

~~Unapproved~~ **APPROVED**
Candia's Selectmen's Public Meeting Minutes
July 10, 2017

Attendance: Chairman Carleton Robie, Vice-Chair Susan Young, Selectman Scott Komisarek, Selectman Russ Dann, Selectman Mark Laliberte, and Administrative Assistant Andria Hansen.

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

Point of clarification: Chairman Robie mentioned at the last Selectmen's public meeting they discussed a proposal for the sale of the exit 3 property. It was his understanding that 41:14-a was already done and he thought they could go public with that and move forward. Any sale or acquisition of property can be discussed non-publicly so the information disclosed doesn't get out to the general public until they have something signed, which they did not. They do have to follow 41:14-a which will consist of the Selectmen going to the Planning Board and Conservation and it will be advisory only on this subject. Also they will need to have two public hearings. If they have no opposition with a petition of up to 50 residents they will not need to have a special town meeting. He wanted to make that clear if someone files a petition against the proposal with 50 signatures they will need to have a special town meeting. If not they will need to hold two public hearings 7 days after its posted and 10 to 14 days after the first hearing. He should have understood the warrant article that they voted on in March a little bit better. He thought they did all of this but we are going to do it again.

Approval of Previous Minutes: Public meeting minutes of 6/26/17. Selectman Laliberte moved to accept the minutes of June 26th as amended. Seconded by Selectman Young. All were in favor. Motion carried.

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

Highway: Road Agent Lewis read from the attached report. He noted they've had a lot of thunder storms and the town has lucked out. Most towns around us have had all types of problems. They had the usual wash outs but other than that they have been real fortunate. He did have a question on a question about a street light that has appeared on Donovan Road. Someone had put one up and it has been brought to his attention. He called Public Service and they said the resident is paying for it. They were told to get permission from the town before Public Service put it up. He didn't know if any of the Board members gave permission for this or not. He knew he didn't and Building Inspector Murray said he didn't. It's lighting a parking lot that was put on the edge of Donovan Road. Public Service did say if it was objectionable they would put a cover on part of it. They said they would put it on the street side so it wouldn't cast all over the neighborhood. It is the decision of the Board if they want on cover on it. It does light up of the neighbor's whole yard. Selectman Young said she wanted to comment on that. There was a gentleman on Brown Road who jumped through hoops to get his approved and they went back and forth. In her opinion it's not fair that someone just sticks one up when there are rule. To her it is not fair. She felt it should come down until he or she follows the proper procedure. Road Agent Lewis thought they should have a very simple procedure with Public Service and if

someone requests a light they should come to the Selectmen. They should poll the neighbors first before they get permission. If a neighbor doesn't want their yard lit up by someone else's light they can go from there. It doesn't have to be a big process it's just the way it should work. Chairman Robie asked if it was on a Public Service pole. Road Agent Lewis replied no they had their own pole put up, but it's on an arm over the town road. Chairman Robie said then it is in the right of way. Road Agent Lewis said that was correct. The pole however is not. Selectman Young said neither was the other one but that gentleman went through the proper procedure and it sounds to her that Public Service told this person to check with the town and they chose not to. Road Agent Lewis thought he would bring this to the Board because it is twice in one year they are dealing with lights. They should have a policy and procedure. Chairman Robie said if nobody calls they can have all of the procedures in the world. They need something to hand them. Road Agent Lewis thought that Public Service should contact the town not the resident. Let's say our contact for PSNH called and said they had a request for a light at such and such a location. Chairman Robie said they can't control the lights that aren't in the right of way. Road Agent Lewis said no but this one is specifically in the road. Chairman Robie asked what if they put the light on the other side of the pole. Road Agent Lewis said they already have one on the other side. The one on their side is one that doesn't light up the whole area it just sheds down. He asked the Board to take a look at it to see what they think. Chairman Robie said they will request that Public Service contact the town before they put a street light over the right of way. Road Agent Lewis said that is the message they got from them when Brown Road first started. He mentioned there is the regular spring rash of stealing street signs. They have lost quite a few in the last month. It happens every spring around the same time of year. He'll buy some new ones and get them up. Selectman Laliberte thanked Road Agent Lewis for his quick clean up on Jane Drive after one of those storms recently. There was some gravel in the road. Chairman Robie asked about the road side mowing. Road Agent Lewis said it will probably be him doing it this year. Chairman Robie asked if they should investigate a mower. Road Agent Lewis said he'll either use one of his or get one.

