

~~Unapproved~~**APPROVED**
Candia Selectmen's Public Meeting Minutes
Monday October 22, 2012

Attendance: Chairman Joe Duarte, Vice-Chair Richard Snow, Selectman Fred Kelley, Selectman Amanda Soares, Selectman David DePuy, Selectmen's Assistant Cheryl Eastman, and Administrative Assistant Andria Hansen.

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

The Board of Selectmen will hold a public hearing to accept grants and donations in accordance with RSA 31:95-b, III (a). Chairman Duarte announced they have received two grants from the State of New Hampshire: Local Emergency Operation Plan Grant for \$2,500 and the Highway Block Grant for \$28,988.32. Selectman Soares motioned to accept both grants in the amount of \$2,500 and \$28,988.32. Seconded by Selectman Kelley. All were in favor. Motion carried. Chairman Duarte read the totals of for the donations: Food Pantry - \$234.00, Fuel Assistance - \$400.00, Old Library Restoration - \$2,415.00 and Old Home Day general fund - \$200.00. He mentioned that the \$2,415 for the Old Memorial Library restoration was donated in Ron Thomas's name. Selectman Kelley motioned to accept the donations in the amount of \$3,249. Seconded by Selectman Soares. Motion carried. All were in favor.

SNHPC to request Board's endorsement of the proposed Upper Lamprey Scenic Byway Nomination. David Preece of Southern New Hampshire Planning Commission was present. He explained that he was at this meeting to ask for a letter of endorsement for the Upper Lamprey Scenic Byway. They started this process about 9 months ago with a group of citizens from Candia, Deerfield, Raymond, and Northwood. They drafted a nomination letter to submit to the state for this project. They are asking the Board for a letter of support. The Scenic Byway is a designation of a scenic, cultural, and historic route. The purpose is to increase the tourism for your community and hopefully the economic development. They have seen success in other communities and he thought it would be a good vehicle for the town of Candia. He passed out the nomination and maps. He asked if the Board had any questions. CCC Chair Betsy Kruse asked if the nomination of the route as proposed was the finalize route or is it still up for revision. Mr. Preece replied there is always room for refinement. This is their best effort so far. If there are other tweaks they can make on the Scenic Byway to promote the scenic views and cultural features they would be glad to make changes. Mr. Preece wanted to recognize two supporters of this – Ellie Davidson and Deb Levesque. Chairman Duarte asked the Board for their comments. Selectman Soares said it doesn't cost us anything and she didn't foresee it being a problem. It could possibly bring tourism to the town what could it hurt. Selectman DePuy commented that it sounded good at their last presentation. He understood it was going to show up on the state maps and it will possibly bring business into Candia. Selectman Snow thought it was a good tool for economic development. It's funded by the DOT and the SNHPC is going to do a lot of work for us. He thought it was a wonderful thing. Selectman Snow moved to authorize Chairman Duarte to sign the endorsement letter on behalf of the Board. Seconded by Selectman Kelley. All were in favor. Motion carried.

The Board to discuss recent correspondence regarding easement. Kevin Dumont owner of

