

February 25th mtg

Attachment from Candia Selectmen's Meeting on 2/25/2019



Nearly \$2 Billion and Counting for our Schools

GOVERNOR Christopher T. Sununu
CHAIRMAN Debra M. Douglas
COMMISSIONER Paul J. Holloway
COMMISSIONER J. Christopher Williams
EXECUTIVE DIRECTOR Charles R. McIntyre



January 22, 2019

Town Administrator
Candia Town Hall
74 High St
Candia, NH 03034

Dear Sir or Madam,

We at Lottery know that you are working with your board of selectmen and budget committee in preparation for town meeting in March. We wanted to offer our assistance one last time regarding Keno's benefits and the requirements of SB 191.

We are very proud of KENO 603's success since its launch just over a year ago. This program has contributed funds to full-day kindergarten around the state, but we still have work to do to meet our projected revenues. It is critical that more towns and cities pass Keno and allow eligible restaurants, taverns, and fraternal organizations to participate toward this goal.

If your town has moved to put Keno on the warrant, please note this requirement per SB 191 and RSA 285:51, I:

(b) The selectmen, alderman, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

This public hearing can be held during a regular select board meeting, and must take place between February 10 and February 25 this year. Note that the public hearing will be held after the deliberative session in SB2 towns. If you have questions about ballot requirements, please refer to the informative "Keno Q&A" posted on the New Hampshire Municipal Association's website (www.nhmunicipal.org).

A recent survey of Keno retailers confirmed that the game is attracting new and increased numbers of patrons. They find that customers stay longer and order more food and beverages, increasing sales by up to 10%. These establishments also benefit from 24/7 support, no-cost equipment and supplies, and an incomparable 8% commission that often goes directly back into the community. We like to call that a win-win!

Thank you for your consideration and support of this initiative. As always, please don't hesitate to call us at 271-3391 Monday through Friday, 8:00 a.m. to 4:00 p.m. if we can be of assistance.

Sincerely,

Charlie McIntyre



Candia man running Boston Marathon to honor his friend

In the Candia Athletic Complex, there is a single yet powerful banner, a No. 1 representing Jaime Brennan, a friend, teammate and all-around firecracker of a personality, who was always able to bring a smile to your face. This year, there is an opportunity to smile again.

Lucas McCabe, 23, of Candia is running the 2019 Boston Marathon.

McCabe has chosen to raise money for the Juvenile Diabetes Research Foundation in memory of his friend, Jamie, his Henry Moore School classmate and Candia Yellow Jacket Traveling Soccer teammate, who died Sept. 5, 2009, at age 13 of complications from juvenile diabetes.

As this is the 10-year anniversary of his friend's death, McCabe wanted to pay tribute to him by raising funds for the JDRE.

"The Boston Marathon gives us the opportunity to raise money for a charity of our choice and in remembrance of my friend, Jaime. I will be raising funds and running for the Juvenile Diabetes Research Foundation, a charity aimed at finding a cure while developing technologies to make everyday life with diabetes easier," said McCabe.

He needs to raise \$5,000 to qualify to run the Boston Marathon. In addition, his company, John Hancock, will match any amount that McCabe submits.

McCabe is looking for your help. You can Venmo him your donation @LucasMcCabe with the description, "Boston Marathon 2019"; or mail checks made out to Lucas McCabe - with JDRE/Boston Marathon in the memo line - to him at 252 Horizon Lane, Candia,



Lucas McCabe, now age 23.

NH 03034.

He can also accept donations, but not get the company match through www.crowdrise.com/o/en/campaign/juvenile-diabetes-research-foundation.

"Even a \$25 donation doubles to \$50 and gets us that much closer to our \$5,000 goal. This is our chance to make a meaningful difference in the lives of millions living with diabetes, and I want to thank you in advance for your contributions," he said.



