

Town of Chester
Board of Selectmen Meeting
Thursday, April 11th, 2013
Municipal Complex
Approved Minutes

I Preliminaries

1.1 Call to Order

Chairman Landau called this meeting of the Town of Chester Board of Selectmen to order at 7:03pm.

1.2 Roll Call

Selectmen present:

Jack Cannon
Joseph Hagan at 8:40pm
Stephen Landau
Richard LeBlanc
Michael Weider

Members of the Public present, at various times:

Rich Antoine - Fire Chief
Joe Castricone - CCTV
Barbara Dolloff
Midge Gould
Matt Rittenhouse, Tri-Town Times
Leroy Scott
Valerie Weider
And other persons unknown to the minute taker

1.3 Agenda

OLD BUSINESS:

CIP Presentation - Selectman Weider
Approval of Minutes
Warrant Articles

NEW BUSINESS

Roundtable
Adjournment

48 *1.4 Pledge of Allegiance*

50 Chairman Landau led the attendees in the Pledge of Allegiance.

52 *1.5 Additions and Deletions - Selectman Cannon added two non-public sessions on reputation and*
the review of contracts; Selectman Weider added one non-public session on reputation and
54 Chairman Landau added one non -public session on the update regarding Chester College.

56 *1.6 Public Comment - Mr. Scott asked the BOS if the Town truck was back in use; Chairman*
Landau stated that it is still in for repairs and they have yet to receive an estimate for those
58 repairs. Mr. Scott expressed concern that the truck has been out of use for nearly two months and
that no action is being taken.

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1.7 Member Comment - none.

62 **II Old Business**

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2.1 CIP Presentation - Selectman Weider

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Selectman Weider presented a slide show for the public which was recorded for CCTV playback.
68 The basis of the presentation was to explain the CIP to the public to help with a better
understanding of the warrant articles being brought forward to Town Meeting. Selectman Weider
70 answered questions from the public and members of the BOS after the presentation. Selectman
Weider stated that there is a list of the CIP plans however it is a working document and has not
72 been voted on by the Planning Board. The CIP includes items from the Police, Fire, Highway and
Recreation departments however the library is working on their list and the school is considering
74 their own CIP plan. Selectman Weider advised the public that the BOS is considering transferring
\$150K from the June 30th unreserved fund balance into the CIP for roads to get the funding
76 mechanism started in addition to the \$200K from the CIP warrant article to be voted on at Town
Meeting.

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See Appendix A for the slides.

80 **III New Business**

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3.1 MPR Roof Repair Bid - Guimond Roofing

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The BOS invited Guimond Roofing to attend tonight's meeting however after reviewing their bid,
86 the contractor stated that they had made a mistake on their bid proposal; their secretary stated
that they would not be attending the meeting tonight. Therefore the BOS discarded the lowest bid
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the warrant article being passed at Town Meeting.

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Chairman Landau stated that Mr. Arnett (the planner from Better Future Alliance) had advised him
92 that the BOS offer for the buildings and land at the ex-Chester College location has been rejected

94 however the BOS is still planning to bring the related warrant article to Town Meeting to let the
public decide what they want to do. The BOS abstained from the vote on recommending or not
96 recommending this warrant article based on advice from the Town attorney believing it is the
responsibility of the legislature to decide on this purchase.

98 *3.2 Warrant Article Discussion*

100 The BOS added the 10% limitation wording into the bond wording based on input from the Town
attorney and DRA.

102 The BOS discussed the effect of taking the warrant articles out of order at Town Meeting; they
104 felt it disturbed the flow of the meeting and the high value warrant articles and bonds need to be
first because they need the vote held open for an hour plus the high value warrant articles have the
106 most impact on taxpayers so they should be first. The BOS would like warrant articles to be in the
order of the highest priority / the warrant articles with the biggest potential tax impact for the
108 voters. In the past, as the meeting progresses less people stay hence the highest priority warrant
articles need to be first.

110 Chairman Landau made a motion that the warrant articles for the 2013 Town Meeting will stand and
112 be taken in the order listed with no changes; Selectman Cannon seconded. The BOS was unanimously
in favor; so moved.

114 Selectman Weider suggested that the Town operating budget go later in case the dollar amount
116 needs amending if a warrant article does not pass; there is probably not going to be an issue with
the 10% rule this year.

