

APPROVED  
**Candia's Virtual Selectmen's Public Session Minutes  
June 14th, 2021 at 7:00 pm**

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

Chair Brock opened the Public Session Meeting followed by the Pledge of Allegiance.

**Attendance:** Chair Brien Brock, Selectman Russ Dann, Selectman Sue Young, Selectman Boyd Chivers and Administrative Assistant Linda Chandonnet. Absent: Selectman Patrick Moran

**Approval of Minutes: Public Session Minutes for May 21st, 2021.** No corrections noted. Selectman Chivers made a motion to accept the May 21st, 2021, Public Session Minutes as presented. Seconded by Selectman Young. Selectman Dann abstained. All in favor. Motion carried by a vote of 3-0-1.

**Approval of Minutes: Public Session Minutes for May 24th, 2021.** Corrections noted on line 113 to take out the word were. Line 182 to correct the wording: what he needs. Selectman Dann made a motion to accept the May 24th, 2021, Public Session Minutes as amended. Seconded by Selectman Chivers. All in favor. Motion carried by a vote of 4-0-0.

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

**Highway:** Road Agent Jeff Wuebbolt read the attached report. Prior to the Road Construction Work on Healey Road, he will cut brush and raise up the tree canopies in order to be ready for all the trucks that will be working there. They will begin the road reclaim on July 9<sup>th</sup> and road construction starts on July 12<sup>th</sup> and it should be completed in two weeks. Road work on Currier will begin in August.

**Police:** See attached reports. Chief McGillen thanked Road Agent Jeff Wuebbolt for putting up a Handicap Sign on Old Deerfield Road and remarked that the residents who requested it were appreciative. He also helped out with the reported dead limbs on Chester Turnpike. There was a reported road hazard in which blocked motorists view on Main Street & Raymond Road by the Candia Bible Church, and DOT went to clear out the brush.

Officer Mike Bevere graduated from the Firearms Instructors School last month, and he is now a Certified Firearms Instructor for the Department. Last week Officer McPherson went to Pinkerton Academy School in Derry to represent the Town of Candia for the Seniors drive-thru Graduation Ceremony while students and their families drove by.

Lucas Frasier (resident) and the 603 4x4 Group recently had a Truck Event at the First Stop in Candia and presented the Police Department with a donation check for \$362.

**Fire:** See attached reports.

**Building:** See attached reports.

**Solid Waste:** See attached reports. Selectman Dann stated the new hired employee has been beneficial and he will be assisting for the employees who will be taking summer vacations. Selectman Young commented that she has heard very good things about the new employee.

**Budget:** Selectman Young stated the Budget Committee did not have a meeting this month. She apologized to the public for the people who came to attend the June 9<sup>th</sup>, 2021 meeting, as there was a misunderstanding of who was available to open the Town Office doors. She asked the Board if the Chairman of each Town Committee may have a key and code to access the Office Building. Chair Brock agreed, stating they cannot encourage members to meet at the Town Office, without providing them access to the building. It was decided that the Town will provide keys and codes for each committee chairman.

Chair Brock stated he received confirmation that resident Bob Stout will be joining the Safety Facility Committee starting June 15<sup>th</sup>, 2021.

### **OLD BUSINESS**

**LED Street Lighting:** Selectman Dann announced Al Couch and Clay Caddy both from the Recycle & Energy Committee were present to explain converting the Street Lights to LED Lighting. See attached documents. They have done a lot of research and the Town could save over 20% a year by switching to LED lights. Candia currently has old street lighting fixtures and bulbs that have changed from white to yellow, they are dimmer, and no longer safe for intersections. The new LED lights are brighter and directed downward where they should be, and the bulbs last for 20 years or longer. Affinity was the lowest bidding company and he commented of their professionalism. They have their own trucks, equipment, and it would only take a few days to complete. They will take care of disposing and recycling the old bulbs.

The cost would be approximately \$12,000 and the Town would receive a rebate from Eversource of \$3,600 once completed for converting. Therefore, the actual cost would be \$9,000. Municipal Leasing Consultants loans money to Municipalities and offers the Town a credit check for \$695, Selectman Chivers assured the Board that it would not be necessary since the Town has good credit.

The Board members determined they would like to commit to the company Affinity and convert to LED Lighting for the Street Lights. Selectman Chivers suggested not using Municipal Leasing Consultants for a loan and would rather use the money left in the budget for street lighting and overspend the budget line by \$7,000. Affinity was looking to see if the Board Members were interested in converting so they would be able to complete an inventory of the streetlights in order to determine the cost.

Selectman Chivers made a motion to agree and commit to signing a contract with Affinity Lighting for the LED Street Lighting, subject to the Town receiving an inventory along with a confirmed amount. Seconded by Selectman Young. All in favor. Motion carried by a vote of 4-0-0.

