

~~Unapproved~~**APPROVED**
Candia's Selectmen's Public Meeting Minutes
April 8th, 2019

Attendance: Chair Susan Young, Vice-Chair Carleton Robie, Selectman Russ Dann, Selectman Boyd Chivers, Selectman Brien Brock, and Administrative Assistant Andria Hansen.

7:00 p.m. Chair Young called the public meeting to order following the Pledge of Allegiance.

Roll call: Chair Susan Young, Vice-Chair Carleton Robie, Selectman Russ Dann, Selectman Boyd Chivers, Selectman Brock and Administrative Assistant Andria Hansen.

Approval of Minutes: Public meeting minutes of March 25th, 2019. Selectman Dann moved to approve the Selectmen's Meeting minutes of March 25th, 2019 as presented. Seconded by Selectman Chivers. All were in favor. Motion carried.

Public Comment: There was no public comment at this time.

Department Reports: Highway, Police, Fire, Building, Planning, Solid Waste, Budget, Other

Highway: Road Agent Lewis read from the attached report. It's been a brutal winter for patching; they are up to 15 tons of patch. They normally put out about one (ton) by now. He graded for muddy conditions, they all know how muddy those conditions were. Grading was done on all of those dirt roads when they dried out.

Police: Chief McGillen said they had 26 criminal offenses in the month of March, mostly some driving charges and a couple of thefts. They've had 83 calls compared to 64 last year. He noted they put a lot of them under police information and they could be anything from elderly abuse to child investigation. Sometimes they aren't listed as a crime; some stuff is sensitive like it could be drug information so they list it as police information.

Chief McGillen mentioned the trees down by the Post Office. He called the DOT and they took down some trees. The site distance improved compared to what it looked like before.

He mentioned they had a Safety Committee meeting recently and the crosswalk came up at the golf course. He hasn't been down there to talk with them and the consensus was that it should be reflective paint. They changed the style to a more modern style crosswalk design, but the paint is dim and you can't see it. Especially at dusk and a lot of times the golf course is still open. He hasn't had a chance to go down and speak with the new manager.

Chief McGillen informed the Board that he ordered three new portable radios. They've been having some radio problems so they order three new Motorola radios. He checked with the Sherriff's Department to see what type of radio they should get. He was thinking an inexpensive brand. He recommended Motorola so it is compatible. The cost was a little over \$3,100 each. The police equipment line will be over. They'll see how the budget goes and they'll just show an overage on that line. They have enough money in the budget to cover it. This was a needed expense, those radios were older and they can't get parts for them.

The new cruiser will be in sometime this month. It's getting painted. He ordered it from a different place. The Ford dealership they usually deal with couldn't come through and the date was too far out to get a 2020. He found one that is less expensive down in Massachusetts. It will be delivered later this month.

They've gotten a few calls recently with bears in people's yards. This is going to happen. The ACO wanted him to tell everybody to take their feeders in. He knows that Fish and Game has put that information

out. They did have a smaller bear show up and they thought it was a cub. Fish and Game came out and said it was a young adult that didn't get much to eat last year and he looked small. They found him up on Fieldstone behind the Komisarek's house.

Chair Young asked if they could get a solar powered pedestrian crossing light for the golf course. They are solar powered and have flashing lights around the outside of it. If it is raining out it might not be that strong, but there might not be a lot of golfers out. They are powered by the sun they can put them anywhere they want them and they won't need an electrical hookup. It has flashing red lights and it is really eye catching. Selectman Brock asked if they have painted that in the past. He asked what they paint it with, regular road or whatever. Chief McGillen noted they use regular paint. It took a couple of years with repeated calls and they finally got the improvement. Selectman Brock said any of that surface painting needs to be the glass bead. There are two different kinds of glass bead and one is highly reflective.

Chief McGillen asked if Road Agent Lewis put those signs up. Road Agent Lewis answered he did not, the golf course did. He helped work out the placement. Selectman Brock said he was in Durham yesterday and they have something similar to what Sue is talking about only they are amber not red. It's a crosswalk and they flash around the perimeter. This was daylight so it's not that it is night activated it's on all of the time. Chief McGillen said he would bring that idea up to the golf course. Selectman Dann thought they could press a button so it is not flashing all of the time. Selectman Brock said these were in areas where you wouldn't know there was a crosswalk there. The other thing is like the paint with the glass bead, it looks like it is lit up.