Liquid Planet was present. He explained this goes back a number of years and it was a lengthy back and forth between himself and former CCC Chair Ed Fowler. They almost got a draft easement put together that they both agreed on. When they got to the last part of the easement Mr. Fowler stepped down from the Conservation Commission. He said Mr. Fowler told him that that someone would get in touch with him so they could continue the discussions. It wasn't until until the state called asking what happened with the easement. There was also a financial element. They had a shaky start and haven't quite made a profit yet. He needed some time to figure out how to pay for it. Chairman Duarte asked if he was in the process of resolving this. Mr. Dumont explained he and Selectman Snow had the discussion of setting some time aside to work on this. He gave him a copy of the draft easement and discussed who will hold the easement. He thought the town was going to hold the easement, but recently received a letter from Conservation Commission saying they do not recommend holding the easement. He doesn't know the pros and cons of even arguing that, he would like the town to still consider holding it. He would look for any assistance that anyone could offer. This is obviously something that needs to be fulfilled to complete our agreement with the state. Chairman Duarte asked if they had talked with Lori Sommer of DES. CCC Chair Kruse said she was not aware that former CCC Chair Fowler indicated that someone would be in contact with Mr. Dumont after he stepped down. She was not privy to the discussions of what was going on and certainly not aware that Candia was going to hold an easement. Mr. Dumont gave CCC Chair Kruse the latest draft of the easement. This was over a year of Mr. Fowler and himself coming up with verbiage that they could both be comfortable with and they were in the home stretch of this being done and signed. CCC Chair Kruse explained normally what happens with the Conservation Commission is that when there is a question of an easement there is a vote taken. She didn't recall a vote ever being taken at the Conservation Commission regarding the town holding an easement or not. She would have voted against it specifically for the reasons she gave in her letter. She's not against the easement per se, but thought it was dangerous territory for a municipality to get into unless the municipality is big enough that it has a specific department dedicated to monitoring easements as part of their job. Mr. Dumont said he didn't attend Conservation Commission meetings either so he really doesn't know what happened on that end. The information he knows regarding this easement are through emails and phone conversations with Mr. Fowler. He didn't even know if the Town Attorney got involved. This is out of his realm of understanding and he let Mr. Fowler take the lead on it. The only time he spoke up was if there was something in the verbiage that he thought was oppressive in terms of his rights as the property owner. He thought Mr. Fowler had it just about ready to go to the Selectmen for signature. He thought there was some level of conversation between the Conservation Commission or Mr. Fowler and the Town, because had he been ok with this earlier it would have gone through some type of voting process. CCC Chair Kruse said when she spoke with Mr. Fowler in September his recollection was Mr. Dumont needed a forest management plan. This is the way he understood it had been left. Mr. Dumont acknowledged that this was one of the steps that needed to be completed. He was going to take his lead on who does these things and does he shop around and are there companies that bid on doing this. They didn't quite get to the the next level of how this process works. CCC Chair Kruse explained if you were to approach the Conservation Commission today you would be encouraged to locate a land trust who is interested in holding the easement. They would walk you through the process. She suspected what was in the draft easement was pretty much template with minor tweaks to fit your needs and the easement holders needs. Usually the easement holder would be the one to help you with

the forest management plan, because they would be the ones monitoring how that is executed. Chairman Duarte asked if the Board has all of the information. Mr. Dumont said he had a letter from the Conservation Commission dated September 19th and then he had the draft easement he worked on the Mr. Fowler. Chairman Duarte asked for a copy of the draft easement and maybe they could look at it and help him out. Mr. Dumont replied it was one of those things that got started and there was a change in command and they never finished it. He explained he would like to get this done in 2013 and didn't see any problems. Chairman Duarte would like him to keep the Board in the loop. He felt the Board might be a little remiss in doing the right job, so he would like to be copied on everything. Mr. Dumont said one of the big items he and Mr. Fowler discussed is the 7 acres right along the Lamprey River which the town would have non-motorized access to. There are people that are already using it to a certain degree; he has a lot of neighbors that bring their horses down there. He thought this was one of the benefits if the the town did hold the easement. They never discussed anyone else doing it other than it was a possibility. He noted that he really relied on Mr. Fowler to hold his hand through this process and when that stopped he didn't know what to do. Selectman Snow said he was concerned when when Mr. Dumont received the letter from DES. He has a business man in town that may possibly get a fine if he doesn't get an easement done. The easement is a result of his permit with DES which says thou shall get an easement prior to the time you start construction. He is working with Mr. Dumont to try to get us to the point where someone takes the easement. The Conservation Commission has expressed their concerns and they are valid concerns about who holds the easement. They need to help Mr. Dumont find someone to hold the easement whether it's outside or the Conservation Commission. The problem is 7 ½ acres is not big enough for someone outside to say we'll take it. There are a number of people now that could and there is a rivers management program. When they find someone to hold the easement, then they will satisfy DES and move forward. The management plan was part of the permit that needed to be done. This was another stopper because there was a cost associated with it. Mr. Dumont noted the only thing that isn't done is that they want an inventory of stuff. Selectman Snow explained a management plan is supposed to show what the conditions were at the point in time you started the water park. The of this purpose was to monitor it to see if anything changed. Selectman Snow thought everything looked the same to him. Mr. Dumont explained it's in the 2,000 ft. set back anyway, so there's nothing they can legally do anyway. Selectman Snow explained DES finally looked at the permits when they had sometime and said Mr. Dumont had something that hasn't been done. Chairman Duarte thought there were enough members of the Board that have some expertise in working with Mr. Dumont on this. He thought he might want to go back to the the Planning Board or see the Land Use Administrative Assistant to see if there is anything that could help him.