**Cemetery Trustees - Storage:** Selectman Young stated the Cemetery Trustees need a storage place in the Town Office Building for their deeds and paperwork. It was concluded that they may put their files on the shelves located in the basement of the Town Office.

### **NEW BUSINESS**

**Railroad Bed Property – Carolyn Drexel:** Carolyn Drexel via Zoom explained that several of her family members own the railroad bed property on Map 404 Lot 018, and no longer want to keep it. They would like to give the lot to the Town and asked the Board for a solution. Selectman Young asked if it was something they could have researched and if the Town accepted to take it, that it goes to the Conservation Commission? Chair Brock added that the Conservation Commission manages any of the Town properties, so it would not need to go directly to them. Selectman Young asked, but could this? Chair Brock replied that he thinks it could, but it would still be owned by the Town and managed under the Conservation Commission. Selectman Young asked who would need to do what? Selectman Chivers stated he believes that if the property is held by the heirs of Francis & Paul Sargent, and asked what the name is on the deed? He asked Ms. Drexel how the tax bills come out? She replied they are sent to John Sargent, Winthrop Sargent, Carolyn Drexel, Steven Webster and Susan Loose. Selectman asked Ms. Drexel is this the reason why you want to stop a tax foreclosure? Because that would impair your credit? She agreed. Selectman Chivers stated what you would like to do is just give this to the Town? She agreed that they are all in agreement and would love to give it to the Town. When asked if there were any encumbrances on the property? She replied that she does not believe so, and she is not aware of any. Selectman Chivers added that the Town would not want to accept property if there is collateral or judgements. Ms. Drexel replied that there are none. Selectman Chivers added that the Town does not want to incur any expenses for it, and it has very little value. He asked if she has thought about selling it to the abutters? There is a number of abutters and all she would need to do is look at a tax map and figure out which abutters would be most likely want to buy it from her, and to get in touch with them. Selectman Young disagreed. She thinks it is a nice gesture to give to the Town, but she does not know the process. She asked Administrative Assistant if that is something she can help with. Chair Brock added that there is information in their folder. Administrative Assistant L. Chandonnet explained where they could find the information. Selectman Chivers asked Selectmen Young what the Town would do with a small strip of land that abuts ten other properties? Ms. Drexel stated the property is a few miles long and very narrow and the width of the railroad bed. Selectman Dann added, for a site assessment there would be cost involved in that. Selectman Young asked if it was possible for them to do more research and get back to her?

Chair Brock stated the Board requires more time to do additional research as there are procedures that need to be followed and there may be possible expenses involved. Before he would agree to go forward with it, he would like to know how expensive it is, and if there is a cost. There is really no advantage for the Town to take it and it does not meet our other land except for one, so he would like to check that out. Ms. Drexel agreed. Selectman Chivers asked her to get a draft of the proposed Quick Claim Deed so they can see what kind of Title the Town would be acquiring. He asked if she is willing to hire a Lawyer to propose a Quick Claim Deed to the Town of Candia for all the people who have interest in this property or relinquish their interest? Ms. Drexel agreed to follow up with her Attorney. Selectman Young asked her if she could do more research as well as the Town also. Ms. Drexel agreed. Selectman Chivers stated if she would send them a proposed Quick Claim Deed of the property that her council would be satisfied with. We would then give it to our Lawyer to see if he is satisfied with it. If it is a good deed to the property he is sure the Board would be most willing, and the Town would not need to put out any money for a Title search and chase her legal responsibilities down. Ms. Drexel agreed.

**Reimburse the Fire Department for Grant Money:** Selectman Chivers made a motion to reimburse the Fire Department's operating budget with Federal FEMA Grant monies received for PPE in the amount of \$11,422.90. Seconded by Selectman Dann. All in favor. Motion carried by a vote of 4-0-0.

**LUCT Notices to Candia Crossing Residents:** Selectman Young stated she didn't know about the rest of the Board but the Tax Collector and her, had received quite a few complaints regarding the LUCT's. Unfortunately, when the Town sends out the Tax bill from what she was told is the current owners of each property at Candia Crossing that the computer had generated a tax bill and it added on \$8,800 for the LUCT Tax because it was not settled yet between the Town and the Developer of Candia Crossing. Once information is in the computer it goes out on their tax bills, and they cannot be messed with. Other people who bought properties received a tax bill for \$8,800 and they are people from all over the country who have bought these homes and they are receiving a tax bill that they know nothing about. She does not understand the letter that was mailed to the residents who received this tax bill. She thinks it should have been written differently, in saying that the Town is in the process of negotiating and this is only an informational letter. A lot of these people are freaking out, #1 because when they bought a property. It was a free and clear property they bought, and these homeowners are getting this bill for the LUCT, and many do not understand what this tax is. She has read the letter as if she did not know anything at all. She thinks it should have been worded differently or to at least put in so that it would not alarm owners that the Town is in the process of negotiating how to handle this with the Developer, but the computer makes the Town generate this letter, instead of the letter that was sent. She feels very strongly that they need to apologize and tell them why they did it. We need to write to all forty-three homes another letter and preference in it in the letter that they are trying to cooperate and settle with the developer, so the people all over the country are not alarmed. She does not know who handled the letter that went out and asked if anyone else knew. Chair Brock added this was the Tax Collectors job to send it out.

