

~~Unapproved~~Approved  
**Candia Selectmen's Public Meeting Minutes**  
**Monday December 19, 2011**

**Attendance:** Chairman Fred Kelley, Vice-Chair Carleton Robie, Selectman Joe Duarte, Selectman Amanda Soares, Selectman Richard Snow, Selectmen's Assistant Cheryl Eastman, 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 vote on encumbering items from 2011.**

**Police Cruiser:** Selectman Robie noted at the end of last year the Board encumbered \$12,500 for a police cruiser. He would like to encumber \$14,500 which would be enough for a new cruiser. *Selectman Robie motioned to encumber \$14,500 for a new police cruiser. Seconded by Selectman Soares.* Selectman Snow asked how they could move money that's encumbered from this year over to next year. He thought they should buy a cruiser, but does it mean that Chief McGillen is going to buy the cruiser before the end of the year. Selectman Robie replied yes and it is the same way they did two years ago. Selectman Snow asked if the money was coming out of the Police Department budget. Selectman Robie explained its coming from the unexpended funds. In the 2011 budget there was an estimated \$168,000 of unexpended money in the town budget. We are encumbering funds this evening to do some things that need to be done. This is coming from the 2011 unexpended budget. Selectman Snow would like to see in the Police Department budget an appropriation for a cruiser. Selectman Robie said they didn't have one because they didn't have a cruiser in the budget last year. There was a dollar on the cruiser line because they had bought a cruiser at the end of 2009. Selectman Snow replied that he understood the process and the Police Department needs a new cruiser. He has a problem with taking an encumbrance for this year because the money is gone. This money is gone because they have set our tax rate. He questioned if they are looking to take money out of the unreserved fund balance. Selectman Robie said we are not looking to take any money out of the unreserved fund balance. When they set the tax rate the encumbered funds showed up. If we don't spend them it would be used next. They give us a lot more than we take. Selectman Snow said he didn't have a problem with this. He asked if we are going to take this line out of the budget. Selectman Robie replied yes. Chairman Kelley called for a vote. *All were in favor. Motion carried.*

**Fuel for the School Generator:** Selectman Robie explained the Town said we would maintain the fuel for the generator. They discussed this at the budget meeting and it was noted that it would come out of the Emergency Management line. Emergency Management Director Bob

Panit suggested \$1,000 for fuel for the generator at Moore School. Selectman Robie thought they should leave the money in Emergency Management and encumber the funds. Selectman Robie motioned to encumber \$1,000 for fuel for the generator at Moore School. Seconded by Selectman Soares. All were in favor. Motion carried.

**Local Emergency Management Plan grant:** Selectman Robie noted they are still working on the plan. Selectmen's Assistant Eastman explained this was a warrant article this year and we are not going to receive an invoice for it until after the 1<sup>st</sup> of the year. Chief McGillen thought the plan should be finished sometime in January. Selectman Robie motioned to encumber \$5,000 for the Emergency Management Plan grant. Seconded by Selectman Soares. All were in favor. Motion carried.

**Fire Department Radios:** Selectman Robie explained the Fire Department is going to need new radios by the end of 2013. He would like to get started on purchasing them. Fire Chief Young clarified they would need them by the end of 2012. There is approximately \$5,200 left in the Fire Department budget and it can go towards purchasing the radios. Selectman Robie suggested encumbering \$10,000. Fire Chief Young explained the pagers are called the 5<sup>th</sup> Generation and in 2013 Rockingham County will start toning on high band. The Fire Department will need 25 radios. He noted they are \$450 a piece. Citizen Todd Gillespie asked if they find a better deal because they are buying in bulk will the money get budgeted back in or will they just buy more radios. Selectman Robie explained any money they don't spend will be turned back into the Town. Selectman Robie motioned to encumber \$10,000 for the Fire Departments new pagers. Seconded by Selectman Soares. All were in favor. Motion carried.

