

~~Unapproved~~Approved
Candia Selectmen's Public Meeting Minutes
Monday July 11, 2011

Attendance: Chairman Fred Kelley, Vice-Chair Carleton Robie, Selectman Joe Duarte, Selectman Amanda Soares, 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, Welfare & any other depts.

Highway: Road Agent Lewis read from the attached report. There was patching done where needed and culvert cleaning on Island Road. He fixed a wash out on Critchett Road. They are starting the next road project on Patten Hill. They are not going to get to the intersection this year, because of the price of asphalt and other costs. He explained they will be stopping near the cell tower (where they have the ice problem). He will be taking some of the fill to Hemlock Drive. The Conservation Commission is doing a thinning and a selective cut on the 50 acre parcel at the end of Hemlock Drive and they will be making a landing site. He has some residents that are interested in the fill and the rest of it will go to the pit. Selectman Soares asked if he could drop it off at the old recycling center. Road Agent Lewis asked how many loads she would need. Selectman Soares replied as much as you have left over. Selectman Robie noted sometimes there are large rocks. He also noted the area at the old recycling center should be marked off, so the truck drivers know where to dump the fill. Selectman Soares said she would have the area marked off (where the C & D trailers used to be). Chairman Kelley asked if he was making a turn around on Hemlock. There was discussion about where the logging trucks are going to turn around. Road Agent Lewis replied the logging trucks were going to turnaround at their own landing a couple of hundred feet out of the woods. Chairman Kelley said he just didn't want to see the road getting ripped up. Road Agent Lewis replied he is just as concerned about, because he has to fix it. He said the idea behind this is to have the land accessible for anyone and the landing area will be seeded when their done. They will mow it every other year for the wildlife habitat. The site will be accessible, its currently 50 acres you can't walk on. Selectman Snow mentioned he had the contract with the loggers and it needed to be signed this evening. Selectman Robie thought they needed to fix the road. Road Agent Lewis explained they need to cut the path first. After that they can put fill over it. Selectman Snow said Charlie Moreno is doing the contract. He sent two different contracts because the Board needs to decide what they want to do for the timber tax. He asked if they wanted to abate the timber tax ahead of time and take the money from the revenue of sale of the trees or do we want to have the loggers pay the timber tax. Road Agent Lewis explained we will probably get \$10,000 to \$12,000 worth of revenue out of this. The general fund would get the timber tax and the balance would go into the forest management fund. If we put the timber tax into the town's general fund the town would get \$1,200 worth of revenue, so it wouldn't strictly go to the forest management fund. Selectman Robie said they could levy the tax so there wouldn't be a timber tax. Selectman Snow explained if you do it that way the

logger will pay you more money for the stumpage and less for cutting. This means we will get more money. Selectman Robie replied the money will stay the same no matter who pays the tax. The owner usually pays the tax. Selectman Snow thought if he has to pay the tax then he will give us less money. Road Agent Lewis explained it's the same amount of money it's just that the general fund gets some and the forest management fund gets some. There was some discussion on whether to pay the tax or not. Road Agent Lewis explained Mr. Moreno wrote up two separate contracts depending on how the Board wants to do this. Either way the logger pays the same amount of money. The Conservation Commission will take the money from the forest management fund and do a forest management plan on another piece of property. Selectman Robie asked if the contract was brought to the Conservation Commission. Road Agent Lewis replied no and the contract came in today. He noted that he met with the logger last week and they went over what they were going to do. The only thing he is going to get started on is the roadway and it would be a month before he starts cutting timber. He explained they will put a gate up when they are done. It was the consensus of the Board to sign the "Agreement without the timber tax". Selectman Snow passed around the original agreement to be signed by the Board. Selectman Snow publicly commended the DOT and Division 5 for paving Main Street.

Police: Selectman Duarte read from the attached report. Selectman Duarte thought it was a good idea that the Chief send a weekly update, since there has been an increase in burglaries. The new Police Officer Jake Deignan has started and is doing a good job.

Fire: Selectman Robie read from the attached report.

