

~~Unapproved~~ **APPROVED**  
**Candia Selectmen's Meeting Minutes**  
**December 10<sup>th</sup>, 2018**

**Attendance:** Chairman Susan Young, Vice-Chair Carleton Robie, Selectman Boyd Chivers, Selectman Russ Dann, Scott Komisarek, and Administrative Assistant Andria Hansen.

Roll call was conducted.

**7:00 p.m.** Chair Young called the Public Meeting to order.

**Approval of Previous Minutes: Public meeting minutes of 11/26/18.** Selectman Dann moved to approve the November 26<sup>th</sup>, 2018 as amended. Seconded by Selectman Chivers. Chair Young, Selectman Robie, Selectman Chivers, Selectman Dann were in favor and Selectman Komisarek abstained. Motion carried on a vote of 4 to 1. (4-0-1)

**Public Comment:** Chair Young announced to the public that if they have comments about the Smyth Memorial Building, if they could wait until they address that on the agenda. As always she wanted to remind everyone to be respectful in their public comments.

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

**Highway:** Road Agent Lewis read from the attached report. It has been a normal December, not a normal November. They repaired the North Road culvert. The patching was never ending with all of the rain and the plowing.

**Police: Filling the Part-time and Full-time positions:** Chief McGillen wanted to let the Board know they are actively trying to fill Corporal Gray's position which is a full-time and Officer Minichiello's position which is a part-time. They just recently connected with the Great Bay Community College and signed up to be part of their alliance. It is a testing alliance. Anyone that wants to apply there the applicant can fill out the forms, pay the fee, and take the written test so they don't have to administer a written test. In turn they get the results and it tells you if they have military service, their education level, whether they want full-time or part-time, where they live and whatnot. It is a great resource and most of Rockingham County is on Board with it. He just spoke with a professor last week and she is sending him the results which were back in October. He knows the larger departments go for the top twenty. He thought there was potential with some of the other candidates that score a little bit lower. They are going to reach out to some of those candidates and invite them down for an interview. They had four interviews today and tomorrow they have three. Some candidates are interested in part-time and some are interested in full-time, so they have been weeding through those. Some of the people have randomly and saw the ad in the Union Leader. They are hoping they can generate some interest with the college consortium. As he mentioned before it goes out to all of the state colleges. They just reposted on there for the graduates in May and to see if they can get some Criminal Justice majors interested. **Introduce new hire Officer Shane Pellerin:** Chief McGillen wanted to introduce part-time Officer Shane Pellerin. He wanted the residents to put a name with a face. He went to Unity College up in Maine. He's a young guy who works for his father, a local construction business. He felt he was a good fit for the town. Officer Langlois is the training officer and Shane just got out of the part time academy on November 9<sup>th</sup>. He wanted to welcome him aboard. **Deadly Force Training:** Chief McGillen wanted to thank Raymond Police and Officer Langlois for

doing a Deadly Force training last month. Lt. Shevlin came over he has been on the swat team and he taught us some active shooter drills at the school. The new Principal has been gracious enough to allow us over there just before Thanksgiving when the school was empty. They have some more training to do, but it was a good start and it was our own school and the officers got to walk around and practice. It was a very worthwhile training. Lt. Shevlin did a great job with that. He's looking forward to more training in the spring. **Department Report:** Chief McGillen noted the department overall has been busy. Last month they were following up on the burglaries that they've had. Its tough working with Manchester PD, they are busy over there. They did process a finger print for us. Lt. Gallagher pulled a finger print from a case and it has been matched to a suspect. So there has been some good police work there. Now they are waiting for Manchester to put the case together and then they'll send it to a forensic examiner. They have to get it compared because they can't compare it themselves. They put it into this AFIS machine and it matched the person they identified as a suspect. Chief McGillen reported that they've recently had some DWI crashed this month. Cars hitting poles and that type of behavior going on which he is not surprised with the holidays.

**Chief McGillen to formally announce Officer Rick Langlois' promotion to Corporal.** Chair Young asked Chief McGillen if he wanted to address that now. Chief McGillen answered that they are going to wait in the interest of having his family present. They are good to go now. Officer Langlois said whatever they would like to do. Chief McGillen asked the Board to endorse his recommendation to promote Officer Langlois to Corporal to fill Dan Gray's position. Rick has been with the department for 18 years. He has done well. He is the Firearms Instructor and teaches our Deadly Force classes. He wants to progress with the department and this is a new role for him. Rick is a decent guy and Chief McGillen felt he would be a good fit. Chief McGillen noted that he sent a memo to the Board and he would like to make this effective immediately. Selectman Robie moved to promote Officer Rick Langlois from Patrol Officer to Corporal in the Candia Police Department effective immediately. Seconded by Selectman Chivers. All were in favor. Motion carried. The Board congratulated Corporal Rick Langlois.

**Fire:** Selectman Dann read from the attached report.

**Building:** Building Inspector Murray read from the attached report. He noted that three code enforcement cases have been closed. Revenues are up a little bit from last year.

**Solid Waste:** Selectman Dann read from the attached report. Chair Young asked about the skid steer and has it been received. Selectman Dann said it hasn't come yet. It's on its way and should be here soon.

**The Board to consider warrant articles for approval and placement on the Town Warrant.**

**Are you in favor of Article 2 as follows:**

To see if the Town will vote to raise and appropriate as an **operating budget**, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling **\$2,803,717** Should this article be defeated, the default budget shall be **\$2,672,773**, which is the same as last year, with certain adjustments required by previous action of the Town of Candia or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. *Selectman Chivers motioned to move Article 2 to the warrant as written and recommend this article. Seconded by Selectman Robie. All were in favor. Motion carried.*

**Are you in favor of Article 3 as follows:**

To see if the Town will vote to raise and appropriate the sum of Six Thousand Eight Hundred and Seven Dollars (**\$6,807**) in support of the **Rockingham County Community Action**. *Selectman Robie motioned to move Article 3 to the warrant as written and recommend this article. Seconded by Selectman Chivers. All were in favor. Motion carried.*

**Are you in favor of Article 4 as follows:**

To see if the Town will vote to raise and appropriate the sum of Four Thousand Dollars (**\$4,000**) in continuation of its support of the **Visiting Nurse Association of Manchester and Southern New Hampshire**. *Selectman Chivers motioned to move Article 4 to the warrant as written and recommend this article. Seconded by Selectman Dann. All were in favor. Motion carried.*

**Are you in favor of Article 5 as follows:**

To see if the Town will vote to raise and appropriate the sum of Three Thousand Two Hundred and Fifty Dollars (**\$3,250**) in continuation of its support of the **American Red Cross**. *Selectman Dann motioned to move Article 5 to the warrant as written and recommend this article. Seconded by Selectman Chivers. All were in favor. Motion carried.*

**Are you in favor of Article 6 as follows:**

To see if the town will vote to raise and appropriate the sum of One Thousand Eight Hundred and Fifty-Four Dollars (**\$1,854**) in continuation of its support of the **Lamprey Health Care**. *Selectman Chivers motioned to move Article 6 to the warrant as written and recommend this article. Seconded by Selectman Dann. All were in favor. Motion carried.*

**Are you in favor of Article 7 as follows:**

To see if the Town will vote to raise and appropriate the sum of One Thousand Two Hundred and Fifty Dollars (**\$1,250**) in continuation of its support of the **Child Advocacy Center**. *Selectman Chivers motioned to move Article 7 to the warrant as written and recommend this article. Seconded by Selectman Dann. All were in favor. Motion carried.*

**Are you in favor of Article 8 as follows:**

To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (**\$1,000**) in continuation of its support of **Big Brother/Big Sister**. *Selectman Chivers motioned to move Article 8 to the warrant as written and recommend this article. Seconded by Selectman Robie. All were in favor. Motion carried.*

**Are you in favor of Article 9 as follows:**

To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (**\$1,000**) in support of the **Home Health and Hospice Care**. *Selectman Chivers motioned to move Article 9 to the warrant as written and recommend this article. Seconded by Selectman Komisarek. All were in favor. Motion carried.*

**Are you in favor of Article 10 as follows:**

To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars (**\$1,000**) in continuation of its support of **Waypoint (formally Child and Family Services)**. *Selectman Chivers motioned to move Article 10 to the warrant as written and recommend this article. Seconded by Selectman Dann. All were in favor. Motion carried.*

**Are you in favor of Article 11 as follows:**

To see if the Town will vote to raise and appropriate the sum of One Thousand and Seventy Five Dollars (**\$1,075**) in continuation of its support of the **Rockingham County Nutrition and Meals on Wheels Program**. *Selectman Robie motioned to move Article 11 to the warrant as written and recommend this article. Seconded by Selectman Chivers. All were in favor. Motion carried.*

**Are you in favor of Article 12 as follows:**

To see if the Town will vote to raise and appropriate the sum of Seven Hundred Dollars (**\$700**) in continuation of its support of the **Aids Response Seacoast**. *Selectman Robie motioned to move Article 12 to the warrant as written and recommend this article. Seconded by Selectman Dann. All were in favor. Motion carried.*

**Are you in favor of Article 13 as follows:**

To see if the Town will vote to raise and appropriate the sum of Five Hundred Dollars (**\$500**) in continuation of its support of the **CASA** (Court Appointed Special Advocates for Children). *Selectman Robie motioned to move Article 13 to the warrant as written and recommend this article. Seconded by Selectman Chivers. All were in favor. Motion carried.*

**Are you in favor of Article 14 as follows:**

To see if the Town will vote to raise and appropriate the sum of Two Hundred Twenty-Five Dollars (**\$225**) in continuation of its support of the **Retired and Senior Volunteer Program**. *Selectman Robie motioned to move Article 14 to the warrant as written and recommend this article. Seconded by Selectman Chivers. All were in favor. Motion carried.*

**Are you in favor of Article 15 as follows:**

To see if the town will vote to raise and appropriate the sum of Three Thousand Five Hundred Dollars (**\$3,500**) to be placed in the existing **Smyth Memorial Building Fund**. Said funds to be expended under the direction of the Board of Selectmen. *Selectman Robie motioned to move Article 15 to the warrant as written and recommend this article. Seconded by Selectman Komisarek. Chair Young, Selectman Robie, Selectman Komisarek and Selectman Dann and Selectman Chivers were opposed. Motion carried on a vote of 3 to 2.*