Resident Judy Szot asked if the cars have to stop for those carts or do the carts have to stop for the cars. Chief McGillen explained if the cart is coming onto the road then the cars need to stop, like a pedestrian. Resident Judy Szot said the problem is if you are coming from the highway and you come over the hill it is fairly closer when you come over the hill down to the crosswalk. Sometimes there are bushes there and you can't see the carts that are coming on the right side. Chief McGillen said he would take a look. Resident Judy Szot noted this happened to her recently and you know someone is there, but you don't know whether you are supposed to stop for them or they're supposed to stop. Selectman Brock said most of the people in the carts think that you're supposed to stop. Selectman Dann asked if there was a "yield to golfers" sign. Selectman Brock thought the sign said "yield - crosswalk". Selectman Robie asked Chief McGillen if the cars need to yield for the golfers. Chief McGillen said if there is someone in the crosswalk. Selectman Robie asked if they are on the side of the road. Chief McGillen said no. Resident Judy Szot noted they will just drive across the road when cars are coming. She's had people make unpleasant gestures because she hasn't stopped. Selectman Robie said just for the record they talking about crosswalks that are maintained by a private identity. They aren't maintained or managed by the town. Yes, they need to yield for someone standing in the road, but a golf cart or pedestrian standing at the edge of the road he's not sure they need to yield to that person. That person needs to yield to us. They aren't maintaining that cross walk as a town identity. Maybe Dennis has been through this numerous times and he can probably help us out here.

Road Agent Lewis thought it would be good if the golf course put up signs "golfers must yield to traffic". There is this false security with a crosswalk and nobody is really going to know who is who there because it is a private crosswalk it's not a municipal crosswalk. Maybe the golf course should be made to put signs up on both sides that yield to oncoming traffic. Otherwise nobody is quite sure. You see everything going on there. Selectman Robie didn't think they were quite sure either because it was just said we need to yield to the golfers and he didn't think that was 100% true. The golfers need to yield to the traffic. Selectman Brock thought that would end badly if they don't yield to them and they are heading across. Selectman Robie said if someone is in the middle of the road they yield. Chief McGillen agreed and the golf course should have signs and they should bring it up to all of their members that they have to yield. Road Agent Lewis thought a sign should be there and it should say this is an unprotected crosswalk or however they want to word it.

Chair Young thought with some cooperation they could have the signs where the golfers are coming out on either side "please yield to traffic" and have two flashing lights. She thought that would work out fine. She hasn't known of anybody that has been hit there yet.

Fire: Selectman Dann read from the attached report. It was noted that the Fire Department report was in a new format. Building Inspector Murray said this was new format and he had a little training on it today. Kyle Ball only had 8 days to put it together. He thought next month's report will be a lot better. They shut down the old system in March and just started working on this one. Kyle is their IT guy and he is struggling with it a little bit. It will be a lot easier for them. Also, instead of Lisa having to print this off at the fire department, she'll be able to do it here. They'll figure it out for next month's report.

Building: Building Inspector Murray read from the attached report. All of the numbers were pretty close to last year.

Planning: Selectman Brock said the last Planning Board meeting was a pretty quiet meeting. Everybody is concerned about any future building on Currier Road. There really isn't much they can do to stop it, because it is a Class 5 road. The concern is impact fees and how do they address issues that exist up there now. Planning Board Chair Rudy Cartier was going to consider talking with town counsel to see if there are any options. Maybe put a moratorium on any future building if the town deemed that it is necessary. They also approved the new regulations.

Solid Waste: Selectman Dann noted that Solid Waste report was in a new format. Selectman Chivers and Chuck worked on the report comparing last year with this year. The LED light conversion was completed this month. Chair Young couldn't wait to see the electric bill and see the savings. Selectman Dann said they are still running the baler and what have you. In the future they will compare month to month. In addition to it some of the lights needed to be replaced, so this came in at the right time. Some of those lights are ten years old and sometimes when you replace one or two lights it gets costly. Plus they would need a lift to do it.

Budget: Chair Young said the Budget Committee will be meeting this Wednesday.

Old Business

Policy review – finalize Contract with Town Counsel Policy: Selectman Chivers said he started with the old draft and incorporated all of the recommendations they made at the last meeting, so it covers all of the ideas this Board seemed to agree on. They wanted to see it in writing before they could agree on the final version of this.

Chair Young was going to be blatantly honest. Her intent to bring that up at the beginning was because of our legal expenses going over. She didn't know if they had a chance to look at the budget, but they only have 38% left and they should have 75% at this time of the year. She likes what she sees in the policy and she appreciated him working on it, but she sees more people being able to call the attorney not less. She is not sure that she agrees with all the ones that are written here. She can see the Chief of Police, but she thought the others have to go through the liaison.