**Asphalt Maintenance:** Selectman Robie would like to encumber \$20,000 for asphalt maintenance. There is approximately \$68,000 in the proposed budget and this would bring it up over \$80,000. He thought maybe it could be used ~~for~~like Old Candia Road and still have money left over for patching. Road Agent Lewis explained that he would have to look at the numbers; he's not sure what next year's numbers are going to be. Selectman Robie asked if he knew what piece he was going to do. Road Agent Lewis will probably do Old Deerfield Road or continue on Critchett Road which ever looks the worst when the spring comes. The only question he has with encumbering the funds every year is that it appears we are putting money into the roads that the voters didn't approve. He appreciated receiving the encumber funds, but maybe there is a better way to do this next year. The roads are falling apart so he needs the money. Selectman Robie explained they are trying to get caught up. Road Agent Lewis noted if anyone reads the minutes we will be on record saying why we are doing this. *Selectman Robie motioned to encumber \$20,000 for asphalt maintenance. Seconded by Selectman Soares.* Selectman Snow said the only problem he has with this is that it skews the process and it makes look like the appropriation for this line is adequate. He would prefer instead of doing this as an encumbrance do it as a special warrant article. Then people would know what it is for and why he's doing it.

You could take it out of the unreserved fund balance, so you would have the same effect as encumbrances. It's just for whether the people want to vote for it or not. Chairman Kelley called for a vote. *All were in favor. Motion carried.*

**Defibrillators:** Selectman Robie mentioned that the defibrillator at the Fire Department will be out of date soon. Chairman Kelley noted that EM Director Bob Panit mentioned this at a recent Safety Committee meeting. The Police Department's will be expiring at the end of this month. They would like one for the Town Office and people trained to use it. EM Director Panit looked into pricing and they are more than he thought. Selectman Robie figured they would cost between \$1,000 to \$1,500. Chief McGillen said they definitely need one for the Police Department. Selectman Robie motioned to encumber \$2,500 for two defibrillators and training. Seconded by Selectman Soares. All were in favor. Motion carried.

**Copier for Treasurer and Welfare Director:** Selectman Soares noted the copier for the Treasurer/Welfare Director had stopped working. Selectmen's Assistant Eastman found a printer in the \$200 to \$300 range. There is a \$100 rebate for one of them. Selectman Robie suggested buying it out of the operating budget funds.

**Grapple attachment:** Selectman Soares said it is approximately \$4,000 for a grapple attachment. Selectman Robie thought this would be a smart investment for the Recycling Center. Selectman Soares motioned to encumber \$4,000 to buy a grapple attachment for the skid steer. Seconded by Selectman Robie. All were in favor. Motion carried.

**Ammo line:** Chief McGillen would like to order ammo for his riffles and would like to purchase it this year. It would cost about \$800 to \$900. They are also having some radio problems. This would cost about \$4,000. The department also needs a barricade which will cost about \$200. Selectman Robie motioned to encumber \$5,200 for the Police Department. Seconded by Selectman Soares. All were in favor. Motion carried.

Chief McGillen mentioned the fuel line is running over. He is looking at pricing at the Irving Station at Exit 3. Citizen Todd Gillespie asked if there was anywhere else you could buy gas other than Exit 3. He goes out of town to buy gas, because it's ridiculously over priced there. He felt it was offensive that they were charging that much. Selectman Robie noted they are currently buying gas from the State. The people at Exit 3 are telling the Police Department they can get it cheaper there than from the State. Chief McGillen noted they get a discount from the State. Citizen Ingrid Byrd mentioned that she found a difference of \$.30 from this Irving than other Irving gas stations. She thought they should really look around. Selectman Robie said Chief McGillen is looking around and will get the best deal for the Town. It was noted that the amount budgeted for gasoline in 2011 was \$17,000 and the proposed budgeted amount 2012 is \$22,000.

Selectman Snow would like repair some of the equipment at the park. He needs \$400 for each of the sections. He would like to encumber \$3,000 for parks and rec. He'll have the purchase orders ready by the end of the year. It would come out of this year's budget. He would like to encumber \$300 out of the Conservation Commission Fund to put out a flyer. Selectman Robie asked what kind of flyer. Selectman Snow replied it's the open space flyer they put in the Boy Scout distribution packets every year. *Selectman Robie motioned to encumber \$3,000 for the park and \$300 for the Conservation Commission flyer.* Selectman Snow also suggested encumbering the \$2,500 for the Trustee of the Trust Funds. Selectmen's Assistant Eastman spoke with David Labee today about purchasing a lap top. She put him in contact with our IT guy Mike Ebbett to see if he could get a better deal and Mike would bill the Town. He can bill the town before the end of the year. She mentioned the stipend invoice has been received and is being processed. *Selectman Robie's previous motion was seconded by Selectman Soares. All were in favor. Motion carried.* The total amount of encumbrances for 2011 is \$65,500.