Police: Chief McGillen said he wanted to give the Board a quick update on Jane Drive and what he got from SNHPC (see attached). He noted they spoke about this a few meetings ago. Basically SNHPC went up to Jane Drive and did a traffic study and found there isn't a speed problem on Jane Drive. They recommended doing nothing and leaving it as is. People are obeying the speed limit of 35 mph on that road. He is going to defer to the recommendation and not recommend that they do anything up there. He hasn't had any phone calls other than the one that Selectman Laliberte made with a resident's concern. Selectman Laliberte said he talked with the citizen and she was very happy with the promptness of it. Chief McGillen said he was grateful they came out. He mentioned someone will be out to take down the tree near 892 High Street. He is waiting to hear back from the Town Attorney about the South Road issue. There have been more IRS scams. He would like to give out the phone number since some of the residents don't have a computer so they can report these scams. They are encouraging us to have the residents report it to the police departments. The number is 1-800-366-4484 or the email is phishing@irs.gov. They are in the process of being trained for Narcan administration. Some of them have taken the on-line class. It is a prerequisite for the hands on training. EM Director Bob Panit and Lt. John Seidner are doing the training for it. Selectman Young asked how much did this cost SNHPC to do this. Maybe it wasn't a direct cost but someone is paying for it.

Chief McGillen said they didn't charge us a penny. Selectman Young said it probably came out of our dues.

Fire: Selectman Dann read from the attached report. He noted they had a controlled burn at Co-Part on Saturday. It went very well. They had some Explorers that participated in it. They had professional people from Concord there. They had company that is stationed in Rockingham that helped monitor the firefighters heart rate, pulse rate, everything. They can't go back into the fire until they are normalized. It is a safety factor and this doesn't cost the town anything. It is a new program that covers Rockingham County. They have one heck of a Fire Department there that is willing to work and do a good job.

Building: Chairman Robie read from the attached report.

Solid Waste: Selectman Dann explained that he didn't have a report for June as Facility Operator Whitcher was on vacation.

Skateboard Park: Selectman Komisarek noted that he and Building Inspector Murray met with Eversource about the light at the skateboard park. They met with a different representative and they came to the conclusion that it would actually be less expensive in the long run if we set our own pole and come off the power at the shed. He talked with Dave and he said he would get a price on a pole. They can't have LED if Eversource sets it up. If they set their own pole they can have LED. They will have Mark Hetzel put the light up. Chairman Robie asked if he had a location for the light. Selectman Komisarek said it would be on the shed side of the skateboard park.

The Board to appoint Carla Penfield as a Trustee of the Trust Funds. Chairman Robie noted that Carla Penfield has graciously volunteered to step up and become a Trustee of the Trust Fund. They have been looking for somebody since Carol Coppola has resigned. There are two years left in her term. Selectman Young moved to appoint Carla Penfield as a Trustee of the Trust Funds. Seconded by Selectman Laliberte. All were in favor. Motion carried.

The Board to decide on a date to meet with Carol Granfield of Municipal Resources. The Board decided to meet with Carol Granfield on July 17th at 4:30pm. /The meeting will be a non-public meeting.

The Board to authorize payment of payroll checks and accounts payable checks. Selectman Laliberte announced the grand total for accounts payable and payroll checks for July 6th and July 13th was \$872,962.75. Selectman Dann moved to approve the accounts payable and payroll checks for July 6th and July 13th in the amount \$872,962.75. Seconded by Selectman Komisarek. All were in favor. Motion carried.

