached). He noted that CYAA offered the use of their facility for the summer rec program. Selectman Snow mentioned that he hasn't seen a whole lot interest for the program.

The Board to have preliminary discussions on the proposed warrant articles. The Board was provided with a list of proposed warrant articles. The first proposed warrant article was the **Operating Budget**. Selectman Robie thanked all of the department heads for their effort to maintain their 2009 budget. This includes all department heads, employees, elected officials and the Selectmen as well. The Budget Committee has worked very hard on the 2010 budget and they have made their recommendation. Selectman Robie noted \$91,536 was not expended from the 2009 budget. He further noted that he would like to level fund the 2010 budget with support of the Board. The Budget Committee has recommended a budget that is \$32,000 under level funded. Selectman Robie stated the he supports a level funded budget. He felt this wasn't an outstanding number and it would have little impact on the resident's taxes. He further stated they were able to turn money back into the budget this year and thought they would be able to do it next year provided there weren't any major catastrophes or storms. Selectman Robie recommended that the Selectmen approve an operating budget of \$2,355,410. Selectman Lazott stated if this was the budget the Selectmen would be presenting at the deliberative session, he would go along with it. Selectman Duarte commented that the Budget Committee did a good job and hoped they would go along with certain items. Selectman Robie stated the Budget Committee would recommend their budget and the Selectmen will recommend a level funded budget. Selectman Duarte stated that he would go along with that. Selectman Snow noted that he hadn't had a chance to review the budget. Chairman Kelley replied that he was given a copy of the budget and it was in his folder. Selectman Robie stated this budget is similar to what they have been discussing (during the past couple of months). Selectman Snow questioned if the Trustees of the Trust Funds postage was changed to \$44.00. Selectman Robie replied as long as there is money in the departmental budget, the department heads can move money around. Once the line is expended they can come to the Select Board and they can adjust it. Selectman Robie asked Selectman Snow if he was in favor of level funding the budget. Selectman Robie motioned to accept the budget at \$2,355,410 and send to the deliberative session. Seconded by Selectman Lazott. Chairman Kelley, Selectman Lazott, Selectman Robie, and Selectman Duarte were in favor. Selectman Snow was opposed. Motion carried on a vote of 4 to 1. The Board continued to go over the warrant articles. **B. Town Office Building Maintenance Trust Fund (\$10,000):** It was the consensus of the Board to send the warrant article to the Budget Committee and further discuss it at the January 15th meeting. Selectman Snow asked if they were just discussing the concept of the warrant articles. Selectman Lazott replied yes. Selectman Robie asked why the Board was discussing them now. Selectmen's Assistant Eastman replied they have to go to the Budget Committee on Wednesday (for their public hearing) and wanted the Board to review them beforehand. Selectman Robie motioned to review

