

**Unapproved  
Candia's Selectmen's Public Meeting Minutes  
May 29<sup>th</sup>, 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, and Selectman Brock.

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**Approval of Minutes: Public and Non-Public meeting minutes of May 13<sup>th</sup>, 2019.** Selectman Dann moved to approve the Selectmen's Meeting minutes of May 13<sup>th</sup>, 2019 as presented. Seconded by Selectman Chivers. All were in favor. Motion carried. Selectman Robie moved to approve the Selectmen's Non-Public Meeting minutes of May 13<sup>th</sup>, 2019 as presented. Seconded by Selectman Dann. All were in favor. Motion carried

**Public Comment:** There was no public comment.

**Old Business**

No old business to address.

**New Business**

**Firefighter appointment – Sean Murphy:** Selectman Dann read from Fire Chief Young's letter of recommendation. Chief Young said that Sean Murphy is from California. He'll be a good addition to the department; he already has all his EMT training. He just needs to take his National Registry which is critical because they are having tons of medical calls. Selectman Dann moved to accept Fire Chief Young's recommendation to appoint Sean Murphy as a firefighter to the Candia Volunteer Fire Department. Seconded by Selectman Chivers. All were in favor. Motion carried.

**Open RFP's for the Town Office sidewalk:** Selectman Robie explained that the Building Inspector received a quote from a local person last year. They budget \$19,000 to redo the sidewalk and the budget passed. Their purchasing policy says anything over \$10,000, they need to put out an RFP. Selectman Brock clarified the current bid process is still what it used to be, but we are not required to take the low bid. Selectman Robie explained they didn't used to have a purchasing policy with a \$10,000 minimum. Selectman Brock reiterated they did have a policy where they did bids, but they weren't required to take the low bid. Selectman Robie said they still not required to take the low bid. They'll pick the one that they are most comfortable with.

Selectman Robie explained he wrote the RFP, Building Inspector Murray reviewed it and Selectman Administrative Assistant Hansen posted it in three places. Selectman Dann asked when this was done. It was noted they were posted in the beginning of May. They received one bid.

Selectman Chivers asked if the Board discussed the RFP before it went out. Selectman Robie said he was told to maintain the building with the funds appropriated to the building as part of the maintenance. Selectman

Chivers didn't remember discussing the retainage policy. Selectman Robie said it was standard and is something he would suggest. If they had an RFP written by Stantec they would suggest that.

Selectman Dann thought it should have been brought to the Board that this RFP was going out. Selectman Robie said they don't want a citizen to fall or slip, it needs to get done. Selectman Dann said they talked about it at budget time and the safety. What he is saying is he didn't know this bid was going out. Selectman Robie said he was doing what the Board was asking him to do. Building Inspector Murray noted they have only received one response maybe they could run it again.

Selectman Robie announced the bid was received by All Phase Paving and Excavating in the amount of \$27,885. They have a building fund and they can take the \$19,000 out of their budget \$ they \$10,000 from their building fund for large expense items (i.e. septic failures, the roof, etc.). Selectman Chivers said they are using the same bricks and it is still \$27,000. Selectman Robie explained they are going to straighten the curbing and look at the material under it and he is sure it has some pretty good gravel and stone dust. The erosion after 30 years has taken that material out. It was noted that the sidewalk is 30 years. There was some discussion about the work involved. There will be restriping as well.

Chair Young wasn't sure why a catch basin wasn't put in when they first did this. Chief Young answered when this was originally done they didn't think there was a problem over there.

Road Agent Lewis explained what happen is the water runs down the ramp and gets down to the bottom. If the ground is frozen it doesn't have any place to go down. It softens it up and it has settled over the years. Remember they repaved the parking lot once about 12 or 15 years ago and it got a one-inch layer. He thought they before the did the catch basin the put a transit on there and see. The puddle only gets the depth of the asphalt. The parking lot doesn't seem to puddle it is just the walkway.

Chair Young said if the estimate was broken down, they could get rid of that part of it. Road Agent Lewis didn't think the pipe and little catch basin was a huge expense. It is just the cutting of the pavement. There was some discussion about the extending the ramp.

Chair Young thought they could keep this under advisement and work on some alternatives and see how they do there. Selectman Dann asked if they should put it out for another bid. Chair Young said now people have seen this and didn't think they would find to much variation. Selectman Robie said they found someone to do and he thought they were pretty well off in this economy right now. Building Inspector Murray said it needed to get done. It's not just the back it also along the side of the building. Selectman Robie said they have been talking about this for year but do whatever you would like.

