

**Town of Chester  
Board of Selectmen Meeting  
Thursday, October 3<sup>rd</sup>, 2013  
Municipal Complex  
Approved Minutes**

**I Preliminaries**

- 7:00 PM Call the Meeting to Order
- Roll Call
- Pledge of Allegiance
- Chairman’s Additions or Deletions
- Public Comment (10 minutes)
- Approval of Minutes
- Wason Pond Athletic Fields and Driveway Entrance Relocation – Update
- Special Election
- COLAs
- Rhonda Lamphere, Treasurer
- Brian Sullivan, Planning Board
- Lenny Stein, PACT
- Roundtable
- Public Comment (10 minutes)
- Non-Public Sessions
- Adjournment

*1.1 Call to Order*

Chairman Landau called this meeting of the Town of Chester Board of Selectmen to order at 7:04pm.

*1.2 Roll Call*

- Selectmen present:
- Jack Cannon
  - Joe Castricone
  - Joseph Hagen
  - Stephen Landau
  - Richard LeBlanc

Members of the Public present, at various times:

- Bill Gregsak
- Ed Karjala
- Rhonda Lamphere, Treasurer
- Matt Rittenhouse, Tri-Town Times
- Leroy Scott
- Lenny Stein, PACT
- Brian Sullivan, Planning Board
- Michael Weider
- And other persons unknown to the Recording Secretary

*1.3 Pledge of Allegiance*

Chairman Landau led the attendees in the Pledge of Allegiance.

54 1.4 *Additions and Deletions*

56 There was one non-public session added, on Compensation.

58 1.5 *Public Comment*

60 As no members of the Public wished to be heard, Public Comment was closed at 7:05pm.

62 **II. Old Business**

64 2.1 *Approval of Minutes*

66 Selectman Castricone moved to accept the minutes of August 22<sup>nd</sup>, September 6<sup>th</sup>, and September 9<sup>th</sup>,  
68 2013 as drafted; Selectman LeBlanc seconded the motion. The vote was unanimous in the affirmative;  
so moved.

70 2.2 *Wason Pond Athletic Fields and Driveway Entrance Relocation – Update*

72 Bill Gregsak and Ed Karjala appeared before the Board to update them on the Wason Pond work.

74 They had met with Remi-Sons for a pre-construction meeting on September 13<sup>th</sup>; equipment was on site  
and work began on September 18<sup>th</sup>. Topsoil was stripped to the subbase, which was then graded. Two  
76 problems arose: firstly, a hill at the back of the property was unexpectedly discovered to be solid rock,  
which meant the work needed to be moved 20-25 feet closer to the road. This will not affect the  
78 planned parking or Boy Scout yard sale tent areas. Secondly, a ‘stump dump’ was discovered where a  
baseball diamond was planned. The stumps, which have most likely been in place for more than 30+  
80 years, have been hauled to the Remi-Sons property. There had been concern about a ‘wet area’, which  
turned out to be only a puddle. A large hole near 102 will be filled with rocks and loam  
82 screenings/tailings, and leveled off. If there is any excess fill, Spring Hill Farm has been consulted and is  
ready to utilize it.

84  
86 Approximately one acre of loam has already been spread; Harley Raking and then hydroseeding will  
commence on October 4<sup>th</sup>, with the expectation of completing one acre each day. There are 6-¼ acres  
of ground in total.

88  
90 The new driveway entrance has been cut, and no ledge was discovered. Chairman Landau asked Mr.  
Gregsak and Mr. Karjala to coordinate the road material dump with Road Agent Oleson. The driveway  
work will continue after the field leveling work is complete. A temporary fence has been erected across  
92 the old entrance, and a group is willing to provide volunteer labor for a permanent fence move.

94 Barring unforeseen issues, the field work should be finished by the end of the week of October 7<sup>th</sup> or  
the start of the week of October 14<sup>th</sup>. Stakes, tape and signage will be erected, asking visitors to stay  
96 away from the fields.

98 Mr. Gregsak is visiting the site daily, and providing Mr. Karjala with regular updates. The Wason Pond  
Commission and Field of Dreams should meet when work is complete in order to vote on its acceptance.

