

APPROVED
Candia's Virtual Selectmen's Public Session Minutes
September 21st, 2020

**This was a repeat of the Monday, September 14, 2020 Selectmen's Meeting, as we discovered Zoom wasn't available to the public. Our sincere apologies for any inconvenience. The audio tapes/minutes of the original meeting are available on the website.*

Note: Individual roll call has been taken after each motion.

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 and apologized for having to repeat the meeting as Zoom was recording and viewing everyone at the meeting, but it was not available to the public.

Pledge of Allegiance

Roll call was conducted

Chair Young advised that RSA 6, Chapter 91:A, states that any town organization must post their meetings within 24 hours in advance (it may be done in less time if it is an emergency) to posting the meetings and the minutes. For guidance refer to the Governor's Order #12 that states, they must be at an accessible place where people can access, watch and listen actively to the meetings. During Covid, they are to have meetings at the Town Office and must use Zoom which is accessible. Zoom was not accessible during last week's meeting, therefore we need to have another meeting and will re-vote on everything again, so that the public has access to the information. Anyone having any trouble will also need to repeat the meeting. Please make sure that all your committees are following the rules. There have been complaints, because some people are looking for the minutes and if they are not available, they contact us. It is a state law and please make sure to follow them. Chair Young made a sincere apology as the meeting had to be repeated and also for the people who were standing by waiting to join in last week's meeting.

Approval of Minutes: Public Session Minutes and Non-Public Session Minutes for August 10th, 2020.

Selectman Brock moved to make a motion and accept the August 10th, 2020 Selectmen's Public and Non-Public Session Minutes as presented. Seconded by Selectman Chivers. All were in favor. Motion carried by a vote of 5-0-0.

Public Session Minutes & Non-Public Session Minutes for August 28th, 2020.

Selectman Dann moved to make a motion and accept the August 28th, 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: No new updates. Please refer to 09.14.20 Board of Selectman's Session Minutes and the attached report.

Police: No new updates. Please refer to 09.14.20 Board of Selectman's Session Minutes and the attached report.

Fire: No new updates. Please refer to 09.14.20 Board of Selectman's Session Minutes and the attached report.

Building: No new updates. Please refer to 09.14.20 Board of Selectman's Session Minutes and the attached report.

Planning: Planning Board Chair Rudy Cartier gave an update and summary on two major site plan applications going on with Candia South Branch Brook Holdings LLC and Mountain States LLC. The (CIP) Capital Improvement Plan final drafts will be approved at the October 7th Planning Board Meeting. The Public Hearing is scheduled for November 18th. Discussion ensued on CIP plans and their future projects.

Chair Cartier said the Planning Board sent a memo to the Board of Selectman requesting them to put the \$10,000 of their Master Plan Implementation Planning line item back into the budget. There has been no other department or organization in town that has had their operational budget taken out or has had to put into a warrant article. They do not know the reason why they are the only one to have their operational budget taken out. They need this in order to do their job and they are at a loss.

Chair Young said she believes that in the past the Master Plan money was always a warrant article. She said in her opinion, it is because the Planning Board has cancelled some of their meetings if they there were no applicants. They have had conversations in the past on why they did not do any planning during their Planning Board Meetings and do not have applicants. It seems that if we are not paying our very expensive engineers Stantec to do the CIP or Master Plan that very little gets done during meetings. This is what she has seen when looking at the minutes and bills. It seems all these outside agencies are planning our town. It looks like no planning is going on and nothing is getting done.

Chair Cartier replied that he needed to correct and clarify about the money they have requested. It is not for the Master Plan it is for the Master Plan Implementation and for planning purposes as there is a difference. Every application they have received this year, has taken months to work on and none of them are straight forward anymore. A lot of the work gets done behind the scenes as they do not always need to have a meeting to get the work done and that a lot of it is done by a one on one with the people involved. They try to be efficient as much as possible, so that they do not have to be in meetings late at night. There is a lot of work that needs to be done on their Master Plan and it was done over three years ago with our citizens input, but many do not have any knowledge about it, so they are very confused. One thing his Board would like to do next year, is to get more information out to the residents in town.

Chair Young apologized and stated it was a misunderstanding. She added that he will have a chance to talk to the Budget Committee. She added that usually when people want extra money to do things, it has been on a warrant article, but she will have to check on that for certain.

Chair Cartier stated that by law he has to have a Master Plan for the Town of Candia and they are obligated to be guided by that Master Plan. One thing that he wants to try to do is rectify that situation which is in there. He expressed that they are a Town Board not a department, and what they expect from the Board of Selectmen who is the major board that is putting the budget together, is to support them in what they need to do. He does not want to have to go to the Budget Committee and say to them, we think you should put this back into the Budget. The Budget Committee is going to tell them, well the Board of Selectmen did not support it. He feels the Board of Selectmen is not supporting the Planning Board which they are financially responsible for them and it is very upsetting to them.