Selectman Chivers asked if they should give some consideration to letting the Road Agent do this. He does that kind of work. Chair Young suggested that Brien and Dennis look at it. Selectman Brock said they could look at the grade. Road Agent Lewis said they could check the grade, but they have one bid and the number is out there. You know how he feels about that stuff. Selectman Robie asked Road Agent Lewis how he felt about it. Road Agent Lewis said they have one bid and that should be the person that gets it. He didn't bid last year because he knew the numbers that were out there last year. He felt he had knowledge of what other people thought it would be worth.

Chair Young said they would put this under "Old Business" for their next meeting. Selectman Brock said they will check the grade first to make sure they need the catch basin.

### **Boards/Committees opportunity to meet with the Selectmen**

**ZBA Chair Bob Petrin – ZBA update:** ZBA Chair Bob Petrin thanked the Board for giving him the opportunity to speak with them. The good news is there is a great group of volunteers on the ZBA. They have Judy Szot who has served on many boards throughout the town. Ingrid Byrd who shows up every month. He did have the opportunity to thank her for that donation that Selectman Robie had mentioned at the next meeting. They have Boyd Chivers, the liaison from the Board of Selectmen coming to the meetings. He is a wealth of

information. Ron Howe has been at it for a long time. A new addition as an alternate is Mark Raumikaitis who he was able to recruit at a site walk this year. These people show up and ask thought provoking questions. The town is lucky to have these people coming in and volunteering their time. The Building Inspector shows up at the meetings and lends his expertise. If you don't know it already you are lucky to have these volunteers.

ZBA Chair Petrin would like that Board to give some thought tot succession planning. There is going to be a day when Boyd and Judy move on and they are going to be looking for people. Right now, they have one volunteer and they should have at least a few. He would like them to consider the upcoming Old Home Days. The Select Board could put a table out there and talk to the people that voted you into this office. They are looking for volunteers, the Planning Board and ZBA need people that step up and help us out in the town. What better way for the Board to reconnect with the voters that helped you get here and entrusted you with running the town. He thought that would be appropriate. If they give that some consideration, it can have a lot of positives that come out of that. Not only for you reconnecting individually besides seeing people on voting day. He asked if the Board would give this some consideration.

ZBA Chair Petrin mentioned the town was taken to court. Fortunately, the Town of Candia came out ahead on that one. A lot of work and input went into that. He felt they dodge a bullet at the end of the day. He thought somebody, whether it is the Planning Board or ZBA has to start looking at zoning. Do they add agricultural zoning in this town? They have residential, commercial, industrial, and mixed. He thought the town should look at this to help prevent some future pain especially by way of legal fees. There are some areas that aren't good environments for agriculture. Maybe outline some roads that are going to be zoned agricultural where the density of housing is more conducive to having to having animals. This harkens back to the law suit they just won against the trucking company because of zoning. They have to look at better zoned areas to operating business's out of. He is bringing this up to the Board as a consideration and he would be remiss if he didn't tell. If they are on top of it already, he thanked them for that.

ZBA Chair Bob Petrin explained the next thing that comes with these lawsuits is enforcement. He had a brief conversation with Selectman Chivers and he was pretty confident with Building Inspector Murry and legal counsel they will get some of these enforcement things squared away. There were some things said at the beginning of the year about legal fees. The town has to be a little more proactive so they can head these things off at the pass. If they think about how they are zoning things and how they are handling ourselves. He asked if the Board was comfortable with how the Zoning Board was handling things. The enforcement part is bound to happen and does that make him (Building Inspector Murray) the town cop now for that sort of thing. He has a full plate as it is. It is a busy office and there is a lot going on.

One last point to help ease the workload in that office with Lisa and Dave and the folks that liaise with them. He went on the Town of Chichester's website and they have all of their ordinances on the page for people to look at. Dave has people coming in asking if they can do this or that and Dave has to stop what he is doing. It is constant education for him, he is always educating the general public. Everyone is electronic these days. If the information was there, they could look it up themselves. If they could update their website and it would take some workload off of Dave and Lisa. They are up to their eyeballs in work and they are doing a heck of a good job. He would hate to lose them because we were short sighted.