Warrant Article B on Friday. **C. Sell and convey the Exit 3 property as a retail center:** Selectman Lazott explained the change is from a grocery store to a retail center. They have tried to sell the piece of land as a grocery store for as long as they possible could. Citizen Amanda Soares stated that changing the definition would probably help. Selectman Lazott added it would be nice to get the citizens input on this (at the deliberative session). Chairman Kelley noted it would be zoned light industrial. **D. Mosquito control program (\$38,000) and E. Road mosquito spraying (\$20,000):** Selectman Lazott explained this is for the dunks for early in the season. He would like to go along with this and skip the road spraying. The dunks will take care of the problem early in the season. Selectman Duarte asked why the numbers were so high. Selectman Lazott replied the numbers reflect everything from the dunks to the spraying. He noted Health Officer Hallock has all the numbers on this. Selectman Robie stated you will never get all of the mosquitoes in Candia. He was not in favor spending \$38,000, but was in favor of spending \$20,000 to spray the park and the school like they did last fall. Citizen Ingrid Byrd asked what areas of town the dunks would go. Selectman Lazott replied all over town, it would be widespread. Citizen Ingrid Byrd stated there is more standing water in town than they would ever be able to reach. Selectman Lazott agreed they wouldn't reach everywhere, but its part of a plan and once they start it they may be able to get partial reimbursement. This is the reason why they went with a designated plan. Selectman Lazott noted this is still ultimately decided by the towns' people. Citizen Ingrid Byrd noted if they spray the areas like they did last year (playground, school, etc.) that would be fine. She felt private homes are a matter of personal responsibility. They should not be spending money to cover the whole town. Selectman Robie confirmed that the Board would send both of these warrant articles to the Budget Committee. Citizen Ingrid Byrd asked if the Board was going to be taking a vote on whether they were going to recommend or not recommend these articles. Chairman Kelley stated they would be having a meeting on Friday at 1:00 p.m. to discuss warrant articles. Selectman Robie clarified the Budget Committee would be discussing these on Wednesday evening and the Selectmen would meet on Friday. **F. Smyth Public Library (\$125,955):** It was the consensus of the Board to send this warrant article to the Budget Committee. **G. Household Hazardous Waste Day (\$10,000):** It was the consensus of the Board to send this warrant article to the Budget Committee. **H. Candia Youth Athletic Association (\$24,000):** It was the consensus of the Board to send this warrant article to the Budget Committee. **I. Winter Road Maintenance (\$75,000):** It was the consensus of the Board to send this warrant article to the Budget Committee. **J. CRF for future reval (\$15,000):** Chairman Kelley explained 5 years from now the town has to do a total reval. The cost will be over \$100,000. It's better for the citizens to put away \$20,000 per year, so in five years they will have enough to do the reval, instead of asking for \$100,000 in one year. Selectmen's Assistant Eastman explained the town just had a statistical update, but in five years they will need a total reval. Selectman Robie suggested increasing the amount from \$15,000 to \$20,000 and sending it to the Budget Committee. **K. American Red Cross (\$1,400), L. Aids Response (\$700), M. CASA (\$500), N. Lamprey Health Care (\$4,020), O. Rockingham County and Meals on Wheels (\$669), P. Child Advocacy Center of Rockingham County (\$1,000), Q. Visiting Nurse (\$3,828), R. Area Homecare and Family Services (\$1,400) S. Rockingham County Community Action (\$6,807), T. Seacoast Hospice (\$500), U.**

Retired and Senior Volunteer (\$225): It was the consensus of the Board to send warrant articles K-U to the Budget Committee. **V. Establish an Old Smyth Public Library Study Committee:** Selectman Lazott clarified the details as to who will make up the Study Committee will be decided by the Selectmen. Chairman Kelley and Selectman Robie agreed. It was the consensus of the Board to send this warrant article to the Budget Committee. **W. Lifepak-15 Cardiac Monitor/Defibrillator (\$35,000):** It was noted that the monitor/defibrillator the Fire Department currently has will be non-serviceable after April. It was the consensus of the Board to send this warrant article to the Budget Committee. **X. Set up Special Detail Revolving Fund:** Chairman Kelley stated this warrant article would be discussed further on Friday. Selectman Robie noted he would like some more detail on this, so he can explain it to the Budget Committee. Selectmen's Assistant Eastman noted she does have the information on this warrant article. Selectman Lazott felt this warrant article should come from the Selectmen and not as a petition. Chief McGillen mentioned that the town attorney did recommend this. He explained it would be set up as a revolving account. The excess money in the fund could be used for a purchase of a vehicle or police equipment, the purpose would be so that they wouldn't have to appropriate money. If it passes it would be a onetime thing and once it's in place it would be set up as a revolving account. Chief McGillen noted that other towns are doing it such as Deerfield, Auburn, Salem, and Raymond. Selectman Lazott added the town would no longer have to appropriate the matching money for the police details with a revolving fund. Chief McGillen reiterated the town attorney advised and recommended this. It was the consensus of the Board to send this warrant article to the Budget Committee. **Y. Fire Department paid compensation system:** Selectman Robie thought they should look at the wording of the warrant article. It was consensus of the Board to send this warrant article to the Budget Committee and discuss it further on Friday. **Z. Reconstruction on Patten Hill Road (\$150,000):** Chairman Kelley asked if this was close to being finished. Road Agent Lewis replied it would be about two more years until they finished it. It was the consensus of the Board to send this warrant article to the Budget Committee. **Petition Warrant Articles: AA. Decrease the Selectmen Board to 3 members and a Swap Shop for Recycling Center (\$15,000).** This warrant articles will go to the Budget Committee for their review. Selectman Robie asked for a total on the warrant articles. Selectmen's Assistant Eastman gave a rough total of \$2,902,748.

