### TOWN OF CANDIA

### ROAD AGENT'S REPORT

### Month of July 2019

Work Summary:

- Paving on Merrill Rd., North Rd., New Boston Rd., & Blevens Drive
- Down tree removal on Tower Hill & Stump Street
- Patching was done as needed
- Cost estimate for knotweed spraying

**Dennis** Lewis

Dennis Lewis Road Agent

08/01/2019

### No Crime Incident Event Breakdown

Event	Description	Total	
911	911 Hang Up	1	3
ACP	Animal Complaint		00.5
AFE	Assist Fire/EMS	1	00.5
MIF	Aided Motorist	1	00.5
4L	ALARM	0	00.0
AOA	Assist Other Agency	0	00.0
ASC	Assist Citizen	25	11.5
3EA	BEAS Investigation	27	12.4
CE	Dog License Civil Forfeiture	1	00.5
CIN	Child In Need of Services	0	00.0
CIV	Civil Standby	0	00.0
COM		1	00.5
JOM JP	Community Outreach	0	00.0
	Community Policing	0	00.0
CRA	Cruiser Accident	0	00.0
CF	Discharge Firearm	0	00.0
)CI	DCYF Investigation	0	00.0
DIS	Disturbance	4	01.8
)OG	Dog At Large / Loose Dog	0	00.0
IN	Fingerprinting	0	00.0
PR	FOUND PROPERTY	1	00.5
EA	INVOLUNTARY EMERGENCY HOSPITALIZATION	0	00.0
IUV	Juvenile Complaint	0	00.0
PR	Lost Property	6	02.8
IED	Medical Call	4	01.8
IIP	Missing Person	0	00.0
IVC	MOTOR VEHICLE COMPLAINT	3	01.4
IC	Noise complaint		00.9
IDT	National Drug Take Back	1	00.5
ΈD	Neighbor Dispute	2 1 1	00.5
.O	NOTIFICATION	Ō	00.0
TO	No Trespass Order	0	00.0
·D	DRUG OVERDOSE	2	00.9
F	FATAL OVERDOSE	0	00.0
HR	OHRV COMPLAINT	0	00.0
ΤH	Other	1	00.5
DB	Prescription Drug Box	0	00.0
IN	Police Information	54	24.8
AD	RADAR ENFORCEMENT	0	00.0
Н	Road Hazard	1	
PO	RETURN PROPERTY TO OWNER	0	00.5
С	SHOOTING COMPLAINT	0	00.0
DA	Suspected Drug Activity	0	00.0
DT	Sudden Death	1	00.0
EC	SECURITY CHECK	10	00.5
GA	Suspected Gang Activity		04.6
P	SERVE PAPERS	0	00.0
PA	SUSPICIOUS ACTIVITY	29	13.3
PM	SUSPICIOUS MOTOR VEHICLE	9 2	04.1
	SUSPICIOUS PERSON	2	00.9
R	Safe Schools Report		01.4
SA	SAFE SCHOOLS ACT	0	00.0
JI	SUICIDE	5	02.3
X	Sex Offender Registration	0	00.0
Ξ	Traffic Enforcement	11	05.0
	Truancy	0	00.0
2013 (2013)	Tree / Wires Down	2	00.9
the second state is set of the	VIN VERFICATION	0	00.0
	AN ADVITUDE	0	00.0

08/01/2019

/B Well Being Check
--- Not Specified

Grand Total: 218

8 03.7 1 00.5

#### 2 Page: Attachment from Candia Selectmen's Meeting on 8/12/2019isting 01/01/2019 - 07/31/2019

### Offenses (State Law) By Month

Drive after Rev/Sus Drive after Rev/Sus; DUI Drive after Rev/Sus; Reckless Drive after Rev/Sus - subsqt Drive after Rev/Suspension Conduct After Accident Lane Control Fail/Yield @ Stop or Yield Sig Stop Signs; Yield Signs Disobeying an Officer Speeding 16-20 mph over 65 lim	0 1 1 0 0 0 0 0		0 0 0 2 1 1 0 1 0	000000000000000000000000000000000000000	0 0 0 2 0 0 1 0 0	1 0 0 2 0 0 0 0 0 0		1 1 3 4 1 1
	0	0	1	0	0	0	0	1
APPEAL OF ADMINISTRATIVE LICEN	0	õ	2	0	2	1	0	5
Uninspected Vehicle Spillage of Material by person	0	0	1	0	0	0	0	1
TOTALS	21	16				34		149

Candia Volunteer Fire Department 11 Deerfield Road Candia, NH 03034 603-483-8588 603-483-0252 fax



Date:August 12, 2019To:Board of SelectmenRe:Monthly Report

July 2019 HIGHLIGHTS

- 1. Regular Truck and Building Maintenance
- 2. Equipment Review on E-2 and R-1, FF Entrapment
- 3. EMS Training