118 The BOS starting putting the warrant articles in order:
120

122 #6 - bond article on ex-Chester College buildings and land

#7 - CIP

#8 - Highway asphalt

124 #9 - Library assistant director

#10 - Transfer Station Roof

126 #11 - Operating Budget

#12 - Class 8 Dump Truck

128 #13 - Loader

#14 - Highway buildings & debris removal

130 #15 - Winter Maintenance Fund

#16 - MPR Roof

132 #17 - Skid Steer

#18 - Police Cruiser

134 #19 - Building Improvement Fund

#20 - Revaluation

136 #21 - Cemetery CRF

#22 - Commemorative Monument (no tax impact)

138 #23 - 300th Anniversary CIP Fund

#24 - PACT

140 #25 - Discontinue Police CRF

#26 - Discontinue Fremont Road Bridge Fund

142 #27 - Discontinue Employee Separation CRF

#28 - Reports

144 #29 - Transact any other business

146 If all of the warrant articles recommended by the BC pass then the 10% calculation amounts to
\$430,670. If all of the warrant articles including the non-recommended by the BC that amounts to
148 \$474K so there would be \$40K of warrant articles that could not pass. Chairman Landau will advise
the public at Town Meeting why the BOS abstained / voted to not - recommend the bond article per
150 the direction of the Town attorney. There are \$1.8M in warrant articles that the BC did not
recommend.

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The Town received a letter from David Barnes of Divine Millimet Attorneys that confirmed that
154 the language in the bond article for the ex-Chester College buildings and land is broad enough for it
to be valid for a commercial loan under the Municipal Finance Act RSA 33. This assumes a legitimate
156 public purpose for this property in the community. The attorneys do not recommend the Town
purchases the property under a secure interest and lease or partial sell it. Peter Bronstein of Soule,
158 Leslie, Kidder, Sayward & Loughman advised Chairman Landau that the initial offer for the ex-
Chester College buildings and land has been rejected. The owners have several other interested
160 parties that are interested in different buildings / areas of the property however this would
involve an application for the site to be sub-divided and that would involve re-zoning. Mr. Arnett
162 from BFA will still present options to the voters at Town Meeting. If the property did get re-zoned
then there would need to be a revaluation of the property for its new purpose which would include
164 taxable income for the Town for commercial use of the land. There has been no counter offer yet
from the owners; Chairman Landau will check with Town attorneys about amending the bond amount
166 on the floor of Town Meeting. The BOS had a qualified appraisal of the property completed before
approaching the owner with a valid offer.

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IV Selectmen's Business

170

4.1 Roundtable

172

Selectman Cannon:

174 Nothing at this time.

176 *Chairman Landau:*

Chairman Landau has spoken with Attorney Tierney regarding the recent news that Exxon
178 Mobil has been asked to pay \$236M in cleanup fees to the State of NH for MTB
contamination which would include the LeClair property in Chester. Attorney Tierney stated
180 that the LeClair property is a high priority for the State; the attorney expects Exxon Mobil
to appeal the decision. Chairman Landau stated that the Town has done everything that DES
182 required regarding this property however the Town has maintained their decision not to
take the property from the owners via a lien.

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186 Chairman Landau stated that the Friends of Chester library paid a \$50 cleaning deposit in
187 2010 to enable them to use the Chester kitchen for events. The library has a very good
188 record and always cleans the kitchen up very well so they are asking the Town if the \$50
189 fee can be waived; the BOS could allow this and for other non-profit groups in Town if
190 asked.

191 Selectman Weider made a motion to waive the kitchen cleaning fee deposit for the Friends
192 of Chester Library; Selectman Cannon seconded. Selectman LeBlanc stated that both the
193 ovens in the Chester kitchen need cleaning; vendors do not usually look in the ovens on their
194 walk through however the ovens need cleaning and there is no money in the budget for this
195 job. The maintenance department has an employee willing to check the ovens as part of her
196 schedule and potentially clean them; the BOS recommended that Mr. D'Amato do the
197 managing of the maintenance employees and check the kitchen schedule with Ms. Martin.
198 The vote was unanimously in favor; so moved.

200 *Vice-Chairman Hagan:*
201 Nothing at this time.

202 *Selectman Weider:*
203 Selectman Weider made a motion to amend warrant article # 7 to make the amount added
204 to the CIP for roads from the unreserved fund increase from \$100K to \$150K. Selectman
205 Cannon seconded. All of the BOS were in favor; so moved.

208 **The next meeting of the BOS will be Thursday April 4th at 7pm.**

210 *4.2 Public Comment: none.*

212 *4.3 Non-Public Session*

214 **8:50pm**

216 Selectman Cannon moved that the Board go into a non-public session under RSA 91A:3 II (c)
217 reputation. Selectman Weider seconded the motion. The vote was unanimous in the
218 affirmative; so moved.

220 **9:08pm**

222 Selectman Weider moved that the Board come out of non-public session; Selectman Cannon
223 seconded the motion. The vote was unanimous in the affirmative; so moved.

224 Selectman Cannon moved that the minutes from the non-public session be sealed for a
225 period of 1 year; Selectman LeBlanc seconded the motion. The vote was unanimous in the
226 affirmative; so moved.

228 **V Adjournment**
230

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

234 The meeting was adjourned at 9:12pm.

236 Respectfully Submitted,

238 Sarah E Scanlan

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