ZBA Chair Bob Petrin said the things he has talked about tonight are more long range. If the Board is already on this, then thank you. If not, these are some long-range things they need to consider. There are the things that he sees sitting on the ZBA. He brings these things to the Board just so they know, and you can't say I wish someone would have told me.

Chair Young said she is an advocate as far as the Planning Board. She believed the Zoning Ordinance was on the website. Building Inspector Murray answered the Zoning Ordinance is on the website, it's not that clear. Chair Young thought maybe they need a better format. In her opinion they have certain things they have to do, and they are all volunteers. She has addressed this before and she didn't know how to get elected Board do what needs to be done. She said it at the last meeting, let us know how the Board of Selectmen can help

them. A couple of things that were supposed to be done weren't done. What do you do when you are working with volunteers? She is not picking on them. They needed to have the round table to start the discussion of the CIP. Maybe our format isn't the best for our zoning rules, but they are on the website.

ZBA Chair Bob Petrin said her point was taken, but the reason he references the Chichester website is for its completeness and easy read. He certainly not disparaging the work that was done, he was only suggesting a better look at it which might help elevate some of the pressure in the Land Use Office. He doesn't have all of the answers, but sometimes if you are having a hard time getting volunteers to follow up there are two things to consider – a deeper pool of alternates and also a assigning things. When you are having a meeting, it is great that everyone is going through the motions but there has to be some assignments. It's accountability you just can sit here and listen to a monolog by the Chairman. It is serious business and it needs to be taken seriously. Somebody has to hold their feet to the fire.

Selectman Brock said the Mr. Petrin mentioned they came ahead on that trucking outfit. First, he didn't believe they came out ahead on that, because those exist all over town. It is crucial they exist all over town. This is a way for someone to have their own business and survive. He did a beautiful job with that piece of property. To his knowledge there was not a resident that was complaining. It was not an immediate resident that brought that to light. You have to do what you have to do; you are bound by law. If that is what the regulations say, you have to do it. But has there been any thought after a case like that and maybe we should look at this situation and suggest a modification in it? Is this something the Zoning Board can do?

ZBA Chair Petrin answered when he said, "they came out ahead", he meant they didn't lose. Can we do something different? He knows that he evaluates what he does and does the Zoning Board evaluate it, he is not certain that they do. They have the regulations they have to go to and if they stay true to the ordinance, they can win these all day long. Selectman Brock said they should be looking at modifying this down the road and change that. Selectman Chivers noted the Land Use Office did pick up the ball after this case and proposed three pages to the zoning ordinance. They gave them to the Planning Board, and they didn't put them forward. Chair Young said there were four pages of zoning changes. Building Inspector Murray said they ran out of time and they needed a little more work. There will be changes next year. There was some further discussion about the zoning ordinance.

Chair Bob Petrin said as he reads through the regulations the Planning Board and Zoning Board should meet once a year. Selectman Brock thought maybe it ought it be more than once a year. Chair Bob Petrin said he was suggesting that there is some room for improvement on some things and he is not passing it off as he is heading off a Board here in town. He commits to the Board to continue to work hard.

Chair Young said it is not criticism of any individuals, but they need to get these things done. It's not optional anymore.

### **Other Business**

**Selectman Brock – update on Village District/CIP:** Selectman Brock said he is going to reserve his personal opinion. They had a work session last week and it was pretty well attended. They met with Nate Miller; they went over Carol Ogilvie's draft. Nate came with a suggestion of a buffer zone. It outlines a 500-foot buffer and it was to see if the Board was in favor of within that buffer zone a residential/commercial combination zoning with ½ acre proposed building lots. Beyond that buffer zone was the residential only. A lot of the discussion was did the Board agree on the buffer zone. It was a unanimous yes and it would be a good place to start.

Chair Young said one of the reasons she has asked him to report on these things is does the town want the village district. They are spending this money. Does the town want this? There were 79 people that met for the master plan. There was a survey and from what she understood there were six responses and they were all negative. Are they putting good money after bad? The Chair of the Planning Board said this is costing us

nothing. They have a bill now for \$4,800. Selectman Brock said it is more than that. Chair Young thought it seemed like an awful lot of work.

Selectman Brock said he questioned that, and people thought the 800 acres was excessive. They felt because that warrant got support for the Master Plan and the CIP, the discussion that was involved in that was the Candia four corners. If that was supported for that, this is part of that. Then the discussion came up do they want the towns input at this point, and they decided on one more work session of what they want to propose to the abutters and the town.