### **Candia Fire Rescue**

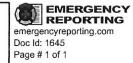
Candia, NH This report was generated on 8/12/2019 9:26:20 AM

#### **Incident Statistics**

Start Date: 07/01/2019 | End Date: 07/31/2019

	INCID	ENT COUNT			
INCIDE	ENT TYPE	# INCIDENTS			
	EMS	31	ann de un die kannen zur die der eine Grout der die der die		
An end and the second		10			
T	DTAL	41			
	TOTAL TRANS	SPORTS (N2 and N3)			
APPARATUS	# of APPARATUS TRANSPORTS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT CONTACTS		
TOTAL					
PRE-INCI	DENT VALUE	LOSS	ES and a state of the state of		
\$11,	000.00	\$11,00	\$11,000.00		
		CHECKS			
	DTAL				
	MUTUAL A	JD			
		Total 2 7			
in the same reacted and a state of the first participant of the state	Given				
Aid R	leceived				
	OVERLA	PPING CALLS			
# OVER	LAPPING	% OVERLAPPING			
	6	14.6			
	HTS AND SIREN - AVERAGE	<b>RESPONSE TIME (Dispatch to Arri</b>	val)		
Station		EMS	FIRE		
Station 1	C	:10:54	0:11:07		
	AVER	RAGE FOR ALL CALLS	0:10:56		
LIGI	HTS AND SIREN - AVERAGE	TURNOUT TIME (Dispatch to Enror	ute)		
Station		EMS	FIRE		
Station 1	0	:05:17	0:04:00		
	AVER	AGE FOR ALL CALLS	0.05:08		
AGI	ENCY	AVERAGE TIME ON	SCENE (MM:SS)		
Candia F	ire Rescue	25:08	3		

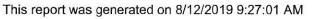
Only Reviewed Incidents included. CO Checks only includes Incident Types: 424, 736 and 734. # Apparatus Transports = # of incidents where apparatus transported. # Patient Transports = # of PCR with disposition "Treated, Transported by EMS". # Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate.





# **Candia Fire Rescue**

Candia, NH





Incident Type Count per Station for Date Range

Start Date: 07/01/2019 | End Date: 07/31/2019

INCIDENT TYPE	# INCIDENTS			
Station: 1 - STATION 1				
111 - Building fire	1			
131 - Passenger vehicle fire	1			
140 - Natural vegetation fire, other	1			
321 - EMS call, excluding vehicle accident with injury	24			
322 - Motor vehicle accident with injuries	4			
324 - Motor vehicle accident with no injuries.	2			
350 - Extrication, rescue, other	1			
511 - Lock-out	1			
611 - Dispatched & cancelled en route	1			
622 - No incident found on arrival at dispatch address	2			
631 - Authorized controlled burning	1			
651 - Smoke scare, odor of smoke	1			
745 - Alarm system activation, no fire - unintentional	1			
# Incidents for 1 - Station	on 1: 41			

Only REVIEWED incidents included.





### Candia Volunteer Fire Department

11 Deerfield Road Candia, New Hampshire 03034 (603) 483-2202 (603) 483-2311 (fax) www.CandiaVFD.org



August 7, 2019

Mrs. Susan Young, Chairman, Board of Selectmen Town of Candia, 74 High Street Candia, NH 03034

Re: Recommendation for Appointment to the Candia Volunteer Fire Department

Dear Chairman Young,

It is my pleasure as Chief of the Town of Candia Volunteer Fire Department to provide you with the name of an individual who I recommend for appointment to the Department. This individual has demonstrated a strong commitment to providing professional level emergency services to the Town of Candia and I offer this recommendation without reservation.

The person recommended has submitted background information attesting to their individual skill level and have agreed to attain and maintain at least a minimum level of professional certification consistent with the needs of the Department. This applicant has also provided information as to their character and background and will have undergone a criminal background investigation conducted by the Candia Police Department and the State Police.

I would request this appointment be made effective August 26, 2019.

Joseph Flanagan 313 Patten Hill Road Candia, NH 03034

Again, I am pleased to recommend this individual for appointment. If you have any questions, please feel free to contact me at 603-703-7155 (cell).