Courtesy Photos

The Candia Yellow Jackets Traveling Soccer Team, shown several years ago, are, in front, from left, Jordan Brock, Connor Grace, Kobe Brock, Garrett Bolton and Jacob Laliberte. In second row, Jamie Brennan, James Grace, Lucas McCabe, Travis Dionne and Isaac Dugas. McCabe, now 23, is raising money to run in the 2019 Boston Marathon in honor of his friend, Jamie Brennan, who died in 2009.

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We like to hear from our readers!
Send letters to the editor, event listings and photos to neighborhoodnews@unionleader.com.

PUBLIC HEARING
The Candia Board of Selectmen will hold a public hearing at their regular scheduled meeting on Monday, February 25th, 2019 at 7:00 p.m. regarding the question of permitting the operation of the NH Keno 603 game at qualifying establishments within the town on the March 12th, 2019 election ballot.

Hooksett Christian Fellowship
New Church!



KENO Q&A

Chapter 229 of the 2017 New Hampshire Laws (SB 191) provided for additional education grants for school districts that have full-day kindergarten, with the funding for those grants to come, in part, from the proceeds of keno operations. The new law allows businesses that hold liquor licenses—restaurants, hotels, private clubs, and certain other establishments—to operate keno games upon obtaining a license from the liquor commission. However, keno may be operated only in cities and towns that have voted to allow it.

The new law has generated many questions from municipal officials. Below are some questions and answers that we hope will help in understanding the new law.



Q. How does the new law regarding keno and kindergarten affect municipalities?

A. From a municipal perspective, the new law does two things: (1) It provides funding to school districts for full-day kindergarten, with the intent that the funding will eventually (but not immediately) come from the proceeds from keno operations in the state. (2) It allows each municipality to vote on whether to allow the operation of keno within the municipality.

Q. How does the kindergarten funding work, and what is the connection with keno?

A. Under existing law, state adequate education grants to school districts are based on the “average daily membership in attendance” in each district—essentially, the number of full-time students. The basic grant is \$3,561 per student, subject to certain adjustments. Kindergarten students are counted as “½ day attendance,” even if they attend for a full day. In other words, adequate education grants are provided only for half-day kindergarten—a little under \$1,800 per student.

Under SB 191, for fiscal year 2019 only, the state will distribute an additional \$1,100 (for a total of about \$2,900) for each student attending a full-day kindergarten program. These distributions do not depend on keno revenue.

For fiscal year 2020 and later years, the state will instead distribute an additional one-half share (approximately \$1,800) so that districts are receiving the full grant of \$3,561 for full-day kindergarten students. *However*, that amount is to be funded by keno proceeds, which will be paid (after certain deductions) into the state’s education trust fund. If the amount of revenue raised through keno is less than enough to fund these additional grants, the grants will be reduced proportionally, but not below \$1,100 per student. Thus, districts will receive a minimum of \$1,100 and a maximum of (roughly) \$1,800 per full-time student, depending the amount of keno revenue.

Q. Must a municipality allow keno in order to receive the full-day kindergarten funding?

A. No. There is no connection between a municipality's allowance (or disallowance) of keno and its receipt of kindergarten funding. If the school district provides full-day kindergarten, it will receive the funding, both for fiscal year 2019 and for later years, regardless of whether the municipality allows keno. The only effect of a given municipality's allowance of keno is a cumulative one: if a municipality chooses to allow keno, and one or more establishments in the municipality subsequently obtain keno licenses, there may be an increase in the total statewide keno revenue that is available to fund kindergarten beginning in fiscal year 2020.

Q. Who determines whether a municipality will allow keno?

A. In a town, the question of allowing keno may be placed on the warrant for an annual town meeting, "and shall be voted on by ballot." In a city, it may be placed on the official ballot for any regular municipal election. If a majority of those voting on the question vote in the affirmative, keno games may be operated within the town or city.