Selectman Chivers said if you read this they do have to go through their liaison. Under procedures "Any board member who wishes to contact town counsel must first have authorization from their Board Chairman and designated liaison. If for some reason it is not possible for the board member to go through their designated liaison and Board Chair, they must seek authorization from the Chairman of the Board of Selectmen." Chair Young said if you look at Section 3 it says "The following position(s) are the only Town Official(s) authorized

to contact Town Counsel after and with the concurrence of the liaison delegated by the Board of Selectmen.”

Chair Young said she could understand the Chief of Police, but she didn't know why the Budget Committee would ever have to. The Planning Board and the ZBA she could understand. She got a breakdown of everything that was spent in January and February. It seems a little out of control, but it might be her opinion. They are way over budget. She understood they have items going on here. Selectman Chivers asked which ones would she eliminate – the Budget Committee? Chair Young didn't know if the Road Agent uses it. Road Agent Lewis said ever two years at the most, but it is rare. Selectman Brock said usually his stuff would come to the Board anyways before it went any further. Road Agent Lewis said there is a whole path of his stuff before he would contact legal counsel. Selectman Chivers asked if they should strike.

Chair Young asked Building Inspector Murray if he needed to contact town counsel. Building Inspector Murray said he didn't mind going through his liaison or one of the Board members, as long as he didn't have to wait until the next meeting.

Selectman Robie read from the March 25th Selectmen's meeting minutes “Chair Young confirmed they were going to get rid of the list of Town Officials authorized to contact Town Counsel.” This is what it says towards the end of their discussion. They said they were going to get rid of the list, but he brought up that the Chief of Police should be able to contact town counsel. Selectman Brock said that was all thrown out there to be reviewed later. Selectman Robie reviewed the current policy and who is authorized to contact town counsel. This policy was approved in 1994 and updated in May of 2011.

Chair Young said she had copies of the bill and many of them she finds questionable. Selectman Robie said at this point should they be looking at the bills that came in or should they be looking at the policy. Chair Young said they are doing the policy because of her concern with the bills last year and this year. This is why she wanted to address that policy first. She asked if the Board wanted to leave it with this wording. She thought some of the town officials could be removed from the list.

Selectman Robie said he could help clear this up. If they want to have one other person to oversee what someone else is doing then when the Planning Board Chair wants to speak with legal counsel he needs to go through the Selectmen's Representative. At least there are two people knowing that someone is calling legal counsel. This is what Selectman Chivers is saying. This isn't what they talked about at the last meeting. If what they are trying to do is have one person oversee another department or committee before they contact legal counsel this is what they need. If they want to go back to what they talked about two weeks ago, they can go back and revisit what they already had.

Selectman Chivers said the other thing that it incorporates is the requirement that your questions be submitted in writing with a request for a response in the same format. He thought that was important. Chair Young said so it would avoid all of these phone calls.

Selectman Dann said as they pick up the phone they are billing correct. If they get a letter it saves some communication time. Chair Young explained they have 10 hours at \$170 per hour every month. Now she hasn't spoken in 4 years more than an hour with the attorney. She understood some things come and some of this stuff is very questionable to her. If a Chairman of a Board no matter what Board it is, finds it necessary to talk with them maybe if they have to ask or run it by the Selectmen. They are responsible for this money, it is not our money. In January they were 43 hours over at \$185 per hour. In the month of February they were 22.4 over the 10 hours at \$185 per hour. They are down to nothing for the rest of the year. This is her concern with the policy, but whatever the Board thinks is the best way to do it she will go along with that as long as there is some type of control. And people aren't emailing and getting on the phone without direct authority from one of the people who are responsible for the taxes in this town.

Selectman Chivers said that is what the policy states. They are only authorized to contact counsel after and with the concurrence of the liaison delegated by the Board of Selectmen. Every department has a liaison, so if the Planning Board wanted to contact Bart they have a representative that sits on the Planning Board.

Chair Young asked about the ZBA. Selectman Chivers said there isn't a representative. Selectman Brock said they would contact the Selectmen if they had an issue. Chair Young didn't think they were. They had asked everyone to let Andria know through the office when they are contacting town counsel. This has not happened. Do they make it a policy to make it happen? She hates rules just as much as anyone does and didn't want to legislate every little thing, but if you were more familiar with things from last year they would know what she is talking about.