100 Mr. Gregsak and Mr. Karjala departed the meeting at 7:40pm.

102 2.3 *Special Election*

104 Town Counsel Gorrow was consulted, and provided the following RSAs governing special elections:  
106 655:81 and 655:82. It was suggested that the second Tuesday in March (March 11<sup>th</sup>, 2014), when the

108 School is already voting, would be the most economical date to hold the Election. This would need to be coordinated with the Governor’s Council. Vice-Chairman Hagan will speak with Auburn and Sandown.

110 Vice-Chairman Hagan moved to hold the Special Election for the opening in the Auburn/Chester/Sandown district on March 11<sup>th</sup>, 2014; Selectman Castricone seconded the motion.  
112 Chairman Landau asked that the motion be amended to specify that the Governor’s and Executive Councils must be in agreement. Vice-Chairman Hagan agreed to this addition. Selectman Castricone  
114 withdrew his second and Vice-Chairman Hagan withdrew his motion in order to restate it.

116 Vice-Chairman Hagan moved to hold the Special Election for the opening in the Auburn/Chester/Sandown district on March 11<sup>th</sup>, 2014, should the Governor’s and Executive Councils be  
118 in agreement; Selectman Castricone seconded the motion. The vote was unanimous in the affirmative; so moved.

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#### 2.4 COLAs

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124 Selectman Castricone moved to give a \$0.50/hour raise across the board; Selectman LeBlanc seconded the motion.

126 Employees were promised a raise in September, and the Board is out of time. A \$0.50/hour raise will cost the Town ~\$26k. This will go into effect next pay period (two weeks from now).

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130 The question was called. The vote was three in favor with Chairman Landau and Selectman Cannon opposed; so moved.

### 132 **III. New Business**

#### 134 3.1 Rhonda Lamphere, Treasurer

136 Treasurer Lamphere appeared before the Board to update them on Tax Rate setting.

138 On October 1<sup>st</sup>, the Department of Revenue Administration (DRA) issued Technical Information Release #8, which stated that DRA would not be able to begin setting the tax rates until the first week of  
140 November, instead of its usual timeframe of mid-October. During the last legislative session, SB401 changed the way the adequacy aid figures are calculated; instead of using the penultimate year of  
142 attendance numbers, the Department of Education (DOE) now uses only the previous year’s numbers. As a result, there would be a delay in receiving these calculations from the DOE.

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146 Apparently there were enough concerns raised from impacted towns that on October 3<sup>rd</sup>, DRA changed course and issued Technical Information Release #9, which stated that instead of the final adequacy aid figures, they would use reasonably accurate estimates from the DOE. This would allow tax rate setting  
148 to begin during the week of October 18<sup>th</sup>. The Board signed the MS-5 tonight, and it will be in Finance Director Smith’s hands on Monday morning. Treasurer Lamphere estimates that Chester should be near  
150 the front of the queue, and as such tax bills should go out as scheduled.

152 As a result, there should be no need for a Tax Anticipation Note (TAN). She also noted that Chester has a “Target Account” at Citizens Bank with a balance of \$250k; this can be used if need be. She inquired  
154 about the arrival dates of the Skid Steer and new Cruiser; if need be, could the receipt of these items be delayed for a month? Selectman Cannon suggested it would be fiscally prudent to merely pay at the  
156 end of the trade credit period.

158 Treasurer Lamphere departed the meeting at 7:17pm.

160 3.2 *Brian Sullivan, Planning Board*

162 Mr. Sullivan and Mr. Weider appeared before the Board to discuss a possible partnership with Better  
164 Future Alliance.

166 There is a potential buyer for the Chester College property, but his plan for development is complex, has  
168 challenges, would require numerous variances, and is time-sensitive. The Planning Board would like  
170 expert help for planning and coordination. Better Future Alliance (BFA) was suggested by Mr. Weider  
172 and the Southern New Hampshire Planning Commission, due to their skill set and Mr. Arnett’s familiarity  
174 with the property. They have been asked to put together a proposal including an hourly rate and an  
176 expected timeframe. They would be working with and for the Planning Board, the ZBA, the  
178 Conservation Commission, and the Board of Selectmen, not the Developer. BFA would also be able to  
develop subdivision language to bring before the Legislative Body. Selectman LeBlanc asked to confirm  
that there would be no issue in using BFA without going out to bid; apparently there is not.

176 The Planning Board does not have funds for this work in their budget. However, Selectman Cannon  
178 opined that this work would be charged under ‘Legal Services’, for which the Board of Selectmen does  
180 have funds. The Planning Board would take the lead on this project.