Building: Selectman Soares read from the attached report. She mentioned Building Inspector Ciardi has been dealing with an issue regarding a single family house being marketed as a two family. Chairman Kelley mentioned that the same violations are on the report every month. He questioned why the Stevens case is on the violation list. Selectman Soares said this is a ZBA case right now. It's a tricky one because previous Selectmen okayed it and he has always been in violation. It's a typical junk yard case and the neighbors and residents complain. Selectman Robie thought Selectman Soares gave a good explanation of what's going on and let the ZBA handle it until further notice.

Solid Waste: Selectman Soares explained she didn't have any numbers because Facility Operator Whitcher has been out. Facility Attendant Joe Lamarche has been doing a good job picking up the work. She has received positive feedback from the residents about how good the Recycling Center has been looking. The employees have been continuing to do a good job helping the residents with their trash. She cleaned out the swap shop the other day. There has been maintenance done on the equipment. Selectman Snow asked how Facility Operator Whitcher was doing. Selectman Soares said he continues to do well and he keeps her updated when he goes to the doctor. Selectman Duarte asked how the closure was going. Selectman Soares replied it's in Doug Kemp's hands at this point and is waiting to hear back. Chairman Kelley noted he was getting a price on having the septic tank pumped out. Selectman Robie asked if they were going to make sure this was not going to happen

again (incident at the Recycling Center). Selectman Soares said she contacted Fire Chief Young after the incident happened. When Facility Operator Witcher comes back he will sit down with the Recycling Center employees and explain some things. She explained they have a propane tank that is used to dry everything out, so they don't have to use an accelerant. Selectman Robie questioned why this has been going on and now they have someone who maimed himself. We should have a plan in place. Selectman Soares acknowledged they don't have a plan in place for the burn. Selectman Robie thought the employees were trained for this. Selectman Soares said she is going to put something in place and have Fire Chief Young talk to the Recycling Center employees. They will change the way they do the burn pile. Selectman Robie stated he doesn't want this to happen again. Selectman Soares assured the Board that it will not happen again. Selectman Snow said part of the solution is they don't burn anymore and they chip the stuff. Selectman Soares replied it's not cost effective to chip.

Welfare: Selectman Soares read from the attached report. There has only been one new applicant. They only spent \$5,500 for the month of June. Selectman Soares said she met with a Welfare Agent from another town and she gave her forms that will improve our welfare assistance. This information will help us receive money back, because technically we can get compensated from anyone we give assistance to. We are making the process more effective and more beneficial to the town and the applicant.

Parks & Rec: Selectman Snow said the park has been a real jewel for the town and lots of people have been using it. The door to the building at the park was falling apart and he took care of it. He mentioned that Eagle Scout Matt Hawes is working on a sign for the park and Henry W. Moore will be on the sign. He did some grass cutting around the edges at the park. He put some compost on the other side of the skateboard park and reseeded it with daisies. He is going to work with the Garden Club to get a sprinkler out there. The skate board park is being used and there is a rumor they might want to do an event to raise money for suicide prevention. Selectman Robie asked if the field is going to be mowed. Selectman Snow replied the field is going to be mowed when he takes down the fence and it will be as late as he can so he can seed. Then he is going to put lime down before the soccer season. Selectman Robie said the grass is going to be like tooth picks. You cut the grass often so you can get new growth and it keeps it green. It's easier to play soccer when the grass is like this. It's a beautiful field the trees keep growing in and pretty soon it won't be big enough to play soccer. Selectman Snow explained they need to do some work around the edges. Selectman Robie said three years ago he spent a big portion of the park budget having those trees trimmed back. Selectman Snow replied the trees aren't coming anywhere near the edge of the field.

Selectman Robie to discuss Heritage Commission's request to finalize the RFP for the Old Smyth Library. Selectman Robie said the RFP has been prepared by the Heritage Committee. They received a grant for \$2,500 and the town will match \$2,500. We're ready to send out the RFP to see if we get some input and have some architects come look at the building. They would like to get an estimate on the cost to get that building functional. Selectman Snow motioned to authorize Chair Kelley to sign off on the RFPs for the Old Smyth Library project. Seconded by Selectman Soares.

All were in favor. Motion carried. The Board thanked the Heritage Commission's Ron Thomas for his work on the RFP.