Selectman Snow went over the petition warrant articles he would be submitting (see attached). Selectman Robie questioned why there was a petition warrant article for the special detail revolving fund, since there was a warrant article for it. Selectman Snow replied when he brought this to the Board before they said they weren't interested in it. There was some discussion about a Recycling Center Revolving fund. Selectman Duarte noted that any money that's left over from the Recycling Centers budget goes into the general fund, this petition warrant article wouldn't allow that. Selectman Lazott felt the revenue should go back into the general fund. Selectman Snow noted they may be told by the auditors that the money they receive for old home day, mosquito spraying, and welfare department (food pantry) would have to go back into the general fund. Selectman Lazott disagreed with the petition warrant articles and felt all he was doing was creating another level of bureaucracy to muddy the waters. Chairman Kelley asked

where Selectman Snow was getting his information from. Selectman Snow replied the Attorney General's Office. He noted that he attends meetings at the Attorney General's Office every year. Selectmen's Assistant Eastman explained that she broke out those funds into separate accounts last year upon the auditor's advice. She noted in the past they were included in the general fund. Chairman Kelley question why they were changing things when the system has been working fine. He would prefer to go by the advice of the auditors. Selectman Snow suggested the Board consider this petition warrant article on Friday. Citizen Ingrid Byrd asked if the Board would be putting their recommendation on these articles. Chairman Kelley replied the warrant articles would reflect whether the Board recommends or not recommends. Selectman Lazott questioned petition warrant article 105 (see attached). He reiterated that Selectman Snow was trying to create another layer of bureaucracy. He noted the Selectmen are the trustees of the cemetery and have a departmental budget. Selectman Lazott questioned why they would elect three people to do what the Selectmen are already doing. Selectman Robie noted they current don't have a Superintendant of Cemeteries. Selectman Snow explained this would be to replace the Cemetery of Trustees with three people who are solely responsible for the cemetery as opposed to the Selectmen. Selectman Lazott stated the Selectmen are responsible for the budget. Selectman Snow replied the Cemetery of Trustees would present a budget. Selectman Snow asked if the Boy Scouts would be distributing the Town Report. Chairman Kelley confirmed that they would be distributing it.

Town Report Dedication: Chairman Kelley mentioned a few people he would like in the dedication page. Some people Chairman Kelley suggested were Lenny Wilson (former Fire Chief), Mary Hall (Health/Welfare Director), and Richard Anderson (Superintendent of Cemeteries). Chairman Kelley suggested having all three dedications on one page. Selectman Snow felt they should keep it to one page. It was decided to have all three dedications on one page. Selectman Snow thought a picture with the dedication would be nice.

Copying policy: Selectman Kelley felt the Board needed to make a policy on photo copying papers out of the Selectmen's sign folder. The paperwork in the Selectmen's sign folder should not leave the office. *Chairman Kelley motioned to make a policy that no photo copies should be made out of the Selectmen's sign folder.* Selectman Robie noted they have talked about this issue many times. *Seconded by Selectman Lazott.* Selectman Snow stated he would not agree to this and wanted to see a policy and procedure first. If they were to establish a policy it would have to be legally enforceable. Someone would have to be responsible for stamping confidential paperwork. Selectman Robie stated until the paperwork has been signed off by all five Selectmen it should not be copied and it should not leave the building. Once it's signed off on it is then a public document, unless it's confidential. Selectman Lazott thought they should get an opinion from LGC. Chairman Kelley was worried that some information could get into the wrong hands. Selectman Snow mentioned the right to know law and it should be clearly defined what shouldn't be copied. It was decided that the Board would get an opinion from LGC.

