

~~Unapproved~~ **APPROVED**
Candia's Virtual Selectmen's Public Session Minutes
August 10th, 2020

Attendance: Chair Susan Young, Selectman Russ Dann, Selectman Boyd Chivers, Selectman Brien Brock, Selectman Patrick Moran and Administrative Assistant Linda Chandonnet

7:00 pm. Chair Young called the Public Meeting to order

Pledge of Allegiance

Roll call was conducted

Approval of Minutes: Non-Public Session Minutes June 29th, and Non-Public Session Minutes for July 13th.

Selectman Brock moved to make a motion and accept the June 29th, 2020 Selectmen's Public Session Minutes and July 13th, 2020 and Non-public Selectmen's Public Session Minutes as presented. Seconded by Selectman Dann. All were in favor. Motion carried by a vote of 5-0-0.

Public Session Minutes for July 13th, 2020

Corrections needed, on page 1, under Building, change life to lite. On page 6, Building Inspector Murray's resignation date of August 28th not 20th. On page 3 to add information about the Smith Memorial Library when Selectman Dann requested Micah Fultz and Jeff Philbrick to go to the Trustees and hold a public meeting of what they want to do and to have it posted.

Selectman Russ moved to make a motion and accept the July 29th, 2020 Selectmen's Public Session Minutes. Seconded by Selectman Chivers. All were in favor. Motion carried by a vote of 5-0-0.

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

Highway: Road Agent Lewis read the attached report There has been quite a few thunderstorms and heavy rains recently and a lot of small wash outs around town that he has not fixed yet because he is finishing the Healey Road Project first. Just about every road has had some sort of shoulder damage issues. The Healy Road Project is going well there are only a few days of paving left and then it will be completed. He has done some work at the school lately and fixed a lot of drainage issues from the recent rains and also paved the school parking lot.

Police: Chief McGillen read the attached reports and added that they have been extremely busy. There have been numerous calls of vandalism occurring at night on many street signs. They are still looking for a part time employee to fill the current open position.

Fire: Selectman Dann read the attached letter from Fire Chief Dean Young's recommendation of Timothy McLaughlin for appointment.

Selectman Dann moved to recommend and to take into consideration and appoint Timothy McLaughlin per Fire Chief Young's request. Seconded by Selectman Chivers. All were in favor. Motion carried by a vote of 5-0-0.

Building: Building Inspector Murray read the attached reports.

Planning: Selectman Brock had no updates to report. The Planning Board did not have a meeting this month. They are still waiting for prices from Moore School, that information was not available, therefore they cancelled the meeting.

Solid Waste: Selectman Dann had no reports to update on. He announced that Hazardous Waste Day will be on Saturday, September 19th, 2020. Candia Residents should mark their calendar and to plan ahead. It will be posted on the sign in front of the Town Office and on the Website.

Selectman Dann stated they are in the process of hiring a new part time employee at the Recycling Center. At this point the paperwork is being processed for the police information that is required.

Selectman Dann expressed his thanks to Road Agent Lewis, as he has improved the pad at the Recycling Center by hauling fill in there and it increased their area for storage. They are also fixing up the concrete building which is used for storage, and they will be able to dismantle air conditioners and miscellaneous items in the wintertime which contain mostly copper and helps generate money.

Selectman Dann emphasized that the town residents should remember to keep the six feet distance when they are in the Recycling Center. It is proven that it is very helpful, that it works and is for the public and employee's protection. If anyone needs help, please ask one of the workers and they will be happy to assist. He reminded everyone that are several people who go there on a weekly basis and that the town has been able to keep the facility open, and that is very important.

Chair Young announced the Budget Committee will be meeting on Wednesday, August 12, 2020. The next time they meet will be in September when they will be reviewing the Town Budget proposals for year 2021.

Old Business

Convex Mirror: Selectman Brock gave an update on the convex mirror for Main Street & Chester Roads and stated that he has personally talked to Mr. Wheeler and that he does not want a convex mirror on his property. Selectman Brock said they have done all that they can. There is no other spot that the convex mirror would work on, so he would like the Boards permission to have Administrative Assistant Linda Chandonnet return it for reimbursement.