Selectman Snow to update the Board on the proposed CCC/Critchett proposed conservation easement.

Selectman Snow explained that the Southeast Land Trust is unable to do the conservation easement. So they have worked with the Rockingham County Conservation District and they have agreed to take it on. The estimate of the cost of it is a contract with Marsha Beecy and this is expected to be finished by the end of July. The Rockingham Conservation District probably have their own template for the conservation easement. When this comes in he will give a copy to the Board. It will be negotiated with the Conservation Commission and Mr. Critchett. He will guarantee there will be no clauses in there that will preclude its use in the future for wetlands mitigation. They will bring it back to the Board when they have a draft in place and Mr. Critchett and the Conservation Commission have agreed to it. Selectman Robie thought the Conservation Commission was coming back with an appraised value. Selectman Snow replied that's what the contract is with Marsha Beecy. He explained to the Board they had a change in the person who was going to hold the easement. The assessment of the value of the property is in the appraisers hands. Selectman Robie replied this is as far as we got when we were here last time. They were just talking about getting an appraised value; there was no discussion about who was going to hold the easement. Selectman Snow replied that's the difference of where we were last time and where we are this time. There was a lot of concern before us what the agreement actually was. When he comes back he'll be coming back with the easement language and the value the appraiser is giving us. It will be reviewed by the Conservation Commission and they will either agree to proceed or not. Selectman Robie said this isn't the process he thought they were going to take. Road Agent Lewis said they didn't want to go through the process of getting an appraisal if no one was going to hold the easement. This is why they find an easement holder first. Selectman Robie clarified they still need to discuss a value number and you have to get Mr. Critchett to agree to which may not ever come to term. Road Agent Lewis explained that if Mr. Critchett decides that he doesn't like the value he has to bear the consequences. Selectman Robie asked if he agreed to this. He said when the Conservation Commission recently came to the Board with this it was never mentioned. Selectman Robie asked if Mr. Critchett knew about this. He felt this would back Mr. Critchett into a corner and he would have to agree to a price. This is a piece of information that should be made very clear to Mr. Critchett. He needs to know that if he doesn't agree with the appraised number he is going to have to pay for the appraisal. Road Agent Lewis replied that Mr. Critchett was made aware of it and this has been the Conservation Commission's procedure forever. Selectman Robie felt this put Mr. Critchett in a tough spot. Road Agent Lewis apologized if the Board didn't know about this, but this has always been the way the CCC has done it. Selectman Duarte thought that Selectman Robie made a good point.

The Board to discuss and possibly accept draft of Town policies for cash receipts, deposit policy, and electronic & telecommunication policy. Selectman Soares motioned to accept the draft of the following policies: cash receipts policy, deposit policy, and electronic and telecommunication policy. Selectman Robie seconded for discussion. He noted this would eliminate taking cash

donations at the swap shop. The donations will be paid at the Selectmen's Office. Selectman Robie called for a vote. All were in favor. Motion carried.

Selectman Snow to request the Board nominate him for the local advisory committee for the NH Rivers Management Program. Chairman Kelley motioned to sign the nomination form that will go to DES. Seconded by Selectman Duarte. Chairman Kelley, Selectman Duarte, Selectman Snow were in favor and Selectman Robie and Selectman Soares abstained. Motion carried. Selectman Soares asked Selectman Snow what his responsibility is on the advisory committee. Selectman Snow explained they would like to have a representative from each town. The local advisory committee gets funding from the Feds and the State so they are able to do things that help the river. Selectman Soares thought they needed to come up with a plan first. Selectman Duarte asked when he puts together a plan could he bring it to the Board beforehand.

