

~~Unapproved~~ **Approved**
Candia Selectmen's Public Meeting Minutes
Monday December 27, 2010

Attendance: Chairman Fred Kelley, Vice-Chair Carleton Robie, Selectman Joe Duarte, Selectman Amanda Soares, Selectman Richard Snow, Selectmen's Assistant Cheryl Eastman, and Administrative Assistant Andria Hansen.

7:05 p.m. Chairman Kelley called the Public Meeting to order and immediately followed with the Pledge of Allegiance.

The Board to vote on encumbering items from 2010. Selectman Robie explained there will be a remaining balance of \$140,000 in the operating budget. There are some unexpended warrant articles which total \$124,000. He explained there is about \$280,000 left in the proposed budget from 2009/2010. Selectman Robie addressed the encumbered items (see attached). **Cemetery Department – mower:** The Cemetery Department asked for a lawn mower and we didn't include it in their 2011 budget. The Board told them they would encumber the funds for it. Selectman Robie motioned to encumber \$2,700 for a new lawn mower for the Cemetery Department. Seconded by Chairman Kelley. All were in favor. Motion carried. **ACO Training:** The next encumbered item was ACO training for our new Animal Control Officer in the amount of \$350. Selectman Robie motioned that they encumber \$350 for the ACO's training. Seconded by Selectman Soares. All were in favor. Motion carried. **Old Smyth Library –septic design:** Selectman Robie motioned that the Board encumber \$1,500 for a septic design at Old Smyth Library. Seconded by Chairman Kelley. All were in favor. Motion carried. **Old Smyth Library – architect fee:** The Heritage Commission met with Maggie Stier a representative from the NH Preservation Alliance. She advised the Heritage Commission that they need to hire an architect versed in historic structures and ADA compatibility. She advised them that grant money is available. There are two grants available, but they don't get one of them they need to guarantee the other half of the fee. Selectman Robie explained the Heritage Commission is asking for one half of the estimated fee which is \$2,500. He further explained they are going to try to get both grants. Selectman Snow motioned they guarantee the amount of \$2,500 for an architect to do an evaluation of the Old Smyth Library. Seconded by Selectman Robie. All were in favor. Motion carried. **Town Office – new server:** The next encumbered item is an office server which will cost \$20,000. Selectman Robie explained there was \$5,300 from last year. Selectman Robie motioned to encumber \$14,700 to go towards a server for the town office for a total amount of \$20,000. Seconded by Selectman Soares. All were in favor. Motion carried. **Town Clerk – restoration/preservation of documents:** The next encumbered item was restoration and preservation of documents. Selectman Robie motioned to encumber \$3,500 for the restoration and preservation of documents. Seconded by Selectman Soares. All were in favor. Motion carried. **Town Office – trash bin:** Selectman Robie mentioned the trash bin outside the Town Office needed to be replaced. He would like to build something that will match the building. Selectman Robie motioned to encumber \$1,000 for a new trash bin. Seconded by Chairman Kelley. All were in favor. Motion carried. **Police Cruiser:** Selectman Robie mentioned they didn't budget for a