Selectman Dann agreed a LUCT letter should have explained stating that it is in negotiations with the contractor, and owners will be informed as this develops down the road and it is in legal's hands for now. He stated it incurs an 18% interest charge. At this point do you tell them that this 18% charge of \$8,800 will be due depending upon the outcome of legal action and there will be no interest at that point?

Selectman Young added that if they abate them, and they say no interest charges then forty-three households will need to come to the Town Office and ask for an abatement which will be very time consuming.

Selectman Chivers replied that he is not satisfied with the text of the letter, but the process worked, and they all signed the agreement to authorize the Tax Collector \$8,800 LUCT to each purchased home. Once they signed that warrant the Tax Collector made the assessment and a bill was sent. She had a stack of the bills and the Developer had asked to pick them up himself. They should have been mailed out to the individual property owners, but he said he would take care of it. T & M came in with an argument and the Board turned them down, The Board rejected their abatement request stating their appeal rights are with the Bureau of Land Use Tax Appeals. The Bureau will take it up and if they are successful at that level, then we will abate these \$8,800 assessments and we will adjust them based on how the court decides. If they are not successful this interest that accrues are 18% 30 days from the date of the assessment. He is not sure what to do on the accrued

interest on that. We don't want to punish people. Chair Brock added that they could abate that. Selectman Chivers stated, that is what they should be prepared to do.

Chair Brock added that the Developer at Candia Crossing had stepped in and requested the bills to be given to him because he had accessed a certain amount of money in each sale and escrowed it. He believes the Developer is the one who should have communicated to all of the owners involved that the LUCT's were going into Abatement.

Chair Young added that the Developer did not know they were going to get charged. Selectman Brock replied that even if they did not get charged that he should have been communicating it to the owners. The Board made it perfectly clear at the last meeting that the bills were going out. Selectman Chivers stated the Developer knew the \$8,800 was due and he should have alerted the owners. Selectman Young stated that she remembers back in September, when the Developer first came in about this, he had stated, whatever happens, he will take care of it, just make sure, that I do not want any of my customers to get that bill. He has tried to take care of it, but it is not moving fast enough. But that was in September. That is why the Tax Collector handed the Developer the bills, and she thinks he is probably going to use those bills at the next appeal. But we told him. I feel very strongly that if you say something that you have to stick by it, unless it's something extravagant, I don't think we can keep promising or say we are going to do something and not do it, as it reflects on credibility. The last meeting it was voted 3 to 2 and it wasn't unanimous. Chair Brock replied, then we would disregard what our own Council tell us if that's the case. Selectmen chair replied, he changed his mind. Chair Brock stated, he knows that he has changed his mind based on other information.

Selectman Chivers replied, Sue none of us promised anything that we are not authorized to promise and then to be able to live up to the promise two weeks later. If we don't have the authority to make a commitment for somebody, then we have no authority to make that promise. Selectman Young replied, then why did they tell him that the first time he came before this Board? Months and months ago. It started in September, and it went on to January, February, why did we tell him that instead of and now you go abate everything and then we'll settle it at that meeting, no I guess we can't do that. Selectman Chivers added that he does not recall making a commitment. Chair Brock stated he thinks there was some indication that we would consider negotiating. Selectman Chivers added that they did, they sat down with the Assessor that around \$8,500 would be about the right number for each one of those lots. Selectman Young stated that she thinks they owe a better explanation. Chair Brock stated, we are not going to rehash this over again. Selectman Dann added, when the Developer sat there in the meeting there was a long period of time that he was in agreement and did not want it to travel on. Now that all this other information came that they did not make any mistakes. We have more information and facts so that is when I decided last time in the meeting because those were facts. If they did not materialize, maybe we would have done something, but this is the facts that we are going on. Selectman Young questioned, but weren't they the hard facts in September? Selectman Dann replied, no, not in October. Selectman Chivers stated the Assessor made a recommendation in September and generated these numbers recently. Selectman Young stated that she would like it on the record to show that she thinks the residents at Candia Crossing who received this letter deserved a better explanation as to how it came about. That's all and we can go on. Selectman Dann added that he thinks the Board was in an agreement and that the letter could have been directed a little differently. Chair Brock asked the Board what they wanted to do at this point. Selectman Young added that she wants to issue an apology, but she can read the room here, and I'm not going to make a motion to do that because I don't know if it will go through. Instead of wasting more time I just want that on the record, and we can go

