

~~Unapproved~~ Approved  
**Candia Selectmen's Public Meeting Minutes**  
**Monday, January 25, 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.

**The Board of Selectmen will be holding a public hearing in accordance with RSA 41:8-c during their regular scheduled meeting to discuss the petition warrant article to reduce the number of members of the Board of Selectmen from five (5) to three (3).** Chairman Kelley opened the public hearing. He asked for any public comment. Citizen Ingrid Byrd asked how long the public hearing had to be. Chairman Kelley replied that it didn't have to be any specific amount of time. Selectman Lazott commented that he came on Board when it first became five and felt that it works better. It spreads the workload out and gives better representation for the tax payers. He felt it works well for the Town. Selectman Duarte agreed with Selectman Lazott and felt five heads are better than three. He noticed when you have three; you have two that think one way. When you have five members you have more diversified ideas on what's better for the community. Selectman Lazott believed it was much easier on 3-member Board for 1 member to sway one member, than it is to persuade two other people. Citizen Tom DiMaggio asked where this is a petition and does it have to go on the ballot. Chairman Kelley noted that it would be going on the ballot. Chairman Kelley stated if there were no further questions he would close the hearing. Citizen Kim Byrd asked if anyone else comes in for the hearing would the Board consider reopening it. Selectman Lazott asked if they even needed to close the hearing, before they moved on to other business. Selectmen's Assistant Eastman replied that Town Counsel advised that they open the hearing, have the hearing, close the hearing and then go on with the rest of the meeting. Citizen Ingrid Byrd suggested keeping the hearing open for an hour. Selectman Robie stated they will close the hearing when they adjourn the meeting.

**Selectman Robie to discuss sending a letter to the Raymond Planning Board regarding Thibeault Sand & Gravel.** Selectman Robie asked Selectman Snow if he had anything on the letter that was sent to the Raymond Planning Board. The legal letter was asking the Raymond Planning Board to deny the request. Selectman Robie mentioned that the Selectmen did not see a copy of the letter before it went to Raymond and wanted to know why. Chairman Kelley explained the Selectman Snow met with legal counsel and they moved forward with this. Selectman Robie questioned why they didn't discuss this amongst the Board before they sent the letter. He stated that just because our legal counsel didn't think it was a good idea some of us might have thought it was. Selectman Duarte asked what the Board wanted to do with this now, because what's done is done. He noted that he was shocked to see the amount in legal fees. Selectman Lazott thought that it was a matter of proper procedure that any time a letter is sent out representing this Board; it should be brought to a Selectmen's meeting and reviewed by the entire Board. He didn't want to make a policy, it's just a suggestion. Selectman Robie stated that he disagreed with a lot of things this letter stipulated. He felt they wouldn't have sent such a

detailed letter if the Board had a chance to review it. Selectman Snow stated he was using the rules and procedures that everyone else seems to use. The attorney suggested to him that he get the Chairs (of the Board of Selectmen & Conservation Commission) to sign the letter, which he did and they had a chance to look at it. It had been brought before the Board and discussed extensively. Selectman Snow stated he did his best to represent the interest of the Town. He noted that he brought a copy of everything into the office before he went to Raymond. Everything should have been in the sign folder. The Board had a copy of the presentation that he had done. He explained that he and the Attorney got together and the Attorney drafted a letter of what he believed was in the best interest of the Town. He considered all the things that are taking place within and outside of the Town. The letter was then sent to the Raymond Planning Board. Selectman Snow noted it was consistent with every action the Town of Candia has taken in the past. When Raymond Sand and Gravel was first before the Planning Board to do their quarry operations, the Chairman of the ZBA went to Raymond to suggest to them this was not the best thing to do. Selectman Snow noted ZBA Chair Stevens was given the brush off and he suspects that the Town will be given the brush off again. Selectman Snow suggested the most reasonable thing to do to reduce the Town's legal costs in the future, would be to have the Raymond Planning Board deny the application. Then the applicant would have to be the one to prove their case. Selectman Snow explained the issues he saw was the traffic and the aquifer. He noted that he gave the Board a copy of the Thibeault traffic study at the last Selectmen's meeting. He felt it wasn't an adequate traffic study. He encouraged the Board to take a look at it. The only place they considered was Langford Road in Candia to Langford Road in Raymond. He noted this was the only stretch of road they worried about. There could be as many as 300 trucks traveling through Raymond and Candia to get to exit 3. This is a significant amount of traffic traveling through our commercial zone. It does allow the Town to get some business through there. He noted there are many businesses that are the heart of our Town (on Route 27), that would be impacted by the traffic going through there. He told the Raymond Planning Board that he felt Thibeault's traffic study was inadequate. Selectman Snow explained at the Raymond Planning hearing there were concerns about the blasting and it putting nitrate into the waters. There regulatory agency brought this before the Planning Board. He explained Candia Sand and Gravel has been taken to court by the Town of Candia saying they didn't want this kind stuff in Candia. This is not consistent with what is taking place in the Town of Candia. He was presenting Candia's position. Selectman Robie replied that was fine, but the Board never got to see the letter. Citizen Kim Byrd asked if a copy of this letter could be sent to the Candia Planning Board, so they can be aware of what is going on.

**Approval of Previous Minutes: Public meeting minutes of 01/11/10.** Selectman Robie motioned to accept the minutes of January 11, 2010 as amended. Seconded by Selectman Duarte. All were in favor. Motion carried.