Meeting with Candia Sand and Gravel. Selectman Robie mentioned the people from Candia Sand and Gravel have contacted the Board of Selectmen, the Planning Board and the Building Inspector. They would like to come in for a round table meeting to see what they need to do to submit some new plans for their quarry operation in Candia. They have gone ahead and scheduled a meeting for tomorrow morning at 10:30 am. They have produced a full set of plans. The majority of the Board has sat down with Atty. Mayer and the consensus was when they wanted to come in then we would do something about it. They want to do something now and they want to handle it professionally. Selectman Soares asked if they have come up with new cross sections on the new plans. Selectman Robie said it will be reviewed tomorrow. They are going to make them aware they need to produce some type of bond. They will need some drawing to show how much material is there, how much will need to be used to reclaim the pit, and how much could come off that site if there is any. They will also info them that Stantec needs to review the plans and they will have to pay for that. If they want to proceed after they show proof of bonding and Stantec review's the plans, then they will submit an application to the Planning Board. Selectman Snow stated the restoration is through the Board of Selectmen. Selectman Robie replied that is why we are having a round table meeting. He was informing the Board of this so there are no secrets and everybody knows. Selectman Duarte asked if this was a Board of Selectmen matter now. Selectman Snow asked if Atty. Mayer was notified about this and would he be at the meeting. He noted that Planning Board Chair Mary Girard, Building Inspector Ciardi, and one member of the Board can't tell them what they can do. They can give them suggestions. Chairman Kelley said they are coming in for information and what they will need for when they go to the Planning Board. Selectman Snow asked if they were coming in with a restoration plan or an excavation plan. He felt the reclamation plan was the Board of Selectmen's responsibility. Selectman Robie explained they didn't complete their reclamation when they were asked to. They are looking to start over and it's not going to be a clean slate. They are just trying to get somewhere. Selectman Snow stated they can't have an excavation site without going to the Planning Board. Selectman Robie replied they know that and they are trying to reclaim the site. Selectman Duarte said the problem he sees here is that he wasn't made aware of what was going on. He hasn't heard anything from these people. He felt they should start from ground zero and they bring all of the information to the Board. Chairman Kelley explained that Atty. Mayer told them that

they have to go to the Planning Board first. They will have to come up with a bond. Selectman Robie noted over the past year Candia Sand and Gravel has submitted letters to the town requesting that they move forward. Every correspondence has been through the Selectmen's Office and sent to Atty. Mayer. There has been a paper trial. Selectman Robie said he didn't attend the meeting with Atty. Mayer, because until Candia Sand and Gravel asked nothing was going to happen. Selectman Duarte replied he didn't hear of anything else happening since the meeting with Atty. Mayer. Selectman Robie stated that until they acted on it he didn't want to get involved. Selectman Duarte replied that he just wanted to know what was going on and would like to have gotten an email. Selectman Robie said they are trying to make this work and this is why they are talking about this tonight. Selectman Snow said he has no axe to grind with Raymond Sand and Gravel, but they need to follow standard procedure. There is a court order that they need to satisfy that is a Board of Selectmen issue. Selectman Snow would presume that Planning Board Chair Girard would tell them right up front that excavation is not allowed in the residential zone and they will have to go to the ZBA. Selectman Robie clarified the only way they are going to reclaim down there is to excavate that material. The only other way is to haul material back in and that's not going to happen. Selectman Duarte felt they should keep Atty. Mayer in the loop.

The Board to authorize payment of payroll checks and accounts payable checks. Selectman Snow motioned to approve payment of payroll manifest number 000634-01, checks to be dated 07/07/2011, with a total gross payroll amount of \$16,040.15. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of accounts payable manifest number 070111 checks to be dated 07/07/2011, with a total amount of \$300,142.38. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of payroll manifest number 000635-05, checks to be dated 07/14/2011, with a total gross payroll amount of \$15,581.07. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of accounts payable manifest number 0700211 checks to be dated 07/14/2011, with a total amount of \$10,355.34. Seconded by Selectman Soares. All were in favor. Motion carried.

Moore School Generator: Road Agent Lewis said they will start the installation of the generator at Moore School this week. Administrative Assistant Hansen said there was an email from Peter Barbuto in the sign folder which gave the timeline of the installation.

Approval of Previous Minutes: Public and Nonpublic meeting minutes of 6/27/11. Selectman Soares motioned to approve the public meeting minutes of June 27th, 2011 as presented. Seconded by Selectman Snow. All were in favor. Motion carried. Selectman Soares motioned to approve the nonpublic meeting minutes of June 27th, 2011 as written. Seconded by Chairman Kelley. All were in favor. Motion carried.

Respectfully submitted,
Andria Hansen, Recording Secretary