Selectman Dann said right now they have to submit it in writing to Andria and then it can be brought forward. Chair Young said if they adopt this. Selectman Dann thought they were solving that problem. Sometimes when you think about something longer you have a different solution or way about it. Chair Young asked if the ZBA would also go through Selectman Brock. Selectman Chivers agreed. Chair Young asked about the Budget Committee. Selectman Chivers said they have a Selectmen's Liaison on the Budget Committee. The Building Inspector/Code Enforcement Agent would be Selectman Chivers. The Road Agent has a liaison as well.

Chair Young said the Chief is in legal stuff and that isn't a problem that she sees here. Selectman Chivers said that he uses a different firm for the prosecution as well. They really don't use Bart for the prosecution. Chief McGillen said they don't use Bart, but when he calls he tries to use NHMA. If he has to call Bart it is usually an employee problem. He can't put it in one question because it is several questions. So he didn't know if he agreed with the part about it being in writing. It is usually complex. Selectman Robie thought they should take the Chief of Police off of the list. He doesn't need to be on it. Selectman Dann asked if the attorney's that the Chief uses are on the same line item. It was noted that it is a different line item.

Chair Young said what she wanted to do last year is put legal under each category, because someone made the comment why is the town spending so much money on legal. She said they weren't and it was attributed to other departments. They didn't really pursue it. This Board is responsible ultimately and the buck stops here and it is tax money being spent. This is very concerning and they are only at the beginning of April. Selectman Brock asked if Chair Young had a suggestion to achieve what she is looking for.

Chair Young said she wanted to get it condensed or at least have them run it by Andria, what she suggested they do last year so they can keep track of this. Selectman Brock said that is not a responsibility that should fall on Andria. Selectmen's Administrative Assistant explained it would funnel through her and right to Chair Young. Chair Young said or anyone else on the Board. Selectman Robie said as far as funneling through the office, he didn't know if our office and our staff have the time to screen a Planning Board issue every time it comes up. It just puts more workload on our office which is pretty well worked now. Every office has their own needs; they just keep piling it on.

Selectman Chivers asked what is wrong with going through the liaison. Chair Young said that is fine as long as it is happening. Whoever was the representative for Planning Board certainly didn't know about this. Selectman Chivers said then they can tighten that up. Chair Young said it is too late after they have been called. She thought maybe they could send a memo out to the departments. Selectman Brock said they are going to get a copy of this policy once they get one. Selectman Chivers said once they agree on this policy they will send the department heads a copy.

Building Inspector Murray asked who was going to write the request. Selectman Brock said it sounded like it is going to come from the Board Chair in conjunction with the liaison or they must seek authorization from the Chairman of the Board of Selectmen.

Selectman Robie said in the policy they are under right now it says "Designees of any of the above (under specific direction of the chair or the Chief of Police on a case by case basis only). According to this the Chairman of any of these Boards/Departments or Police Chief, if any of their people wanted to speak with counsel they would have to go through that Chairman, but they just doubled up on the people that need to go through their liaison.

Selectman Chivers asked if they wanted to strike the Road Agent and the Budget Committee to hone it down a bit. Selectman Robie thought they needed to remove the Police Chief. He doesn't need to talk to the Selectmen about what he needs to do. Selectman Brock added in many cases he can't. Selectman Chivers asked if they should strike the Budget Committee. Chair Young said she has never known them ever needing to call. Selectman Brock said if they had an issue at this point they would have to go through the Selectmen's office. That is where they are going to seek relief from is the Selectmen. Selectman Chivers said they have three on the list – Planning Board, Building Inspector/Code Enforcement Officer.

Chair Young said she wanted to remain positive about this and she didn't want to point fingers. Selectman Chivers said they have it down to three bullet points and the original one had "Designees of any of the above..." Selectman Robie said they still should have that right. If you're a member of the Planning board and you don't agree with the Board and you talk with your Chairman and want to call, everybody might have a different question to ask. If you put it in writing like we asked them to do they should have somewhat of a right to participate at that level.

Selectman Robie added if the Chief has someone in the department that feels they need to contact legal whether it is an officer or an employee then they would use that line and go through the Chief of Police. Chair Young said the Chief is usually pretty involved. Chief McGillen said it depends on the situation. Selectman Brock said that is the whole idea of having the policy. Just so there is communication and people aren't jumping on the phone.

ZBA member Judy Szot said the case that was in January and February involving the ZBA she was getting communication back and forth from the attorney because she was the representative from the Board that was going to the case. She asked if she had to go through Brien. She was sure they are getting billed for all this, but does she have to go to Brien every time she needs to email back and forth or ask a question about the case. The attorney has sent her copies of paper work asking about the case and she would send him an email back. Is this something that they have to go to Brien every time when they have a case that is going to court? This is the first one they had in several years. If you are involved in a court case there is a back and forth that is involved with the attorneys. Selectman Brock thought once you are in it, you're in it. ZBA member Judy Szot said they sat in court for four hours which we paid for and waiting to be heard. Selectman Brock clarified this is more if a question comes up and somebody just says they'll call Bart.