Sincerely,

Dean M. Youry

Dean Young, Chief cc: Personnel file

### July, 2019 Building Activity Report Summary

	July, 2018	July 2019
Permits Issued	48	37
New Code Enforcement Cases	0	0
Open Code Enforcement Cases	3	4
Code Enforcement Cases Closed	0	0
Inspections Performed	105	108
CO's/CC's & Closed Permits	24	36
Renewed Permits	2	0

Revenue July, 2018 \$2,428.00 + \$322.60 = \$2,750.60

Revenue YTD, 2018 \$12,690.56 + \$2,750.60 = \$15,441.16 Revenue July, 2019 \$1582.00 + \$0.00 = \$1582.00

Revenue YTD, 2019 \$13,035.53 + \$1582.00 = \$14,617.53

Submitted by: Daw R. Munar

Date: 8/12/2019

### **July 2019**

### **INSPECTION BREAKDOWN including CO's**

Commercial, Mixed, L1, L2 Building (BP) Electrical (EL) Generator (GE) Plumbing (PL)	4 3 1 2
Residential	
Building (BP)	27
Chimney (CH)	1
Demolition (DE)	2
Electrical (EL)	12
Fireplace (FP)	1
Foster Care (FC)	1
Gas Burner (GB)	2 6
Gas Piping (GP)	
Plumbing (PL)	7
Pool (PO)	1
Siding (SI)	1
Temp (TP)	1
CO's and Closed Permits	36
Total Inspections:	108

### BREAKDOWN PERMITS ISSUED

Duilding (DD)	13
Building (BP)	15
Chimney (CH)	1
Demolition (DE)	1
Electrical (EL)	6
Fireplace (FP)	1
Foster Care (FC)	1
Gas Burner (GB)	3
Gas Piping (GP)	3
Gas Tank (GT)	1
Mechanical (ME)	1
Oil Burner (OB)	1
Plumbing (PL)	3
Pool (PO)	1
Roofing (RF)	1
Total Permits:	37

# June 2019 Candia Recycling Center Monthly Report

	<u>June, 2018</u>	<u>June, 2019</u>
M.S.W. (Trash)	63.87 tons	67.75 tons
C&D Debris	58.78 tons	65.49 tons
Total waste	122.65 tons	133.24 tons

# **Recyclables**

	<u>June, 2018</u>	<u>June, 2019</u>
Mix Paper	7 bales 5.05 tons	12 bales 9.29 tons
Cardboard	9 bales 6.03 tons	10 bales 7.14 tons
#1 - #7 plastics	5 bales 3.07 tons	4 bales 2.70 tons
Alum. Cans	2 bales .68 tons	4 bales 1.62 tons
#2 natural plastic	1 bale .48 tons	0
Total bales	24 bales 15.27 tons	30  bales = 20.75  tons
Glass -	9.47 tons	0
Electronics –	1 load 2.45 tons	1 load 3.06 tons
Total weight	27.19 tons	23.81 tons

### Revenue

June 2018 **\$2863.46** 

June 2019 **\$1712.82** 

2018 YTD - \$15,144.80

2019 YTD - \$19,232.72

### June 2019

There were two loads of scrap metal sent out generating \$1712.82 in revenue.

1 load of fluorescent bulbs was recycled.

There were 102 recycled during June of 2019.



Town of Candia LAND USE OFFICE Candia, New Hampshire 03034 (603) 483-8588

July 23, 2019

Town of Candia Board of Selectmen 74 High Street Candia, NH 03034

#### **RE: Request for appointment**

Dear Board of Selectmen,

Please accept this letter of interest as a formal request for consideration by the Board of Selectmen for the recommendation of Anthony Steinmetz of 700 High Street, to serve as an alternate member of the Zoning Board of Adjustment. His appointment would expire as of July 23, 2022.

We all look forward to having Mr. Steinmetz serve as an alternate on the Zoning Board of Adjustment for the next three years and graciously ask for your approval.

We respectfully submit on behalf of Anthony Steinmetz with approval from the entire Zoning Board of Adjustment per the minutes of July 23<sup>rd</sup>, 2019.

Sincerel

Bob Petrin, Chairman

Enc. cc: file June 20, 2019

Town of Candia Attn: Land Use Office 74 High Street Candia, NH 03034

Good morning:

I recently became aware of vacant positions for Zoning Board of Adjustment Alternates.

I received a New Hampshire Real Estate License in 1985 and worked part time with Valicenti Realty in Amherst, NH for approximately two years while employed by the federal government. Including 4 years with the US Air Force, I have 53 years' federal government experience with various agencies until I retired in 2015.

My wife and I purchased our home in Candia in 1993 and have lived here since that time. I would appreciate the opportunity to serve as a volunteer alternate on the Zoning Board of Adjustment in order to see if my background and skills could benefit the Town of Candia.