Selectman Kelley to discuss ACO van. Selectman Kelley said he meet with Chief McGillen last week. They brought the ACO van to the mechanic so they could take a look at it. They got under it and he asked questions about some of the issues. The mechanic really couldn't point out anything to him. He asked about the rusted backing plates and he asked if they have to be there. The mechanic told him they're not required. It will probably need a pair of front break hoses. This is a minor repair. He felt if they spend \$2,000 on that van over the next year or two two to get through inspection they've spent a lot of money. The rest of the van is perfect. The ACO doesn't want to get rid of it. Selectman Kelley noted that he spent a lot of time pricing out vans and the 2008, 2009, and 2010's cost \$18,000 - \$25,000. He asked if Chief McGillen agreed

agreed with him. Chief McGillen replied for this budget season at least. Selectman Snow asked if \$800 for the maintenance was enough. Selectman Kelley thought it would be plenty. Chief McGillen noted they might need a new bumper. Selectman Kelley explained the rear bumper is rotted out and they are going to the junk yards to try to find one. The cost might be \$100 and he could probably find someone to put it on for free. Selectman Snow motioned to accept the ACO budget as amended at \$8,605. Seconded by Selectman Kelley. All were in favor. Motion carried. Chief McGillen mentioned that he looked into outsourcing the ACO. He called three towns and there was no interest and their budgets were a lot higher.

The Board to finalize Selectmen's 2013 proposed budget. There were two pending issues for the Police Departments budget - the fuel and the cruiser. Chief McGillen said for the fuel he averaged the last three years. He is recommending they change the fuel line to \$28,000. *Selectman Kelley motioned to increase the gas line to \$28,000. Seconded by Chairman Duarte. Chairman Duarte, Selectman Snow, Selectman DePuy, Selectman Kelley were in favor and Selectman Soares was opposed. Motion carried on a vote of 4 to 1.* Chief McGillen recommended the Ford Interceptor utility vehicle for \$25,699. The other option was a Ford sedan for \$24,693. He's recommending the utility vehicle, because its \$1,000 difference. It has a lot more room for equipment and a lot of room for the driver. The mileage difference is 16 in town and 22 highway for the utility and 25 highway and 18 town for the sedan. They are v6 engines and they are more economical than the Crown Victoria's. Selectman Soares said she spoke with someone in the Finance Department in Auburn. She asked Chief McGillen if the numbers that he is giving the Board for vehicles are fully loaded or are they base cars. Chief McGillen explained the cars come with certain police equipment but they don't come with all of the accessories. Selectman Soares mentioned that Auburn purchased one of their vehicles from Londonderry and it was fully loaded. She mentioned that Auburn has no interest in switching to an SUV. They are looking at a Chevy Caprice. She had heard the officers don't like the Interceptor. She asked if they entertained the thought of an SUV and they have never entertained the idea. She said the citizens are going to look at an SUV and think it's extravagant. Chief McGillen noted there \$1,000 difference in price. Selectman DePuy thought he saw the utility vehicle in Hooksett. Chief McGillen said they do and they really like it. He said when he went to the trade show he sat in both vehicles and there was more room in the utility vehicle. Selectman Snow said they are not going to buy it immediately, so it will give them the opportunity to figure out what they want. Chairman Duarte stated ultimately it's going to be Chief McGillen's responsibility and decision. He doesn't see the Board having a problem with this either way. Chief McGillen said he would refine it and come back to the Board. Selectman Soares didn't feel they needed to buy a cruiser this year. She likes to go every other year, because it gives the taxpayers a break. She didn't think they needed to buy new cruiser every year. We are going to get into that cycle where we are constantly buying cruisers. She understood they didn't feel comfortable with some of the older cruisers, but if they are getting repaired properly we don't need to buy a new one every year. This is not fair to the taxpayers. Selectman Kelley asked if it would be more sensible to look at the Caprice's. He didn't want to look at the Chrysler product. He thought maybe they could look at another department that has a Caprice and look at the price. Chief McGillen said he hasn't priced them, because he hasn't heard good things about them. They have two cruisers with over 100,000 miles and one with 70,000 plus and if they skip a year they are going to have liability issues and they'll have 3 cars in which the maintenance cost will go up. He felt they were going to have a problem with