**Are you in favor of Article 16 as follows:**

To see if the town will vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (**\$2,500**) to be placed in the existing **Town Office Building Maintenance Fund**. Said funds to be expended under the direction of the Board of Selectmen. *Selectman Robie motioned to move Article 16 to the warrant as written and recommend this article. Seconded by Selectman Chivers. All were in favor. Motion carried. Selectman Robie explained it has been reduced down from the \$5,000 for the last two years. This year they did the roof for \$19,000 and our budget is \$19,000 to redo the walkway that has been here for the last 30 years. It needs to be done so they cut the building maintenance fund down instead of \$5,000 it is \$2,500.*

**Are you in favor of Article 17 as follows:**

To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (**\$20,000**) to be placed in the existing **Revaluation Capital Reserve** fund for the Future Revaluation of the municipality. Said funds to be expended under the direction of the Board of Selectmen. *Selectman Robie motioned to move Article 17 to the warrant as written and recommend this article. Seconded by Selectman Chivers. All were in favor. Motion carried.*

**Are you in favor of Article 18 as follows:**

To see if the Town will vote to raise and appropriate the sum of Four Thousand Dollars (**\$4,000**) for the operation and maintenance of the **Fitts Museum**. Said funds to be expended under the direction of the Trustees of the Fitts Museum. *Selectman Robie motioned to move Article 18 to the warrant as written and recommend this article. Seconded by Selectman Chivers. All were in favor. Motion carried.*

**Are you in favor of Article 19 as follows:**

To see if the Town will vote to raise and appropriate the sum of One Hundred Thousand Dollars (**\$100,000**) for excess **winter road maintenance**, these funds will not be used unless the operating winter maintenance funds are exhausted. This will be non-transferable appropriation. Said funds to be expended under the direction of the Board of Selectmen. *Selectman Robie motioned to move Article 19 to the warrant as written and recommend this article. Seconded by Selectman Chivers. All were in favor. Motion carried.*

**Are you in favor of Article 20 as follows:**

To see if the Town will vote to raise and appropriate the sum of One Hundred Fifty Thousand Dollars (**\$150,000**) for the second phase of Adams Road reconstruction. Said funds to be expended under the direction of the Board of Selectmen. (Submitted by the Road Agent) *Selectman Robie motioned to move Article 20 to the warrant as written and recommend this article. Seconded by Selectman Dann. All were in favor. Motion carried.*

**Are you in favor of Article 21 as follows:**

To see if the Town will vote to raise and appropriate the sum of Fifty Thousand Dollars (**\$50,000**) to be deposited in the **Fire Apparatus Capital Reserve Fund**, established under RSA 35:1 at the March 1991 Town Meeting, for the future purchase of the fire apparatus and equipment with the Selectmen appointed as agents. *Selectman Dann motioned to move Article 21 to the warrant as written and recommend this article. Seconded by Selectman Robie. All were in favor. Motion carried.*

**Are you in favor of Article 22 as follows:**

To see if the Town will vote to raise and appropriate the sum of Fifty Thousand Dollars (**\$50,000**) to be deposited in the **Fire Station Infrastructure and Grounds Capital Reserve Fund** under the provisions of RSA 35:1 at the March 2017 Town Meeting, for the purpose of providing for major capital investments in the fire station building infrastructure and grounds to keep the building and property sound, functional and safe well into the future with the Selectmen appointed as agents. *Selectman Dann motioned to move Article 22 to the warrant as written and recommend this article. Seconded by Selectman Robie. All were in favor. Motion carried.*

It was noted that the Smyth Public Library warrant article has not been submitted yet. They will have the number tomorrow morning. They are having a meeting as they speak.

**Are you in favor of Article 23 as follows:**

To see if the Town will vote to raise and appropriate the sum of Thirty Seven Thousand Dollars (**\$37,000**) for the implementation of a **mosquito control program** designed to reduce the risk of exposure to mosquito-borne diseases such as Zika, EEE, West Nile Virus and the Jamestown Canyon Virus. *Selectman Robie motioned to move Article 23 to the warrant as written and recommend this article. Seconded by Selectman Dann. Chair Young, Selectman Robie, Selectman Dann, Selectman Komisarek were in favor and Selectman Chivers was opposed. Motion carried on a vote of 4 to 1 (4-1-0).*

**Are you in favor of Article as follows:**

To see if the Town will vote to establish a **Municipal Facilities Infrastructure and Grounds Capital Reserve Fund** under the provisions of RSA 35:1 for the purpose of financing major capital improvements to Candia's municipal infrastructure and grounds to ensure continued functionality and safety while providing a mechanism for responding to future challenges and opportunities. Further, to see if the Town will vote to raise and appropriate the sum of One Hundred Thousand Dollars (**\$100,000**) to be deposited in said fund with the Selectmen appointed as agents. *Selectman Robie moved this Article 24 as read. Seconded by Selectman Dann for discussion.*

*Selectman Chivers commented that our CIP was approved in 2015. It was proposed that they spend \$3,000 on this facility for a shower for the police department. It was the only improvement to the infrastructure that was envisioned in that Capital Improvement Plan. He thought they should be able to explain to the town what they say they are doing with the \$100,000 they are proposing to set aside here.*

*Selectman Dann said they talked about number of things like lack of space, but he didn't think they have spelled anything out at this point.*

*Selectman Robie said they haven't put any away in their Capital Reserve Fund. Fire Chief Young started putting some money away for a fire department capital reserve knowing that we are going to need some facility over there and possibly some rescue full time apparatus. Selectman Robie noted this is something they talked about a month ago and Chair Young was absent. A couple of years ago our community had the opportunity to buy a piece of property in the center of our town and they didn't have any money put away in the Capital Reserve. It came along rapidly and it failed. They've talked about this building and it is very small for what they need. They are going to need some type of highway facility soon and they will need some type of police facility. A CIP with some type of money in it and has some teeth is probably a good invest for our community at this point. He doesn't know why the police department doesn't have a shower in their facility yet. After three years in the CIP, but he thought if you go back and look at the Master Plan and everything they have it does spell out that they are going to need some facilities in the near future. It's a start.*

*Selectman Komisarek tended to agree that they need to start putting some money away and start planning. It's coming whether they want to accept it or not. So he is in favor of this.*

*Selectman Dann said the question he had is they talk about this building not being adequate in the future and some people say that it is not adequate now. He asked if there were places to add on to this building, he's just wondering looking at the overall picture. Selectman Robie said that was a whole other discussion and topic. He was sure that half the people in this room didn't believe that this building should be here to begin with. This is a topic that tonight is probably not a good night to discuss this. Selectman Dann said what they are talking about encompasses a lot.*

*Chair Young said it is more than just a specific facility. Selectman Robie said a couple of years ago the Fire Chief came to us and said that the ambulance service might be going way and they may need to house and ambulance of our own and put up a facility to hold it in. There is \$50,000 a fire station infrastructure and grounds capital improvement plan for their facility doesn't go very far. It is two years old now. If that should happen and they need to put up a facility and they need to buy a unit to service the calls. It is easily going to be a half a million dollars to get it started. So if you have to go out and borrow all of that money right up front it makes it harder to get it started. If you have some of it saved like the fire department has always saved for fire equipment that is smart.*

*Selectman Dann said this money would not be for the fire department. Selectman Robie answered it would be for whatever the community needed it for. Selectman Dann thought the fire department was separate. Selectman Robie said the fire department is not separate. Chair Young said they do have their own reserve*

*fund. She noted the Selectman Dann was correct on that. Selectman Dann said they could put a multi-facility up. They could end up putting the fire and the police together. Selectman Robie answered certainly.*

*Selectman Komisarek added they have also talked about the shed and the inadequacy of it. For instance, he did think that at some point you have to put some money away for the future, so they don't get hit all at once. He agreed and he thought it was smart to look down the road and understand that this stuff is coming.*

*Chair Young's opinion on this was, and she wasn't at the meeting, she did read the minutes and someone threw out the amount of \$200,000. She didn't happen to see where the Board determined \$100,000. She asked when that was done or decided. It hasn't been brought up and that is the only meeting she has ever missed. Selectman Komisarek explained the majority of the Board felt that \$200,000 was too aggressive and they thought \$100,000 made more sense. He thought Selectman Robie was trying to make a point by proposing \$200,000. They talked about and decided on \$100,000.*

*Chair Young's only other hesitation that she had is the planning part and what they are going to do. They have a Master Plan and a CIP. She is the type of person who would like to see one plan. Not stuck to, but it seems like they are throwing something else in here. This is just her opinion and maybe they can help her understand that better.*

*Selectman Robie said he didn't know how they are going to fix that. They had a Master Plan that spelled out a Village District. They ended up with a piece of property within the Village District that they could have bond and they didn't buy it. He didn't know how they are going to fix the plan if they ever get a chance to, if they had some cash, it would be fixed a lot easier.*

*Selectman Chivers said that is why he would be against this, because they would end up owning another building they don't know what to do with. It would end up just being like the Smyth Memorial Building. If they would have bought 23 Main Street four years ago they would still be trying to fight it out over what to do with it. Whether to preserve it, tear it down, or what to build there. If they are going to set aside \$100,000 to go out and buy a piece of land some place and then try to decide what to do with it, he would be against this.*

*Chair Young wasn't sure that was the intent. Selectman Chivers said that is how it could be used. Chair Young answered if you read the CIP which is another lengthy document. Her concern is only that they have the Master Plan, it seems like they don't finish things. This (warrant article) is 25¢ per thousand.*

*Selectman Komisarek asked about the shed. They have said time and time again that facility is inadequate. They people out there trying to repair equipment in the middle blizzard. They are the only town in Southern New Hampshire that's doing it. At some point they have to do something. There is something right there that might make sense. These things don't come cheap.*

*Chair Young said she agrees with the savings. Selectman Komisarek said if they wait 10 years and everything comes due at once and no one has the foresight to think about it or start putting money away then it is a heavy hit. He is a saver and he saves every week, every year and he thought this would be smart for the town. They could go on for hours as to why things don't get done in this town and why it is plans aren't followed. He could probably write a book at this point. This is another whole discussion and thought they should move this to a vote.*

*Chair Young asked if this was something if they do move it to a vote that might be a little more readily accepted if they start at \$50,000. She believed they had Stantec working on something with the shed and the wetlands. Selectman Robie had questioned if they were working on it. Road Agent Lewis said they have been looking at it trying to figure out what they can do in that spot before they decide they need to look at a different spot. Chair Young asked the Board what they thought about that. Selectman Chivers thought it would be a good place to start put it at \$50,000 and see what kind of support you get. He is afraid if they put it at \$100,000 people won't support it without a plan or some direction of where they are going. If you mention the shed out back he felt they would get it, but just to say \$100,000 with no plan for it. He didn't think it would fly. Chair*