182 Selectman Cannon moved to authorize the Planning Board to engage with Better Future Alliance to  
184 research the scope of services and cost associated with the Chester College property planning process  
186 for presentation to and review with the Board of Selectmen, Conservation Commission, Planning Board,  
188 and ZBA; Selectman Castricone seconded the motion.

184 Vice-Chairman Hagan is concerned that any new town ordinances or multiple variances are not keeping  
186 good faith with the way the Town has been operating for the last 200 years. Mr. Weider stated that the  
188 Town’s Master Plan mainly concerns standard housing units; this prospective development’s units are not  
standard. Selectman Cannon stated that BFA’s deliverable would present the negatives and positives.

190 Mr. Weider stated that BFA could be ready to meet with the Board in ~2 weeks. Time is of the essence,  
192 as the bank wishes a speedy purchase; however, if they see work being done, they may ease up on the  
194 Developer.

194 The question was called. The vote was unanimous in the affirmative; so moved.

196 Mr. Sullivan and Mr. Weider departed the meeting at 8:36pm.

198 3.3 *Lenny Stein - PACT*

200 Mr. Stein appeared before the Board to discuss the Comcast agreement. He has a list of concerns that  
he would like to discuss, some in non-public session.

- 202 • A loan has been offered from Comcast at 13% interest; these funds are not needed and will be  
declined.
- 204 • He would like the Post Office to be reconnected. Selectman Castricone asked about free internet for  
206 the Senior Center and rear of the Municipal Complex, where the Girl Scouts and Boy Scouts meet, as  
mentioned in a recent letter from Comcast; Mr. Stein will discuss this with Comcast.
- 208 • Mr. Stein would like the 150’ drop length extended to 200’.
- 210 • The Franchise Fee of 1% will not be changed.
- He would like Senior Citizens to receive a discounted rate. It was suggested that 55 would be the  
starting age for that discount, and that basic cable only would be discounted.

212 Chairman Landau moved to go into non-public session under RSA 91A:3 II (e), Pending Litigation.

Selectman Castricone seconded the motion. The vote was unanimous in the affirmative; so moved.

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The meeting room was closed at 8:48pm. Mr. Stein remained in the meeting room.

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The meeting room was re-opened at 9:05pm.

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Selectman Castricone moved that the Board come out of non-public session; Vice-Chairman Hagan seconded the motion. The vote was unanimous in the affirmative; so moved.

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Chairman Landau moved that the Board seal this non-public session, on Pending Litigation, for a period of six (6) months; Selectman Castricone seconded the motion. The vote was unanimous in the affirmative; so moved.

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Mr. Stein departed the meeting at 9:05pm.

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228 **IV. Selectmen’s Business**

230 *4.1 Roundtable*

232 *Selectman Cannon:*

- He had a Town Fair financial analysis in hand, and would like the income portion broken down between revenue and donations, as one cannot count on receiving donations each year. If one were to include the cost of fireworks, the event incurred a loss of \$5,465. Without the fireworks, there was a profit of ~\$1500; ~\$700 is earmarked to cover the police detail, and the remaining ~\$700 must go into the general fund. It cannot be rolled over for next year’s event. Selectman Castricone opined that donations cannot be put into the general fund; Finance Director Smith will be consulted. If Town Fair is going to be a town event in the future, it will need its own budget.

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242 *Selectman LeBlanc:*

- He met with Public Service about the light on the pole across from the Church. They plan to move it to the pole on the corner this week, and will remove the pole by the pine tree next week. If the Church does not want the light, it will be removed entirely.
- The shrubbery between the guide wires has been removed, and is now planted at the Municipal Complex.
- Mayfly Lane, a ~600’ road leading to a development in Raymond, was built by the Developer at Raymond’s request ~10 years ago as a secondary egress for that development; a base coat was put on, but the road was never finished properly with a wear coat. Raymond has been maintaining this road in order to access the development, but it is beginning to break up and needs paving. Chester never accepted this road. Vice-Chairman Hagan will speak with Road Agent Oleson about this road; there is no chance of recovering from the Developer.
- He spoke with Town Counsel Gorrow about using Conservation Commission funds for the Wason Pond driveway relocation. She stated that it was not necessary to rescind the motion of September 9<sup>th</sup> as discussed last week.
- Boston System has provided a quote for \$1,125 to replace Maintenance Supervisor Amato’s computer/printer. His system is not networked; there are no more ports available. Selectman Cannon opined that there was not enough justification for replacement, as Selectman LeBlanc did not have data on how much Maintenance Supervisor Amato used his computer nor has he seen any of the reports that being generated. Selectman Castricone will speak with Maintenance Supervisor Amato before this subject is discussed again.
- He arranged to have Bob Pepper rewire the fire alarm system at the Municipal Complex last week so that it can go through the burglar alarm system. This cost \$1000; Selectman LeBlanc stated that the Fire Watch was costing \$200/night, and now there was a backup available.