Chair Young said she is not talking about a specific case. She's not worried about that. Selectman Brock said sometimes it's easy for someone to say they'll just call the attorney. ZBA member Judy Szot said it is better than making the decision yourself. Selectman Brock said they could go through NHMA.

Chair Young asked if the Board was in agreement with the changes made. Selectman Chivers moved they adopt the revised Town Counsel Contact policy as amended. Seconded by Selectman Dann. All were in favor. Motion carried.

New Business

The Board to consider use of Town Counsel to assist in the prosecution of code enforcement cases. Selectman Chivers said they would like authorization from the Board for the Building Department to use town counsel to help prosecute the worst land use violation cases they have. Once Dave gets to a point where it is clear or there is no more cooperation and they are just stringing us along for a year or more and it is time to use the legal remedies that are at their disposal which he didn't think anybody but a lawyer could clearly understand. He went over to the court to ask the Clerk of Court how they go about prosecuting land use violations in Candia and he walked away from there more confused than when he arrived. There are different ways you can go. You have to decide if you are going to prosecute in Superior Court or District Court and what kind of relief you are looking for. Building Inspector Murray is a great Building Inspector and knows a lot

about construction, but he is not a lawyer. It is unfair for us to expect Dave to prosecute these land use violation cases all by himself without some access to guidance from Bart's office from the start of the case right through the development of the case until it is finished. This is what they are asking for here. It won't be for every case that comes before us it is going to be the ones that they have to do it.

Building Inspector Murray said it would be one more step for Bart, because once he prosecutes it and they got it into the courts they are going to be coming with us anyway like they have in the past. It is one extra step for Bart's office to actually do the paperwork, get it before the judge rather than have him floundering around. He hasn't actually done this in the seven and a half years that he has been here. There hasn't been a lot of spending going on. The couple that are coming up, it is just time.

Selectman Chivers said if they prevail in the case they can sue for the money that they expended. So they aren't going to bring a case that they can't win and get a judgment in our favor. He was pretty sure we'll recover any money that they have spent. It won't come this year or any time soon, but eventually the town will recover it.

Chair Young said there were three cases that were outstanding and now they are talking about four. Are those the four you are referring to? Building Inspector Murray said some of them are. Chair Young said there have been three for the four years she has been on the Board. She asked if he has sent any written communications. Building Inspector Murray said he has. Chair Young asked if this is something before they take any legal steps the Board sends written communication. Selectman Chivers said they don't enforce the land use violations. Building Inspector Murray said he could add to the letter, but it would be nice to be given the okay to prosecute them. When he present that to them maybe that will give them the next shove and they still won't have to prosecute them. Chair Young said you can try that first.

Chair Young said the other thing she would like to say is that any hopes of getting money back is a long shot, because you can't get money from a stone. And there are ones that she is thinking of right off the top of her head. She asked how many are they talking about. Building Inspector Murray said there is one for this year, but they may be looking at two. Selectman Chivers said they are going to look at the first one and see what it is going to cost us to do it, what it takes, and how successful they are. They need the Boards approval before they start using that line to finance the prosecution.

Selectman Brock said it is consistent with our policy. Selectman Chivers agreed that it was, but he would like the whole Boards support for that. Selectman Robie agreed completely and if they want the codes enforced they need to support their Code Enforcement Officer 100%. Building Inspector Murray said if it gets to that point where they have to go to court, he has done well to keep us out of court. There is a couple left. Chair Young said she was surprised that they haven't done it before this. When she first got on the Board there was a couple that were three or four years old. She felt it was time they support him.

Selectman Robie said there are a lot of things that are going on that they aren't going to be able to fix. They've been through this numerous times in their community with code enforcement. Sometimes it takes a generation or two. You can hope for everything, but sometimes they have to wait. Building Inspector Murray said he is not going into a gated community. Selectman Robie said sometimes you really think you have a case, but you step back and look around for a minute and you might have a different answer. A lot of us in this room have been here for a long time. Building Inspector Murray said it has been there a long time like fifty years they're not going to fix that.