*Young wasn't sure it would either. She asked Selectman Dann his thoughts. Selectman Dann said on that point when the fire department went ahead this is what they talked about, needing an ambulance. People had an idea of what it was. They have a lot of general things they are talking about right now and one respect none of this money could be used to buy a piece of property unless the Board, he would assume they would need a public meeting and discussing it. There are so many things that Selectman Komisarek has talked about and addressed into the future, but can they take care of the future today. He felt that Selectman Chivers hit a point; they start with something and educate the people. He has sat on the Board for almost three years and didn't realize until it started coming up that this facility is not adequate. He knew about that shed and he is in favor of that. There are a lot of people in town that don't realize and they have to get out there and educate them and let them know this is what it is. They will have to do some research and what have you. Maybe there are bond issues or specialties available, once they get something that the town knows they are working on.*

*Chair Young agreed with the savings, but this isn't her money. This is the resident's money. They can talk about the shed and talk about other things, but she didn't know if that was too big of a jump.*

*Selectman Robie said at this point he is going to withdraw his motion. Chair Young said it doesn't have to be all or nothing they can compromise. Selectman Robie thought they needed to figure it out, before they just keep at this. They need to figure it out a little deeper than what they have here tonight. Selectman Robie reiterated that he is going to withdraw his motion. **Selectman Robie moved to withdraw this article from the warrant. Seconded by Selectman Komisarek.** Selectman Dann asked if they could come back to this. Do they have to do a warrant article this evening? Or have the discussion and decide they want the \$50,000 at another time. Selectman Chivers asked if these need to be done tonight. Chair Young answered no because they are still waiting for the library. Selectman Dann said if they have additional discussion, he'll go along with that motion to withdraw it this evening but for further discussion and if they wanted to get it into the warrant at an adjusted price. Chair Young asked if the Board was agreeable to that. Selectman Komisarek asked if they wanted to get a handle on what the priority would be. Chair Young answered they should give the residents some idea of what they are saving up for just a little bit of an idea. She didn't think they needed a specific price tag on each item, but these are the things they are looking at. After some discussion with people they might say \$50,000 isn't enough and why don't you put \$100,000. Selectman Dann said maybe they get some input from the audience when they open this up for input. Chair Young recapped that Selectman Robie made a motion to withdraw and the Board will table this warrant article like they did with the other one. She called for a vote. **All were in favor. Motion carried.***

**Are you in favor of Article 24 as follows:**

To see if the Town will vote to raise and appropriate the sum of Three Hundred Dollars (**\$300.00**) as the **Moderator's compensation** for each election in the calendar year. This amount to be paid after each election is complete. That is to say that if there is a single election in a calendar year the amount would be \$300.00. If there are two elections in a calendar year the amount would be \$600.00 and so on. Financial compensation is to be set by the annual meeting in accordance with RSA 31:9-b. This amount is separate from the Moderator's Deliberative Session stipend. *Selectman Robie motioned to move Article 24 to the warrant as written and recommend this article. Seconded by Selectman Dann. All were in favor. Motion carried.*

**Are you in favor of Article 25 as follows:**

To see if the Town will vote to establish, in accordance with RSA 31:19-a, an irrevocable **Cemetery Improvement Capital Reserve Fund** for the purpose of funding improvements to the Town cemeteries that are expected to cost over Five Thousand Dollars (\$5,000) and have a life expectancy of 25 years or more. Further, to transfer, in accordance with RSA 289:2-a, the money as received from the sale of cemetery lots to the fund,

with the Cemetery Trustees appointed as agents to expend. **Selectman Dann motioned to move Article 25 to the warrant as written and recommend this article. Seconded for discussion by Selectman Komisarek.**

Selectman Robie who is also a Cemetery Trustee asked the Board if they had any questions. Chair Young said she was not clear on this. Selectman Robie said there are numerous capital improvements that the cemetery should have i.e. roadways, expanded lots, hot top roads, stone repair. They have been neglected in their three oldest cemeteries. So the Trustees are asking that \$5,000 be deposited in that fund and also as they sell cemetery lots today the money goes back to the town into the general fund and it's gone. When the cemetery needs to replace ground or property that has been sold they are going to need to have some money to buy some more property or to get the property that they have already in their possession acceptable for new grave lots.

Selectman Robie explained that the money has always gone back to the town for the sale of our ground and it's gone. They use it every year to do whatever as revenue, so that is the idea of the warrant article.

Selectman Dann asked how much money is generated. Selectman Robie answered that he didn't know how many lots were sold this year. There wasn't a whole lot. Selectman Dann asked about the gate. Selectman Robie answered this could be used for that. When you have a repair that costs \$8,000 - \$10,000 instead of putting it in the budget if it is in the capital reserve fund it could be used.

Selectman Dann clarified they as a town have taken over all of the cemeteries. Selectman Robie answered not yet they are working on it. Selectman Dann said if that goes through they are really responsible and they would have to take care of them anyhow. Selectman Robie noted they take care of five of the thirteen cemeteries that they have.

Chair Young thought the way this was written they were not asking for \$5,000. So did they want to ask for \$5,000? Selectman Robie answered they did not. It is for costs over \$5,000. Chair Young asked if this was a non money article. Selectman Robie explained they are asking to put the money of the sale of the lots into this capital reserve fund. Selectman Chivers said they can rewrite this. Selectman Robie answered that Atty. Mayer would rewrite that if it needed to be rewritten. Selectman Komisarek thought it was written alright, but when you see the \$5,000. Chair Young suggested that they start off with the sale of lots, but it is up to Bart he's the expert.

Selectman Robie explained that RSA 289:2-a is for the money that the town collects in the fund. Selectman Dann said he was thinking it was the \$5,000. Chair Young noted that it's not worded that way.

Chair Young called for a vote. **All were in favor. Motion carried.**

#### **Are you in favor of Article 26 as follows:**

To see if the Town will vote to appoint, in accordance with RSA 31:19-a, the Cemetery Trustees as agents to expend the funds in the **General Maintenance Trust Fund** established by Article 25 of the 2016 Town Meeting and to designate said Fund as irrevocable. Selectman Robie explained in 2016 they voted to put money which they used to call perpetual care that they used to collect from the cemeteries in a fund. Everyone was listed separately and it is very difficult to establish how much of that money should be used from each fund. RSA 31:19-a says that the towns can put the money they collect from perpetual care which now they call a general maintenance trust fund into a fund. They voted to do that in 2016, but they did not designate the Cemetery Trustees as the agents to expend it. This is what this article is doing. Selectman Chivers asked who the agents are now to expend it. Selectman Robie explained that the Trustees have to ask the Trustees of the Trust Fund, but everyone is a little confused because it was never clarified. This is going to clarify that. Selectman Robie motioned to move Article 26 to the warrant as written and recommend this article. Seconded by Selectman Chivers. All were in favor. Motion carried.

Selectman Robie asked if they were going to discuss other warrant articles if they wanted them on here. Chair Young asked if he like to add something. Selectman Robie said he had an inquiry if they should vote on Keno once again. They voted on this last year and it was very close. Chair Young asked if he wanted to add that. Selectman Robie thought they should they should have discussion. If the Board would fancy this they could add the warrant article to let our establishments in Candia decide if they wanted to have the game of Keno in their facilities or not. His opinion is the same as last year. It is up to the owner's number one and if they do have it and someone wants to play Keno and have a drink it is better they did it in Candia than in Auburn. They would keep a dollar in town and it stays in town. Chair Young said this will still need to go before the voters anyway. Selectman Robie said it will go in as a warrant article just like it was last year. Selectman Dann said they will just use last year's warrant article. Chair Young confirmed that he is requesting that it be put back on the warrant. Selectman Robie thought it would be a good idea. Selectman Komisarek noted that former Selectman Mark Laliberte brought this up last year and they have talked about it. He remembers saying on a personal level it wouldn't be his thing, but they agree to put it to the voters and let the people decide. He didn't remember it being that close. Chair Young said it was pretty close. Selectman Chivers said he was against it last year and still is. He wouldn't want to see it in Candia. Chair Young asked if they would like to put it before the voters again. Selectman Chivers noted they put it before the voters last year and they turned it down, no means no. Selectman Komisarek said he didn't know where in town they would have Keno. Selectman Chivers said a bar or something. Chair Young thought Cello's and the First Stop. Selectman Dann questioned they can't put it in their facility if they want to because the town said no. Chair Young clarified the voters said no last year. Selectman Robie said everybody gets a piece of the pie. When the state collects the money they town still gets piece. If it is all right with the Chair he is going to make a motion to put the warrant article as written last year back on the ballot for 2019. Chair Young said she is all for let the voters decide. Selectman Dann noted they did last year. Chair Young said they did last year and people change and things change. She didn't have a very good understanding of it last year. So she is not opposed to giving the voters another chance to say yes or no. They might say no again. Selectman Dann noted like Selectman Robie said if they have people here in town that want to use it here in town instead of going someplace else. He doesn't know if it draws that many people to go from here or some other town. He didn't know what the draw is on this. Chair Young said even if you are personally opposed to Keno, does the rest of this Board have a problem with putting it back on and letting the voters decide. Selectman Komisarek said he might have a personal view, but it is something that should go to the voters. Chair Young confirmed they will let will let the voters decide. Selectman Chivers said put it to a motion and a vote.

**Are you in favor of Article 27 as follows:**

Shall Candia allow the operation of keno games within the town? (Recommended by the Board of Selectmen by a vote of 4 to 1). *Selectman Robie motioned to move Article 27 to the warrant as written and recommend this article. Seconded by Selectman Komisarek. Chair Young, Selectman Robie, Selectman Komisarek, Selectman Dann were in favor and Selectman Chivers was opposed. Motion carried on a vote of 4 to 1 (4-1-0).*

**William Socha to discuss putting up gates on Libbee Road and Flint Road.** William Socha was present. He purchased a property on Libbee Road and on the end of Flint Road. They have been trying to develop that land for years. He purchased it for recreation for him and his family. Libbee Road is so bad; he has walked Libbee Road his whole life looking for golf balls. Right now you need hip boots to walk down Libbee Road. He noted that mud trucks have been tearing it up bad. It's so bad that he can't get his pickup truck through the ruts anymore. The puddles are a foot deep and they are freezing and he can't access his property. So what he is looking to do is put up a bar way on Libbee Road and Flint Road. Libbee Road would be right after Mrs. Smyrl's house and far enough away so they could still plow their road and after Ms. Torrey's house on Flint

Road. He took some pictures which he presented to the Board. Mr. Socha noted that he has picked up a ton of trash out there already. People go down there partying and he has put trail camera's up to see what is going on. People go through there all hours of the night. It's the same with Baker Road but that is a whole other story. He reiterated that he took some pictures, because he didn't know if anyone has been there. Chair Young said that she went over and took some pictures today. Mr. Socha noted the pictures really don't do it justice until you go out there and look for yourself. When things are soft on a Class 6 Road you don't go down them but some do because that is when it is fun. He has talked with Fish and Game there is nothing they can do because it is a Class 6 Road. It is an open road. He is not looking to keep people from using the road just from vehicles and 4-wheelers. It is illegal to use 4-wheelers on a Class 6 Road and they do. Fish and Game will handle that because that is their department. Chair Young clarified that it's illegal to use 4-wheelers on a Class 6 Road. Mr. Socha said that it was. He took a tax map and marked out where he would like to put some sort of a bar way. The gate would be on either end of the golf course. The Board reviewed the map with Mr. Socha. Mr. Socha has spoke with the golf course and Ms. Smyrl and Ms. Szot are here and they are in support of it. He also noted that Ms. Torrey is also in support of it. There are a lot of people that like to walk out there. They park in front of Ms. Szot's house and walk down the road. Right now it's difficult, next to impossible.