North Road: Selectman Moran stated he had sent the Board pictures of all the water damage that was in his neighborhood from the rainstorm they had a few weeks ago. It did damage to his driveway and also washed out his neighbor's completely which is on North Road and it goes all the way to the properties on New Boston Road that were developed by Contractor Dan Cotnoir in that area.

Mr. Cotnoir of B.M.T. Construction said he had given his cell number and email to all the abutters on North Road and he is willing to work with them. He added that he did not receive any of the pictures that had damages. He installed an engineered AOT design for the two properties that was built off of New Boston Road. He has contacted a few people from Town to do site walks to look at the washout issues.

Selectman Moran brought up that if Mr. Cotnoir had put in curbing there like he had first instructed him to do, that this would not have happened.

Mr. Cotnoir disagreed and explained that a curbing would not help. He added that with Scott's property and when they first started this project, he had recommended him to increase his twelve-inch culvert, but he did not feel they should increase it.

This is why he would like to have a site walk and review it all.

Chair Young said that what she is hearing, is that there was not a problem with this situation before he built the properties. Mr. Cotnoir replied that he had an engineer come in to do a water flow control area for the two properties. She understands there was a lot of rain recently in a short time and that there have been other problems, but that is what she is hearing. Mr. Cotnoir said he had an engineer come in and design a waterflow control area for the two properties that he built off of New Boston Road.

Selectman Moran stated that his neighbor has tried to get in touch with Mr. Cotnoir several times and never received any response back. Mr. Cotnoir replied that it is because he wants to do a site walks and he needs someone from the Town and Board to be included.

Chair Young asked if it would be agreeable to plan a date and to go the site to look at it? Road Agent Lewis stated, that back when this first happened he had suggested that the Board have Mr. Cotnoir to post a bond and get this engineered so this problem could be solved. The work that has been done there in the past, has not resolved the problem. He suggested to have a meeting at the site with NHDES again along with some of the Board Members, Mr. Cotnoir, property owners and the town engineer. He recommends no more CO's (Certificate of Occupancy) until this is resolved. Mr. Cotnoir agreed to do a site walk. Selectman Chivers added that he would agree to do a site walk along with NHDES, Stantec, the engineers and anyone else who wants to be involved to get this resolved.

Mr. William Gurney (Resident) who lives on New Boston Road explained how the water comes off the property and along the back side of his property at a substantial amount. It then leads into his neighbor's property. According to his knowledge of it is that it is illegal to develop a piece of land and redirect the run-off to someone else's property. He is very concerned about the water that is running across the back side of his property and how he could potentially be responsible for his neighbor. He believes this needs to be addressed for legal reasons. In conclusion all parties agreed to coordinate with each other in meeting together.

The Board advised that no CO's are to be issued at this point, and current CO's will be suspended until this problem has been resolved. Building Inspector Murray asked the Board, how is Mr. Cotnoir going to solve the water from coming on to the property? Selectman Chivers said isn't that what ditching ponds are for? It slowly releases the water. Building Inspector Murray said the video he watched of the storm at the retention pond was designed by the engineer and NHDES and it may have failed because it could not take all that water.

Road Agent Lewis remarked that this is really a taxpayer's issue here and this problem is just not going to go away and why should we be responsible. We need to hold the person who created this problem to be responsible. The problem here is that the lots did get cleared, but now we have no idea where the water really flows. The town has four culverts that go across there and we have an easement by prescription that have been there for many years and he never had an issue until these lots were cleared. All the little detention ponds that were once there are now gone, so somehow, we have to figure out how to stop the flow of water and it should be at the developer's expense.

Mr. Cotnoir said he would make himself available to get together and all parties agreed.

Building Inspector/Code Enforcement/Health Officer: Selectman Chivers said they were fortunate to receive a qualified applicant for this position. An interview was conducted and without hesitation he would like to recommend Kevin Gagne and to appoint him for the position. Selectman Chivers would like to make it a conditional appointment, because the notice in the paper said that that applicants had until August 12th to apply; therefore, it would not be wise to appoint Mr. Gagne tonight. He would like to recommend Kevin Gagne and appoint him for the position and recommends approval of Mr. Gagne as of August 12th.