The Board to review flyer for the Planning Board's proposed zoning ordinance:

Selectman Duarte explained the flyer was regarding ground water protection district. He noted they tried to come up with something simple enough, so the residents could understand it. Selectman Duarte would like to have the flyers at the deliberative session and available on voting day. Planning Board member Amanda Soares explained that they are providing the flyers so the residents won't be confused. She noted they wouldn't be handing out the flyers on voting day, but leave them out on a table for people to take. It was the consensus of the Board to allow the Planning Board to hand out the flyers.

Generator issue: Chairman Kelley felt they should hire the electrician that Selectman Robie recommended last March and get the problem fixed. Chairman Kelley motioned to hire electrician Mike Green to fix the problem with the generator. Seconded by Selectman Lazott. Selectman Snow felt this would not solve the problem. He explained the wiring downstairs is in four different places. There are two main breakers and one has a branch switch coming off of it. It was changed to a three phase. Selectman Snow explained there isn't a disconnect switch. He continued to explain how the generator should have been hooked up. He mentioned that not all of the circuits in the building are connected to what the generator is connected to. The other problem is that the UPS unit was hooked up to this. Selectman Robie noted there is only a 200 amp transfer switch and they need 200 more amps and make one main. Selectman Snow noted the disconnect is what limits it to 200 amps. Selectman Snow would like an inventory of what we are doing in the building and then he can determine how much electricity we need. Once they have done that then they can decide if the generator is big enough. Selectman Robie stated they discussed this issue a year ago and nothing has been done about it. After further discussion they Board decided to table this discussion until the next Selectmen's meeting.

New Recycling Center employee's hours: Chairman Kelley explained the Recycling Center is open for 7 hours not 6 on Sundays. They hired the new employee for 6 hours on Sundays and Facility Operator Whitcher would like to change it to 7 hours. Chairman Kelley agreed with Facility Operator Whitcher's request. Chairman Kelley motioned to change the new recycling center employee's hours from 6 hours on Sundays to 7 hours. Seconded by Selectman Lazott. All were in favor. Motion carried.

Approval of Previous Minutes: Public meeting minutes of 12/21/09 and 12/28/09.

Selectman Snow stated he had some issues with the context of the minutes. Selectman Robie stated he made some comments regarding Thibeault Sand and Gravel regarding the letter sent to the Raymond Planning Board. He felt they should discuss this at the next Selectmen's meeting. Selectman Snow asked which comments was he talking about. He referred to the 12/21/09 minutes and read "Selectman Robie replied this is something that got away from us." Selectman Snow felt that nothing got away from the Board and didn't want the minutes to reflect that. He asked if this statement was correct. Selectman Robie replied it was correct. Selectman Snow asked what he meant by "us". Selectman Robie replied the Select Board. Selectman Snow stated he categorically denies anything got away from "us". He didn't believe it was anything done by the Board and didn't feel anything got away from the Board. Selectman Snow further stated that Selectman Robie

should have said it got away from “me” or “both of us”. Selectman Robie replied he agreed with his statement and felt this issue did get away from the Board. Citizen Ingrid Byrd stated if that’s what Selectman Robie said than that’s what goes in the minutes. You can record that Selectman Snow objects (to the 12/21/09 minutes) in these set of minutes, but you can’t amend the minutes for something that wasn’t said. Selectman Snow stated that he didn’t want to change the minutes. He was suggesting that Selectman Robie was not speaking for the Board and he wanted it to be reflected in these meeting minutes. Selectman Lazott felt the minutes were pretty much accurate. Selectman Lazott motioned to accept the meeting minutes of 12/21/09. Seconded by Chairman Kelley. All were in favor. Motion carried. *Selectman Lazott motioned to accept the meeting minutes of 12/28/09 as presented. Seconded by Chairman Kelley. Selectman Snow seconded for discussion.* Selectman Snow wanted to see the minutes of when it was decided to purchase new computers. Selectman Lazott stated he wasn’t sure if there was an actual motion, but it was the consensus of the Board to let Chairman Kelley get quotes to replace the computers. They whittled it to three and they decided on one company. Selectmen’s Assistant Eastman stated the night the Selectmen decided to do this was the night they encumbered the funds. She explained throughout the budgeting process it was in the plans to get the new computer. Selectman Lazott stated it was decided months ago to get new computers. Selectman Snow stated he still wanted to see the minutes.