Thank you,

Anthony H. Steinmetz 700 High St. Candia, NH 03034 603-483-0149 tonysteinmetz@comcast.net



August 8, 2019 File: 195113345

Mr. Rudy Cartier, Chairman Town of Candia Planning Board 74 High Street Candia, NH 03034

Reference: Candia, NH Village at Candia Crossing 43 Units - 55+ Elderly Housing Tax Map 406 Lot 16 Reclamation Surety Estimate

Dear Mr. Cartier:

In accordance with the request of the Candia Land Use Office, we have developed a site surety estimate for the reclamation and restoration of the site based on the final plans submitted by Fieldstone Land Consultants, PLLC (Fieldstone) for the above referenced project. We have identified three (3) possible surety amounts based on the existing surety amount and two scenarios that we have developed. The first option is the keep the existing surety in place, unchanged. The second option is to amend the existing surety, based on the costs associated with the reclamation of the roadway and drainage areas. The third option, is to amend the existing surety, based on the costs to perform full reclamation of the entire area on the site proposed to be disturbed as part of the subject project.

As you are aware, the applicant currently has a surety in place with the Town for the project in the amount of \$51,421. It should be noted that the letter of credit that we received indicates that the surety will expire on August 12, 2009, we have not seen any documentation to date indicating that this date was or has been extended.

Option	Description	Surety Amount
1	Existing Surety in Place	\$51,421.00
2	Roadway & Drainage Surety	\$64,680.00
	Entire Site Disturbance	
3	Surety	\$118,920.00

A summary of the estimated surety amounts based on the described options are listed below, please see the estimates attached for a break down of the items included in these estimates:

Based on our estimated reclamation costs for Option#2 and Option#3, the existing surety amount in place, is insufficient to cover the potential costs for either reclamation options.



August 8, 2019 Mr. Rudy Cartier, Chairman Page 2 of 2

Candia, NH Village at Candia Crossing 43 Units - 55+ Elderly Housing Tax Map 406 Lot 16 Reclamation Surety Estimate

It appears, that the original surety estimate was developed based on the costs associated with the reclamation only the roadway and that the cost increase from the previous estimate to the current estimate can be associated with expected inflation over the time period since the projects previous and current approvals.

If the Applicant/Developer agrees to restrict construction activities and site disturbance to the limits of the roadway and drainage systems, we recommend that a surety in the amount of Option#1 be established for the Town. However, if the applicant/developer intends or is required to clear the entire proposed limits of disturbance at the start of construction, we recommend that a surety in the amount of Option#2 be established for the Town. Please see attachments A, B and C for the existing surety, surety estimate for Option#1 and surety estimate for Option#2, respectively.

Should you have any questions or need any additional clarifications regarding these recommendations please feel free to contact us.

Respectfully,

STANTEC CONSULTING SERVICES, INC

Bryan Ruoff, PE Project Manager Stantec 5 Dartmouth Drive Suite 200, Auburn NH 03032-3984 Phone: (603) 206-7548 Cell: (603) 854-9501 bryan.ruoff@stantec.com

cc. Lilia Garcia, Town of Candia Dave Murray, Town of Candia Chad Brannon, Fieldstone Land Consultants Rene LaBranche, Stantec

Design with community in mind

# ATTACHMENT 'A' EXISTING SURETY IN PLACE



BEDFORD . MANCHESTER .

PORTSMOUTH . MILFORD

DOVER . CONCORD

August 27, 2008

Candia Board of Selectmen 74 High Street Candia, NH 03034

RE: Amendment to Irrevocable Letter of Credit No. 144

Dear Town Officials:

By this document Centrix Bank & Trust (hereinafter "Issuer") hereby issues an Irrevocable Letter of Credit in the amount of \$51,421.00 to the Town of Candia on behalf of Candia Crossing, LLC (hereinafter "Developer"). This Irrevocable Letter of Credit is issued to guarantee completion of all improvements required by the Candia Planning Board and the Town of Candia's Zoning Ordinance Regulations, Conditional Use Permit for Elderly Housing, Planning Board's Site Plan and Subdivision Regulations and in conjunction with the Candia Planning Board's Revised Official Notice of Action, signed and dated January 7, 2008 by Planning Board Chair Mary Girard.

It is understood that the improvements guaranteed by this Irrevocable Letter of Credit include, but are not limited to the following:

- As outlined in Stantec Consulting Services Letter and accompanying Site Plan Restoration Guarantee Worksheet dated July 28, 2008
- This Letter of Credit provides surety for the Initial Construction Access to Well Area 1C
- Restoration and Erosion Control of the noted area
- Installation of embankment fill and drainage infrastructure in the noted location on the subject project

It is agreed and understood by the issuer of this Letter of Credit that it shall expire on August 12, 2009. If all improvements guaranteed by this Letter of Credit are not completed by August 12, 2009 and if a certificate indicating completion of all improvements has not been issued by the Town's Engineer, then this Letter of Credit shall be automatically considered to have been called and without further action of the Town of Candia or its Planning Board, Centrix Bank & Trust shall forthwith forward a check in the amount of \$51,421.00 to the Treasurer of the Town of Candia. The funds so forwarded to the Town shall be used exclusively for the purpose of completing the improvements which are guaranteed by this Letter of Credit. Any funds not needed by the Town to complete improvements required by the subdivision plan referred to above shall be returned to Centrix Bank & Trust.