Chair Young replied that she does not agree with him that they are not giving them any support. The \$10,000 goes out to a warrant article. There is no RSA that states the Board has to spend \$8,000 or \$10,000 on an outside source to decide what is right for our community. It has been done for free in the past and she understands times have changed, however there is nothing in the RSA that states that we have to spend one cent, as long as they get the master plan done. She feels the 8.9% budget increase is not acceptable and thinks that the Board will need to go revisit the budget, and are going to find that the \$10,000 that they had asked to be considered will need to be put into a warrant article. This will not be the only budget cut from this Board or the Budget Committee.

Chair Cartier said that it is taking operational funds out of their budget and that is not done by any other committee or commission board. The bottom line is that the Board is taking their operational budget away for them to implement the master plan and to do the planning they need.

Selectman Brock stated that Chair Cartier brings up a good point, that it is not the Planning Boards job to go to the Budget Committee and argue to put something back in. The Planning Board could go to defend their budget, but it would be difficult to request, especially after the Board of Selectmen has cut it. We could make a motion to put it back into their Budget and then they could go before the Budget Committee to defend it. Chair Young said the Board may take a motion if they choose to and she will do what the Board wants. Selectman Brock said he would like to make a motion that they reinsert the \$10,000 that was presented by the Planning Board and it can be argued at that point with the Budget Committee and he can defend it. The motion failed for lack of support.

Chair Young suggested to Chair Cartier that when he goes back to the Planning Board and if they decide to do this is to put it into a warrant article.

Solid Waste: Please refer to 09.14.20 Board of Selectman's Session Minutes for previous discussion.

Selectman Dann announced they had Hazardous Waste Day on Saturday, September 19th, 2020 and it all went well.

Chair Young stated the 2021 Proposed Budget Hearing was on Saturday September 12th, 2020 at the Candia Town Office.

Old Business

Jane Drive: Please refer to 09.14.20 Board of Selectman's Session Minutes for previous conversations.

Ms. Carla Penfield (resident) asked the Board what Stantec's bill was to look at the road erosion that occurred on Jane Drive? Road Agent Lewis stated when he receives the bill, he will share that information in the next available meeting.

Smyth Memorial Building: Please refer to 09.14.20 Board of Selectman's Session Minutes for previous conversation.

Ms. Carla Penfield said she received an email from Selectman Chivers. She presented RSA's to the Board and explained how the way Selectmen Chivers has read the RSA that is on #2 is different than her interpretation. She asked to see a copy of his question that was sent to legal as she does not think that it is correct. Selectman Moran read the letter that was sent to the Attorney. Selectman Chivers asked Ms. Penfield to rewrite the question on how she would like to present it to the Attorney and to cite it along with the RSA followed with her interpretation, and he will send it to him. Ms. Penfield agreed.

A resident asked, as Selectman, you are allowed to sell property that the Town owns without going to a Town Meeting or need permission from the legislative body to do that. So, has this same provision that granted to you to sell the property the same as leasing the property? Selectman Chivers explained that tax and deeds are all under a different RSA. The principle here is, if we sign a multi-year lease, we are binding the Board of Selectmen to a decision that we made and that is the difference. This is why the Board cannot sign multi-year leases.

Selectman Chivers moved to make a motion and approve the Smyth Memorial Building Trustees proposed contract with Jesse Remington High School provided it conforms with the terms of RSA 41: 11 (a). Seconded by Selectman Brock. All were in favor. Motion carried by a vote of 5-0-0.

Moore Park Field Use: Chair Young stated she has been in touch with the company who was going to do the weed work at Moore Park Field, and they cannot do it this year. Mr. Jeff Philbrick asked the Board if they could use the back end of the facility field for their practicing. Chair Young explained all the work that needs to be done in the Field. It was decided that she will be calling him to meet up and talk so they can workout something.

George's Property: Nothing to updates. Please refer to 09.14.20 Board of Selectman's Session Minutes for previous conversation.