those cruisers being dependable. Then they are going to be behind the eight ball. In 2004 they bought and leased a cruiser in the same year. There was a big spike in the budget and there was a lot of talk about it. This was the cheapest way to do it, because they skipped a year. He is all for skipping a year if the fleet gets to a point where the mileage is low and the cars are safe. He felt they were going the wrong way on this trend. Selectman Snow thought putting it in the budget was a cleaner way of doing it. Selectman Soares noted you are not allowing the voters to vote on it by putting it in the budget. Chairman Duarte asked about the maintenance cost on the two older cruisers. Chief McGillen noted the whole maintenance budget is \$6,500. They are about to go over and the Explorer is going in for some service work. They will be over budget again. Chairman Duarte said he's concerned about the safety issue. He remembered a time when he was trying to get a hold of Chief McGillen and the cruiser wouldn't start. He noted the new vehicle would come with a warranty and that would be our only headache. He felt they needed a proper vehicle and in the past they have done this. If they don't do this they are going to end up buying two and that would be more of a hassle. He felt the Budget Committee would be receptive to this information and he should present the case that they have two cruisers with over 100,000 miles. He felt they were creating a problem by not having a dependable vehicle. Selectman Kelley explained the program they had a couple of years ago is they put some money aside one year and some money aside the next and then they purchased a cruiser. They should have kept that program going. Now this is going back to the taxpayers and asking for more money. If they set money aside for two years it wouldn't be such a whack to the taxpayers. He questioned if this is going to fly. He noted there is one car that Chief McGillen had a lot of work done to and couldn't understand why it had to be done on a car with less than 60,000. He would have question Ford on why the suspension let go on this vehicle. Chairman Duarte said let's say we don't buy one what kind of shape will we be in when the new budget comes around. Selectman Snow replied they are going to have to find the money somewhere for it. Chief McGillen noted most towns would have gotten rid of the two cars with high mileage by now. Chairman Duarte asked if they could get any money for those two vehicles. Selectman Kelley replied you wouldn't get dirt for them. He noted letting the cars idle takes a lot of life out of the cars, it's worse than just the wear and tear. He liked the idea they have hour meters. Selectman Soares said one of the cars with over 100,000 is the Chiefs car, so it's not one of the regular patrol cars. This has to be taken into account. She asked what the warranty is for the present Crown Victoria's. Selectman Soares asked about the warranty's for the current Crown Victoria's. She asked if it was a 12,000 mile warranty. Chief McGillen replied that it was a 36,000 mile warranty. Selectman Soares asked what the warranty would be with the Interceptor. Interceptor. Chief McGillen said he would research that. He explained they used to have the extended warranty for \$1,500, but the town kept cutting the budget so they got rid of the extended warranty. Selectman Soares said she was just wondering, because at a certain point in time the warranty is null and void. She was assuming with the Interceptor they would get a good good warranty. She felt no matter what they get the warranty isn't going to help us much except for the first couple of years. Chief McGillen said it would be nice if we had an auxiliary fund. He mentioned the forestry truck went right trough, and it was a lot more than a police cruiser. This is because they had a fund set up. Selectman Kelley felt they should set up a similar fund for the police department. He really thought this was the smart thing to do. When they need the the money they would have a fund to buy a cruiser. Selectman Snow thought a warrant article was a good idea. He explained if they set up a Capital Reserve Fund, they would have to bring it it back to the legislative body to spend money out of it. This would tie it up for a year. If they