Selectman Dann asked if horses are allowed on the road and if there are gates there can they get around it. Mr. Socha said he and Ms. Smyrl discussed that because she loves seeing the horses and he has horses himself. They would coordinate that to allow people to get around that easily. Selectman Dann asked about snow mobiles. Mr. Socha said they can get around a gate. Selectman Dann asked if they were allowed on it. Mr. Socha answered that he wasn't sure. Chair Young said she wasn't sure that some of that was accurate. She asked Road Agent Lewis what was allowed on a Class 6 Road. She questioned if 4-wheelers were allowed on a Class 6 Road. Road Agent Lewis explained the difference is they (the town) don't maintain it. Chair Young thought that 4-wheelers were allowed. Chief McGillen explained not unless the Board authorizes it. There is a provision in the law that says the Board can authorize that. Chair Young clarified that snow mobiles aren't allowed on a Class 6 Road. If not, there is a newsflash that needs to go out.

Selectman Robie said the Class 6 Road that we have, they allow snow mobiles to use them whether they are part of the trail system or whatever they are. When they have people block the Class 6 Roads over the past years that he knows of they send their Road Agent out to ask that person to unblock the Class 6 Road so the snow mobile people and 4-wheelers can use them. In his opinion he felt they should leave the Class 6 Roads the way they are. If people want to use them they should be able to use them. The people that own land past Mr. Socha's they want to use the road to get to their land with a 4-wheel vehicle such he is doing. There is no reason they should have to search out someone with a key to open a gate. You can pass out keys to everyone in town and then we will just leave the gate open. It makes no sense to him to put gates on our Class 6 Roads and have our Road Agent go out and take the gate down.

Chair Young noted she will let everyone speak when it is time here. Selectman Komisarek said he has land that abuts Libbee Road. He has 4-wheelers running by there at all hours of the night. It was always his understanding that they were illegal. They shouldn't be doing it but they continue to do it. From his perspective if it is not an allowed activity then he was not in favor of encouraging people to do it. Chair Young clarified that Selectman Komisarek's property was across the road. They are talking about the Libbee Road/Flint Road section. Selectman Komisarek explained his property is on an extension of Libbee Road. He noted the 4-wheelers come up from Libbee Road. From his perspective if that traffic is not going there he views that as a positive. He has had guys out there in the middle of the night. He has actually gone out there and helped people get out.

Resident Judy Szot who lives on Libbee Road has turned the corner down her road and has come face to face with a snowmobile in the middle of the road. They had 4-wheelers and guys on bikes. They come down and turn donuts on the road. The problem is the road from South Road to Smyrl's, the Smyrl's and she have to

maintain that road. When they come in and cut donuts in the road and that stuff washes away, that costs us money because we have to repair that. The snowmobiler's are down there all hours of the day and 4-wheelers are down there. Until this road froze she had to wash her dog three times a day. She walks him on the road three times a day. The ruts in the road are 14 inches deep in some places. There was only a foot left on the side of the road where you can walk. It got so muddy now they are driving down the middle. There is no place for people to walk down there. A few weeks ago someone with 12 inch wheels on his truck, it's jacked up and he goes as fast as he can. They've had 5 feet of snow at the end of the road and he has banged that snow and banged his way through there. He told her he is going to go through there because it is legal. She has seen mud splashed 8 feet high on the tree. It has been dug up so bad it has not dried for one day this summer. Every time they came through there the ground is soft and you can see where it is squished up on the side of the road. There are huge puddles and there is one guy she had a conversation with on line and he said he doesn't go fast. There is a picture of his truck on his Facebook page and there is mud splattered everywhere on the truck. The thing is it is a Class 6 Road but it is a town road and you can't drive a snowmobile or 4-wheeler on a town road. If you are not 16 years old you can drive your motorcycle on a town road. This is a town road and they have destroyed a town road. People can't walk on the road anymore. People are going over the fence and walking on the golf course now. They used to have joggers all of the time. People with their kids riding their bikes up the road and no one can get up the road. She would invite anyone and it would take them 10 minutes. Go past her house and you will see the damage they have done to this road. She has talked Mrs. Torrey and the Smyrl's. The three of us are in favor of blocking the wheel tracks. The horses are fine and people riding bikes, and joggers. Honestly she would have to wash her dog every time she brought him out. It's hard and they ruin our part of the road and that costs us money.

Mr. Socha said he is not looking to stop snowmobiles or 4-wheelers. It's the trucks that do the damage. Chair Young was wondering if it was enforcement or monitoring versus closing the road. Selfishly she might want to take her 4-wheeler, which she doesn't own, down Baker Road. So where do we stop. Do they close every Class 6 Road? This is the part that she is iffy on.

Resident Ron Severino wanted to make the point do the Selectmen have the authority to do this or is it supposed to be done at town meeting. You have to decide if they want to put a warrant article in unless that has changed. If it is subject to gates and bars it was always a town meeting vote. Before they get too far they might want to clarify that. Road Agent Lewis said it would be up to the Board. Chair Young asked if that is historically what happens. Road Agent Lewis explained they never had a vote to make a road Class 6. A road has always fallen into a Class 6 status by lack of maintenance. They have always voted to close a road. However there are multiple interpretations of closed and Class 6. So the Board might want to refer to town counsel on that before they make a decision.

Resident Ron Severino said he has been through this for many years too. All the research they run into on these roads, a lot of them were closed back in the 1800's because they were impassable. Like Road Agent Lewis says the way they get Class 6 Roads is if stop maintaining them for 5 years. The next step is you go to town meeting and vote to have the road closed or you could vote to have the road discontinued. They've always had to look this up and find out what happened to the road in the first place. Or it could have been closed subject to gates and bars which they are talking about here. If that happened that's how they need to legally close it subject to gates and bars. So a little research needs to happen to find out what the status of the road is. And then you need to make sure whether the Board can make that decision, if you decide to puts gates up it is a town meeting vote.

Selectman Chivers asked if anybody has done this research. Mr. Socha said he tried deciphering it. As far as the road he is not looking to close it. Just impede the traffic a little bit and stop tearing it up. Everyone has a right to access their property too and he can't access his property right now. Selectman Dann mentioned a noise ordinance. Chair Young didn't think they were going to get into that tonight. Selectman Komisarek said

it is being abused, if he hears a 4-wheeler screaming and he has to call the police. By the time they get there, it is very difficult to enforce. He felt it was being abused. They should do the leg work.

Chair Young told Mr. Socha that they will send their attorney all of the information and they will get back to him as soon as possible. Their next meeting is going to be a short one because they just doing encumbrances. It might be January. The good part is that when she was out their walking today it was frozen. At least passable for now and she does have pictures of the ruts.

Resident Judy Szot noted for the first time this year they've had trucks getting stuck up there. About a month ago two young kids from Jesse Remington got stuck. They actually had the truck sideways on the road. They were trying to get it stuck and the back end kept sliding. They called the wrecker and they wanted \$600 to get them out of there. Someone in a U-Haul truck went off of the road, because the GPS said that was the way to go. She has turned people around and told them that she didn't think they wanted to go any farther. There have been three trucks in the past month and half that have gotten stuck. Chair Young said you can't legislate common sense. She wanted to be honest it probably won't be until the beginning of January before they address this again. Mr. Socha said that was fine and thanked the Board for their consideration. Chair Young thanked Mr. Socha for coming before the Board.

**Smyth Memorial Building:** Chair Young wanted to ask everyone before they being to be very respectful. She knows this is an emotional topic for many. No matter what your opinion is please try to be respectful and speak clearly. If they want to come up to the front of the room or the side whatever works for you. She wanted to explain what happened. They had made a decision at the last meeting that seemed to upset people or certain people. Because of the ADA requirements the Board voted that they would not be holding public town meetings at the Smyth Memorial Building. Since then they have heard from a lot of people and in all fairness they put this on the agenda so other people could tell us what they are thinking and have their say. Please try to be respectful. They don't have to agree but they can still be respectful to each other. Speak loudly and say your name and address. If you could go through the Chair so they don't have sidebar conversations and people talking back and forth.

Smyth Memorial Building Trustee Carla Penfield said the first thing she would like to say is this more than about ADA compliance. She read the minutes from the last meeting and there were a lot of things mentioned in that meeting that had nothing whatsoever to do with ADA compliance. The next thing she wanted to say is this disruption seems to be brought about by a minority of people for whatever reason are not in favor of the maintenance of this building. Perhaps they are not aware of the historic value of the building. She noted that she is the Chair of the Smyth Memorial Library Trustees. So they have this minority group of people that are not happy with the maintenance of the building, the way the Trustees are maintaining the building, and what the town may in fact be going to do with the building if anything. What she wants to say is for all of the years the library occupied the building it was not ADA compliant. Nothing about that building has changed. It was never ADA compliant. Two groups meet there regularly – the Smyth Memorial Building Trustees and the Heritage Commission. No one of the public bothers to attend any of our meetings. They are not very exciting it is all about how they are going to keep the water out of the building. When they took over the building the Selectmen were in charge of the building. No maintenance had been done on the building for almost 10 years. When the Trustees moved in and look at the building they quickly needed to do first off was to keep the water out of the building. The windows were rotten and they had water coming in around the foundation. The basement has been used as a storage shed was full of mildew and mold. There was a lot of nasty stuff that they needed to get rid of. The Selectmen gave us three pages of what they call articles of organization. So they have used those articles of organization as our guideline. What they took to heart was the maintenance of the building. Mr. Dann and Mr. Chivers as you can see from the last vote that they were taking up \$3,500 in a warrant article for the Smyth Memorial Building. The only Selectmen that voted against it were Mr. Chivers

and Mr. Dann. Both have issues with the maintenance of the building and the money spent on the building and how the Trustees have been handling the maintenance. They are very aware that the building is not ADA compliant, but she has to tell them that this was not at the top of their list of things to do make it ADA compliant. The top of the list was to keep the water out of the building and the roof. They repaired all of the windows. Mr. Dann mentioned the shrubbery at the meeting. They took the shrubbery out because it was growing into the front because it was growing into the foundation and ruining the brick work. They found water on the floor of the basement when they were taking the lights up. The remove of the shrubs was necessary in order to preserve the foundation. The whole issue of ADA compliance was not at the top of their list. It was way down our list considering the fact that no one uses the building other than the two groups that she mentioned and they had no public attendance. So they did not feel that ADA compliance was particularly important. If the Select Board chooses to enforce that there is no public meetings in the building, what it will do is prevent these two groups who are interested in the building, concerned about the building when the Trustees meet there frequently they are looking around trying to figure out what the next project is going to be. She guessed that a complaint of a single citizen of the community is going to disrupt and prevent those two groups of people from meeting in the building. She wondered where the fairness in all of this is. Certainly if anyone showed up at our meeting that was handicapped they would instantly move their meeting. It would be really simple.