Upon receipt of written approval of the Town, the issuer may reduce ("draw down") the amount of this Letter of Credit in accordance with the authorization of the Town. Provided, however, that 10% of the principal amount held for the constructed portion of the project shall be retained for one year after completion of the improvements to cover any latent defects appearing during the year and shall thereafter be returned to the issuer or become the property of the Town of Candia, if necessary to remedy any such latent defects.

Except as otherwise expressly stated herein, this Irrevocable Standby Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 Revision), International Chamber of Commerce Publication Number 600, and any subsequent revisions thereof approved by the International Chamber of Commerce (the "Uniform Customs"). This International Standby Letter of Credit shall, as to matters not governed by the Uniform Customs and as to the obligations of Centrix Bank, upon presentation of a sight draft by, be governed by and construed in accordance with the laws of the State of New Hampshire.

Dated: <u>9-28-09</u>

sidy, Jr. Executive Vice Presid

I have read this Letter of Credit and agree to its terms:

Dated: <u>8/29/05</u> <u>Scott</u> Konusaul Signature of Developer

mil Accepted by: Town Manager

# ATTACHMENT 'B' OPTION#2 SURETY ESTIMATE

#### TOWN OF CANDIA, NEW HAMPSHIRE SUBDIVISION IMPROVEMENTS SURETY ESTIMATES

Tax Map 406 / Lot 16	Name of Project: The Village at Candia Crossing			and the second secon
			Date: August 8, 2019	
ITEM	QUANTITY	MEASURE	UNIT PRICE	TOTAL PRICE
OPTION 1: Restoration of Disturbed Roadway				
a. Misc Grading & Debris Removal	13,100	S.Y.	\$1.00	\$13,100.00
b. Loam & Seed	13,100	S.Y.	\$3.00	\$39,300.00
c. Remove Erosion Control Measures	1	L.S.	\$1,500.00	\$1,500.00
	-		SUBTOTAL:	\$53,900.00
d. Contingencies (10% of Subtotal)				\$5,390.00
e. Inflation (10% of Subtotal)		-		\$5,390.00
			OPTION#1 TOTAL:	\$64,680.00
		L		
	and a second			

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# ATTACHMENT 'C' OPTION#3 SURETY ESTIMATE

#### TOWN OF CANDIA, NEW HAMPSHIRE SUBDIVISION IMPROVEMENTS SURETY ESTIMATES

Tax Map 406 / Lot 16	Name of Project:	lame of Project: The Village at Candia Crossing						
		I	Date: August 8, 2019	An 2016 - Day Lasting des des Australianses				
ITEM	QUANTITY	MEASURE	UNIT PRICE	TOTAL PRICE				
OPTION 2: Restoration of all Disturbed Areas								
a. Misc Grading & Debris Removal	24,400	S.Y.	\$1.00	\$24,400.00				
b. Loam & Seed	24,400	S.Y.	\$3.00	\$73,200.00				
c. Remove Erosion Control Measures	1	L.S.	\$1,500.00	\$1,500.00				
			SUBTOTAL:	\$99,100.00				
d. Contingencies (10% of Subtotal)				\$9,910.00				
e. Inflation (10% of Subtotal)		6		\$9,910.00				
			OPTION#2 TOTAL:	\$118,920.00				
	The state of the design of a second state of							

**ØEastern Bank** 

195 Market Street easternbank.com Lynn, MA 01901-1508

August 5, 2019

Beneficiary:

Town of Candia, New Hampshire Candia Town Hall 74 High Street Candia, NH 03034

RE: Eastern Bank as Assignee of and Successor in Interest to Centrix Bank & Trust Irrevocable Standby No. 144-1 Applicant: Candia Crossing, LLC Amendment No. 9

Gentlemen:

At the request of the Applicant, we hereby amendment the subject Standby as follows:

The Expiry Date is extended from 12 August 2019, to 12 August 2020

All other terms and conditions remain unchanged.

Kindly indicate your agreement and assent to this amendment by having an authorized official sign the duplicate original of this letter and returning same to the undersigned. We have provided a return envelope for your convenience.

Sincerely,

Eastern Bank

By: Peter Chronis Assistant Vice President



195 Market Street easternbank.com Lynn, MA 01901-1508

Beneficiary:

Town of Candia, New Hampshire Candia Town Hall 74 High Street Candia, NH 03034

RE: Eastern Bank as Assignee of and Successor in Interest to Centrix Bank & Trust Irrevocable Standby No. 144 Applicant: Candia Crossing, LLC Amendment No. 9

Gentlemen:

At the request of the Applicant, we hereby amendment the subject Standby as follows:

The Expiry Date is extended from 12 August 2019, to 12 August 2020

All other terms and conditions remain unchanged.