Selectman Chivers moved to make a motion for a conditional approval and recommends Kevin Gagne for the position with the understanding that if no other applicants apply for the position as of August 12th at 3:00 pm. Seconded by Selectman Brock. All were in favor. Motion carried by a vote of 5-0-0.

Selectman Dann remarked that in fairness to any applicants who submits an application until that time would need to be reviewed. If it is a competing applicant, then they would need to bring it up to the board. Selectman Chivers said Mr. Gagne will begin working on August 17th, and the position would be coded Grade 7, Step 8.

Chair Young asked Building Inspector Murray if he was willing to work with Mr. Gagne on a per diem basis after he has left, to help the new employee if needed. Building Inspector Murray agreed. Selectman Chivers moved to authorize Building Inspector Murray to work as per diem basis if needed. Seconded by Selectman Dann. All were in favor. Motion carried by a vote of 5-0-0.

New Business

Election: Town Moderator Clark Thyng proclaimed that Candia will be having their first Covid Town Election on September 8th, 2020 from 6am-7pm. The second Covid Town Election will be held in November. He expressed that will be a lot different than what we are used to. They will be following the State Epidemiologist Covid-19 recommendations. Facial masks will be required to be worn by the public, staff and employees and PPE will be available for everyone. Each voter will receive their own pen and will take it with them when they leave. Each ballot will come in a folder to cast their vote and then thrown away. Every voter that is concerned with contracting Covid can take an absentee ballot. There will be no congregating of people allowed in the voting locations. They will not be having a bake sale, fund raising or any scouts this year. They have designated the entire CYAA facility including the grounds as the polling location. In-car voting is still being worked on at this point and they will be have a meeting on Thursday, August 13th when more information will follow. Bathrooms will be closed to the public. Town Moderator Thyng asked the Board for permission to purchase 20-25 cloth masks for the election staff which cost \$15.00 each with the printed election logo on it. Chair Young said that there may be someone she knows who might be able to make them and asked if she can have a sample. Town Moderator Thyng said they are having an issue with finding people to help with voting this year and they may reconsider the current payrate amount which is minimum wage. Discussion ensued.

Accepting 2nd Quarter Donations and Grants: RSA 31:95-B III (a)

Selectman Chivers read the attached donations. Chair Young added that all the money the Town has received is appreciated very much.

Selectman Chivers moved to make a motion and accept the second quarter donations received. Seconded by Selectman Dann. All were in favor. Motion carried by a vote of 5-0-0.

Selectman Chivers read the attached second quarter State of NH Grants.

Selectman Chivers moved to make a motion and accept the second quarter grants received. Seconded by Selectman Brock. All were in favor. Motion carried by a vote of 5-0-0.

Municipal Resources Inc. – Junkyard Compliance: Selectman Chivers explained to the Board that a few months ago he spoke with Building Inspector Murray about splitting up his job to have someone assist him with the town's zoning violations, as it might be a more effective way. He has contacted MRI (Municipal Resources, Inc.) and asked if they had a service available to assist our town with this complex legal process. MRI in return said they did have someone named Ken Knowlton, who specializes in junkyards and signs and he is called the junkyard dog. He is very familiar with all the government statutes and ordinances. Selectman Chivers stated how this is a good time especially with Building Inspector Murray leaving and with a new person who will be taking his place to sign this MRI contract and have someone provide these services. They could talk over 3 or 4 of the most serious junkyard cases to review along with what Building Inspector Murray has already done and to start the enforcement process. Selectman Chivers informed the Board, that they had received a letter from Norman Barry (resident) who lives on Main Street and that this case goes back for several years. He said that there is money in the Land Use Budget, which has not been spent in the amount of \$15,000 and that he would like to use for professional assistance for the project management from MRI. Discussion ensued.

Mr. Norman Barry of Main Street noted that there is a junkyard that is out of control behind his property with unregistered cars, campers along with people living in them year-round with unapproved septic systems. He commented that having this junkyard next to his property brings down the property value and of all the properties in that area. He would like to see a company like MRI come in who is effective, well experienced and drilled in to get it done. He feels \$68.00 an hour is a small fee for the value their properties are losing.