had a revolving fund of some kind they might be able to do this. Selectman Kelley stated they needed to do something, because they come back every year looking for \$28,000 in his budget. He reiterated that they needed to do something like the Fire Department. Chairman Duarte asked if they don't get a cruiser this year, then next year we will need two. Chief McGillen said it could happen there is a lot of wear and tear on these vehicles. Selectman DePuy said he looked at the maintenance report and it looks like the town has bought a new cruiser every year. Chief McGillen explained he has to beg the Board for a new cruiser and he doesn't like doing that. He would like to work with the Board and Budget Committee. He felt it was a need and he has to go back to the Board after the budget has passed in March and ask for a cruiser. He didn't think this was a good way to keep doing things. Selectman Snow said putting it in the budget is the best way to have transparency and everyone knows what it is that you are going to do. He asked Chief McGillen if he wanted to put \$25,699 in the budget instead of \$28,000. Selectman Kelley questioned how much more equipment will be needed to put into the cruiser, so they may want to stay at \$28,000. Selectman Snow thought all of the equipment from the old cruiser goes into the new cruiser. Chief McGillen explained they have an equipment maintenance line that they use for that and any equipment they can transfer over they do. He didn't think the cage from the old Crown Victoria's will fit in the newer cruisers. The cost of a cage is about \$300 - \$500. Chief McGillen said he would do some more research on the cruisers and report back next meeting. Chairman Duarte said to budget \$25,700 for the cruiser. The total bottom line for the Police Department budget was \$659,457. There was discussion about a warrant article for a revolving fund. Selectman Soares noted they submitted a petition warrant article a few years ago. Chief McGillen clarified that was for police details. Chairman Duarte felt this would be a good year to start that. Selectman Kelley didn't care when they start it, the citizens still aren't going to like it. *Selectman Snow moved to accept the Police Department operating budget at \$659,457. Seconded by Chairman Duarte. Chairman Duarte, Selectman Snow, Selectman Kelley, Selectman DePuy were in favor and Selectman Soares was opposed. Motion carried on a vote of 4 to 1.*

Election/Voter Registration: Selectmen's Assistant Eastman informed the Board that she has not received an updated budget from Supervisor of the Checklist Chair Candy Stamatelos. Chairman Duarte noted that she did tell the Board at the October 13th meeting that would update her budget for the October 22nd meeting. Selectman Kelley didn't recall having this conversation. Selectman Soares thought the budget would go down, because there weren't as many elections.

Conservation Commission: Conservation Commission Chair Betsy Kruse passed around revised budget. The Conservation Commission revised their budget at their last meeting. She explained the revised budget. There is the original request of those line items and then the revised request. They redefined some of the categories and redefined where some of the projects would come from. They came up with a number that was \$3.00 less than what they were operating under this year. The original request was \$2,400. Selectman Kelley motioned to accept the Conservation Commissions budget at \$2,079. Seconded by Chairman Duarte. All were in favor. Motion carried.

Election/Voter Registration continued: Selectman Soares said Supervisor of Checklist Chair Stamatelos knew she needed to have the budget in by October 22nd. She thought they should put it through for \$3,000 and if it's not right she can explain to the Budget Committee that we

changed it. She noted they only lowered it by \$500. Selectman Kelley agreed with Selectman Soares. Selectman DePuy thought it was fine and they don't have any further input. *Selectman Kelley motioned to amend the Election and Registration budget to \$3,000. Seconded by Chairman Duarte.* Selectman Snow said he was inclined to leave it at \$3,495 if that is what she was doing. The Supervisor of Checklist efforts are not election specific. Selectmen's Assistant Eastman said they were largely election specific. There was discussion about the amount of elections. Chairman Duarte called for a vote. *All were in favor. Motion carried.*

Selectmen's Assistant Eastman said the tentative bottom line number for the budget is \$2,347,693. Selectman Soares asked if they could leave the insurance at \$175,000 and if they are over then they can cut it. She didn't foresee the Budget Committee having a problem with it if they lowered it. She did foresee them questioning us if they had to increase it. Chairman Duarte said there isn't much they can do about that, but he could live with that number. Selectman Soares motioned to budget the insurance number at \$175,000. Seconded by Selectman Kelley. All were in favor. Motion carried. Selectmen's Assistant Eastman announced the new bottom line number was \$2,358,906. Selectman Snow moved that the Board establish our operating budget for 2013 and our draft input to the Budget Committee at \$2,358,906. Seconded by Chairman Duarte. Chairman Duarte, Selectman Snow, Selectman Kelley, Selectman DePuy were in favor and Selectman Soares was opposed. Motion carried on a vote of 4 to 1.