#### **Any Other Business**

**Recommendation for a Fire Department Appointment:** Chairman Kelley read the letter of recommendation from Fire Chief Young (see attached). Selectman Duarte motioned to accept Fire Chief Young's recommendation to appoint Brian Cox as a firefighter. Seconded by Selectman Lazott. All were in favor. Motion carried.

Selectman Snow asked if the Board if they had seen the letter that he sent to the Chief McGillen on the police traffic details. Chairman Kelley replied he had not. Selectman Lazott stated it sounds like someone at the state legislature is trying to propose a bill that would circumvent using police officers and use flaggers instead. He thought someone might be looking out for the telephone companies or public services interest. Selectman Lazott recommended that the Board send a letter to the State explaining they are not in favor of this legislation. He felt half the time people didn't pay attention to the flaggers and having a police officer on the scene is more effective. Selectman Snow stated the reason he brought this to the Board is because one of the Town's representatives is on a Board to consider this and will be discussing this bill tomorrow. He noted that the State Rep was looking for input on how the Board felt about it. He would like to get the consensus of the Board to give her some feedback. Selectman Lazott felt there weren't many police departments in favor of this, since it does circumvent the safety on a lot of occasions. Selectman Robie stated he has never been in favor of these bigger companies being required to have police detail. Selectman Lazott reiterated he didn't support this bill. Selectman Lazott motioned that the Board give Selectman Snow permission to contact State Representative Maureen Mann and let her know that the consensus of the Board is not in favor of this bill. Seconded by Selectman Duarte. Chairman Kelley, Selectman Duarte, Selectman Snow, and Selectman Lazott were in favor. Selectman Robie was opposed. Motion carried on a vote of 4 to 1.

**The Board will determine who will move, second, and speak to the articles:**

- Articles 3: Selectman Robie will move this article and Chairman Kelley will second. The Board will speak to this article.
- Article 4–16: Chairman Lazott will move and speak to these articles. Selectman Duarte will second.
- Article 17: Chairman Kelley will move and Selectman Lazott will second.
- Article 18: Selectman Lazott will move and Chairman Kelley will second.
- Article 19: Selectman Robie will move and Selectman Snow will second. Road Agent Lewis will speak to it if needed.
- Article 20: Selectman Snow will move and Selectman Duarte will second. Rick Mitchell will speak to the article.
- Article 21: Selectman Robie will move and Chairman Kelley will second.
- Article 22: Selectman Lazott will move and Selectman Duarte will second.
- Article 23: Selectman Lazott will move and Selectman Snow will second. Health Officer Hallock will speak to this article.
- Article 24: Selectman Lazott will move and Selectman Snow will second. Health Officer Hallock will speak to this article.
- Article 25: Selectman Duarte will move and Selectman Lazott will second.
- Article 26: Selectman Duarte will move and Chairman Kelley will second.
- Article 27: Selectman Duarte will move and Chairman Kelley will second.
- Article 28: Selectman Snow will move and Selectman Robie will second.
- Article 29: Chairman Kelley will move and Selectman Duarte will second.
- Article 30: Selectman Snow will move and Selectman Robie will second.

Selectman Lazott mentioned that he would like to show how the Selectmen voted on the recommendations (i.e. 4 to 1, 3 to 2). Selectmen's Assistant Eastman replied she could do that for the Selectmen's recommendation, but not for the Budget Committee.

- Articles 31: This article was not recommended by the Selectmen. Selectmen's Assistant Eastman noted she would make an addendum to the warrant.
- Article 32: Chairman Kelley will move and Selectman Lazott will second.
- Article 33: Selectman Snow will move and Selectman Robie will second.
- Article 34: Selectman Duarte will move and Chairman Kelley will second.
- Article 35: Selectman Snow will move and Chairman Kelley will second.
- Article 36: Selectman Snow will move and Chairman Kelley will second.
- Article 37: Selectman Snow will move and Selectman Lazott will second.
- Article 38: Selectman Snow will move and Chairman Kelley will second.
- Article 39: Selectman Snow will move and Chairman Kelley will second.
- Article 40: Selectman Snow will move and Chairman Kelley will second.

**Deliberative Session:** Chairman Kelley mentioned there would be a lunch break from 12:00pm to 1:00pm and this was the Moderator's decision. Citizen Ingrid Byrd stated there should be a motion to cancel the lunch break, because people leave and not come back.

Citizen Ingrid Byrd asked when the residents would be receiving the Town Report. Selectmen's Assistant Eastman explained as soon as she receives the minutes (of the Deliberative Session) from Town Clerk Dupere it will go to the printer. It takes ten days to print.

Selectman Snow noted the office should be receiving recommendations for appointing people to the Natural Resources Advisory Committee. He asked that the Board carefully consider them once they come in. They need a member and an alternate.

Selectman Duarte motioned to adjourn. Selectman Duarte withdrew his motion, because Chairman Kelley had one more piece of business.

**Officer Ken McCarron's reappointment:** Selectman Lazott motioned to reappointed Ken McCarron as a part-time police officer. Seconded by Selectman Duarte. All were in favor. Motion carried.

Selectman Duarte motioned to adjourn at 7:50 p.m. Seconded by Selectman Robie. All were in favor. Motioned carried.

Respectfully submitted,  
Andria Hansen, Recording Secretary