Q. May the question be submitted at a special town meeting?

A. No, the law specifically says "an annual town meeting."

Q. How does it work in a town that doesn't have town meetings?

A. Unfortunately, the legislature appears to have overlooked that question. The legislation provides for placing the question on the ballot at a city election, or on the warrant for a town meeting. No provision is made for a town that does not have a town meeting. Because those towns are governed much more like cities, it would make sense to put the question on the ballot at a regular town election—but the statute does not say that, and we are not prepared to opine that this would be legal. We urge towns without a town meeting to consult with their legal counsel before taking action. In the meantime, an amendment to clarify the law seems in order.

Q. What is the process for getting the question onto the ballot or warrant? Is it up to the governing body, or can citizens petition to have it included?

A. The short answer is either one. Here is the longer answer:

For towns: The new law says the question "shall be placed on the warrant of an annual town meeting under the procedure set out in RSA 39:3." That is the statute that authorizes citizens to submit a warrant article by petition (signed by at least 25 voters or two percent of the registered voters), so one might conclude that *only* the citizens, not the selectmen, may initiate the warrant article. However, RSA 31:131 states, "Any question which an enabling statute authorizes to be placed in the warrant for a town meeting by petition may also be inserted by the selectmen, even in the absence of any petition." Thus, the selectmen may place the question on the warrant at their own initiative, and they *must* place it on the warrant if a valid petition is received under RSA 39:3.

For cities: The new law states that the legislative body (city council or board of aldermen) “may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot . . . upon submission to the legislative body of a petition signed by 5 percent of the registered voters.”

Q. So the governing body is not required to put the question on the ballot unless it receives a citizen petition?

A. Correct. In the absence of a citizen petition, the governing body *may* place the question on the ballot (or the warrant), in its sole discretion. If a valid citizen petition is received, the governing body *must* submit the question to the voters.

Q. If the question is placed on the warrant for a town meeting, should it go on the official ballot?

A. It depends. Of course, if a town has adopted the official ballot referendum (SB 2) form of town meeting, *all* questions must go on the official ballot.

In a town with a traditional (non-SB 2) town meeting, the question *may* be, but is not *required* to be, placed on the official ballot. This is because the new law specifies the form of the question and says that it will be “voted on a ballot,” but does not use the term “*official* ballot.” Under RSA 39:3-d, II, any law that prescribes the wording of a question, but does not use the term “official ballot,” is deemed to “authorize, but not require, the use of the official ballot for that question, unless a contrary intent is specified.”

RSA 39:3-d, II, goes on to say that if the question is *not* placed on the official ballot, “the prescribed wording shall be placed in the warrant, and may also be placed upon a preprinted ballot to be acted upon in open meeting in the same manner as a secret ‘yes-no’ ballot.” Although the statute says the question *may* be placed on a preprinted ballot, SB 191 says the question *shall* be voted on by ballot, so there is no discretion. Thus, if the question is not placed on the *official* ballot, it must be voted on by “unofficial” written ballot at the open meeting.

In short, non-SB 2 towns have a choice: put the question on the official ballot, or put it on the warrant and vote on it by written ballot at the open meeting.

Q. What exactly is “the question” that should go on the ballot or warrant?

A. The law states, “The wording of the question shall be substantially as follows: ‘Shall we allow the operation of keno games within the town or city?’”

Q. Must it be stated exactly in that manner?

A. No, not *exactly*. Note that the law says “substantially.” Further, RSA 31:130 states, “The forms of questions prescribed by municipal enabling statutes shall be deemed advisory only, and municipal legislation shall not be declared invalid for failure to conform to the precise wording of any question prescribed for submission to voters, so long as the action taken is within the scope

of, and consistent with the intent of, the enabling statute or statutes.” So, for example, there would be nothing wrong with omitting the words “town or” when the question is placed on the ballot in a city, or omitting the words “or city” on a town meeting warrant.

Q. In an SB 2 town, the question would be placed on the warrant that goes to the deliberative session. May the deliberative session amend the question?

