

~~Unapproved~~ **Approved**
Candia Selectmen's Public Meeting Minutes
Monday February 14, 2011

Attendance: Chairman Fred Kelley, Vice-Chair Carleton Robie, Selectman Joe Duarte, Selectman Amanda Soares, Selectman Richard Snow, and Administrative Assistant Andria Hansen.

7:00 p.m. Chairman Kelley called the Public Meeting to order and immediately followed with the Pledge of Allegiance.

The Board to consider the Candia Volunteers Firefighters Association's recommendation to appoint Dean Young as Fire Chief. Selectman Robie read from the Candia Firefighters Association's recommendation letter (see attached). Selectman Robie motioned to reappoint Dean Young as Fire Chief of the Candia Fire Department. Seconded by Selectman Duarte. All were in favor. Motion carried.

Departmental Reports: Highway, Police, Fire, Building, Solid Waste & any other depts.

Highway: Road Agent Lewis read from attached report. The Board thanked Road Agent Lewis for his hard work last month. Chief McGillen added that Road Agent Lewis's crew did an excellent job. The majority of the crashes were on the state roads, but the town roads were nice and clear. Road Agent Lewis does a great job.

Police: Chief McGillen reported that overall calls were down for January compared to last year. They have had several active investigations. There was an arrest involving a burglary back in December on North Road. They just had two burglaries within the last seven days. There was a house on Currier Road that had all of the copper pipes taken out of it. There was a recent report of a theft on Brown Road. They are working with some area departments on some information that Officer Langlois received on some burglaries from last year. They have free gun locks and the residents can stop by the Police Station to pick them up.

The Board to discuss Chief McGillen's memo dated 2/14/11 reporting a favorable evaluation for Officer Kevin Mahoney and to request a possible Matrix step increase. Chief McGillen recommended Officer Kevin Mahoney be placed into Step 2 of the Matrix with an increase of \$.75 retro to his anniversary date (December 18th 2010). Selectman Robie motioned they move Officer Kevin Mahoney to Step 2 of the Matrix with a \$.75. Seconded by Selectman Soares. All were in favor. Motion carried.

Fire: Selectman Robie read from the Fire Department's report (see attached). A few of the firefighters have been working on the inside of the Fire Department to keep the building in tip

top shape. He invited people to go in and take a walk through. They had 258 staffed hours last month.

Building Department: Selectman Soares noted that Building Inspector Ciardi has been keeping busy. Selectman Soares read from the Building Department report. They are down a little from last year. Building Inspector Ciardi has been working on a project and they are working on a proposal to present to the Board. Chairman Kelley announced the Irving Gas station will be opening on the 25th this month.

Solid Waste: Selectman Duarte read from the attached report. Selectman Duarte noted all of the money generated from recyclables goes to the general fund. Selectman Duarte thought they should put a memo on the web site thanking the residents for all of the recycling they are doing. Resident Amy Hebsch asked if the swap shop has been built. Selectman Duarte informed her that it has been built. Selectman Soares added it is open, but is volunteer run so it's open when they have volunteers. They are trying to come up with a list of items they don't take.

Parks/Rec: Selectman Snow noted the ski program is working well. They have two programs this year one for the older kids and one for the younger. There has been some ice skating at the pond and they will work on making it even better next year.

Solid Waste Committee Chair Al Couch to address recent discussions regarding the Solid Waste Committee. SWC Chair Al Couch thanked the Board for the opportunity to make some clarifications on the January 11th minutes. The first item was the \$15,000 spent for the swap shop was a knee jerk reaction. He agreed with this comment, but wanted to explain how it came about. SWC Chair Couch explained that Jon Godfrey put in the warrant article for \$15,000. The SWC's plan was to put off a swap shop until 2011 or 2012. He called Jon and he told SWC Chair Couch that he wanted to get this done and decided to put in the warrant article. SWC Chair Couch told Jon it probably wasn't enough and how did he get that number. Jon told him it sounded like an adequate number. They invited Jon to the SWC meeting and he told them he submitted the warrant article and they needed to figure out what to do. They spent a lot of time on how to build this swap shop and do it properly. He felt it worked out in the end and thanked Jon for submitting the warrant article. SWC Chair Couch referred to a comment Chairman Kelley made stating he was fed up with the SWC sticking their noses into business they shouldn't. SWC Chair Couch stated he didn't know what that meant. He thought this referred to a memo he received saying that Selectman Soares was handling the closure at the Old Recycling Center. He also referred to the comment that he was contacting DES. He wanted to know where they heard this comment and who he talked to at DES. SWC Chair Couch referred to another comment saying that the SWC has caused a lot of chaos this past year. He went over some things that SWC did over the past year. They put up signs for inside the Recycling Center building. This was done by donations from a SWC member and volunteer help at no cost to the