police cruiser in 2011, but he felt that our budget is strong. He would like to encumber \$12,500 to put towards a new cruiser if one is needed. Selectman Duarte felt the Police Department needed a new cruiser. Selectman Robie explained that is half the price of new cruiser. All of the departments have done a good job on their budget, so come next June they may be able to buy a new cruiser. Selectman Snow noted you can't encumber unless you have something you're going to buy. If we need a cruiser in 2011 and there is money in the unreserved fund balance they should buy one. Selectman Robie explained the money is going to be in the cruiser line. Selectman Snow replied then you're not encumbering it you're increasing the budget. Selectman Robie said they are going to take the money from this year's budget. Its encumbered funds for a cruiser, they have a line with a dollar in it. Selectman Snow asked if they were going to increase the appropriation. Selectman Robie replied no because this money has already been appropriated. Selectman Robie motioned to encumber \$12,500 to put towards the purchase of a new police cruiser. Seconded by Selectman Duarte. Chairman Kelley, Selectman Robie, Selectman Soares, and Selectman Duarte were in favor and Selectman Snow abstained. Motion carried on a vote of 4 to 1. Selectman Snow felt they should do this by appropriating because that is the right way to do it. Selectman Robie replied they try not to appropriate to keep the budget as low as possible. **Highway Department – asphalt maintenance:** Selectman Robie explained the infrastructure in Candia has suffered over the past couple of years with storms and floods. The highway department is strong this year and they didn't use from the winter road fund and they won't have to this year. There is a section on Old Candia Road that Road Agent Lewis has thought about paving. Selectman Robie would like to encumber \$40,000 from this budget to put in the asphalt maintenance line. This will go towards shimming and repaving a section of Old Candia Road which will cost \$79,000. This will leave \$20,000 in asphalt maintenance line for small projects. Selectman Snow asked Road Agent Lewis if he budgeted for this. Road Agent Lewis replied he budgeted for this project 3 years ago, but they're 3 years behind because of ice storms, floods, etc. He explained that he repaved Old Candia Road thirteen years ago and it has a life span of ten years. Selectman Snow said the encumbrance way of doing this didn't make sense to him, but if this is what Road Agent Lewis wants to do then he's fine with it. Selectman Robie asked Selectman Snow how he would suggest getting this done. Selectman Snow replied we increase the appropriation to whatever's necessary to get it done. If its \$60,000 than put another \$19,000 on it then you'll have the \$79,000. Selectman Robie replied then you'll have to appropriate more money and we don't want to do that. This money is already appropriated. Selectman Snow felt that with an encumbrance it has to be something on a purchase order or a contract, otherwise the auditor's or the DRA can say you can't do it. When it comes to setting the tax rate you could screw your books up. Selectmen's Assistant Eastman explained the auditors look at the Selectmen's meeting minutes to see what was encumbered. She further explained that in itself is a contract to purchase what you need to purchase. Road Agent Lewis told the Board he has what the job will cost in writing from the paving company. Selectman Robie motioned to encumber \$40,000 to shim and repave Old Candia Road. Seconded by Selectman Duarte. All were in favor. Motion carried. **Fire Department Items:** Selectman Robie mentioned that all of Fire Chief Young's encumbrances were out of his budget. Fire Chief Young explained he just had a few things. He needs to purchase one set of protective gear and make repairs on some

other sets of gear at a cost of \$2,450.00. He has two firefighters who are about to finish their FF1 class and would like to encumber \$1,500 to pay for this. In addition to the training he would like to buy some supplies for the house they are going to burn for training. There is building maintenance that needs to be done in the amount of \$1,900. Engine 2 needs to be worked on; he thought it was something electrical. He would like to encumber \$1,500 for this. The communications equipment needs to be worked on. He would like to buy some cable and parts for the 2nd antenna for \$500. The last item he would like to encumber would be for fire equipment (miscellaneous fittings and supplies). The amount to be encumbered for this is \$2,000. The total amount to be encumbered for the Fire Department is \$9,850. Selectman Robie motioned to encumber the funds for the items Fire Chief Young has spoke about this evening. Seconded by Chairman Kelley. All were in favor. Motion carried. **Year-end bonus proposal:** Selectman Robie mentioned in the 2010 budget there was approximately \$40,000 in unexpended wages throughout the whole budget. They asked the employees not to do any overtime. They haven't given a raise in three years and all of the employees have worked with us. He looked at one weeks payroll with taxes and it was approximately \$14,000. He asked the Board if they would agree to a yearend bonus for the employees. Selectman Robie motioned to give the employees who work 32.5 hours per week and up a \$400.00 bonus, employees who work 20 to 32 hours per week a \$200.00 bonus, and employees who work 20 hours per week or less a \$100.00 bonus. Seconded by Chairman Kelley. Selectman Snow noted that the Cemetery employees were not included on the list and shouldn't we be considering them as well. Selectmen's Assistant Eastman explained that Superintendent of Cemeteries Jerry Becker is an elected official and she didn't include the seasonal employees, because she thought it was for the year round employees. Selectman Snow would feel remiss if they didn't include the cemetery employees. He would like to give them the \$100 bonus. Selectman Snow motioned to include Bob Pike, Ellsworth Williams, and Jerry Becker in the year-end bonus proposal at \$100 per employee. Chairman Kelley thought that Jerry Becker didn't get a pay check. Selectman Robie replied he's an elected official. Selectman Robie amended his motion to add Bob Pike and Ellsworth Williams to the year-end bonus proposal. Seconded by Chairman Kelley. All were in favor. Motion carried.