There was some discussion about the backup batteries. Selectman Snow felt it was expensive. Selectman Robie replied if Selectman Snow had somewhere cheaper to get the batteries, he should have come to the Board before they encumbered the funds. Selectman Snow stated the information was brought to the Board on December 28th and he has a problem with the ways things are brought to the Board. Selectman Snow brought up the employee insurance for an example. He felt he didn’t have enough information to make an intelligent decision that evening. Selectman Snow stated there are things that happen quickly around here and we don’t have the information we need. Chairman Kelley replied you don’t have to spend hours upon hours discussing these things. Selectmen’s Assistant Eastman noted they discussed the computer issue at length at the budget meeting in September and that wasn’t the first time they discussed it. There was some discussion about the quality of batteries and the cost. Selectman Snow questioned (page 5 of 6) of the 12/28/09 minutes. He read from the minutes “Selectman Robie replied it’s the Budget Committees recommendation”. He went on to read “everyone was welcome to come to the Budget Committee meeting when they met with the department heads”. Selectman Snow presumed he meant when the Budget Committee invited the department heads to come to the budget hearings. Selectman Snow stated when he attempted to present the Budget Committee information from the department heads, he was told they didn’t want to hear from him. They just wanted him to answer their questions. Selectman Snow stated he was somewhat offended. Selectman Snow stated the minutes are accurate, but that’s not the way it happened. Selectman Robie replied the Budget Committee listened to all of the department heads regarding their budget. Citizen Ingrid Byrd noted unless you are seated on the Board (Budget Committee), you are there as a private citizen. They are work sessions, so you can listen, but you not invited to contribute. Selectman Snow replied he wasn’t allowed to speak at the budget hearings. Citizen Ingrid Byrd stated you are a Selectman not a department

head and you need to think about that. There was further discussion about the Budget Committee meetings and allowing discussion and presentations. Selectman Robie stated he will take this information and work on it with the Budget Committee. Selectman Snow stated he would like to get clarification from the LGC on what is a public hearing. Selectman Robie replied the Budget Committees public hearing is to answer any questions regarding the budget. He added the citizens elect the Budget Committee to be their voice. Selectman Snow noted the Budget Committee are public servants, they are supposed to listen to the public. Chairman Kelley stated he was very disappointed with the Budget Committee's recent public hearing and felt it was wrong that they didn't have the opportunity to speak. Selectman Lazott felt there wasn't any sense in attending the public hearing if they couldn't speak. Chairman Kelley called for a vote on the 12/28/09 minutes. *All were in favor. Motion carried.*

Nominees for Employee of the Year: Selectman Robie stated they were going to have an employee of the year award for their community. They have never done this before and he felt the Board and future Boards should continue this tradition. They will have a plaque on the wall. He noted this was a trying year, so they decided to nominate two employees. Selectman Lazott nominated Chief McGillen as co-employee of the year. Chief McGillen has given 10 years of dedicated service to the Candia community. Chief McGillen always has a positive attitude and has excellent morale and support amongst his officers. He works well with the Selectmen and does an outstanding job. Chief McGillen thanked the Board and appreciated the nomination. Chairman Kelley nominated Administrative Assistant Andria Hansen. He noted that Andria has worked for many departments in the Town and has done everything they asked her to do. She's had many different bosses and has come through for them. Administrative Assistant Andria Hansen thanked the Board for the nomination. Chairman Kelley mentioned that a plaque will be made and hung in the Town Office. Selectman Robie mentioned there was a lot of turnover in the Selectmen's Office this past year and Andria has worked well with the new personnel.

Sealing the Recycling Center floor: Solid Waste Committee member Amanda Soares informed the Board they were looking at July to seal the floor. They will need to do it in the warm weather.

Chairman Kelley motioned to adjourn at 9:15 p.m. Seconded by Selectman Duarte. All were in favor.

Respectfully submitted,
Andria Hansen, Recording Secretary