Kindly indicate your agreement and assent to this amendment by having an authorized official sign the duplicate original of this letter and returning same to the undersigned. We have provided a return envelope for your convenience.

Sincerely,

Eastern Bank

Town of Candia, New Hampshire

By: Peter Chronis Assistant Vice President

by: . Name: Title: Sharmen - Lanco-Provol of Selectmen

	2019 GRANTS - 2nd QTR			DOES THIS NEED TO BE NOTICED?	RSA 31:95-BIII(a)
Check	From	Check	Check	Grant	Account Number
Date		Number	Amount		
04/24/19	State of New Hampshire	2910772	23,003.11	Highway Block Grant BLK FY19 QTR4	01-3353-00-000
	Total		23,003.11		

	2019 DONATIONS - 2nd QTR							
Date	Donated <u>From</u>	Check <u>Number</u>	Donation <u>Amount</u>	Food <u>Pantry</u>	Police <u>Dept</u>	Fuel <u>Asst.</u>	Agricultural <u>Comm</u>	Swap <u>Shop</u>
04/22/19	9 Candia Community Women's Club CCWC 9 Candice Anne Cyr 9 Heidi O'Connell	961 1042 8809	500.00 100.00 5,000.00		5,000.00	500.00	100.00	
	Totals		5,600.00	0.00	5,000.00	500.00	100.00	0.0

#### Andria Hansen

From:	allyoungs@comcast.net
Sent:	Thursday, August 01, 2019 7:34 PM
То:	boydchivers@gmail.com; Andria Hansen; bobp21@comcast.net; judithszot@comcast.net
Cc:	allyoungs@comcast.net
Subject:	Re: Recommended warrant article

Sure thing.

Please add that item to our next agenda, Andria...and I'll also note it on mine.

Thanks, Sue

Sent from Xfinity Connect Application

-----Original Message-----

From: boydchivers@gmail.com To: ahansen@townofcandia.org, allyoungs@comcast.net, bobp21@comcast.net, judithszot@comcast.net Sent: 2019-08-01 12:16:26 PM Subject: Recommended warrant article

Hi, Sue:

The Vice Chairman of the ZBA, Judith Szot, recently learned that our town has failed to pass a warrant article authorizing the board of selectmen to appoint alternates to that board. I have confirmed this with Andria and have sought advice from NHMA. They recommend we place an article on the town warrant next year with the following language:

To see if the town would vote pursuant to RSA 673:6 to permit the Select Board to appoint up to five (5) alternate members to the Zoning Board of Adjustment.

Please place this on the agenda for our next meeting.

Boyd

### Andria Hansen

From: Sent: To: Subject: Boyd Chivers <boydchivers@gmail.com> Friday, August 09, 2019 3:59 PM Andria Hansen Fwd: Candia: Question

Andria:

Did I previously ask you to copy this email sequence? If not, please do so and make a copy for each board member. Thanks, Boyd

------Forwarded message ------From: Legal Inquiries <<u>legalinquiries@nhmunicipal.org</u>> Date: Thu, Aug 1, 2019 at 9:03 AM Subject: Candia: Question To: <u>boydchivers@gmail.com</u> <<u>boydchivers@gmail.com</u>>

Boyd:

I stand corrected, since Candia is an SB 2, the warrant article on the question of appointing alternates would appear on the official ballot. I had assumed Candia was not an SB 2 town, my mistake.

Stephen Buckley, Esquire

Legal Services Counsel

New Hampshire Municipal Association

25 Triangle Park Drive

Concord, NH 03301

Tel: 603-224-7447 ex. 3408

1-800-852-3358, press 3 (or ex. 3408)

legalinquiries@nhmunicipal.org

www.nhmunicipal.org

From: Boyd Chivers <<u>boydchivers@gmail.com</u>> Sent: Wednesday, July 31, 2019 3:37 PM To: Legal Inquiries <<u>legalinquiries@nhmunicipal.org</u>> Subject: Re: Candia: Question

Thanks for the clarification.

One additional question if I may: Why would the warrant article seeking approval for the appointment of alternates *not* be placed on the official ballot? We are an SB2 town meaning we have a deliberative session (business meeting) and an official ballot voted on later in March. Seems it *should* be on the warrant.