Town. This was about \$3,500 worth of signs. They got the swap shop built with the tight budget they had to deal with. They donated their time and materials. They worked on the Waste Management contract. This saved the Town of Candia almost \$21,000 last year. In addition they integrated the school in the waste hauling for adding savings. They help out with Household Hazardous Waste Day by directing traffic, checking quotes for hazardous waste, etc. There have been donations from former SWC member Paul McHugh and Cinny Griswald. Those are some example of the chaos they caused. SWC Chair Couch also mentioned that he was also accused of going to the Planning Board to speak for the Garden Club. He went to the Planning Board because they were going to discuss what to do with the swap shop at the old site. He went to the Planning Board to give the view of the SWC and the view of the committee came about as a result of getting input from residents and other groups in town like the Garden Club. He didn't go specifically to support the Garden Club, he went to support the view that we should use the old swap shop for resident use. The Garden Club used the SWC when they went to the newspaper for articles related to the use of the swap shop. He received a call from a newspaper reporter and he gave the reporter his view on what they should do with the swap shop. He didn't contact the paper and if they contact him in the future he will give them the view of the SWC. If it's something he is asking him personally he will give him his personal view. This is called freedom of speech. He then referred to the comment that the SWC has created work for the Selectmen. He replied they spent months on the swap shop and working on the hauling contract. If they add up the hours they are talking hundreds of volunteer hours. The Board wouldn't have been able to do this. He referred to the comment that the SWC shouldn't be involved with the closure and he wanted to know why. Selectman Duarte replied we have a Selectman that is doing that job and the Board voted unanimously to let her do the closing. She has been in touch with DES doing it properly. SWC Chair Couch asked why the committee couldn't be any help at all with information. Selectman Duarte felt it wasn't necessary she was handling it and why would they want someone else involved. SWC Chair Couch replied some of the information is wrong. Selectman Soares replied that was not true. Selectman Duarte asked him if the information from DES and Selectman Soares is wrong. SWC Chair Couch replied that was correct. Chairman Kelley stated we are not going to get into an argument about this. SWC Chair Couch gave an example from December 20th of 2009. He spoke with Mr. Kemp at length. He asked Mr. Kemp what they could do with the site and what the limitations were. He was told once the current permit expires, they could use the site anyway they wish. The site does not need to be closed to the public. Mr. Kemp recommended that there is no public access until the grass is grown in and the site is completely covered. SWC Chair Couch felt they could help with the closure, but he has a directive not to. He also knows when the site was closed, but he can't give it to you because he has directive that says he can't. Selectman Soares clarified you can do whatever you want to the site after DES has approved the final inspection. SWC Chair Couch replied that Mr. Kemp did not say that. Selectman Soares replied that she has spent countless hours with Mr. Kemp. She has gone over this in great detail. She has picked through the solid waste ordinances with Mr. Kemp for two hours with everything they need to do with this site.

She has nothing to gain by falsifying the information or doing anything that would jeopardize the town. She just wants to close the old recycling center with the regulations given to us by the State. SWC Chair Couch replied that Mr. Kemp told him they could use the site if we ask for permission for temporary use of the building on the site. Chairman Kelley noted we are going to seed, loom, and get rid of the buildings on the site. SWC Chair Couch replied you don't have to (get rid of the buildings). Selectman Soares clarified we are making a closure plan and we're presenting it to DES and they have to approve it. There are stipulations we have to meet. SWC Chair Couch mentioned that he has other documents on other landfills. They have been closed and they have ball fields on them which are not considered hazardous. Selectman Duarte asked if he had information on the ones that were hazardous. It could be an expensive proposition to clean them up. SWC Chair Couch replied that is for DES to decide not the Board. He mentioned the comment that Facility Operator Whitcher was told not to take direction from SWC. The SWC tells him the opposite of what the Board tells him. SWC Chair Couch wanted some examples if this. Selectman Duarte replied that he didn't know what he was referring to. They don't need three people doing the same job and they don't need the SWC setting up meetings on something that was done the previous year. This is Chuck's job and he should be talking to the haulers. He questioned why we bypass Chuck on a lot of these things and have the committee handle. He felt Chuck was qualified and he seems to run the recycling center just fine. We don't need another layer, were losing continuity here when we have differences of opinion. We don't need a third party. SWC Chair Couch wanted to make absolutely clear to the Board that he has never told Chuck to do the opposite of the Board. He added that at some point in the future he would like to request a copy of the written closure plan. He would also like to suggest a public meeting with DES regarding the closure. He has notes from Doug Kemp from 2009 that are telling him different things than what he is hearing. Selectman Duarte stated DES has specific rules they are not going to pay (to fix it) if we run into problems. The taxpayers will have to pay and that is the bottom line. Selectman Soares noted there are things that can be done once the site is closed and put to a grassy field. The town can vote to do whatever they want, but they can't put up a building. They can't do anything until DES has given the final inspection and until then they can't do anything to the site. There are regulations they have to follow. SWC Chair Couch thanked the Board for their time.