The grand total of the amount to be encumbered is \$101,154. Selectman Snow wanted to add \$200. This is for the survey work Jim Franklin has to finish on the cemeteries. He has done three cemeteries and has one left. Selectman Snow motioned to encumber \$200 for the cemetery survey work. Seconded by Selectman Robie. All were in favor. Motion carried.

The Board to authorize payment of payroll checks and accounts payable checks. Selectman Snow motioned to approve payment of payroll manifest number 000604-04, checks to be dated 12/23/2010, with a total gross payroll amount of \$13,301.39. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of accounts payable manifest number 120410 checks to be dated 12/23/2010, with a total amount of \$17,055.00. Seconded by Selectman Robie. All were in favor. Motion carried. Selectman Snow motioned to approve payment of payroll manifest number 000605-06, checks to be dated 12/30/10, with a total

amount of \$14,367.94. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of accounts payable manifest number 120510 checks to be dated 12/30/2010, with a total amount of \$29,893.94. Seconded by Selectman Soares. All were in favor. Motion carried.

Approval of Previous Minutes: Public meeting minutes of 12/13/10 and sealed non-public meeting minutes of 12/13/10. Selectman Robie motioned to approve the non-public meeting minutes of December 13, 2010 as presented. Seconded by Selectman Soares. All were in favor. Motion carried. Chairman Kelley motioned to approve the public meeting minutes of December 13, 2010 as written. Seconded by Selectman Soares. All were in favor. Motion carried.

Any Other Business

Old Recycling Center: Selectman Duarte acknowledged that some people feel comfortable using the old facility. He proceeded to read an article from the EPA *"All landfills eventually leak. The state of the art technology to protect ground water and communities by waste industry representatives is just not true. In addition to threats to ground water landfills give off potentially harmful gases which often permeate the neighborhoods. Landfills are often classified by types of waste they can accept – medical waste, special waste, hazardous waste. Landfills have four common types, because our household waste contains toxic chemicals it is not significantly safer to live near the municipal or special waste landfill than one that accepts more toxic waste. The types of waste accepted in any particular facility are not regulated or adequately monitored by state agencies. Therefore the companies often have broad discretion regarding what waste is deposited in the landfill even if the law specifies otherwise. One particular concern with landfills is the post closure period in which many facilities are used as a base for fields, playgrounds, parking lots, and other facilities after their active period is over. Post closure uses such as these can lead to cracks in the cover and subsequent leakage."* Selectman Duarte stated the article is saying that using the area post closure could create leaks. This could put the Town in severe financial jeopardy. Chairman Kelley asked Selectman Soares how the closure was going. Selectman Soares replied she sent a rough draft to Doug Kemp at DES to get some feedback from him. She told the Board if they had anything to add that was fine with her. She is waiting for permission (from DES) to take down the stack on the main building. Selectman Robie noted that when Amanda came on as a Selectman they gave her the responsibility of the closure. She has done more in 2010 than any of us did in 2009. They have had open discussions about the buildings on New Boston Road and the Board had come to a consensus that we would dismantle the old swap shop and sell it. A few days later there are petition articles going around town because we don't want to give the swap shop to the Garden Club. He felt this was undermining the Select Board and what they are trying to accomplish through Selectman Soares. He felt this wasn't the correct process. In addition, the SWC Chairman had a whole year to work on the closure, but did absolutely nothing. Now that Selectman Soares has started to do something with it everyone wants to be a part of it. It's the Selectmen's responsibility to do that closure and it's not any other committees' responsibility. He would like