Other Business:

The Board to approve reimbursement of grant money for Fire Department: Chairman Robie explained the Fire Department had a matching grant and they got back \$736.61 which they had taken out of their forestry line. They would like it credited back to the forestry line in the

operating budget opposed to the general fund. He read from the attached letter submitted by Fire Chief Young. Selectman Laliberte motioned to move \$736.61 to the forestry line in the operating budget. Seconded by Selectman Dann. All were in favor. Motion carried.

Firefighter's Association: Chairman Robie mentioned the Firefighter's Association donated \$6,000 to the town. They bought equipment and that was a donation. This comes from donations they solicited through a mailer and Cruise Night. He thought that generated about \$3,000. It is his choice to do what he wants with that money and he donates it to the Association. Then the Association donates it to the town. Just so people know where those donations came from.

Agenda posting: Selectman Dann said he would like the agenda published on Thursday afternoons. Last year they were all done on Thursdays and that gave us extra time. Chairman Robie said he would consider that. Selectman Dann said cant' the Board request that. Chairman Robie asked if the Board requested that. Selectman Young said she didn't care one way or another as long as they had it by Friday. She likes to have it here so she knows what they are doing and the meetings don't on to 10:30 pm. They used to add stuff in because it wouldn't make the agenda. So she's not opposed to getting it Friday and having it here. Instead of getting it Thursday and having stuff added to the meeting, but it is up to the rest of the Board. Selectman Dann said if it is not in by Thursday it's not on the agenda. Selectman Young noted they used to bring up a lot of stuff that didn't make the agenda. Selectman Dann said then you can't discuss. Selectman Young said whatever the Board wants to do, this isn't a battle. Selectman Komisarek said it doesn't matter to him. When he looks at the agenda's he doesn't look at and say "Gee, if I only had it on Thursday". This is not a thought he has had, but it is a thought that Russ has had so he thought they should consider it. Selectman Young asked if they want to try it and if a lot comes up on Friday they can change it. Selectman Dann said they've had plenty of time in the past; they've had one and half weeks to get it last year. Selectman Komisarek said he didn't have a strong feeling about it one way or another. Selectman Young asked if they want to take it under advisement and if it works out then it works out. It just gives Administrative Assistant Hansen another day to get stuff together. Chairman Robie said it gives himself a day to gather the information as the Chairman. Then on Friday afternoon Administrative Assistant Hansen posts it after work. If something comes up between Thursday afternoon and Friday noon time they can get it on the agenda. Chairman Robie said they can decide he doesn't care. If no suggests what to do he is going to keep doing what he is doing. Selectman Young said they have other things to worry about, that's just her opinion. Selectman Laliberte asked Selectman Dann if this is something he is really hot on. Selectman Dann said it is just an extra day is what it amounts to. Selectman Komisarek said when he looks at this agenda, the 24 hours he has before to look at this agenda there is nothing that goes through his mind that needs he needs more than 24 hours to prepare himself. Selectman Dann said he looked at the agenda on Saturday morning and he didn't have any idea of what it was going to be covering. Selectman Young said the agenda wouldn't have helped you on that. Chairman Robie noted that it did have the RSA and the number. Selectman Dann said he could have called the office. Chairman Robie said he had all day today. Selectman Dann said he works too. Selectman Laliberte suggested of there is a non public they could have the agenda posted by 3:00 pm on Thursday. If it is a regular agenda post it on Friday. Selectman Young thought that was a good compromise.