Trustee Carla Penfield said the next thing she wanted to do was point out something to everyone here and she hoped that the people who weren't there would catch wind of this. They sat here tonight and they listened to the Board agree to spend \$2 million dollars. This building is one of the few historic buildings left in our community. It might be one of only three that the town owns. They own the museum, the school house and the Smyth Memorial Building. They are going to spend \$2 million dollars without too much discussion. Our budget for the next year was \$11,000. \$5,000 of which was to upgrade the electric system which hasn't been touched in at least 60 years. The Budget Committee took that \$5,000 out of their budget. The town owns the building. The Select Board worked hard to get it on the National Historic Register. They have an obligation to preserve the building. So she comes back to the fact that in her heart she does not believe that this is an ADA issue. She is not sure what the issue is with the small group of people who do not want to maintain this building. She is not sure what their issue is, but ADA complaint is a guise to foil the work on the building. She asked the Board if they would like to ask her anything while she was there. There were no questions by the Board.

Trustee Carla Penfield mentioned that it had been rumored that Selectman Chivers has said they should tear the building down. So they have five Selectmen sitting here, two of whom seem to not value a building that the town owns. Selectman Chivers said he never made that statement. Chair Young asked people to be nice and respectful. Trustee Carla Penfield answered she was being nice, so far. Chair Young said that anyone can be agree about something or disappointed. Trustee Carla Penfield said she was not angry, but she was disappointed, extremely disappointed and the attitude of a few people about this building. Selectman Chivers clarified their discussion at the last Selectmen's meeting was about ADA compliance. This Board was present with a choice to acknowledge our responsibility and our jurisdiction under federal law and schedule those meetings in a building that is ADA compliant or appear like we really don't care whether they are in conformance with federal law. They were presented with a pretty stark choice that evening. Resident Sharon Dewitt presented her complaint to us that they are conducting private meetings that aren't ADA compliant. She wanted to know what they proposed to do about it and this Board had no other choice but to acknowledge their responsibility under the law and propose something that conforms to the law and this is all they did. Trustee Carla Penfield answered as she said before she read the minutes and there was a whole lot more in that discussion than just ADA compliance. Selectman Chivers said all that was presented to us was that issue. Chair Young wanted to be clear and that is all they acted on. Trustee Carla Penfield said that is all they acted

on but the discussion expanded beyond ADA compliance. Chair Young replied yes. Trustee Carla Penfield clarified that she is not saying that they don't want to be ADA compliant, but she is telling them that no one comes to our meetings. She is telling you for years it did not conform to ADA compliance and no one said anything. She believed that Mr. Dann told us about a building identical to ours that is in Derry. Identical to ours except it has two fireplaces instead of one. It is currently being used and it is not ADA compliant. This doesn't mean that ours shouldn't be. She is just pointing out that a particular individual had not come to this meeting to complain to you about our little building not being ADA compliant they would still be having their meetings there and they would not be having this discussion tonight. Except they would be having this discussion because for whatever reason there is this small group of people that continue to harass and harangue the Trustee over what she considers a minuscule amount of money. When you are speaking about a town that is spending \$10 million what is \$11,000 spent to preserve a single historic structure.

Resident Linda Bergeron had a question and she meant it with all due respect. You keep referring to the minority and has the Trustee ever put out a warrant article in regards to whether the town wants to continue to fund the Smyth Library. Trustee Carla Penfield said the town owns the building they have maintain it. Unless they want to tear it down. Resident Linda Bergeron said she keeps referring to this group of people who are a small minority and a couple of the Selectmen. How do you know how the rest of the town feels? How can you presume to talk for us? Trustee Carla Penfield answered she didn't and they have not had a vote on if they want to preserve the building. They haven't done that. Selectman clarified they have.

Resident Ron Severino said that building is one of the few things they have in this town that they can be proud of. It was donated and he wished it could stay a library and added on to but it didn't work out that way. He has been very involved up there himself being a trustee of the museum they have talked about the library and what to do. He thought they have come a long ways and he commends the Board of Trustees up there working on it. He has been in a lot of discussion on what to do with that building and it's like sometimes there is no answer. At the end of the day whether they keep it or sell it you would never not take care of an asset that they have in this town. So far the money being spent to fix the roof and fix the windows is money you would get back if you decide to sell that other than letting it fall into the ground. He thought it was shameful that they can't take care of that little building in a town that spends \$10 million. They have a history of that in this town, the town hall burns and they just don't put up another one. This is what has been going on in this town for a long time. It took a lot, and he was involved, to get this building up. He thought now it is here we use it and everyone is proud of it. He has to agree he listened to that tape and he was very disheartened. Everyone knows the ADA laws and he agrees and has discussions with different Selectmen. He felt they got backed into a corner at their last meeting if they didn't take a certain vote they were going to get themselves in trouble. But he also feel there is a lot of places in the state that aren't ADA compliant that are historic buildings or they were there before the code was done. They need to try to get there but there is nothing to say you have to get there today. There has to be some common sense here. That group has been meeting up there and they want to be in the building they are trying to fix up and there has been no probable with access. So if someone wants to bring up the point and he didn't know if they were here tonight or not, but if you bring up the point he didn't know why. He has to agree with Trustee Carla Penfield and there is an ulterior motive because there has been no complaints about ADA up there and all of sudden there is a problem. It has been almost 50 years and we go up and down stairs and if someone comes in a wheelchair they carry them up there. Whether it is right or wrong that is what they do. If the day comes and they get a new fire station it will be ADA complaint. They built a new library and it is ADA compliant. This is an existing building and people are trying to meet until they decide what to do and to shut them down and kick them out of there, he thought it was not the right way to go. He just doesn't go along with this ADA thing right now. He thought they needed to address it if they have to. They can put a portable toilet outside and they can meet on the lower level and you are ADA complaint. That would be the end of that and they will make that go away. As far as the money to spend a few thousand dollars

up there to keep that building in check and safe and keep it from falling in until they decide what to do with it whatever that may be he thought it was a very wise investment for the town.

Vice President of the Historical Society Ed Fowler said when he heard about this decision not to allow groups like the Trustees and the Heritage Commission to meet there for one to two hours a week he was really upset about it. The Historical Society met there in October. They met there for two hours at the invitation of the Trustees. They had a tour of the building and saw what had been done and what needed more to be done. One of our members had a stroke and he walks with a cane and he is disabled on his right side. He was able to walk up those steps and sit at that meeting. They didn't have any problem at all. He felt it was ridiculous not to be able to use the building. As far as he is concerned that is a very valuable historic building and it is one of the few that is on the National Register of Historic Places. Ron Thomas spent hours getting all of that stuff together so it could be applied for and get listed on the Historic Register. They have to maintain the building and the work that the Trustees are making in that building is totally adequate. It needs to be even more and he is really hopeful that at some point the townspeople will decide that this building will make a very good community center and it would be good to have meetings there and receptions there and all of the other things once they put a septic system and well in. He hoped the town will decide to do something with that building besides let it sit there.

Chair Young wanted to let everyone know on Wednesday they are having a Budget Committee meeting. It wasn't this Board who cut the money for Smyth Memorial Building. They may want to show up for that meeting because it's a public hearing for that budget if you have opinions on what should and shouldn't be cut.

Selectman Dann thought they got off of track. There was no discussion about maintaining the building. They talked about public meetings not to be allowed in that building. He keeps getting a finger pointed at and just remember when you point a finger at someone there are three pointing right back at you. The Trustees have done a good job in maintaining that building. He has said that time and time again, but it falls on deaf ears. But they need to use that building that building sitting there vacant doesn't do anyone any good. There are ten people that have their own private meeting there every month but it is a public meeting. They met the requirements from ADA for public meetings. The Trustees have voted in the past to not let groups use the building. So there have been requests. He has sat in their meetings and they have been denied. So what he is saying is they have two things here. For public meetings things have to be done and meet the ADA. If they meet those they can have public meetings there. Maybe they will get more people attending and using the building. He felt the majority of the people in this room wanted that building used. What has to be done? This is why they have gotten off track with they have done this and they maintain that. The Budget Committee had given the Trustees two years ago a possibility to make that building weather proof which it is at this time. So where are we going that the townspeople can use this building. Selectman Dann noted that Mr. Severino said it is a beautiful building they need people to use it. What do they have to do? Community Center was mentioned why don't they put in a warrant article? Ask the townspeople if they would be in favor of using this as a community center. If they turned around and said yes it is a town building and they have to move forward to ok here are the plans. Then there are plans that have been made and they can be modified to be used. But they got the directions from the town instead of a few people that point out nobody is interested. Let's get on to the subject this is a town building and it needs to be addressed and they are not ADA compliance.

Chair Young said along those lines it might be a time to compromise. Instead of a Community Center possibly get a warrant article for the septic and the well. They can't do anything without that. So maybe if there is enough interest in using the building or getting it to the point where it is usable that is something a warrant article can come in for that.

Selectman Dann asked how many years ago there was \$160,000 being thrown around but nobody knew what it was going to be used for, so they weren't in favor of it. He'll go back it has been said here that a few people are against it. There are new people in this town that don't even know what that building is. They never

go past it and they are not familiar with it. There is Smyth Memorial Building and Smyth Library and it is confusing for people that have moved into town over the years. It is not as simple as two and two is four.