Selectman Soares to keep moving forward and do what she sees fit. If she's not sure then bring it back to the Board and they will vote on it. They may get a lot of feedback through newspaper articles, but the Selectmen need to stand their ground and steer the ship in the way it needs to go. The end result is ultimately going to come back on the Selectmen. Chairman Kelley doesn't understand why the Garden Club thinks ~~they're~~ they can tell the Board what they are going to do with a Town building. Selectman Robie replied they appreciate what the Garden Club does, but they can't tell the Board what to do. Selectman Soares mentioned at the Public Hearing back in October it was stated by the Garden Club President that either building would be acceptable. She was confused why the old swap shop was a hot ticket item when they stated either building would work. She mentioned that in the past they have used the Old Smyth Library and the Board would be willing to let them have some space up there if they asked. We didn't ignore the Garden Club. They stated they could use either building. Chairman Kelley mentioned when the Garden Club came to him years ago they asked if they could use the cellar in the Old Smyth Library. The Board at the time told them they could use the space, but a member of the Garden Club told them that the space wasn't big enough. They can't say we didn't give them something. We gave them a heated building that the Town was paying for. He could understand the Conservation Commission, ZBA, etc because they are funded by the Town. Selectman Robie noted nothing has been etched in concrete for the other building at the old recycling center. As far as he's concerned the other building should be removed also. He agreed the Cemetery Department could use a building at some point. He thought maybe in the spring they could find a spot to put a building. He felt New Boston Road was not the place to put a building. Chairman Kelley mentioned when they tried to get the old swap shop moved to the new facility they were told it was a piece of junk and it wasn't worth moving. Now it's worth something to them. Selectman Robie replied it's a good building and if they had a place for it they could make it usable. Selectman Soares explained she had issues with the site. It was capped in the early 80's, but no one is officially sure of when it was capped. It was only capped on the top with clay. Nowadays landfills have to be lined on the sides and bottom with double plastic and then capped. Resident Rick Lazott thought Selectman Robie had a good idea and maybe they could find a place for a building down back. He thought they could possibly start a capital reserve fund for a new building. He felt they need to be careful and not compromise the capped area, because it could be a huge liability. Selectman Duarte agreed with Selectman Robie and felt the Board was being undermined by certain people. Selectman Robie replied they have to try to get things done in a sensible way. Selectman Duarte noted they try hard to service the committees, but you can't please them all. Selectman Snow stated he takes his direction from the Town Meeting.

Agricultural Steering Commission warrant article: Selectman Snow explained that the Agricultural Commission had a request for a correction on the warrant article they submitted to the Selectmen's Office. The Board agreed to put the article on the town warrant. The wording to be changed is "governing body" to "Board of Selectmen". Selectman Robie asked who the Chairman of the Agricultural Commission was. Selectman Snow clarified it was the Agricultural Steering Commission and he would get the name of the person.

Conservation Commission alternate: Selectman Snow noted that the Conservation Commission voted to appoint Rick Lazott as an alternate. He will submit the paperwork to the office. Selectman Robie motioned to appoint Rick Lazott as an alternate to the Conservation Commission until December 2013. Seconded by Selectman Duarte. All were in favor. Motion carried.