A. No. RSA 40:13, IV(a) states, “Warrant articles whose wording is prescribed by law shall not be amended” at the deliberative session. If the question is placed on the warrant, voters may discuss and debate it as much as they want at the deliberative session, but they may not amend it. The question must go on the official ballot “substantially” as provided in SB 191.

Q. Can the governing body include an explanation of the issue along with the question on the warrant or ballot?

A. No. This would be a supplement to the language required by the law, and is likely to be deemed inconsistent with the requirement that the question be “substantially” in the form stated in the law. If the question is going to be submitted, it should be as stated above, without anything extra. The time for explaining the issue to voters is at the hearing that is required before the vote. It also can be explained as part of the discussion at the deliberative session (in a SB 2 town) or at the town meeting (in a non-SB 2 town).

Q. When is the hearing required to be held? Is it different for a town and a city?

A. For either a town or a city, the governing body must hold a hearing “at least 15 days but not more than 30 days before the question is to be voted on.” Notice of the hearing must be “posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.”

In a town, the date of the hearing will depend on the session at which the vote will be taken. In an SB 2 town, because the question will be on the official ballot, the hearing must be held 15 to 30 days before the second (voting) session—*not* before the deliberative session. In a town with a traditional town meeting, if the question is going to be on the official ballot, the hearing must be held 15 to 30 days before the voting session. If, instead, it is going to be voted on by written ballot at the open meeting, the hearing must be held 15 to 30 days before the meeting.

In a city, the hearing must be held 15 to 30 days before the municipal election at which the question will be on the ballot.

In all cases, be sure to post and publish the required notice of the hearing as stated above.

Q. Does the governing body need to hold a hearing before voting to put the question on the ballot or warrant?

A. No, unless the municipality has a charter or rules of procedure that require such a hearing.

Keno excitement is every 5 minutes!

7 days a week from 11 AM to 11 PM!

Take a chance to win even bigger prizes with KENO PLUS!

HOW TO PLAY

1. Fill out a play slip and choose how many "spots" (numbers) you want to play. Choose from 1 to 12 spots, and mark the spot in pencil, or blue or black ink. **DO NOT USE RED INK.**
2. Choose how much you want to wager per game: \$1, \$2, \$3, \$4, \$5, \$10, \$15, \$20 or \$25.
3. Select how many consecutive games you want to play. Choose 1, 2, 3, 4, 5, 10, 15 or 20.
4. Mark your numbers from 1 through 80. The numbers you pick must be equal in number to the number of spots you selected to play. Or, mark Easy Pick and have the lottery terminal randomly select numbers for you.
5. Present your completed play slip with payment to your KENO 603 retailer or use at the KENO 603 self-service terminal. The retailer will print and give you your KENO 603 ticket.
Important: It is the player's responsibility to check the accuracy of all tickets.
6. If you make an error in any of the steps above, discard this play slip and complete a new one.
7. Check the KENO 603 winning numbers on the KENO 603 monitor at your KENO 603 retailer, scan tickets yourself with the lottery ticket checker or visit the KENO 603 game page at nhlottery.com to see if you are a winner!