New Business

Candia Crossing: Town Assessor Steve Hamilton from Whitney Consulting Group LLC gave the Board an update for Candia Crossing which is a big development. The property is in the Current Use program and there are Land Use Change Taxes that apply when a land developer starts to develop the land. Previously the developer had wished that there was a way the Town could bill it all at once. It was not supported by Candia's prior Assessing Contractor and she had advised the Board not to process it that way. He believes there is a possible way to negotiate the impasse and the timing of the payments. He thinks that the most effective way to bridge the gap between the parties and then he would be able to actively start to negotiate. He would be willing to take that on for the Board if they agreed and asked if one of the Board Members would volunteer to work with him and. Selectman Brock and Selectman Chivers agreed to volunteer to assist. They will converse online to schedule and meet together before they schedule a meeting with Candia Crossing's Attorney. Discussion ensued.

Assessor Hamilton said it is MS-1 filing season and that it was due on September 1st. He has submitted an extension date to September 25th, and it is unlikely they will be able to submit it then, so he will request the MS-1 extension to October 14th, so that the Board can sign it before it needs to be submitted.

Purchase of Town Property: Selectman Brock had no updates. Please refer to 09.14.20 Board of Selectman's Session Minutes for previous conversation.

Voting Delegate to NHMA: Chair Young stated that every year NHMA comes up with different issues they want to lobby for. It will be a virtual meeting if the Board is interested. Chair Young offered to participate if no one else does.

7:58 pm. Selectman Moran exited the Board of Selectmen Session.

Trustee of the Trust Fund – Request for Funds - Fire Department:

Selectman Chivers moved to request for the funds from the Fire Suppression Water Supply Capital Reserve Fund and reimburse the Fire Department for the following invoice from Liberty International Trucks for invoice #35805 for \$4,104.24. Seconded by Selectman Brock. All were in favor. Motion carried by a vote of 4-0-0.

Covid Grant Funds – Fire Department: Chair Young stated the CARES Act sent the Board a letter that they require us to make a motion that reads as follows.

Chair Young moved to make a motion that the Board accepts and approves all Covid 19 Grants and the Board additionally designates the Chair or a designee to sign the grant application. Seconded by Selectman Chivers. All were in favor. Motion carried by a vote of 4-0-0.

Review Fund Balance Policy: Chair Young stated they want to change this from page 3 for the 2021 Proposed Budget.

Selectman Brock moved to make a motion to restore our Fund Balance to 11.5%. Seconded by Selectman Dann. All were in favor. Motion carried by a vote of 4-0-0.

Fire Department Nomination: Selectman Dann read a letter from Fire Chief Young in regard to the recommendation of Travis Roberts for Candia's Fire Department. See attached.

Selectman Dann moved to make a motion accept the nomination of Travis Roberts to the Candia Volunteer Fire Department. Seconded by Selectman Chivers. All were in favor. Motion carried by a vote of 4-0-0.

Fire Department -Tower Contract: Fire Chief Young explained that there is a contract between the Town and Ed Cunningham to use the tower for communication services.

Selectman Chivers moved to make a motion accept the Site Lease Agreement with Ed Cunningham for two repeaters on Tower Hill Road as recommended by the Fire Department. Seconded by Selectman Dann. All were in favor. Motion carried by a vote of 4-0-0.

Joining via Zoom, Fireman Kyle Ball

Fireman Kyle Ball explained that the Fire Department is currently using Rockingham for it's dispatch center and is looking to change it to Londonderry. Their proposal was \$28,840 per year and also have 3, 5 or 7 year contracts. Candia has at a lot of safety issues right now with

Rockingham and safety is his main concern. There are other agencies available, however Londonderry was the lowest bidder. They run it like a business, so we would sign on to them and with the leasing space on the Tower that Candia is renting on Ed Cunningham's Tower, we could allow another Town to use our equipment and that Town could pay us for using it and we would earn capital. Fire Chief Young stated that they are always trying to make things better at the Fire Department and safety is the biggest issue for them.

Selectman Dann moved to make a motion and allow the Fire Department to contract with Londonderry for \$28,840 yr. for communications and safety dispatch services. Seconded by Selectman Chivers. All were in favor. Motion carried by a vote of 4-0-0.

Eagle Scouts Project: Isaac Plante of the Eagle Scouts came to the Board on 9.14.20 and he presented his project.

Selectman Chivers moved to make a motion and approve his Eagle Scouts project. Seconded by Selectman Brock. All were in favor. Motion carried by a vote of 4-0-0.

Proposal to Form Safety Complex Committee: Please refer to 09.14.20 Board of Selectman's Session Minutes for previous conversation.

Selectman Chivers moved to make a motion to form a Safety Facility Committee. Seconded by Selectman Dann. All were in favor. Motion carried by a vote of 4-0-0.

Town Office Building Opening: Chair Young stated she would like to table this until October 13th, 2020. The Board all agreed.