Chair Young confirmed that he was going to start with one case. Building Inspector said yes and he is going to set up a schedule. Chair Young said you can say that you have the Boards blessing. Selectman Brock said he can be more aggressive now because he has the weight of the Board behind him. Selectman Chivers moved that the Board approve the use of town counsel to assist in the prosecution of code enforcement cases by our Building Inspector/Code Enforcement Officer. Seconded by Selectman Robie. All were in favor. Motion carried.

Constellation Contract – Electric supply agreement. Selectman Dann explained this is a four year contract for energy use. It has been put together by a consortium of towns and schools which includes Chester, Deerfield, Goffstown, SAU 19, Windham, SAU 95, Weare, Southern NH Planning Commission, New London, SAU 18, and Sunapee. They are guaranteed a \$0.07860 kW per hour compared to the 9¢ Eversource is charging. They talked about this at the last Recycling/Energy Committee meeting. Their present contract which they've had will be running out in November. They are trying to stay ahead of the supply source.

Chair Young said she hasn't read this contract. She asked if they need to make a decision by November. Selectman Dann said they need a decision now. They've had this contract and they put it off until the Recycling/Energy Committee could meet. They had their meeting on March 28th and had the people from Standard Power in to talk about it. The committee has recommended this.

Selectman Robie asked if they were signed up to something similar to this for the Recycling Center. Selectman Dann said this is all of the meters they have in town. Selectman Robie said this is something new, right now they got this for the Recycling Center. Selectman Dann said last year they got a \$4,000 rebate for energy costs. Standard Power has helped put this together and it is the same people they have been working with it is just a bigger group involved.

Chair Young thought Selectman Robie's question was aren't they using Standard Power at the Recycling Center. Selectman Dann answered it was throughout the town. They are getting billed but they are getting billed at a reduced rate. Selectman Brock said this is buying the actual electricity. There are two different parts to your electric bill. Chair Young asked what their current rate was. Selectman Dann said he didn't know the amount, but it ends in November. Chair Young thought it was \$.098. Selectman Dann replied that is Eversource's current pricing. They are with the hydro right now and this is combined, they put this consortium together with other towns to be a bigger group.

Selectman Chivers asked how much they will save on this. Selectman Dann said close to 2¢. Selectman Chivers asked if there was any charge to make the conversion. Selectman Dann answered no and it is just a new contract that will start in November. Chair Young asked if it would be for one year. Selectman Dann said it is a four year contract.

Selectman Robie asked if there has been any discussion about what Eversource may charge, a deliver fee for its customers that aren't buying power from them. Does the Public Utilities Commission have that on their books that if you are not buying power from Eversource does Eversource have the right to up their deliver charge to those customers? Selectman Dann said that has to be voted on and passed by the state; you are talking about solar or everywhere. Selectman Robie said Eversource is looking at that also because they are taking all of this power through solar. Selectman Dann said these companies are generating power into their system. Selectman Robie said his point is the utility companies are going to look at that, these people are feeding our lines and they aren't buying power from us which they make a little money on. Eversource sells us the power, their buying it and making that 2¢ you are talking about which they have the right to do under the law today. It's like these people who are buying the power at a reduced rate and they are selling it back to us. They may only be making 1¢. There is going to be a point to deliver that power where these companies are going to be compensated.

Chair Young said this is what this letter from Eversource said. Selectman Dann said in the future you never know and maybe it will never pass. Selectman Robie understood that but four years is a long time. Selectman Chivers said you could end up paying this price and Eversource charge us a delivery fee that puts us out of the ballpark. Selectman Robie said that was his point. Selectman Chivers said you can't expect Eversource to deliver someone else's electricity for nothing.

Selectman Robie said this was his point a year ago, but maybe they are listening a little better tonight. Chair Young said if she didn't read this email from Eversource, it is the first time in a decade that Eversource is

seeking a distribution rate change. They aren't going to lose money; they just put new poles in. They do have the highest rates in the country.

Building Inspector Murray asked what would be the course of action to get out of that contract, if need be. Chair Young said she hasn't read the contract to be honest. Selectman Brock said that contract guarantees that particular rate for four years. The big question is what is Eversource going to do once you start buying the power from someone else. They are going to go up on their rate for the delivery charge. Chair Young said she has never known the PUC to ever refuse Eversource increasing the rate. Now maybe they will it depends on who is up there and who is involved.

Chair Young clarified this is not a negotiating tool where they can go back to Eversource and say this is 78¢ can you beat it. Selectman Robie said they aren't going to care, they buy more power than these guys do.