Conservation Commission warrant article: Selectman Snow mentioned that the Conservation Commission wants to put a warrant article on the warrant this year. They would like to get a sense of the Town as to whether they should be spending conservation fund money to do a follow up to the natural resource inventory. The idea is to get the Town to vote on prime wetlands in 2012. They will be going to LGC to get the correct wording for the article. He asked the Board if they wanted to put this on the warrant or does the Conservation Commission have to do a petition warrant article. The Conservation Commission will not be meeting until after January 11th. He would like the Boards concurrence that they would agree to put in a warrant article for the Conservation Commission to do a study for prime wetlands using conservation funds. The Conservation Commission is looking for the Town to give them guidance as to whether they should spend conservation funds opposed to raising and appropriating the money to do the study. Chairman Kelley asked how much it would cost to do this study. Road Agent Lewis noted there was an estimated cost to do the work. Selectman Duarte replied he didn't have a problem putting this on the warrant. Selectman Robie replied if the citizens vote "no" the Conservation Commission will be looking for \$15,000. Road Agent Lewis explained that all of the Conservation Commissions in the State are charged with mapping out the prime wetlands in their Town. This is one of those things they are supposed to do. We have never done it because of the cost. When it is done it would give any developer or anybody else the opportunity to know which areas are prime wetlands. All of this would be mapped out, but the Town has to vote to designate the areas prime wetlands. Selectman Robie noted that most developers know if they have prime wetlands or not. Selectman Robie stated if we say no the Conservation Commission will be looking for \$15,000. Selectman Snow replied we are not going with raise and appropriate we are asking to put it on the warrant. Selectman Robie stated if they want to put the article in to see if the Town will vote to change the wording on expending your funds he will go along with that. Selectman Snow noted they will add to this warrant article by the request of the Conservation Commission. Selectman Robie motioned to put the article submitted by the Conservation Commission on the warrant to re-write what the Conservation Fund can be used for. Seconded by Selectman Duarte. All were in favor. Motion carried.

Road Agent Lewis received a call recently from Mr. Conti of 111 Jane Drive. Mr. Conti told Road Agent Lewis that a couple of years ago his snow blower picked up a rock and it broke his snow blower. The other night Mr. Conti was snow blowing his driveway and found another rock in his snow blower. He told Road Agent Lewis if another rock breaks his snow blower he will sue the Town of Candia. Road Agent Lewis wanted to inform the Board of this issue in case they received any calls. Road Agent Lewis explained they use the plows on a lot of different roads and some of

them are gravel. A rock can come from anywhere; his neighbor's driveway is gravel. Selectman Robie asked what broke on his snow blower. Road Agent Lewis replied that Mr. Conti told him he had to buy a new snow blower.

Selectman Soares mentioned that Dragon Mosquito is going to process the application for our permit. This doesn't guarantee that Dragon Mosquito will do the spraying, but the state requires that everyone has to get their permit ahead of time. Selectman Soares thought there wasn't any cost for this, but she would check. She will have them send a bill this week if there is a cost.

Approval of Solid Waste Ordinance: Selectman Soares said the Solid Waste Committee reviewed them and they were fine with the changes. Selectman Robie motioned to approve the changes to the Solid Waste Ordinance. Seconded by Chairman Kelley. All were in favor. Motion carried. Selectman Soares asked Selectman Duarte to have the orange snow fence put up in front of the metal pile since there is no more dump picking. Selectman Duarte replied he would tell the Facility Operator. Selectman Duarte suggested a change to the Facility Operator's and Facility Attendants job description. The change he suggested is that the swap shop located at the Candia Recycling Center be removed from the responsibility of the Recycling Center Supervisor and the employees. The swap shop will be the responsibility of the designated Selectman, which is currently Selectman Soares. All rules and guidelines for operations of the swap shop will be governed by the Board of Selectmen. He stated if there is a problem they can call Selectman Soares.

Selectmen's Assistant Eastman asked the Board to think about who they would like to dedicate the Town Report. Chairman Kelley asked who has passed in 2010. Selectman Robie felt it didn't need to be someone who has passed. There are a lot of people who would appreciate a dedication. Selectman Soares thought maybe they could dedicate it to the local businesses.

Announce Next Regularly Scheduled Meeting Date: The next regularly scheduled meeting is Tuesday January 11th, 2010 at 7:00 p.m.

Selectman Snow motioned to adjourn at 8:20 p.m. Seconded by Chairman Kelley. All were in favor. Motion carried.

Respectfully submitted,
Andria Hansen, Recording Secretary