Other Business:

Conservation Commission Appointments: Chair Young said they have a request for Conservation Commission appointments as follows: Elizabeth Kruse 2019-2022, New Chair Judith Lindsey 2019-2022, Dennis Lewis 2020-2023, Dick Snow 2018-2021 to be reinstated from Alternate to regular member and Leon Austin reappointed 2000-2021.

Selectman Chivers moved to make a motion and approve the reappointments for the Conservation Commission. Seconded by Selectman Brock. All in favor. Motion carried by a vote of 4-0-0.

Set 2021 Town Deliberative Session Date: Chair Young stated we need to set a tentative date for 2021 Town Deliberative Session and asked the Board Members. They agreed on the date of January 30, 2021 and the snow date for February 2nd, 2021.

Selectman Chivers moved to make a motion to set the dates for the 2021 Deliberative Session on January 30th, 2021 and a snow date on February 2nd, 2021. Seconded by Selectman Dann. All were in favor. Motion carried by a vote of 4-0-0.

Election: On 09.14.20 Board of Selectman's Session Chair Young had thanked everyone who participated and to the Board Members for attending the past election all day. Selectman Moran had stated that he had three complaints he received at the election. One of them was that the people were not wearing masks. There was a group of five people sitting too close to each and the voting had a circus type atmosphere and where people were having too much fun.

Joining via Zoom, Patrick Moran

Ms, Penfield told the Board she will get an invoice to submit to the Board for the replacement furnace at the Smyth Memorial Library. She has an appointment on Wednesday, September 23, 2020 to have someone look at the Smyth Memorial Building furnace and will give the Board a written proposal as soon as she can. Please refer to 09.14.20 Board of Selectman's Session Minutes for a previous conversation.

Chair Young stated there are 3 things they still need to vote on for the 2021 Proposed Budget, and they were the Cemetery, Building Budget and the Smyth Building Library. The Board decided they will wait to discuss these three items as the Board of Selectmen meets next on October 13th and the Budget Committee meets on October 14th. They will decide on October 13th and submit it to the Budget Committee on October 14th. The Board all agreed.

Halloween: Chair Young said she does not think that the Board has a right to govern when Halloween will be. If people are not comfortable to participate, they can leave their outdoor light off and if they choose to, they can leave their outdoor light on. The Board all agreed that Halloween will be held on Saturday, October 31st from 5pm-8pm.

Standard Power: Selectman Dann has an agreement for the Board as Standard Power is renewing their rate. The Town receives a reimbursement for the usage that we have. The meter reading is for 3 years, from December 2019 to November 2023. It would need to be signed by the Chairman. Selectman Dann moved to make a motion that they accept the Default Reimbursement Agreement with Standard Power of America for the years of December 2019 through November 2023. Seconded by Chair Young. All were in favor. Motion carried by a vote of 5-0-0. Chair Young added they will run it by legal.

Board to authorize the payments of payroll and payables. Selectman Chivers announced the grand total for payroll & payables for 6-weeks. Weeks ending August 20th to September 24th was \$1,212,778.17 of which the school received \$750,000
Selectman Chivers moved to approve the accounts payable and payroll checks for the 6-week period in the amount of \$1,212,778.17. Seconded by Selectman Dann. All were in favor. Motion carried by a vote of 5-0-0.

Calendar:

The next Board of Selectman's Meeting will be on Tuesday, October 13th, 2020 @ 7:00pm.

Public Comment: None noted.

Selectman Chivers said at the beginning of the summer the Planning Department found a file full of Town Ordinances in the Town Office, and he had told the Board that they would format them into a code of Municipal Ordinances before the end of summer. Selectman Chivers presented it to the Board all completed and wanted to thank Planning Board Administrative Assistant, Lisa Galica for all her hard work. With the Boards permission, she will make 6 copies of them all and he would also like their approval of the formatting change. The Board thanks Planning Board Administrative Assistant, Lisa Galica for doing all that work.

Chair Young moved to make a motion and accept the formatting of the Municipal Ordinances as presented. Seconded by Selectman Dann. All were in favor. Motion carried by a vote of 5-0-0.

8:45 pm Chair Young moved to suspend the Public Session and go to a Non-Public Session RSA 91; A 3II (a).

9:10 pm. Selectman Chivers made a motion to move from the Non-Public Session and enter into a Public Session. Selectman Dann. Seconded by Selectmen Dann. All in Favor. Motion carried by a vote of 5-0-0.

Board discussed Town Office Building space needs, office rearrangements, and cleanout needed.

9:24 pm. Selectman Chivers moved to adjourn the Public Meeting. Seconded by Selectmen Dann. All in Favor. Motion carried by a vote of 5-0-0.

Respectfully submitted,
Linda Chandonnet,
Recording Secretary