Chair Young said if the Board wants to make a decision tonight she will probably abstain, because she hasn't had time to read the contract. She doesn't have the knowledge to make a good decision. Selectman Brock asked why it needed to be done tonight. Selectman Dann said it should have been done a month ago. This is to guarantee this rate with this consortium. Selectman Brock said it sounds like a pressure move on their part. He felt if they are talking to us he thought they would wait. Selectman Dann noted the rate could go up. Right now these people are committed to it. Selectman Brock said he agreed with Sue and he didn't know if he knew enough about it to make a good decision. Chair Young asked Selectman Dann if they could wait until the next meeting. Selectman Dann said they can ask and he has no problem with that. It is a four year contract and that is what it amounts to.

Selectman Brock said if they want us for four years he thought they would wait. This is his feeling. Selectman Dann said they have to move forward with these other people. Chair Young said the consortium consists of all these different communities that have banded together. Are they all stopping in November? Selectman Dann said the contract is for November for the whole group. She would think if they could wait until the second meeting in April. Selectman Dann said their contract is through November and that has worked out well for us. Administrative Assistant Hansen noted that Ryan Paulsen of Stand Power said he would come to one of the Selectmen's meetings if they would like. Selectman Brock said Selectman Robie brought up a good point, Eversource isn't going to take a hit all of the time and not do something about it.

Chair Young asked if they could wait until the next meeting and see if they can get their questions together. Selectman Dann asked if they would like Ryan to come in. Chair Young thought that would be a good idea. Selectman Robie said if they are going to have this gentleman from Stand Power coming in to try and sell us this program, they ought to have someone from Eversource come in and tell us what their future plan is. Maybe they have a plan to supply us some power. They are really trying to get out of selling power and tried to concentrate on service but they are going to get paid for that service at a premium. He felt they should hear both sides of everyone's sales pitch.

Chair Young summarized that they would get both sides to send a representative. They will get their current contract out from Eversource and see what they are comparing. She thanked the Recycling/Energy Committee for all the work they did on that. Selectman Dann noted they did a lot of work at their last meeting. Chair Young asked the Board to have their questions ready ahead of time.

Other Business

Judy Szot reappointment to the ZBA: Selectman Robie asked if that position was posted. ZBA member Judy Szot said it was a three year position. Selectman Robie asked if there is a policy for posting for the position to see if anyone else is interested. ZBA member Judy Szot explained it has never been done that way. Selectman Robie asked if there was a policy on that. ZBA member Judy Szot answered not to her knowledge. She has been on the Board for thirty years and this is the way it has always been. They were appointed by the

Selectmen. They've gone almost three years without an alternate. Selectman Robie said if they don't post the position's availability they're not going to have much chance of that. ZBA member Judy Szot noted it is posted on the town website. They were looking for alternates it was not that there was an open position on the Board. Chair Young said the Planning Board did the same thing. She didn't believe the paid to take out an ad. ZBA member Judy Szot said the Zoning Board is appointed. Selectman Robie said that is his point to give everybody a chance if they are interested. Selectman Chivers moved that the Selectmen approve the reappointment of Judy Szot to the ZBA for a three year term. Seconded by Chair Young. All were in favor. Motion carried.

Bear Brook Steering Committee: Chair Young noted that the Conservation Commission has asked that Tom St. Marin be the Candia representative to the Bear Brook Steering Committee. This isn't anything that the Board has to nominate. This is who they chose to be there representative. Tom DiMaggio is also going to be representing, she thought he was doing trails. He is in another position; he won't be a town representative. She just wanted to bring this up to the Board.

Road Side Clean Up: Selectman Dann said Roadside Cleanup is April 27th. They can get the blue bags at the recycling center, library, and the town office. On the 27th at 8:00 a.m. they will have bags available at Moore Park. The dumpster will be available a week before and a week after. If you can't do it on the 27th you can do it in the two week timeframe. They are going to have the park open. They are trying to put together a picnic. They'll have hotdogs and they would love to have kids involved. The picnic will be 1:00 pm to 3:00 pm. Building Inspector Murray said they'll try to open up the bathrooms and turn the water on by then. It should be warmer. Chair Young asked if Building Inspector Murray turned on the water or does Steve Abelson do that. Building Inspector Murray said he turns it on and gets it blown out. Ernie Gene turns off the lines for them in the fall, but he turns it on in the spring. He asked if the dumpster was going out by the sand pile. Selectman Dann said it was.