KENO 603 PAYOUTS											
Prize value based on \$1 wager. For wagers over \$1, multiply the prize amount by the amount wagered.											
Match	Prize	Match	Prize	Match	Prize	Match	Prize	Match	Prize	Match	Prize
12 SPOT GAME		11 SPOT GAME		10 SPOT GAME		9 SPOT GAME		8 SPOT GAME		7 SPOT GAME	
12	\$1,000,000	11	\$500,000	10	\$100,000	9	\$40,000	8	\$15,000	7	\$5,000
11	\$25,000	10	\$15,000	9	\$10,000	8	\$4,000	7	\$1,000	6	\$100
10	\$2,500	9	\$1,500	8	\$500	7	\$200	6	\$50	5	\$20
9	\$1,000	8	\$250	7	\$80	6	\$25	5	\$10	4	\$3
8	\$150	7	\$50	6	\$20	5	\$5	4	\$2	3	\$1
7	\$25	6	\$10	5	\$2	4	\$1				
6	\$5	5	\$1	0	\$2						
0	\$4	0	\$2								
Overall odds 1:15.73		Overall odds 1:7.63		Overall odds 1:9.05		Overall odds 1:6.53		Overall odds 1:9.77		Overall odds 1:4.23	
Match	Prize	Match	Prize	Match	Prize	Match	Prize	Match	Prize	Match	Prize
6 SPOT GAME		5 SPOT GAME		4 SPOT GAME		3 SPOT GAME		2 SPOT GAME		1 SPOT GAME	
6	\$1,600	5	\$450	4	\$100	3	\$30	2	\$5	1	\$2
5	\$50	4	\$20	3	\$4	2	\$2	1	\$1		
4	\$7	3	\$2	2	\$1						
3	\$1										
Overall odds 1:6.19		Overall odds 1:10.34		Overall odds 1:3.86		Overall odds 1:6.55		Overall odds 1:2.27		Overall odds 1:4	

KENO 603 PLUS gives you a chance to increase your KENO winnings by 3, 4, 5 or 10 times. To play KENO 603 PLUS, mark the "KENO 603 PLUS" box on your play slip. **The cost of your wager will double.** KENO 603 PLUS cannot be played separately. If you purchase the additional KENO 603 PLUS for a drawing and win, you may multiply your winnings if a multiplier number (3, 4, 5 or 10) is drawn.

KENO 603 PLUS not available for the 10, 11, or 12 Spot Games.

KENO 603 PLUS PAYOUTS		
EX: Winning Amount based on \$5 prize		
MULTIPLIER	ODDS	PRIZE
NO PLUS	1:1.75	\$5
3X	1:3	\$15
4X	1:15	\$20
5X	1:40	\$25
10X	1:240	\$50

IMPORTANT INFORMATION

1. You must be at least 18 years of age to purchase a ticket.
2. A ticket is a bearer instrument. The New Hampshire Lottery, retailer or contractors shall not be responsible for lost or stolen tickets. The New Hampshire Lottery or the contractors shall not be responsible for tickets redeemed by retailer in error.
3. If more than \$1 is wagered per game, multiply the prize won for the applicable \$1 play by the amount wagered for that game. \$1,000,000 is the maximum amount to win per game.
4. With KENO PLUS, \$2,000,000 is the maximum amount to win per game on any one KENO 603 game ticket, regardless of the amount wagered.
5. Tickets, transactions and winners are subject to state law, rules and regulations of the New Hampshire Lottery, and tickets are only offered for sale in accordance with the same. Applicable rules are available upon request from the New Hampshire Lottery.
6. Only the highest prize won paid per game.

TO CLAIM

1. Sign the back of your ticket in the space provided to protect your rights.
2. If your prize for an individual wager is less than \$600, take your ticket to any NH Lottery retailer for validation and payment.
3. If your prize for an individual wager is \$600 or more, claim **must** be made at NH Lottery HQ in Concord, NH.
4. For further prize claim information, visit nhlottery.com.

Please Play Responsibly
Gambling problem? Visit nhproblemgambling.org

~~Unapproved~~ **APPROVED**
Candia's Selectmen's Public Meeting Minutes
February 26th, 2018

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

7:00 p.m. Chairman Robie called the Public Meeting to order and immediately followed with the Pledge of Allegiance.

Approval of Previous Minutes: Public meeting minutes of 02/12/18. Selectman Young moved to accept the February 12th, 2018 Selectmen's Meeting minutes as presented. Seconded by Selectman Komisarek. All were in favor. Motion carried.