Chair Young requested a list of all the outstanding zoning violations so they can prioritize them. Selectman Dann read a portion of the contract that read: "This contract shall remain in effect until terminated by either party". He said therefore, if it doesn't work for the town, they could terminate them. Discussion ensued.

Selectman Chivers moved to make a motion and accept the professional service agreement with Municipal Resources Inc., dated July 15th, 2020. They will give them 2 of their most challenging cases to see how it does. Seconded by Selectman Brock. All were in favor. Motion carried by a vote of 5-0-0.

Jane Drive: Carla Penfield (resident) on Jane Drive asked the Board if they would take a ride on Jane Drive as there are multiple problems that need addressing. She said that she came to talk about her side of the road which is on the left side and stressed that it needs culverts, swales or something to direct the water going down the street. When it rains out, it is washing into some of her neighbor's front yards and is eating away at a portion of her front yard. Some of the road shoulders are complexly gone and if you are walking on the pavement there is a drop of about a foot. She asked if they could take a look at it with an engineer on her side of the street. Selectman Brock agreed to go look at it. Road Agent Lewis added that Jane Drive has always been an issue on her side of the road, as there are no culverts on that side to carry the water. He agreed to go with Selectman Brock and an engineer to look at it. Discussion ensued.

Moore Park: Chair Young read a letter from Elaine Brewer asking the Board for permission as they are interested in purchasing a bench to place a bench in Moore Park in memory of her parents

who had lived in Candia for many years. She would like a plaque on the bench that states In Memory of Gerald and Genevieve Brewer. Chair Young suggested that the bench be made of granite, otherwise it will require maintenance such as painting. The Board members all agreed.

Census: Chair Young is requesting everyone in Candia to please fill out their census. The town of Candia was third, but now we have dropped down to fourth place. Selectman Dann encouraged signs to be posted at the Recycle Center just as a reminder.

Board to authorize the payments of payroll and payables. Selectman Chivers announced the grand total for payroll for week ending July 23rd was \$16,765.33. Week ending July 30th was \$44,694.48. Week ending August 6th was \$15,859.41. Week ending August 13th was \$16,375.72. Payables for July 23rd was \$36,311.03. Payables for July 30th was \$69,328.14. Payables for August 6th was \$1,032,128.85. Payables for August 13th was \$409,422.92 for a combined total of \$1,640,885.88.

Selectman Chivers moved to approve the accounts payable and payroll checks for the 2-week period in the amount of \$1,640,885.88. Seconded by Selectman Brock. All were in favor. Motion carried by a vote of 5-0-0.

Calendar: Chair Young announced the following dates:

- 2020 Budget Proposals – Due to Donna Becker on or before September 2nd, 2020
- 2020 Proposed Town Budget Meeting – September 12th, 2020 @ 8:00am @ Town Offices
- Next Board of Selectmen's Meeting - Monday, September 14th, 2020 @ 7:00 pm.

8:45 pm Selectman Dann moved to suspend the Public Session and go to a Non-Public Session 91; A II (b). Seconded by Chair Young. All were in favor. Motion carried by a vote of 5-0-0.

8:50 pm Non-Public Session

9:25 pm Selectman Moran moved to close the Non-Public Session. Seconded by Selectman Chivers. All were in favor. Motion carried by a vote of 5-0-0.

9:25 pm Selectman Moran resume to the Public Meeting. Seconded by Selectman Brock. All were in favor. Motion carried by a vote of 5-0-0.

9:25 pm. Selectman Dann made a motion seal the Non-Public Session Minutes. Seconded by Selectmen Moran. All in Favor. Motion carried by a vote of 5-0-0.

Chair Young moved to make a motion to increase Deputy Town Clerk's rate of pay to \$18.50/hr., as Donna Hetzel has been running the Town's Clerk's Office single-handedly since mid-March. Second by Selectman Dann. All were in favor. Motion carried by a vote of 5-0-0.

9:30 pm. Selectman Moran moved to adjourn the Public Meeting. Seconded by Selectmen Chivers. All in Favor. Motion carried by a vote of 5-0-0.

Respectfully submitted,
Linda Chandonnet, Recording Secretary