Building Inspector Murray asked if there would be a dumpster in the park this year. Chair Young said they were, but they are going to call every time it is full. It is going to be a smaller dumpster. But they will call because it was always empty every time she saw it. They only need it dumped twice a season instead of every month. Building Inspector Murray asked if Steve was going to open and close (the bathrooms) this year. Chair Young said they have the doors and they are trying to coordinate that whole thing. He should only have to clean it and close it. It will automatically open in the morning. Steve was fine with going once a day. Road Agent Lewis said if for some reason you don't have the bathrooms open and working he can bring the port-potty up from the salt shed. He noted they've done it for the Easter egg hunt. There was some discussion about the use of the park and the fields. Chair Young asked if Roadside Cleanup Day was on website. Selectman Dann said he was meeting with the Heritage Commission tomorrow night to talk to them about getting something on the website. Selectman Brock asked what they are going to do with the trash that has been dumped over railings that is all bagged up. The reason he is asking is because he was coming down Chester Turnpike in his tractor and at the guiderail and bridge there were three huge black bags. You can't see them in a car. He hasn't investigated what is in them yet. Selectman Dann said he didn't have to wait for Roadside Cleanup Day, he could bring them down to the Recycling Center and they'll throw them in the trash.

Board to authorize payment of payroll and accounts payable: Board to authorize payment of payroll and accounts payable. Selectman Chivers announced the grand total for accounts payable and payroll checks for April 4th and April 11th was \$550,960.94. Selectman Chivers moved to approve the accounts payable and payroll checks for April 4th and April 11th in the amount of \$550,960.94. Seconded by Selectman Dann. All were in favor. Motion carried.

Calendar

- The next Selectmen's meeting April 22nd @ 7:00 p.m.
- Roadside Cleanup – April 27th

Public Comment:

Dick Snow for the Agricultural Commission: Agricultural Commission alternate Dick Snow noted that the Agricultural Commission had their organization meeting last week. They now have twelve people that are on the commission which means they are up and running. This was article 31. He stood up at the town meeting in regards to article 32. They reduced it from \$1,000 to \$1.00. He promised people that he would cover that cost. He presented a \$2 bill and 50% will go to cover that appropriation and the other 50% will go into Agricultural Commission fund to get it started. The Commission has all kinds of marvelous ideas, things they want to do for agriculture. One of the other things they have is fund raising. Right now they are looking at a one to one match between the Agricultural Commission fund and the appropriations. They can see how much they can raise and then they'll come back to see the Selectmen.

Town Counsel Contact policy: Resident Becky Sarra asked if they would be revisiting this policy in the near future to see if it is working. Chair Young said she will be keeping better track of it this year. Resident Becky Sarra said it seemed they were adding a lot of layers to things. Chair Young said it wasn't working before and it was requested to go a certain way and that didn't work. Now this policy is in print, so they will see. She is confident everyone will do their best to adhere to it.

Crowley Road: Selectman Brock mentioned a meeting on Thursday on Crowley Road. Road Agent Lewis said he got a call from the engineering firm for the Crowley Road project to meet with our engineer, himself and any Selectmen who wanted to go down and review the improvements they want to make there. They haven't heard from them in a year and a half. This is the first contact they've had. They are supposed to meet Thursday afternoon and anybody that wants to come is welcome to be there. Selectman Chivers asked where on Crowley Road they would be meeting. Road Agent Lewis said probably at the 90 degree corner. They haven't set a time yet, he'll call them tomorrow. He asked if 1:00 in the afternoon worked for everyone. Chair Young noted if they have more than three they'll have to post it. Selectman Robie asked if they have submitted a plan. Road Agent Lewis answered they haven't but thought he wanted to bounce some ideas off of him. They are going to give us their ideas on what they want to do. They know some basic things that they would request them to do; they have to present to us how they are going to widen things and what they are going to do with intersections. Selectman Robie said when that started we laid it out. Road Agent Lewis said that was what we were thinking now they are coming to us with what their thoughts are. Chair Young asked who paid for our engineer to go to that meeting. Selectman Robie said the developer will. Road Agent Lewis said he will make that clear to them. Selectman Robie explained it is all part of the review process, it is all in the Planning Board regulations. Road Agent Lewis thought there was already money in there for that. Chair Young noted the town is not going to benefit from any impact fees from this. Road Agent Lewis said they have offsite improvements. This would all be offsite improvements. Selectman Robie said they already have \$400,000 for offsite improvements on that road not from them, but other developers that have already developed up there. Road Agent Lewis said if they hadn't gotten that they would have been dealing with one more road with mud. Chair Young said they will notice the meeting for Thursday. Road Agent Lewis said he will let them know the time tomorrow

Selectman Dann moved to adjourn at 8:30 p.m. Seconded by Selectman Chivers. All were in favor.