The Selectmen will hold a public hearing regarding the question of permitting the operation of the NH Keno 603 game at qualifying establishments within the town on the March 13th, 2018 election ballot. Chairman Robie opened the public hearing. Selectman Laliberte asked if anyone had any questions or concerns about this. He did print out two documents if anyone was interested (see attached). One of them is from the New Hampshire Municipal Association on the process of how they got it on the ballot, what the law actually says and what will happen if it passes or fails. The second handout is about what Keno is. He got something from NH Lottery that explains the game proper. To be honest it is kind of a biased document because it is promoting the game, but it is the best thing he's found that explains the game. He asked if anyone had any comments. This is on the ballot for March 13th. If it passes it means that restaurants that are in town that are full service and provides what is called "pour" which services alcohol, they will have the ability to apply to the NH Lottery to see if they would like to offer the game. There is no guarantee that they would get it but that is something they could do. If it fails they would not be allowed to apply for the game. He asked if anyone had any questions, concerns, or comments. Resident Ed Fowler asked if it had to be a full service bar. Selectman Laliberte replied yes which they don't have any in town right now. It has to be full service not just beer. There were no other questions or comments. Chairman Robie closed the public hearing.

Conservation Commission Chair Susan Wilderman will give the Board an update on the Fowler easement. Conservation Commission Chair Susan Wilderman was present. She explained when she was here in October to look at moving forward with the Fowler project. Just some reminders, it is a donated easement and what you have in front of you is the wording of the easement. It has been worked through and she believed they are here to bring this project to a close. Chairman Robie asked if Bear Paw Regional Greenways was going to hold the easement. It is the same as all of the other easements that are similar. Conservation Commission Chair Susan Wilderman noted the wording is very similar to the easement the Fowlers had done on Palmer Road. There is also a map that shows you where the easement was compared to the exclusion part. Selectman Dann asked if the language for the easement was drawn up by an attorney. Dan Kearns of Bear Paw explained that it is drafted in their office and it is reviewed by their attorney. He believed the original Fowler easement was reviewed by the Town as well. The language on this one is verbatim, the same as the Palmer Road easement that they did before. It does convey an executory interest to the Town of Candia that if they fail to enforce the

Planning Board/ZRRC Outstanding Items to Address

1. Replace Master Plan listed as "Current" with the proper plan.
 - a. Currently, the 2004 version is shown as current and should be the 2017 version
2. Check to see if Board members would like copies of the following documents:
 - a. Zoning Ordinances
 - b. Current Master Plan
 - c. Old Master Plan
 - d. Current Capital Improvement Plan
 - e. Current Transportation Plan
 - f. Town of Candia Open Space Plan
 - g. Proposed regulation Updates
3. Planning Board Tasks to plan for and address:
 - a. Complete Current Regulation updates/schedule public hearing
 - b. Re-do application checklists for:
 - i. Major Subdivision
 - ii. Minor Subdivision
 - iii. Major Site Plan
 - iv. Lot Line Adjustment
 - c. Update the Capital Improvement Plan
 - i. Current plan expires in 2020
 - d. Review/Revise Zoning Ordinances
 - i. Animal Husbandry
 - ii. Home Businesses
 - iii. Large gatherings/Festivals
 - iv. Elderly Housing
 - v. Miscellaneous items
 - e. Mapping Data Updates
 - i. Flood plains
 - ii. Unsuitable land (slope, wet, others)
 - iii. Soil types
 - iv. Aquifers
 - v. Watersheds
 - f. Class VI Road Policy update per RSA 674:41
 - g. Crowley Road/Lane Road intersection (see Transportation Plan)
 - h. Traffic Impact Fee regulation review/revision
 - i. Complete Village District proposal
 - j. Implement the Transportation Plan
 - k. Review Planning Board Rules of procedure

- l. Update Sign Regulations
 - m. Update town-wide build out analysis
4. Review agricultural related regulations presentations
5. Discuss BOS presentation items (from above)