The Board to consider the Budget Committee's recommendation to appoint Cheryl Eastman as the Budget Committee secretary. Selectman Robie told the Board that the Budget Committee voted unanimously to appoint Cheryl Eastman as the Budget Committee secretary. Selectman Soares motioned to appoint Cheryl Eastman as Budget Committee secretary. Seconded by Chairman Kelley. All were in favor. Motion carried.

Resident Amy Hebsch to have preliminary discussions with the Board in regards to creating a driveway on a Class VI road. Resident Amy Hebsch and Theodore Spooner were present. Mrs. Hebsch explained her mother passed away in December and her wish was that all of the siblings' had lots of land. They have two more lots they would like to subdivide. One of

the lots is on Donovan Road and there are five existing homes there currently. They are looking to get a variance off of Chester Turnpike. They were thinking about making two lots on Donovan Road. They were directed to come to the Board to get permission for a driveway off of Donovan Road. Mr. Spooner explained it would be less than 600 feet from the Class V road. Chairman Kelley asked if they understood that they can't subdivide on a Class VI road. Mrs. Hebsch explained that is why they are going to the ZBA next month. Chairman Kelley asked if they have gone to the Planning Board. Mrs. Hebsch replied they were told to go to the ZBA first. Selectman Duarte explained she would get a refusal from the Planning Board first and then she would go to the ZBA for a variance. Mrs. Hebsch explained she already spoke with ZBA Chair Boyd Chivers. Selectman Duarte thought she could get a refusal in writing from Planning Board Chair Girard. Mr. Spooner explained they have spoken with the Building Inspector and he was told to come to the Selectman first. Mr. Spooner noted when his father bought the land it was a 30 acre parcel. He subdivided four pieces out of this parcel. He didn't subdivide an additional two for himself and his sister, because they were not ready to build a house. Selectman Robie suggested that they see an engineer who is familiar with the Town's regulations. They familiarize themselves with the regulations and see which criteria they don't meet. Selectman Soares added they can find the zoning regulations on the website. Mrs. Hebsch noted her husband does maintain part of Donovan Road and there are other subdivisions on this road. Selectman Robie replied the regulations have been updated and she needed to familiarize herself with them. Mrs. Hebsch noted there have been exceptions for frontage in the past. Selectman Snow mentioned it would be a function of the Selectmen to make it a Class V Road. If you wanted to change Donovan Road you would have to bring it to a Town Meeting. It would have to be brought up to specs. Mrs. Hebsch thanked the Board for their time.

The Board to authorize payment of payroll checks and accounts payable checks. Selectman Snow motioned to approve payment of payroll manifest number 000611-03, checks to be dated 02/3/2011, with a total gross payroll amount of \$14,826.95. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of accounts payable manifest number 020111 checks to be dated 02/3/2011, with a total amount of \$563,958.25. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of payroll manifest number 000612-03, checks to be dated 02/10/2011, with a total gross payroll amount of \$13,325.47. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of accounts payable manifest number 020211 checks to be dated 02/10/2011, with a total amount of \$53,767.57. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of payroll manifest number 000613-03, checks to be dated 02/17/2011, with a total gross payroll amount of \$13,545.05. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of accounts payable manifest number 020311 checks to be dated 02/17/2011, with a total amount of \$43,900.40. Seconded by Selectman Soares. All were in favor. Motion carried.

Other Business:

Petition signed on Town property. It was brought to Selectman Soares' attention that a petition was signed at the swap shop which is considered town property. She wrote up a memo to remind everyone that there is no soliciting on town property. She noted the individual that did this was not familiar with the policy. It's happened but moving forward she would like people to know the policy. It was also brought to her attention that there are employees talking about candidates. You can't influence residents how to vote if you are working, but if they are off duty its okay. She would like to send the memo out to the employees as a reminder.

Sign at the Recycling Center. Selectman Soares presented the Board with the sign she would like to put up at the Recycling Center. The Facility Operator had a problem with it and she wasn't sure why. The Board didn't find the sign to be offensive. She mentioned they are one of the few recycling centers that don't charge for a lot of things. She noted there are a lot of individuals that don't want to put stickers on their cars. She will be putting this sign up at the Recycling Center and a no dump picking sign as well.

Selectman Snow questioned the no soliciting memo and asked about Old Home Day. Selectman Soares replied that is a non-profit organization. Selectman Snow said its volunteers selling stuff. Selectman Soares explained that it's approved by the Selectmen as acceptable. He didn't have a problem with residents of the town selling Girl Scout cookies at the Recycling Center. He thought there was some way they could handle this. Selectman Soares thought the general rule (from January 2009) was to cover all soliciting. Selectman Robie noted there was a traffic issue down there. Selectman Snow noted they put together a Solid Waste Ordinance which covers conduct by people using the facilities. They are missing a policy for the use of the facility by the employees. He felt this memo has some unintended consequences the he doesn't agree with.