Warrant Articles: Selectman Snow noted they need to discuss the warrant articles. Selectman Soares would like to discuss them next meeting. Chairman Duarte would like to see a revolving fund article for the police department. Selectman Snow said the CYAA has indicated they will be coming in with a warrant article. They are asking for the Board's support on that. They have all of the regular warrant articles that will be on the warrant. He had a citizen's request for a solar exception. He'll put information in the folder. He would like the Boards feelings on this. Selectman Soares said that will need to go before the Planning Board. There needs to be something in the zoning in order for them to be allowed to have solar panels. You can't just put up solar panels and not have it in your regulations. Selectman Snow thought she was talking about something different then what this person was looking for. It's in statute the ability to have an exemption on your property taxes for putting solar panels on your roof. The zoning ordinance doesn't drive whether you can have solar panels on your roof or not. If you wanted to do a solar farm or wind mill field he would suspect the zoning ordinance would need to handle that. Chairman Duarte said every year when they come in with all of these warrant articles they all get rejected. He thought before they start putting in warrant articles let's make sure they have some value. Selectman Kelley didn't want to put in the same five they've been putting in for the last three years. Chairman Duarte thought they should be a little more restrictive. Selectman Soares understood the point about the tax exemption for the solar panels, but it has to go to the Building Inspector and it has to go in the ordinance that it's permitted. They don't have anything about solar panels in our zoning. Selectman Snow asked how this resident got them on his house then. Selectman Soares said he should have contacted our Building Inspector, because that's a violation if he put them up without contacting him. Selectman Snow thought the Building Inspector inspected this guy's house and he didn't tell him he couldn't have solar panels. Chairman Duarte said they could discuss this at the November 5th meeting.

Approval of Previous Minutes: Public meeting minutes of 10/8/12. Selectman Kelley motioned to accept the Selectmen's public meeting minutes of October 8th, 2012 as amended. Seconded by Selectman Soares. All were in favor. Motion carried.

The Board to authorize payment of payroll checks and accounts payable checks. Chairman Duarte announced the grand total of payroll and accounts payable checks for October 18th and October 25th is \$108,701.16. Selectman Snow motioned to accept the total payroll and accounts payable checks in the amount of \$108,701.16 for October 18th and October 25th. Seconded by Selectman Kelley. All were in favor. Motion carried.

Capital Improvement Plan Committee: Selectman Kelley said the Planning Board would like to form a CIP Committee. He told them he would bring it to the Board. He noted there was paperwork that he will fill it out and bring it back to the next Selectmen's meeting. He needs permission from this Board to ask some of the other committees/boards if they would like to be part of the CIP Committee. He said he would go to the other meetings and ask if they would like to be part of this committee. Chairman Duarte motioned to establish a CIP Committee made up of seven members. Seconded by Selectman Soares. All were in favor. Motion carried.

Heritage Commission's Public Hearing: Selectman Soares said the Heritage Commission is having a public hearing on the progress of the Old Smyth Memorial Building. They are going to be conducting tours before and after the presentation. They are sending out a post card sized flyers. She present the post card to the Board. She noted everything was within the budget. She also noted the public hearing will be held on November 8th at the town hall meeting room.

Budget Committee flyer: Selectman Kelley thought they did a great job. He got 20 or 30 phone calls on it and people thought it was great and very informative.

Announce next Selectmen's meeting date: Chairman Duarte announced the next meeting date is November 5th, 2012.

Selectman Kelley motioned to adjourn at 8:30 p.m. Seconded by Chairman Duarte. All were in favor. Motion carried.

Respectfully submitted,
Andria Hansen, Recording Secretary