**Boyd Chivers** 

On Wed, Jul 31, 2019 at 10:19 AM Legal Inquiries < legalinquiries@nhmunicipal.org > wrote:

Good Morning Boyd:

<u>RSA 673:6, I(a)</u> governs the designation of alternates to appointed local land use boards. As Candia's Zoning Board of Adjustment is an appointed board, alternates would have to be appointed pursuant to this statute. It states "[t]he local legislative body may provide for the appointment of not more than 5 alternate members to any appointed local land use board, who shall be appointed by the appointing authority." The use of "may" means that the local legislative body need not authorize the select board to appoint any alternates or it may authorize up-to-5 for any specified land use board. Such authorization would have to come through a warrant article.

A warrant article approving the appointment of alternates to your Zoning Board of Adjustment would be worded as follows:

To see if the town would vote pursuant to RSA 673:6 to permit the Select Board to appoint up to five (5) alternate members to the Zoning Board of Adjustment.

Such an article would not be put on the official ballot, and would appear on the warrant for the business meeting of your town meeting.

Stephen Buckley, Esquire

Legal Services Counsel

New Hampshire Municipal Association

25 Triangle Park Drive

Concord, NH 03301

Tel: 603-224-7447 ex. 3408

1-800-852-3358, press 3 (or ex. 3408)

legalinquiries@nhmunicipal.org

www.nhmunicipal.org

From: Boyd Chivers <<u>boydchivers@gmail.com</u>>
Sent: Saturday, July 27, 2019 6:39 AM
To: Legal Inquiries <<u>legalinquiries@nhmunicipal.org</u>>
Subject: Re: Candia: Question

Good Morning:

The ZBA in Candia is appointed by the Board of Selectmen. The Planning Board is elected, not the ZBA. Does this make a difference?

Thanks,

Boyd Chivers

On Fri, Jul 26, 2019 at 10:43 AM Legal Inquiries < legalinquiries@nhmunicipal.org > wrote:

Good Morning Boyd;

If I am interpreting the 2018 Candia Town Report correctly, your Zoning Board of Adjustment is elected and not appointed. That being the case <u>RSA 673:6</u>, <u>II-a</u> states that "an elected zoning board of adjustment may appoint 5 alternate members for a term of 3 years each, which shall be staggered in the same manner as elected members pursuant to RSA 673:5, II." The town meeting need not approve the appointment of alternates to your elected ZBA.

Stephen Buckley, Esquire

Legal Services Counsel

New Hampshire Municipal Association

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Tel: 603-224-7447 ex. 3408

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legalinquiries@nhmunicipal.org

www.nhmunicipal.org

From: Boyd Chivers <<u>boydchivers@gmail.com</u>>
Sent: Wednesday, July 24, 2019 9:22 AM
To: Legal Inquiries <<u>legalinquiries@nhmunicipal.org</u>>
Cc: Bob Petrin <<u>bobp21@comcast.net</u>>; judith szot <<u>judithszot@comcast.net</u>>
Subject: Question

Good Morning Atty. Buckley:

Our zoning board of adjustment recently learned that in 2010 the legislature amended a statute requiring the legislative body to authorize the appointment of alternates to serve on the ZBA. (Chapter 270, SB 448)

We have researched our town meeting reports and can find no evidence that a warrant article seeking approval for the appointment of alternates was ever proposed. In addition, RSA 673 was reviewed in search of the specific statute requiring the legislative body approve the appointment of alternates. This effort was fruitless as well.

Questions:

1. Is it correct that the legislative body must approve the appointment of alternates to the ZBA?

2. What is the underlying RSA?

3. If we are thus required, can you recommend the text for the warrant article? We will rectify our error at the next town meeting if necessary.

1

As always, your assistance is truly appreciated.

Boyd Chivers

Selectman, Town of Candia

Member, ZBA

The Selectmen to approve the request for funds from the Future Revaluation Capital Reserve Fund for CNP invoice #3916 in the amount of \$6,525.00.

# COMMERFORD NIEDER PERKINS, LLC

APPRAISAL AND ASSESSMENT SERVICES

# INVOICE

Bill To

BOARD OF SELECTMEN TOWN OF CANDIA 74 HIGH STREET CANDIA NH 03034

Date	Invoice #
7/26/2019	3916

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Due on receipt

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Page 1 of 1

### Attachment from Candia Selectmen's Meeting on 8/12/2019

February	2020
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Sun	Mon	Tue	Wed	Thu	Fri	Sat
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9	10	11	12	13	14	15
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23	24	25	26	27	28	29

print-a-calendar.com

# TITLE III TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

## CHAPTER 40 GOVERNMENT OF TOWN MEETING

# **Optional Form of Meeting-Official Ballot Referenda**

### Section 40:13

### 40:13 Use of Official Ballot. -

I. Notwithstanding RSA 39:3-d, RSA 40:4-e, or any other provision of law, any local political subdivision as defined in RSA 40:12 which has adopted this subdivision shall utilize the official ballot for voting on all issues before the voters.