from there, unless you guys choose to do something. Selectman Chivers stated he is not satisfied with the text of the letter, but it basically states what it is and it's factual. He thinks they need to wait it out and see what happens with the Bureau of Tac & Land Appeals. Chair Young stated, yes we are not abating this thing, and she thinks they need a follow up thing of something written so that these people of 86 new residents to Candia are not in pure shock. Chair Brock asked the Members if there was any direction they wanted to take. Selectman Chivers answered, no. Selectman Young stated, she is not wasting time here.

**Staff emails:** Selectman Young expressed to the Board that it would be a good idea to have the Town Office Employees provide their email passwords to the Selectmen's Office. It would be helpful when an Employee is out of the office and incoming information would need to be shared. Selectman Young made a motion for the Town Office Employees to delete their personal emails and provide their email passwords to the Selectmen's Office. Seconded by Selectman Chivers. Discussion opened with giving the employees time needed to delete their personal emails beforehand. Chair Brock requested it to be done before the next BOS Meeting of 6/28/2021. Discussion closed. All in favor. Motion carried by a vote of 4-0-0.

**CMA Engineering:** Building Inspector Kevin Gagne explained that there were conversations among the General Public stating the Town should find another Engineer. He wanted to have a discussion with the Board and ask them if they were interested in the company CMA Engineering. However, after having a conversation with different people, it was not something they want to do at this point in time. He indicated that Candia's current Engineer Stantec does very good work.

**Gardens & Monuments:** Selectman Young stated that the Garden Club will not be able to upkeep the Towns Gardens and Monuments. The Town will need to pay to have the work done. Selectman Young added that she will research to find someone who can do the work.

**CARES Act:** Selectman Young asked the Board if anyone received information about the CARES Act. It was for a total of \$394,000 in which the Town would receive half the amount the first year and the remaining half the following year. Chair Brock requested Administrative Assistant Linda Chandonnet to follow up for an update.

Selectman Young received a question from a resident, asking why dogs are the only pets required to be registered in the Town of Candia? Selectmen Dann added that it is not Candia's regulations, it is the state law. Chair Brock shared a list of the dog licenses due for payment. Residents have until July 16<sup>th</sup> to register their dogs.

Representatives from DOT will be attending the next Board of Selectmen's Meeting on June 28<sup>th</sup> at 7:00pm to discuss the improvements on the North Branch Bridge.

The Smyth Memorial Building will be having an Open House for the Public on Saturday, June 26<sup>th</sup>, 2021, from 10am-12pm.

**Board to authorize the payments of payroll and payables.** Selectman Chivers announced the payroll for the week ending June 3<sup>rd</sup> was \$34,285.92, for week ending June 10<sup>th</sup> was \$19,701.42 and for week ending June 17<sup>th</sup> was \$17,146.68. Payables for week ending June 3<sup>rd</sup> was

\$570,053.06 for week ending June 10th \$12,440.58 and for week ending June 17<sup>th</sup> was \$17,331.65 for a combined total of \$670,959.31.

Selectman Chivers made a motion to approve the accounts payable and payroll checks for the total amount of \$656,172.98. Seconded by Selectman Young. Open for discussion. Selectman Dann added, the School received \$492,212.00.. All in favor. Motion carried by a vote of 4-0-0.

- The next Board of Selectmen's Meeting is scheduled for Monday, June 28<sup>th</sup>, 2021.

**Public Input:** Dick Snow approached the Board regarding the Railroad Bed Property Ms. Drexel had presented. He had possible suggestions for the property and would like to contact Ms. Drexel so they can have a discussion. Selectman Young replied that he may contact Ms. Drexel.

**8:46 pm** Selectman Dann made a motion to suspend the Public Session and go to a Non-Public Session under RSA 91A: 3, II (e). Seconded by Selectmen Young. All in Favor. Motion carried by a vote of 4-0-0.

**9:48 pm** Selectman Dann made a motion to move from the Non-Public Session and enter into a Public Session. Seconded by Selectmen Chivers. All in Favor. Motion carried by a vote of 4-0-0.

**9:48 pm** Selectman Dann made a motion to adjourn the Public Meeting. Seconded by Selectmen Chivers. All in Favor. Motion carried by a vote of 4-0-0.

Respectfully submitted,  
Linda Chandonnet, Recording Secretary