Gravel tax/ Exit 3: Selectman Dann asked if any of the Board members have seen any tax money for the gravel that has been hauled off of that site at Exit 3. Chairman Robie said no that will be next year. Selectman Dann asked why. Chairman Robie said that is how they do it. Selectman Dann asked if they know how much gravel has been taken off of that site and at this point who is keeping track of it. Chairman Robie thought it was being kept track of by the contractor. This is his responsibility; it's like paying income tax. You pay for what you take. At the end of the year you file the form. Selectman Dann said maybe, he would like to have a direct answer. Chairman Robie said he would take that for a direct answer. Selectman Dann replied you just said maybe and assumption are not a concrete answer. Selectman Komisarek said when they did the engineering they know how many yards of material they are removing. There should be a correlation between the amount of material that is being taken and the yards. Chairman Robie said no one knows how much they are going to use on site. Selectman Dann said he asked what is being taken off of the property that has been sold one way or another. Selectman Young said she is going to step out on a limb here. It is her perception that Selectman Dann is not feeling good the Irving Station or anything to do with what they are doing there. This is her personal opinion. It seems like Selectman Dann is a little focus on that which he has every right to be. He knows they have individuals that owe us for timber taxes that they have paid. She thought that Selectman Komisarek was absolutely correct that they make an estimate when they are doing the engineering. She didn't think they could police them anymore then we police anyone else. She is feeling a little uneasy about your attitude towards that company, property, or whatever and what they are involved in. She didn't know if this is the way they want to go. Selectman Dann said there are too many assumptions, he is looking for facts. Chairman Robie said that is done by the contractor and it is an honor system. Road Agent Lewis explained what they do with the town pit which is in Auburn; they have to pay Auburn a tax for the sand they take out of our pit. There is a form they fill out in April that the Town of Auburn sends us. If they were over there now hauling out 2,000 yards of sand they would file and pay next April for that. This is the way it works with us for the Town of Auburn. Selectman Young thought it was a trust thing. Selectman Dann said she jumped to conclusions. Selectman Young acknowledged that she was making an assumption and it was her personal opinion. Selectman Dann said Chairman Robie has said before there is a fee for that and he has asked now how is that accumulated. So everyone jumps to conclusions that he hates people. He is here for Candia this is what it amounts to. If April is when they have to settle that is fine. He doesn't have problem with that. Selectman Komisarek said that Selectman Dann has a valid point. He thought they should have some idea of how many yards of material are coming off site. Selectman Young said let's do it everywhere. They can't go two or three months without a report from the Recycling Center. Chairman Robie said it is the same with the timber tax if they cut logs and the lumber goes to the mill. It gets scaled and the person who is cutting the wood sends a tally to the town and they pay a tax. It is a system that is an honorable system. Selectman Dann said the problem he has is when he asks a question, people get upset because he asks a question. You have been associated with this. He has been here one year and he asks questions and everybody gets upset. Chairman Robie said no one is upset. Selectman Young said she disagreed with Selectman Dann's comment. Selectman Dann asked about the site in Raymond that was hauling out. There was a pit and they were hauling out from the Candia side. He asked if they ever got taxes on that. Chairman Robie replied no. Selectman Komisarek asked how much was it. Chairman Robie said 2 cents a yard. Selectman Komisarek said when

they came to the Planning Board and they had their blasting permit. Someone could look at it and say it is this much in this phase and this much in that phase. You should probably account for it. He understood Selectman Dann's question and he thought it was a valid thing. How is something accounted for and are they getting the money we have coming to us. Chairman Robie said if they are going to do that than they should do everything else that goes along with it. He asked who is going to go out and scale the lumber going on the truck headed down the road. He doesn't have time for that. Just like he doesn't have time to count the loads headed off site at the Irving Station. When they get all done, reputable business men and companies account for what they do. They take the slips at the end of the week and put down how many yards of material off of that site. It will be accounted for unless they want to pay Stantec to go over there and count loads. Selectman Komisarek said they are not going to count loads, but if there was a way they could look at that and say this is about how much material is being generated and this is about what the tax should be. So if someone took an interest in that and wanted to look at that they would be welcome to do that analysis. Chairman Robie said the plans are in the office. Look at the plans, look at the topography, look at the grid and do the math. Selectman Dann said it was a question that we are owed some type of reimbursement and when will that be is what he asked. You said in Aril. Chairman Robie said Road Agent Lewis said in April, he said they account for it once a year. Road Agent Lewis clarified that is when we do ours. Chairman Robie said the State requires the permit by April. Selectman Young said that was a good question.