**The Board to decide on Waste Management contract.** Selectman Soares spoke with Facility Operator Chuck Whitcher and asked his opinion about this. He felt the one year was the best. The three and five year options look enticing, but there is an increase. He has cut his costs at the Recycling Center, but with these increases the budget will have to go up. After a five year the budget would be where it was with Pinard. The good thing is that Waste Management doesn't have the rental fee. Even though they are capping it at 2% there would be a 2% increase every year. They would eventually be back at the rate Pinard was charging them. They still have the 3% increase with the one year, but it's still less. This will give us time to send out RFP's and see what the best deal is. The locked price increase is nice, but it will go up each year. Selectman Snow said the one year is fine with him. Selectman Robie felt since they switched over to Waste Management the tonnage has gone up considerably. He would like to know why the tonnage has gone up so much. Selectman Soares said she will talk with Facility Operator Whitcher about this. Selectman Robie noted we got a cheaper rate to haul, but we got more tons. Selectman Snow had some questions on the language of the contract. Selectman Soares said she would talk to the Waste Management representative. Chairman Kelley motioned to go with one year contract with Waste Management. Seconded by Selectman Soares. All were in favor. Motion carried.

**The Board to discuss employee of the year.** Selectman Robie thought they left this up to the Chairman. He can bring back the recommendation to the Board at a meeting. Chairman Kelley would like some feedback from each of the Board members. He'll get everyone's input and announce it at the next Selectmen's meeting.

**The Board to authorize payment of payroll checks and accounts payable checks.** Selectman Snow motioned to approve payment of payroll manifest number 000658-03, checks to be dated

12/22/2011, with a total gross payroll amount of \$20,230.05. Seconded by Selectman Soares. All were in favor. Motion carried. Selectman Snow motioned to approve payment of accounts payable manifest number 120211 checks to be dated 12/22/2011, with a total amount of \$32,066.02. Seconded by Selectman Soares. All were in favor. Motion carried.

**Approval of Previous Minutes: Public and Non-public meeting minutes of 12/12/11.** Selectman Robie motioned to approve the non public minutes of December 12<sup>th</sup>, 2011 as written. Seconded by Chairman Kelley. All were in favor. Motion carried. Chairman Kelley motioned to approve the public meeting minutes of December 12<sup>th</sup>, 2011 as presented. Seconded by Selectman Robie. All were in favor. Motion carried.

### **Other Business**

Selectman Robie mentioned last year at this time we gave our employees a yearend bonus. He would like to increase that by 20% from last year. This will come out of this year's budget. This bonus would be paid the last week in December. The total is \$11,934.08. The full time employees will receive \$600, the employees at 24 hours will receive \$300, and the part time (under 24 hours) employees will receive \$200. Selectman Snow would like to give them more. Citizen Todd Gillespie asked if the employees get their bonus with their pay and lose 50% to the government. Selectman Robie explained they have taxes removed like a regular paycheck. Citizen Todd Gillespie suggested giving the employees American Express gift cards. This is what he does for his employees and they get the full amount and he gets the write off. Selectman Soares replied that's not true anymore thanks to Enron. All cash allotments even American Express cards are taxable now. Selectman Robie thought this was a nice gesture on the Town's side and he highly recommends this. Selectman Robie motioned to give all hourly and salary town employee's yearend bonuses - \$600 for full time employee's, \$300 for employees at 24 hours, and \$200 for employees under 24 hours per week. Seconded by Selectman Soares. All were in favor. Motion carried.

Selectman Soares informed the Board the employees at the Recycling Center will get a half day on Christmas Eve and New Years Eve. They will be closing at noon on those days. The Town will be issuing new dump sticker as of January 1<sup>st</sup> they have changed the sticker color. She will be down at the Recycling Center for the month of January helping to issue new stickers. Selectman Snow thought she should publicize this. Selectman Soares said she was going to put this on the website and the guys are going to advertise it at the Recycling Center.