Resident Judy Szot said that they were talking about ADA access and things and she would like to point out that Mr. Severino said that the fire house that they own is not ADA complaint. Yet they hold meetings there, if they can't hold meetings in the library why are they holding meetings at the fire department. She mentioned the Smyth Library and if you are handicapped how can you open those doors. This building they voted to put in a buzzer instead of automatic doors to get into this building. She mentioned the post office and there are three doors you have to open. The post office is a public building, it may be privately owned but it is a federal office. If they are going to nitpick let's start picking nits. They are talking about the money. Think about how much money is in those charity articles that you all said fine let's put them on. Trustee Carla Penfield noted the nonprofit warrant articles totaled \$20,000. Resident Judy Szot said \$20,000 for those articles yet they cut \$5,000 out of the budget to replace an electrical system that was put in over 60 years ago. Think about the safety of that building burning down with a faulty electrical system. Yet we willingly gave \$500 there \$200 here and nobody thinks about it. The point that Selectman Dann made that they had a committee several years ago and Diane Philbrick was in charge of it they people come in and draw up blue prints. It was about \$160,000 to bring that building up to standard and put in a septic system and the town turned it down. She didn't think they turned because they didn't know what the money was for, they turned it down because it's \$160,000. Just like the \$100,000 for the CIP. Nobody thinks about that their taxes went how many dollars, she knows how much taxes went up. How much has the budget gone up this year over last year. Chair Young said it is up 2.8%. Resident Judy Szot said she just got a letter from Social Security and they didn't get a 2.8% raise. They money that they got from Social Security doesn't cover her taxes this year. So people who are on fixed incomes think about these things and when they start looking at things on the budget. If they are going to start picking nits about being ADA compliant start with all the buildings they have around here and if you do one then do them all. Chair Young said it is the exact same thing with the Class 6 Roads putting the gate up you can't pick and chose.

Resident Betty Sanborn said her husband and her are both natives of Candia and that library has meant a lot to us. As children we went to that library. It is and always was a beautiful building inside. They held her daughter-in-law's baby shower in that building in the basement in 1984. At that time she was sure there was a toilet there. There was a septic and water and a kitchenette. She would hate to see that building torn down. She thought as it has been said a lot of new people have no idea of the history of the town or that building. She thought it was about time they got off of their duff and get out there and work and see what things are available in the Town of Candia.

Resident Arthur Sanborn said he used to go to the library after school and it was always interesting to do that. He didn't know how many people knew that the library and the Congregational Church made a deal back when the deal went through the church didn't have much parking space. He can't remember who it was that met with the library people and a deal was made when the church people came to church and there was no parking for them they could use the library parking on a Sunday. He has noticed that it is still working now. He thought that would be mis-thoughtful if they did anything to the library and the church didn't have the right parking space. This is where the water from the church well. Chair Young said it was cooperation, nice word. Resident Arthur Sanborn asked what ADA stood for. It was noted that ADA stands for American Disabilities Act. Resident Arthur Sanborn agreed with the people how have spoken already that they have a great idea and he thought it would be to bad to see it go down the drain.

Mrs. Smyrl said it was an exchange that the Church could use the parking lot and they gave us water in exchange for that.

Chair Young clarified that they are not discussing the financial part tonight. If they would like to discuss the financial she urged them to come on Wednesday. This is the public hearing on the town budget. She noted that Wednesday is the public hearing on the school budget. She really urged them to come then.

Heritage Commission Chair Diane Philbrick explained that the Commission has been meeting in that building now once a month for several years. They may have had a visitor from the village and if they were handicapped they would have accommodated that. There certainly not a group in town that has worked harder to preserve that building. Having the pleasure and privilege to meet there is very wonderful. She can't image as a Trustee trying to care for that building and not being able to go in and see what it is that you are taking care of. Would you try to take care of your own house if you didn't live in it? She thought they Board can see by the number of people that are here this has struck a chord that matters. It matters deeply to people in town. She noted that they have so many new people in town that have never seen the building. If they have the chance to go in their draws drop and can't believe how beautiful it is. They don't need to keep people out of the building they need to let people in the building and create an enthusiasm. The Trustees are working at doing things gradually. The original job would have cost us \$150,000 and the long term is going to be a lot more than that because of inflation. By working at this gradually when they do have to put in the well, septic, and bathroom it's not going to hurt so bad because the roof is done and the windows are done and hopefully the electric is going to be done. They are working on it gradually; it's going to make the whole job a lot more reasonable. She didn't know if it was possible but she would like the Board to rescind what happened a time ago and just for the present time allow these two meetings to happen once a month in that building. If there are any difficulties that arise from it either one of these groups is going to be more than compliant to solve that problem.

Fire Chief Young wanted to make a correction. The meetings they have at the fire house are not public meetings and they don't put out minutes or an agenda. It is a meeting for the Candia Fire Association which is the benevolent side of the department. It's really not a public meeting. They really stopped functions over there quite awhile ago because it isn't handicapped accessible. They do have their breakfasts over there, but if someone couldn't make it upstairs they have always been prepared to put a table downstairs and bring the food down to them, so they would always be able to come in. The other thing is there will probably never be any handicapped firefighters. They could be a member of the department; they couldn't be an active interior firefighter. There are jobs for everybody. If day happened they would probably hold their meetings on the first floor where the apparatus is. Years ago when he was a child, he didn't mean to sound sexist, but the men met downstairs and the women's auxiliary met upstairs. At the same second Monday of the month since the department had started. The whole ADA doesn't come into being at the fire house. He didn't think they could bring that into what they are talking about.

Resident Sharon Dewitt said she was the one who brought up the request about meeting the ADA guidelines. She hears people saying that other buildings aren't and she wasn't aware that the fire department had an upstairs. If you hear what the Fire Chief just said, they decided not to hold their meetings there because it was inaccessible. As a town that is all she is asking the Selectmen to do. She is not sure that she understand, if someone came up and there was an issue they would be more than happy. They are going read these minutes and if there were an issue people aren't going to feel comfortable coming up and saying hey I'm in a wheelchair and I can't access this public meeting. This is part of the reason the ADA has those guidelines because handicapped people, individuals with disabilities historically have less access to town government than people without disabilities. He has heard people say that the Trustees have been harassed. She disagrees with that and she has been to some of those meetings even though she says no one from the public ever goes. Mrs. Dewitt noted she has been to some of those meetings and she was there once when there were group of people there who wanted to do something. They were excited after the Candia Community Profile meeting and they said what can we do to help. Let's do a Community Center or a Senior Center. The Trustees told them that they

don't decide that and they would have to go to the Selectmen. Russ Dann represented them at the Select Board and the Select Board said that was the Board of Trustees. So it has been very confusing for the general public to even understand what is going on over there. Secondly, they say it is just a couple of people. In 2012 the town voted against it was a \$160,000 warrant article to make modifications to that library. The town voted against it. They talk about no mean no but then they go on and say the town said no but we are going to whittle away at this and give the town what they voted no on. There is no plan on how that library is going to be utilized, so we don't know that the renovations and there are renovations being made. If you read back through the minutes they talk about replacing the cork floor with a cork floor because it is a renovation not a repair. Those are the things that she thought people need to understand and remember as far as when they are talking about the money of the building. Since 2011 it has been approved to spend \$69,180 on the library and \$51,453 has actually been spent. So \$17,726 and again that is spread over years but that is money that has been allocated to spend on the library that hasn't been spent. She is not sure how that all goes back or it gets moved around in the budget or what. Again they have spent \$50,000 since the town voted no. It is not just tightening it up. There have been things like removing bookcases and things like that. If you read the minutes the minutes are clear that the Trustees don't feel that is their only job. They believe that it is to restore. Back to the ADA part she does believe that if there are buildings in town that aren't ADA complaint why we as a town wouldn't be trying to address that. Secondly, she never asked that the funding for the building stop it wasn't part of her question for the Board. She is not sure why the Board of Selectmen met here for their meeting and did a walk through at the CYAA when they were talking about voting there. She didn't believe every month they have to meet there to figure out what project they are going to do next. There is a budget they know what is being spent and what's not being spent and are they going to open it up to other .... If you are allowing these two groups to meet there are they opening that up to every group in town? Because some groups have asked to meet there and they have been denied. There is still no well and there still isn't a septic again you could be meeting there and have to use the bathroom and miss half the meeting because you have to run home and use the bathroom. She heard the Budget Committee say they are for redoing this building. They don't believe that it is transparent to the town when it is thrown into the town budget. So this year they asked for \$11,000, last year they asked for \$16,000. They have always heated that building and used to cost about \$2,500 to \$3,700. So it is not a matter of not maintaining that building. Granted they had to fix some things and they've done that. Her point was they should not be holding public meetings there. She would say to the Board if there are other buildings in town that aren't accessible, the leaders of our town have a responsibility to make sure that government is open to all of our citizens and that is what she asked them to do.

Smyth Memorial Building Trustee Carla Penfield has listened to everything and she thought it was clear that this is not just about ADA compliance and she thought they all just heard that. If the Board would like her to she can explain all of what was just brought up, but she has explained it all numerous times before. She will simply say they are maintaining the building. They have discussed the floor, the bookcases, and numerous things. She will say this is not simply about ADA compliance and she would like to figure out what this is about.

Resident Ron Severino had to agree this is what he is hearing. It comes out as ADA and they would love to have everything ADA complaint. Look where this country is going 50 years ago you couldn't get in anywhere. So they are always moving in the right direction, so it comes out and it is a valid point. But boy it shifts right to the heart of everything else that these people are doing wrong and whether you are raising money or not raising money. He knows there was a warrant article that was defeated years ago, it was \$160,000. This doesn't mean that you can't fix your roof, but he is going to be respectful and nice. There are two questions he would like answered. As far as these meetings if a committee gets together does it have to be a public meeting? Or can they have a work session and then maybe every couple of months have a meeting where the public is welcome. Maybe that could solve some of the problems. They could meet at the building, have a work session

and maybe they can find some common ground here. His second question is do they have to do something there right now. He is in the business of construction and he runs into these laws all of the time. He knows there are a lot of places that are exempt, because they are preexisting and usually they don't change. If they did a major renovation up there they would be forced to make it handicapped accessible. As long as you are operating the way you have been operating no one can shut you down for that. He thought they needed clarification to say you can't come in and shut everything down. No one would make you do that.

Chair Young wanted to answer one of his questions. If these are lesser standards that would threaten or destroy historic significant features then the programs or services conducted in the facility must be offered in an alternative, accessible manner or location. This is what it says and she didn't interpret that as an option. She thought they could meet once a quarter here and have a public meeting then do the work sessions at the library.