July 25th Election: Selectman Laliberte mentioned that the election in 15 days. He will be there from 6:00 am to 7:00 pm. He asked the other Selectmen what their times will be that day. He noted the most important thing was for the Board to be there for the close of the polls.

Resident Dick Snow asked about the light at the skateboard and asked if the pole was out there. Selectman Komisarek said it was.

Resident Dick Snow asked about the Steering Committee that was mentioned at the end of the June 26th Selectmen's minutes. What kind of Committee is that? Chairman Robie said he sat in on the meeting with Betty Sabean, Rob Jones, and Colleen Bolton. Three people that said they were going to come didn't come. The next scheduled meeting is August 19th. He will check the time for him. Resident Dick Snow asked if they have received that grant. Chairman Robie said yes. Resident Dick Snow asked if it has been accepted. Selectman Young said it will probably be the next quarter. Resident Dick Snow said he hasn't seen anything in the minutes about Plan New Hampshire. Chairman Robie said it was Plan NH. Resident Dick Snow said he was wondering because he was looking at the application that you have to put in and \$2,500 has to be spent first that was the money they kicked in. Chairman Robie said they did. Resident Dick Snow presumed they would have to accept before you spend the money. Chairman Robie didn't think they requested any payout yet. Selectman Young said it would probably be accepted next quarter.

Resident Dick Snow said at the last meeting Chairman Robie expressed the opinion the Selectmen didn't have to go through 41:14-a. Has the Board made that a formal decision? Chairman Robie explained that at the beginning of the meeting he stated that he did not read the warrant article completely and he misunderstood it. They do have to follow 41-14-a. He

apologized for having that public meeting two weeks ago; it should have been conducted non-publicly. He apologized and he was mistaken.

Chester Road hazard: Resident Arthur Sanborn said the Chester Road is beginning to be a death trap. The State of New Hampshire and its infinite wisdom has made it into a walking path, bike path, and a running path. They never fail to see people walking with their backs to the traffic. They should be facing the traffic. It gets worse and worse every day and he has spoke with Chief McGillen about it. He knows that some of the cruisers have come down and stopped at his brother-in-laws yard which is out of sight. It is getting worse and worse every day. He knows some cruiser have stopped by. You have to come early in the morning and later at night when the traffic is really at its peak. God only knows what is going to happen if the development is built in Chester. There will be at least 600 more cars a day on Chester Road. He thought he would take the chance to bring this up. Selectman Young said you can't legislate common sense. Chief McGillen said they can increase some enforcement down there. They have received complaints on Main Street. Chairman Robie asked what they are enforcing. There are too many people walking the wrong way and riding their bikes. Are they enforcing that? Chief McGillen said there are a lot of people speeding. Resident Arthur Sanborn said he is just bringing up a concern that a lot of people on Chester Road have. Chief McGillen said they met with DOT years ago to see if they would do something with that hill and they said no. There aren't any funds and they can't charge the developer for it. Chairman Robie asked how many accidents have they had there in the last year. Chief McGillen replied a couple. He noted that Resident Charlie Wheeler called him today and someone went over his front yard. There was almost a collision. They guy crossed the line and drove over Charlie's yard. Chief McGillen said he does hear of a lot of close calls. Selectman Komisarek said it is a challenging intersection for sure. If someone is not obeying the speed limit you don't have much time. He asked if the speed limit was posted. Chief McGillen said it is posted prior to the knoll.

Selectman Young moved to adjourn at 7:55 pm. Seconded by Selectman Komisarek. All were in favor. Motion carried.

Respectfully submitted,
Andria Hansen, Recording Secretary