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266 Selectman Cannon is concerned; he opined that Selectman LeBlanc does not understand the  
268 limits of his authority as a member of the Board of Selectmen. He quoted the motion made at  
270 last week’s meeting that authorized the Fire Watch only. He stated that the other members of  
272 the Board of Selectmen should have been consulted before this work was done. Selectman  
LeBlanc stated that as a maintenance issue, he believed it was under his purview; however, he  
apologized for the action. Mr. Pepper should be asked to attend a future meeting in order to  
explain to the Board how the system now works.

274 *Selectman Castricone:*

- He has created a Mission Statement for the EMS Commission.
- At the most recent Recreation Meeting, the MRP roof nails were discussed. Balls are being lost. The Commission would like to meet with their liaison and the contractor to remedy this situation by cutting off the ~600 nails. Maintenance Supervisor Amato spoke with the Contractor, who strongly objected. Another suggested by the Recreation Commission was to install netting on the ceiling.

282 *Vice-Chairman Hagan:*

- He met with Road Agent Oleson. Shepherd Home Road is finished; the binder is down on Birch Road, and that will be finished in the spring. There was a potential issue with the Fremont Road culvert, but according to Chairman Landau, the work will be done in the Spring at the same cost. The backhoe is broken, and an estimate for repairs is being sought. The plow contracts are upcoming; he is attempting to link into the State fuel system.

288 *Chairman Landau:*

- He was served by the Sheriff for the South Woods Development case; this paperwork will be forwarded to Town Counsel.
- The Annual New Hampshire Municipal Association Conference will be held on Wednesday, November 6<sup>th</sup>, and Thursday, November 7<sup>th</sup>, 2013.
- He referenced a block grant program from the Community Development Finance Authority intended for study/analysis/planning; the Town should consider applying in order to secure funds to pay BFA for their assistance.
- He received a letter from Dr. Melvin Page of LaCrosse, Wisconsin, who is the stepson of John Alden West. Dr. Page wrote on behalf of himself and his brother, Don, thanking the Town for their dedication of this year’s Town Report to Mr. West. This letter will be reprinted in next year’s Town Report.
- Shawn Patenaude will be invited to the next Board of Selectmen’ meeting, on October 17<sup>th</sup>, 2013, to discuss Edwards Mill Dam.

304 *4.2 Public Comment*

306 As no members of the Public wished to speak, Public Comment was closed at 9:48pm.

308 *4.3 Non-Public Sessions*

310 Selectman LeBlanc moved to go into non-public session for two items under RSA 91A:3 II (a),  
312 Compensation; Chairman Landau seconded the motion. The vote was unanimous in the affirmative; so  
moved.

314 The meeting room was closed at 9:49pm.

316 The meeting room was re-opened at 9:55pm.

318 Chairman Landau moved that the Board come out of non-public session; Selectman Castricone seconded

the motion. The vote was unanimous in the affirmative; so moved.

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Chairman Landau moved that the Board seal the second non-public session, on Compensation, for an indefinite period; Selectman Cannon seconded the motion. The vote was unanimous in the affirmative; so moved.

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Chairman Landau moved that the Board seal the third non-public session, on Compensation, for a period of one (1) day; Vice-Chairman Hagan seconded the motion. The vote was unanimous in the affirmative; so moved.

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**V. Adjournment**

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The next meeting of the Board of Selectmen is Thursday, October 17<sup>th</sup>, 2013 at 7pm in the Meeting Room.

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Chairman Landau moved to adjourn the meeting; Selectman LeBlanc seconded the motion. The vote was unanimous in the affirmative; so moved.

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The meeting was adjourned at 9:57pm.

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Respectfully Submitted,

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Debra H. Doda