Resident Ron Severino said it seems like they are honing in on an ADA situation to a place that have very little use. If it ever comes to a point where this building is going to get used and they have a purpose for it by all means it needs to comply. There is no question about that. At this point in time and they've survived 100 years that they have gotten in and out of that building it just seems like it is not that critical right now that a couple of groups can't go there and meet. He thought that was absolutely ridiculous. Chair Young replied they don't always get to do what they would like to do.

Selectman Robie wanted to thank the group of people that came this evening. He sat here two weeks ago and there was one person that had a complaint about the use of our Smyth Historical Building that he has been involved with. He was involved with the Heritage Commission for approximately 8 years and now a Smyth Memorial Building Trustee. He wanted them all to know that he went through torture here two weeks ago tonight. He stills feels the same way tonight. He appreciated them all coming here and speaking as generously as they did about our building. Our town put that building on the National Historic Register six years ago. He took the plaque up there and fastened on the wall. He knows all of them are here with the same feeling he has towards that building and towards our community. For the little bit of money that they spend on that and for this turmoil to take place, it is not healthy for our community. It is not healthy for us as the Board of Selectmen. He wished this group was here two weeks ago, because they would know what he is talking about even more so. Just one more thing Mr. Dann spoke about people not knowing about the building. Mr. Dann said a couple of weeks ago that he had been in that building for the first time four years ago. Selectman Dann answered wrong statement. Selectman Robie said since then you have become involved with the Heritage Commission and the Trustees and it seems to cause some riff amongst the ranks.

Selectman Dann stated he had children in this town that went to that library. He has only lived in this town for 47 years; he has not lived here for 150 plus years. He has lived here and he is familiar with it. He has said it time and time again he wants that building used that is what he wants done. The Trustees responsibility is to bring recommendations to this Board so they can discuss them and they have never been done. They have been told by the Trustees "no we can't do that". He is in agreement with everyone here that it is a beautiful building and it has to be used. Are they going to let it sit there for another 10 years maintaining it or are they going to wait for another 10 years.

Resident Sharon Dewitt wanted to clarify the only reason she has discussed money is because that has been brought up here. She brought up a year ago to the previous Board ADA compliance. This isn't something that she is picking on anybody for. She worked in the disability field before she left her job to raise her children. She has been in Candia since 2000 and her husband has been here since 1994. Yes this may seem like a drop in the bucket but she has been here for 18 years and they are raising their children here. So it is her town as well. It is not just her that has talked about this. As you can see she has been labeled as something and it seems like Mrs. Penfield has created some kind of narrative about what her reasons are. Mrs. Dewitt wasn't sure what that is. Mrs. Penfield has never talked to her about this specific thing. Specifically she believed they need to be an ADA advocates for individuals with disabilities. She is not saying that you shouldn't maintain the

building she isn't saying they shouldn't take care of the building. All she is saying is they should not be holding public meetings in a non-accessible building. If other buildings are like that and that is happening they should be addressing that as a town as well.

Resident Judy Szot noted that Selectman Dann said he wanted that building to be used. In order for that building to be used the town needs to appropriate money. They asked for the money \$160,000 in 2012 and the town said no. The Trustees have been trying to whittle away at those expenses and all of those expenses were not for frivolous things. They were to put on the roof, fix the floor, fix the heating system, and put septic and well. What the Trustees have done is put in a few windows, they did the roof, and they are trying to put that money in to do it. The other thing is they brought the Board recommendations and the recommendations were turned down. The money was cut this year for the electrical system. It was the only money that was cut in the budget was \$5,000. Chair Young added the Master Plan money was cut. Resident Judy Szot said think about it we gave four times that in charity donations and \$5,000 for a building they own to replace an out of date electrical system and the money was taken out. She will be here on Wednesday.

Chair Young wanted to thank everyone. She would like to close on a positive note. She has lived here all of her life her parents were here and her grandparents were here. She agreed with certain people and it is not just our library you don't have to have lived here for a thousand years. She has a couple of friends that moved into Candia and they are raising their families. Unless you are paying their taxes, it is there town too. Chair Young understood the pride of that building. If you listened to the tape of the Budget Committee she defended it. She asked them not to cut that money. She felt they were talking about a couple of different things. She thought they could compromise. She urged everyone to come on Wednesday to get that money put back in. She urged someone to do a citizens petition. They are due January 8<sup>th</sup>. Possibly do that for a well and a septic. It is 25 signatures and let the people decide. The people who live here now might not have been here in 2012. She felt it might go and again it is going to take a little bit of research. She thought that Ron Severino offered might be a great idea. If the Trustees and Heritage Commission have a quarterly meeting and they hold it down here and monthly if they wanted to do a field meeting (or work session), if someone needs to get up there she has ever faith they would be accommodated if someone wanted to attend the meeting. She thought this might be a compromise that could be worked out. Chair Young noted that Resident Sharon Dewitt has brought up ADA before their last meeting. It has been brought up a couple of times in a couple of different years. She just felt it was their responsibility legally that they have to do it. This was from the little research she did. Maybe they can settle on compromising as far as the ADA, having the field meetings up there monthly and quarterly meetings in the town office building. The financial parts of this please save it until Wednesday. This Board is not deciding who is getting money for what. She was hoping this group will come and ask them the hard questions also, because she certainly tried to defend that budget anyway she could. She was one person and Boyd was out in the audience. That was all they had when they had the Selectmen's presentation. It was the two of them and she tried the best she could. Maybe they could compromise and end on that note.

Selectman Dann said this opens up the other factor of what groups might want to come up there and use it. They should have some discussion, but not now.

Chair Young said maybe with a warrant article and they get a septic in there. The committee has done a great job and no one she knows has said they haven't. She knows what they do and she knows the time they spend and she knows the time they spend. Every single one of you is appreciated and don't think it is not. She thought everyone appreciated everything that is done. This might be a way to compromise.

Selectman Chivers thought it was an actual compromise if they encourage the Heritage Commission and the Trustees to have a quarterly/semi-annual meeting here and have monthly work sessions up there. He thought that covered the town and it accommodates them. It is about all they can do considering the corner they put themselves in as a Board.

Chair Young said they will look into this. They are supposed to have a survey done she has asked several people for it. Back in 1996 the town was supposed to have a self assessment and nobody seems to know about it. Sometimes it takes longer to get things done then people might realize. It just does and they work hard to try and address all of their needs and everything else.

Selectman Komisarek asked the about the work sessions. Chair Young said they are going to leave that up to the committees to work out. We'll let them do that. Selectman Komisarek asked if it not some they need to send to legal. Chair Young said the Heritage Commission isn't meeting this month and the other meeting has already gone by. We'll let them work it out and come up with some type of compromise that might work for them.

**Public Comment:** Resident Becky Sarra wanted to thank the Board for providing us with a forum to express our thoughts and frustrations. Wouldn't it be amazing if they invested that amount of time in finding compromises and resolutions? Chair Young thanked Mrs. Sarra for her comments.

**The Board to approve the 2019 Holiday schedule.** Chair Young said she would like to close the town building at noon on December 24<sup>th</sup>. The town offices are closed on December 25<sup>th</sup> and January 1<sup>st</sup> for Christmas and New Years Day. Selectman Chivers thought they were talking about the 2019. Selectman Robie clarified the first thing Chair Young was talking about was this year. This should have been done last year which it was. *Selectman Chivers moved to approve the 2019 holiday schedule. Seconded by Selectman Dann.*

Selectman Robie noted on the last holiday of the 2019 season Christmas is on a Wednesday. He thought he just heard that Chair Young was going to close the building on Monday of this year on the 24<sup>th</sup> at noon time. So possibly they may want to consider closing Tuesday December 24<sup>th</sup>, 2019 at noon also. Chair Young relied if you would like. Selectman Robie said she would like to do it this year and he would like to do it for next year. Chair Young noted that it will be a different Board next year. Selectman Robie said they are setting the policy tonight. Chair Young said they are setting the policy for 2019 for the holidays they have always had. Selectman Robie said that was correct. Chair Young believed it had always depended on who was doing what whether the staff got out early or what time they got out on Christmas Eve. Selectman Chivers clarified it's an informal policy it's discretionary. Chair Young said it has been a standard regular thing that has always been in effect. She believed that our staff this year for a number of reasons had a number of challenges and they deserve a couple of hours off, but that is just her opinion.

Chair Young called for a vote on the motion. Selectman Robie said he just tried to amend the holiday schedule on what they had commented on earlier. Are they voting on what was amended or the original holiday schedule? Selectman Chivers explained that the half day is a discretionary thing. Chair Young answered that was correct and called for a vote. *All were in favor. Motion carried.*

**The Board to discuss the meeting format.** Selectman Chivers explained the reason he asked this to be on the agenda tonight is for the very reason they had this big turnout here tonight. They have a format now that allows for public comment at the beginning of the meeting. Anybody can walk in here and talk about anything they want and this Board will listen to them and accommodate them without anybody giving anyone else advanced notice. It is not classified as an agenda item and nobody else in this town is aware of it. Mrs. Dewitt came in last week and wanted to talk about ADA accessibility. They gave her over an hour right at the beginning of the meeting. There were a lot of other people in this town that would have been interested in that very same topic if it was on the agenda. He supports the intention of public comment and hearing what people have to say, but people should at least give us a heads up on what they want to talk about so they can get it on the agenda, so other people can come to the meeting and express their views as well. Public comments should be reserved for what they are going to be talking about that night. If they want to bring in something that is not on the agenda

they can call the Chairman and tell them they want to talk about ADA compliance at the Smyth Memorial Building and get it on the agenda. So the Board can come prepared and the public can be aware of what is going on.

Chair Young questioned if that applied to Board members, because look at all the times that they make a motion and they vote on things and they are never on the agenda. Selectman Chivers said they should be. Chair Young noted the one meeting she missed there were three things that were not on the agenda and voted on.

Selectman Robie said they were on the agenda, because Mr. Chivers didn't want to vote on one item on that agenda which was the 3 member Board of Selectmen. Mr. Chivers made the comment that it was not on the agenda and they have to put that on the agenda. Selectman Robie forgot but they did vote on that \$100,000 warrant article and it went right through. He agreed it shouldn't have happened and it is a double standard that took place that night and a double standard took place two weeks ago here in this room. Chair Young asked who are they applying this double standard or how are we avoiding it.

Selectman Chivers said first of all the agenda items should be limited to the agenda. If they want to bring up something new tell us what it is so they can get it on the agenda.

Chair Young clarified it is the same for the Selectmen and they get it to the office by Thursday at noon at the latest. They are generally scurrying around trying to get things in. Is it for everyone or just the public we are going to make those demands on?