II. The warrant for any annual meeting shall prescribe the place, day and hour for each of 2 separate sessions of the meeting, and notice shall be given as otherwise provided in this section. Final budgets and ballot questions shall be printed in the annual report made available to the legislative body at least one week before the date of the second session of the annual meeting.

II-a. Notwithstanding any other provision of law, all local political subdivisions which adopt this subdivision, who have not adopted an April or May election date under RSA 40:14, X, shall comply with the following schedule pertaining to notice, petitioned articles, hearings, and warrants for the annual meeting:

(a) The final date for posting notice of budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be the second Tuesday in January.

(b) The "budget submission date" as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in January, provided however, that if a petitioned article proposes a bond governed by RSA 33:8-a, the deadline shall be the preceding Friday.

(c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be held on or before the third Tuesday in January. One or more supplemental budget hearings may be held at any time before the first session of the annual meeting, subject to the 7-day notice requirement in RSA 32:5. If the first hearing or any supplemental hearing is recessed to a later date or time, additional notice shall not be required for a supplemental session if the date, time, and place of the supplemental session are made known at the original hearing. In a political subdivision that has adopted a municipal budget committee pursuant to RSA 32:14, the last day for the budget committee to deliver copies of the final budget and recommendations to the governing body pursuant to RSA 32:16, IV shall be the Thursday before the last Monday in January.

(d) Warrants under RSA 39:5 and RSA 197:7 and budgets shall be posted and copies available to the general public on or before the last Monday in January.

II-b. Notwithstanding any other provision of law, all political subdivisions which hold their annual meetings in April shall comply with the following schedule pertaining to notice, petitioned articles, hearings, and warrants for the annual meeting.

(a) The final date for posting notice of budget hearings under RSA 32:5 and RSA 195:12 and hearings

under RSA 33:8-a shall be the second Tuesday in February.

(b) The "budget submission date" as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in February, provided however, that if a petitioned article proposes a bond governed by RSA 33:8-a, the deadline shall be the preceding Friday.

(c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be held on or before the third Tuesday in February. One or more supplemental budget hearings may be held at any time before the first session of the annual meeting, subject to the 7-day notice requirement in RSA 32:5. If the first hearing or any supplemental hearing is recessed to a later date or time, additional notice shall not be required for a supplemental session if the date, time, and place of the supplemental session are made known at the original hearing. In a political subdivision that has adopted a municipal budget committee pursuant to RSA 32:14, the last day for the budget committee to deliver copies of the final budget and recommendations to the governing body pursuant to RSA 32:16, IV shall be the Thursday before the last Monday in February.

(d) Warrants under RSA 39:5 and RSA 197:7 and budgets shall be posted and copies available to the general public on or before the last Monday in February.

II-c. Notwithstanding any other provision of law, all political subdivisions which hold their annual meetings in May shall comply with the following schedule pertaining to notice, petitioned articles, hearings, and warrants for the annual meeting:

(a) The final date for posting notice of budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be the second Tuesday in March.

(b) The "budget submission date" as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in March, provided however, that if a petitioned article proposes a bond governed by RSA 33:8-a, the deadline shall be the preceding Friday.

(c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be held on or before the third Tuesday in March. One or more supplemental budget hearings may be held at any time before the first session of the annual meeting, subject to the 7-day notice requirement in RSA 32:5. If the first hearing or any supplemental hearing is recessed to a later date or time, additional notice shall not be required for a supplemental session if the date, time, and place of the supplemental session are made known at the original hearing. In a political subdivision that has adopted a municipal budget committee pursuant to RSA 32:14, the last day for the budget committee to deliver copies of the final budget and recommendations to the governing body pursuant to RSA 32:16, IV shall be the Thursday before the last Monday in March.

(d) Warrants under RSA 39:5 and RSA 197:7 and budgets shall be posted and copies available to the general public on or before the last Monday in March.

II-d. The voter checklist shall be updated in accordance with RSA 669:5 for each session of the annual meeting.

III. The first session of the annual meeting, which shall be for the transaction of all business other than voting by official ballot, shall be held between the first and second Saturdays following the last Monday in January, inclusive of those Saturdays; between the first and second Saturdays following

the last Monday in February, inclusive of those Saturdays; or between the first and second Saturdays following the last Monday in March, inclusive of those Saturdays at a time prescribed by the local political subdivision's governing body.

IV. The first session of the meeting, governed by the provisions of RSA 40:4, 40:4-a, 40:4-b, 40:4-f, and 40:6-40:10, shall consist of explanation, discussion, and debate of each warrant article, including warrant articles pertaining to the operating budget and the default budget. A vote to restrict reconsideration shall be deemed to prohibit any further action on the restricted article until the second session, and RSA 40:10, II shall not apply. Warrant articles may be amended at the first session,