Chair Young asked what the final report was in January. Selectman Brock said it was Carol Ogilvie's draft. There was some discussion about the draft. Selectman Robie said the town voted to follow the Master Plan. The Master Plan describes a Village district. If you are going to look at density, if the soils are suitable in that kind of situation are they going to look at road construction to move forward. This needs to be discussed and people have to know if it is going to be a sidewalk community. They are on a 10-year plan for something to happen here. There are a whole lot of pieces than just picking a 400-foot radius. They need a build out on that piece of property.

Selectman Brock said the other part of that discussion is there really isn't a whole lot of space. Selectman Robie said not in that circle. They have been down this road. If they are serious about this, it may be time to hire a planner that knows how to put this all together.

Chair Young said she can't even see presenting this without the DOT involved. Selectman Brock said that isn't even close to being talked about. Selectman Robie said if the DOT has a plan, they will institute it. They aren't going to change our plan. Selectman Brock said they don't have a plan on what they would like to do. Selectman Robie said maybe they should do that for them. What would they like to do to make that usable, to make that Village district happen? Selectman Brock didn't believe that is close to happening. Right now, they aren't getting a true consensus from those involved in what they really want yet. There are still a lot of ideas out there, but nothing is concrete. Selectman Robie said they need professional people to tell you what you can and can't do and get it on paper (the build out, bypass, etc.).

Selectman Brock thought what Nate had was very helpful. It did start to narrow it down to get a consensus of a vision in the four corners. There was some discussion about a roundabout.

Chair Young said this seems like it is backwards. Selectman Chivers noted their transportation plan envisions that bypass complete with a roundabout. If they could sketch that in there it would add a little bit more prospective to this thing. Right now, they are planning a Village District and in 10-years that is going to be colliding with the highway project. First thing they have to do is get it on paper. Selectman Robie said that is a big engineering expense. If the DOT decides they want to come to Candia to fix that, it is going to give us a leg up on the competition to get that done. There was some further discussion about the road.

Road Agent Lewis said he went to the meeting with DOT and worked on the transportation plan. DOT has improved the way that they do things and they are willing to work with the towns. They are willing to take those ideas and work with the town and the engineers as long as everything works right. They are willing to work with us, but it won't be in the planning stages until 2022. They are willing to work with us and they need to take advantage of that opportunity. They need to keep coming up with ideas and keep going until they have one agrees on.

Chair Young asked how do they get the input from different Boards when they can't get the volunteers. Selectman Robie said they need to hire qualified engineers to survey the intersections and engineer a project. Then go out from there and see what you've got. They can talk about roundabouts and intersections, but they don't know the answers.

Selectman Brock said they are trying to get to that and put together what they envision what the four corners will look like. Selectman Robie said they need to have the roads first. He asked if Resident Amy Komisarek had any input.

Resident Amy Komisarek said she was at the meeting. She thought they have to do what the Master Plan tells us to do. They are trying to do something good for the community with volunteers. It is a common theme with everything they have talked about that they can't get volunteers, etc. Two weeks ago, she brought up a town administrator and they are someone who could help with all this. You can't rely on volunteers. It is great to want all of this input, but they are going to have to spend money. This town doesn't want to spend money on anything. They were arguing about spending \$300 last week.

Chair Young said that could be what is making up the community and they don't want to spend money on this. How do they find out if they want to or not? She wants to know if the community members want this. She didn't think they could make a village. The one thing people want is a coffee shop. She didn't personally think they should spend hundreds of thousands of the taxpayer's moneys to look into place to put a coffee shop. She didn't think they were going to find that draw. She has not received good feedback on this whole thing (Village District or the roundabout).

Selectman Dann said people have always said this is a bedroom community. He didn't think people were going to come down to a center village to shop. Are they going to have a gas station or pharmacy? That is what draws people in, not coffee shops. He agreed with Chair Young. They should put it out to the public to see if they want a Village District.

Chair Young said if the people want it, she will go along with it. Selectman Robie clarified they aren't going to build anything. They are going to give the other people the opportunity to build. They aren't going to take anyone's land and they aren't going to pay for anything. They are going to give someone an opportunity to build. Once the opportunity is created and people start to develop it, then they reap the benefit of the revenue. There was discussion about village districts in other towns.