Selectman Soares mentioned that she will handle any welfare issues until the Welfare Director is feeling better.

Selectman Soares has been talking with someone from the Eagle Scouts. It was brought to her attention that maybe the restoration of the Old Recycling Center could be incorporated into an Eagle Scout project. We would come up with the plan (approved by DES) and the Eagle Scouts could get help cleaning out the Old Recycling Center. This would qualify as an Eagle Scout project. Selectman Robie thought they needed to get the plan approved by the State and then they could decide what to do. Selectman Soares just wanted to mention it to the Board. Selectman Snow noted the Eagle Scout usually comes to the Board for some ideas.

Chairman Kelley mentioned to Chief McGillen that some of his signs around town have been stolen. He also addressed the rumor that he is dying in three months. He confirmed that he is not.

Approval of Previous Minutes: Public meeting minutes of 02/14/11. Selectman Soares approved the public meeting minutes of January 24th, 2011 as amended. Seconded by Selectman Snow. All were in favor. Motion carried.

Socha Dam. Selectman Snow mentioned the Socha dam. He went to Raymond to the DES In Stream Flow semiannual meeting. The Socha dam was on a list for one that was consider for the in stream flow rules, but then they decided not to. The Socha dam will be part of the in stream flow which is the program that is being set up by DES. This will ensure the quantity of water available downstream for people that use it for water supplies. Selectman Robie replied that he did meet with the Socha's and someone from the Natural Resource Waterways System. He didn't meet with someone from DES. Mr. Socha asked them if they were interested in helping him upgrade his dam, which they didn't. They said they would be interested in helping him take down the dam, but not rebuild it. Mr. Socha has responded to DES's letter. He made some suggestions to them on what he could do. Selectman Robie hasn't heard anything from either party since then. Road Agent Lewis asked if it was his intent to keep the dam. Selectman Robie thought this was the direction that DES wanted him to go in. He felt some of the criteria Mr. Socha has suggested was somewhat acceptable to DES. If he made an attempt he felt that DES was willing to work with him. Mr. Socha addressed four out of the eight items.

Raymond Sand & Gravel. Selectman Snow attended a Raymond Planning Board hearing on February 3rd regarding Raymond Sand and Gravel. The hearing was continued. He suggested to the Raymond Planning Board that if Raymond Sand and Gravel wanted to do something with material on the Candia side they should consider the possibility of a joint hearing with the Candia Planning Board. He believed the Candia Planning Board has rules and regulations for joint hearings. He would like the Selectmen's Rep to bring this information back to the Planning Board. The applicant has the authority to do both at the same time. They are in the process of attempting to reestablish an excavation permit so they can continue to crush material on the Raymond side. Their excavation permit expired as of November of last year. They are dead in the water with no place to get stuff.

Town report distribution. Selectman Snow mentioned that a letter went out to the newspaper noting that the Boy Scouts will be distributing the town reports the weekend of March 5th.

Selectman Snow noted that the Town was mentioned in the Hooksett Banner as having an upgraded website. The Town maps are now on the Town website.

Selectman Snow mentioned there is an Aviation Museum of New Hampshire on Grenier Field. The museum was moved from one side of the run way to the other in 24 hours. This information is on the Town website if anyone is interested.

Selectman Snow received a copy of emergency contact information from NH Coop Electric. He went to a meeting there last year and they wanted to know who the emergency contact is in case they have an emergency. He will contact Emergency Management Director Bob Panit about this. The Board felt that EM Director Bob Panit should be the contact person. Selectman Snow noted this information is coming to the website. It was decided that the information will be forward to EM Director Panit.

Deliberative Session. Citizen Ingrid Byrd noted that she was upset by the decision to have a prayer prior to Deliberative Session. She wouldn't have had a problem with a moment of silence, but to have a prayer by one of the ministers in Town was inappropriate. In addition, not everyone belongs to that church. There are people of all different religions in town. She understood this was the Moderator's call, but it was not a good call. Chairman Kelley agreed with Citizen Ingrid Byrd. Citizen Ingrid Byrd also noted that the Moderator permitted a citizen to walk up to another citizen who had the floor and get in her face. She felt this was wrong and the person who did this clearly did it to intimidate her. If you disagree with what she is saying then you get in line and wait for your turn to speak, but don't allow another citizen to intimidate. Selectman Robie agreed with Citizen Ingrid Byrd and he spoke with the Moderator about it.

Selectman Soares motioned to adjourn 8:25 p.m. Seconded by Selectman Snow. All were in favor.

Respectfully submitted,
Andria Hansen, Recording Secretary