Selectman Snow mentioned last week Chairman Kelley called him out for talking to the Town Attorney. He took a look at Attorney Mayer's bill for last month and he billed 6.2 hours on the 10 he's supposed to be paid. Selectman Snow didn't see his name anywhere on the bill. The only thing he called Atty. Mayer for was about the letter regarding the bankruptcy court dated November 28<sup>th</sup>. It said in the letter "The plan contemplated that a priority claim would be filed

on or behalf of the Town of Candia. As no such claim has been filed no provision for payment will be made through the plan. The dividend available for the other allowed claims may therefore be higher than originally anticipated." Selectman Snow noted it was in all caps and bold and he thought someone must have made a mistake. He sent this to Atty. Mayer as a "for his information". Selectman Snow was concerned that something wasn't working right. He asked Atty. Mayer what the process was. Atty. Mayer explained he covers 22 to 24 towns and they all have different processes, but he would look into it to see if something fell through the cracks. Selectman Snow then put it in an email with all of the information he had. He asked Tax Collector Stamatelos if this person owed back taxes. If the court is telling us we didn't do something we were supposed to, then the presumption is this person went into bankruptcy and had back taxes. He got the information from Tax Collector Stamatelos and there looks like there is some money out there. He wanted to make it very clear if there was a problem he didn't care who was responsible for it. He's looking at this as a management problem. Something didn't get done that should have got done. This is our responsibility and he thought we lost money. He is checking with Atty. Mayer to see if we can get the money that is due to us. Selectman Snow said that Chairman Kelley told Atty. Mayer not to talk to him. He strongly suggested that Chairman Kelley calls him back up and lets Selectman Snow talk to him. He is working a couple of different cases and he may just need to call up Atty. Mayer. He tries to let the Board know what is going on and he would be very unhappy to be told he couldn't contact the Town Attorney. Chairman Kelley replied policy and procedures are laid out for all of us to abide by. This is the way it is and Atty. Mayer recognized he made a mistake by talking to you on the phone. He knows he's not supposed to. The Board can change the policy if they want. Selectman Duarte thought Selectman Snow should have asked Chairman Kelley before he called Atty. Mayer. We all need to follow policy and procedure. Selectman Snow noted they have been running below the minimum. He's on a retainer and it doesn't cost the Town anything. Chairman Kelley thought another department should have taken care of this not Selectman Snow. Selectman Snow agreed but he was sending it to Atty. Mayer as a "for your information". This is an action before the Board. Selectman Robie wanted to be brought up to date on what was going on here. Selectman Snow explained there was a bankruptcy that took place. The court came down with a ruling that said Tax Collector Stamatelos was supposed to put in paperwork to get some back tax money and apparently didn't. Selectman Robie asked if the people who filed for bankruptcy were supposed to pay off the back taxes. Selectman Snow clarified that the Town was supposed to have a priority claim filed with the bankruptcy court to get paid. He questioned if there was something that didn't happen or is it something he didn't understand about the bankruptcy's. The court has said we should get this money and we aren't on it. We were supposed to be a priority claim and we weren't.

Selectmen's Assistant mentioned there was an amended cash receipt policy in the Selectmen's sign folder. It now says the mail for Town Clerk and Tax Collector won't be opened. She needs a formal motion to accept the amended policy. Selectman Soares motioned to accept the

amended cash receipt policy as presented. Seconded by Chairman Kelley. All were in favor. Motion carried.

The Board signed the Fire Warden and Deputy Fire Warden's reappointment paperwork.

Selectmen's Assistant Eastman explained the Treasurer has requested that the Deputy Treasurer's wage line be increased by \$100. This is due to the increased trips to the bank when she covers for the Treasurer. Selectman Soares thought they could reimburse her for the mileage. Selectmen's Assistant Eastman noted that the Deputy Treasurer doesn't put in for mileage. Selectman Robie said they would increase this line by \$100.

Selectman Robie asked if the policy and procedures were in place and have we done what the auditors have asked us to do. Selectmen's Assistant replied yes and it should reflect in this year's audit.

The next regularly scheduled Selectmen's meeting is January 9<sup>th</sup>, 2012 at 7:00 p.m.

Chairman Kelley motioned to adjourn at 8:04 p.m. Seconded by Selectman Robie. All were in favor. Motion carried.

Respectfully submitted,  
Andria Hansen  
Recording Secretary