Chair Young asked if the Board was against Survey Monkey. The vibe she is getting is that people want access to information. Selectman Brock reiterated they are going to have one more work session before they put anything together. They will have more answers. This is why they defined the buffer area, so they could narrow it down to a certain area.

Chair Young asked if they could record that session and get it on the website. Then they could do a Survey Monkey. Resident Amy Komisarek said a lot of our community is not tech savvy. It was noted that it might be done on Facebook. There was further discussion about surveying the community.

Selectman Dann said he has talked with a lot of different towns and a town administrator works well for many towns. It is a cost factor. This is something down the road, but it will be costly.

Building Inspector Murray said the one thing they all agreed on tonight is this is going to cost some money. They need to get engineers or a planner what ever the case may be. So, when the time comes up let's remember the conversation they are having here. Let's get the money in place if this is what the people want.

Chair Young said she was against this in the beginning and then she voted for it because she was told certain things were going to be done. She is not seeing that. Selectman Robie said he keeps hearing if that is what the people want. The people wanted the Master Plan and they voted for that. This is what it spells out. We already know this is what the people want. This is what they have been working on. There are components of the Master Plan that get ignored. Chair Young asked if they should force it upon them. Selectman Robie explained they put a plan forward and the people will vote for it. If you want vote yes, if not vote no. They have been directed by the Master Plan to do something.

Chair Young asked Selectman Brock about the CIP. Selectman Brock answered they have worked on parts of it. They spent a lot of time on the Village District.

Selectman Brock said they did have a training session with Atty. Buckley of NHMA and it was awesome. He gave us a lot of information and court rulings. It was a lot of information and pertinent to what they are dealing with.

**Perambulation:** Selectman Chivers said he spoke with Jim Franklin the other day about the perambulation. He asked Chair Young where that stood. Chair Young said former Selectman Scott Komisarek was working on that but didn't think he got it done. She will check on that again. Selectman Chivers said Jim Franklin has records from the 1900's he could make available to us. Selectman Robie said they have records of the previous perambulations.

**Selectmen's minutes:** Selectman Brock felt the minutes were way too detailed. They don't need 18 pages of minutes. Selectman Robie said he has been here 12 years and it's pretty handy to go back to the minutes and research. He would support Administrative Assistant Hansen's minutes. Administrative Assistant Hansen said she would do the minutes however the Board wanted. Selectman Brocks explained you need to capture any motions pertinent to the discuss. There is a lot of discussion and it really means nothing. Chair Young said she has the opposite complaint on some of the other committees that aren't detailed as they used to be. You can't make everyone happy. One thing they do have is the audio. She does agree with Carleton on this.

Selectman Brock said there is a lot of discussion that doesn't have anything to do with a decision. He is just throwing it out there and he doesn't remember having these many pages for a 2 ½ hour meeting. Selectman Chivers agreed with Selectman Brock and the legal requirement is to capture the decision that were made by the Board and what the intent was. You can always catch the discussion on the audio tape. Chair Young said if the audio is there. It is there for the Selectmen's meeting, not everyone's. There was discussion about the audio on the website.

Chair Young asked if this is something they can discuss at the next meeting. They will put it on the agenda.

**Board to authorize payment of payroll and accounts payable:** Deferred to the next meeting.

**Calendar:** The next Selectmen's meeting is June 10<sup>th</sup>, 2019 at 7:00 pm.

**Sign on Class 6 Road:** Road Agent Lewis said they have gotten some calls about Class 6 roads where peoples GPS's send the up the road and there is no place to turn around. They got some legal advice from NHMA to see what would be appropriate for signage. They have to be careful and they can't spend money on Class 6 roads, but they have to make people aware. It was never an issue, but now they have FedEx and UPS going down these roads. The opinion from NHMA was a sign that says "Class 6 Road – not maintained by the town" at the entrance at the road. They also suggested "pass at your own risk". He is reluctant to put that sign, because it implies that the road goes somewhere. He would like to put "Class 6 Road – not town maintained". There was some further discussion about Class 6 roads and signs. Road Agent Lewis asked if the Board would like to think about it and they can discuss it at the next meeting. Chair Young asked if the Board was agreeable to putting up signs. It was the consensus of the Board to put up some signs.

Selectman Chivers moved to adjourn 8:22 p.m. Seconded by Selectman Robie. All were in favor. Motion carried.