Selectman Komisarek understanding of that is, for example, when he oversaw parks and recreation and there was something going on with the light. He didn't put that on the agenda, he thought it was a small thing that could go under Other Business. Even if a member of the public has something that was small. This was obviously had a lot more going on. Chair Young added generated passion. Selectman Komisarek thought something like this should be an agenda item. Chair Young said who is to say. Selectman Robie thought the agenda should say that the format of what they are doing here. Just like he told the Board on page three of the minutes, they should take Mrs. Dewitt's statement under advisement and look at the situation and move forward.

Chair Young said some of them disagreed. She took offense to that and she will defend what they did that night over and over again. With all due respect to the committees and all the people who she has known forever and had come in tonight, she was on the Board for four years and this wasn't the first time that she heard it. It has been brought up time and time again at least three times. The Boards that she has been sitting on with before with different Chairman each time and nothing had been done. They have the law and they made a decision that night for those two meetings to move them, so they could obey the law. It was the specific and it was brought up to us. She will defend what they did. She felt Selectman Robie might not agree with it but she will defend what the majority of the Board did. But as far as picking and choosing what they are going to bring up under other business and that they are going to vote on.

Selectman Dann said public comment in the beginning of the meeting is for things that there is going to be a foot race and that type of thing. Under other business someone can say at the next meeting they would like to come in and discuss this and put it on the agenda. Chair Young asked if it would be the same for the Selectmen. Selectman Dann said this meeting tonight people came here because someone presented it to them that they wanted to abolish that building. All they were talking about was ADA. It went off on other sections and it had nothing to do with what was discussed at the last meeting. It was preplanned to come in and do that.

Selectman Robie commented that it was preplanned last week to come in here and hijack this Select Board. Chair Young respectfully disagreed and she didn't think it was anybody's intention was to hijack. To be honest she made the motion to have those two meetings held down here. Selectman Robie said you can call it anything that you want.

Chair Young thought what the problem was when there is inaction this is why she wanted to bring up the agenda format. She will take responsibility for that vote and she will stand by the vote. It has now been legally proven at least in her mind. She is not ashamed of it and she thought they could compromise who meets where and when. Compromise seems to be a word that people are opposed to. She thought that was where the problem was.

Selectman Chivers questioned what they were talking about. They were talking about the meeting format. He questioned if it was ok to have public comment without any parameters. Chair Young said that is what people comment is. If you allow it you can't not because of free speech you cannot limit it. This is a legal thing that she happens to know. If you allow public comment at a meeting you cannot limit what a person talks about. Selectman Chivers asked if they could have it after the meeting and not make a decision based on public comment.

Resident Freda Paris thought they could limit the time that someone has the floor. Some televised meetings will say it is open to the floor for two or three minutes. Chair Young said it wasn't an hour that she remembered. Resident Freda Paris said you have to say what you have to say without ranting on and on. You have to get to your point.

Building Inspector Murray didn't think that the Board had to react to it immediately. Chair Young said she was going to defend that again and nobody has to react to it immediately. It has been brought up three different times before. This was not immediately it was immediate that night. But they had two meetings coming up and in her opinion legally they had a responsibility to stop those two meetings. It was easy enough come down here for December. She didn't think it was that big of a deal but she guessed it was.

Selectman Komisarek said it always comes down to us versus them. You one side saying they grew up with the library and they love the library. Then you hear about ADA compliance and us complaining with the law. It is good points, but as a Select Board member he hasn't been so good with civil discourse. But by in large he tries to encourage us and the broader community. They get involved with some of these things and it gets so incredibly nasty. You see it on a national level too. It doesn't ever get you anywhere. He heard Chair Young say tonight, please be respectful. He knows that the Smyth Public Library has been something that Russ has been passionate about. He wants something to happen. The last time this came up he said they need to come to some kind of resolution, let's make it an agenda item and get it out there. Budget stuff comes up and a lot of times things don't get address. He has said lets come up with a plan, because no has been able to come up with a great use but they know it is on the National Historic Register. It is one of these things that have been in limbo and he can understand people's frustrations with it. At least if they got together cooperatively and they had an intelligent discussion about it and they say this is in the best interest of the community to do this. He thought this would be helpful.

**The Board to discuss the meeting format.** Chair Young thought they had to remain approachable. If people are scared to death of you or to address this Board we are not going to get ideas from anyone. You have the new format in front of you that she would like to propose and she'll explain why. She went through our entire minutes for this past year and you wouldn't believe what they talk about and that's it. She really wanted to add old business and get things done. She is not one of those people who like to talk about it and not do it. It drivers her nuts and it seems like they are spinning their wheels. She likes to get things done and check it off the list. She thought if they add old business in here anything they discussed before i.e. she didn't think they would've had that ADA issue if they had kept it under old business until it was handled. Lets finish what they start.

Resident Chris Dewitt thought they had to remember that there are five of you up there and you got elected as leaders of our community. If you don't want to listen to what the community had to say why don't you resign from the Board and move on. This is our town and if someone has a concern they have every right

to march their butt here and speak their mind and let the Board do its thing. They were hijacked last week – give me a break Carleton. This is a public meeting for public people from this town to express their opinions. Whether you like it or not you signed up for this. Do it cordially and respectfully, he has had enough.

Selectman Chivers asked Mr. Dewitt if he had any objections to calling the office on a Thursday and try to get on the agenda.

Resident Chris Dewitt didn't think this was a planned thing. It came up organically through the meeting. It is their right to come here and speak. Yes if it was pre-thought he agreed maybe it is if you want to bring something up you have a certain amount of time. The Board should address it and listen to it. If it is something that has a bigger concept to it lets table that until the next meeting and put it on the agenda. Selectman Chivers said that is the way to do it.

Selectman Robie noted what you two just agreed on is exactly what he said last week after Sharon got done speaking. Mr. Dewitt said the rest of the Board voted on it. Selectman Robie replied that they hadn't voted on it yet and it is exactly what he said. Mr. Dewitt said you did and then it continued. Just because he suggested it the Board shouldn't answer the questions. Selectman Robie said all he suggested is they wait until everybody had a chance both sides came to influence the Board in whatever manner the Board ends up in this topic. Mr. Dewitt pointed out you sit up there and say the Board was hijacked. Selectman Robie apologized and maybe that was the wrong word. You two just agreed on what I said earlier.

Resident Sharon Dewitt asked if they could put on the agenda for another meeting when it is appropriate to discuss community views when they try to get involved with the town. Again she didn't ask for anything earth shattering, she asked that they make meetings accessible. She doesn't understand why this was such a huge issue. Chair Young replied but it was. Mrs. Dewitt said she really didn't understand that. She didn't talk for an hour and there was give and take between Board members. It wasn't like she stood up at the beginning of the meeting and spoke for an hour on ADA. Again you talk about getting people involved and they need to get people together in this town, but she brought something up last week and so far it has been said by Board members that she hijacked the meeting and she spoke for an hour. She took offense to that, again her town. It is her town as well as your town. She may not have been born and raised here but it is her town too. If you really want to move forward and you need people in town you have to stop treating us like that.

Resident Linda Bergeron agreed with Mrs. Dewitt. The attitude here is that if they don't agree with Carleton they awful.

Chair Young thanked everyone for their comments.

**Closing early – December 24<sup>th</sup>:** Chair Young would like to close the office early on December 24<sup>th</sup>. It will be closed for the day on December 25<sup>th</sup> and January 1<sup>st</sup>. Selectman Chivers asked if she would like the Board's consent to close early. Selectman Dann moved to close the town offices at noon on December 24<sup>th</sup>. Seconded by Selectman Komisarek. All were in favor. Motion carried.

**Meeting format (revisited):** Chair Young asked if the Board was ok with the new meeting format. It was the consensus of the Board to try the new format.

**The Board to authorize payment of payroll checks and accounts payable checks. The Board to authorize payment of payroll checks and accounts payable checks.** Selectman Chivers announced the grand total for accounts payable and payroll checks for December 6<sup>th</sup> and December 13<sup>th</sup> was \$1,202,566.58. Selectman Dann moved to approve the accounts payable and payroll checks for December 6<sup>th</sup> and December 13<sup>th</sup> was \$1,202,566.58. Seconded by Chair Young. All were in favor. Motion carried.

### **Other Business**

Selectman Komisarek asked how an effective meeting was supposed to be run. As a Select Board they are really here to do Selectmen business. If you go to a School Board meeting they run the meeting they do their business and then there is time for public comment. What are they trying to do? They are doing their business and what should they be doing for the public comment part. If they are not doing it right then what is.

Chair Young said this is her attempt to get stuff done and not talk about it one meeting and not brought up. She asked about the guy measuring fiber optic lines and has he sent the bill yet. She asked if he has done the work and she didn't know where that stands. Maybe the rest of the Board knows, but she has no idea and it is almost January 1<sup>st</sup>. It is her attempt to actually do something. As far as an effective meeting, the School Board does have public comment at the beginning of the meeting. Resident Becky Sarra noted the beginning and the end.

Selectman Komisarek said typically with the Select Board during the discussion about something they reach out quite often. Chair Young agreed they let people speak. Resident Becky Sarra thanked the Board for that. Selectman Komisarek clarified they aren't striving to do it like the School Board then.

Chair Young said our meetings used to run a half an hour which to her is wonderful, but maybe that is why they never got anything done.

Selectman Robie said over the years they have accomplished a lot as a Select Board and the meetings have run very well to what they have to manage. You can tweak on it all you want, but it is pretty much going to resort back to how they do it. Until something changes drastically it is really not going to change a whole lot. He commended Chair Young for trying. But they really haven't done that bad over the years. Chair Young said she just wanted to improve even more. Selectman Robie said they've gotten a lot done and a lot of things have happened. Selectman Dann noted that Carlton has said they've talked about things in the past and they never got done, but Chair Young is trying to bring it forward.

Resident Becky Sarra didn't think they would ever be able to shut other business down. It's your meeting and prerogative to take the information in and set it up for the next agenda. They don't have to react to it, just absorb it. Selectman Robie couldn't agree more.

Resident Freda Paris said whenever you're in business and you go to a meeting they use the APIE method. So to be reactionary on decision making sometimes you need to take time for that assessment, planning, implementation, and evaluation phase. It's a cycle they don't have to make a decision right now. When you have something on the table you are working on it as a project. There isn't always an instant answer. It's a process and when people bring something to the Board as a new item it has to be assessed, planned, implemented and evaluated as a Board.

Chair Young said in all fairness that is the only time they did something major because she was concerned with litigation. This is the only time there was something major like that.

Selectman Chivers moved to adjourn at 9:52 pm. Seconded by Selectman Dann. All were in favor. Motion carried.