

**Town of Chester
Board of Selectmen Meeting
Thursday, July 24th, 2014
Municipal Complex
Approved Minutes**

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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
- Post Office Lease
- Nobis Engineering – MtBE Grant
- 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:

- Tim Andrews, Nobis Engineering
- Patricia Martin, Administrative Assistant
- Jim Ricker, Nobis Engineering
- Matt Rittenhouse, Tri-Town Times
- Leroy Scott
- And other persons unknown to the Recording Secretary

1.3 Pledge of Allegiance

Chairman Landau led the attendees in the Pledge of Allegiance.

1.4 Additions and Deletions

There is a tax abatement to be discussed during Roundtable.

1.5 Public Comment

Leroy Scott stood and was recognized. He asked about the decision at last week’s meeting to have the

54 Maintenance Supervisor and a member of the Highway Department police the grounds at Wason Pond;
55 Mr. Scott was under the impression that this kind of work was the job of the occupant of the Caretaker’s
56 Cottage? Chairman Landau stated that that was never part of the arrangement.

58 Mr. Scott also noted that the Maintenance Supervisor and his assistant had repaired the damaged
59 footbridge (which had been mentioned last week) by 10am the next day.

60 As no other Members of the Public wished to be heard, Public Comment was closed at 7:07pm.

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II. Old Business

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2.1 Approval of Minutes

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67 *July 17th, 2014:* Chairman Landau moved to accept these minutes as drafted; Selectman LeBlanc
68 seconded the motion. The vote was unanimous in the affirmative; so moved.

70 *2.2 Post Office Lease*

72 Town Counsel has reviewed the Post Office lease; they queried the ‘power to terminate’ being only that
73 of the Post Office, but apparently the Post Office refuses to extend that power to the Town as well.
74 Extension is also only their option, not that of the Town. Selectman Cannon is dissatisfied with these
75 aspects of the Lease and believes that the Board’s questions were not sufficiently answered. Selectman
76 LeBlanc noted that apparently there is nothing the Town can do. Chairman Landau stated that the Post
77 Office, which is a constitutional necessity, has serious funding issues.

78

79 Chairman Landau moved to sign the Post Office lease; Vice-Chairman Hagan seconded the motion. The
80 vote was three in favor with Selectman Castricone abstaining and Selectman Cannon opposed; so
81 moved.

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III. New Business

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3.1 Nobis Engineering – MtBE Grant

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87 Chairman Landau, Selectman LeBlanc, and Administrative Assistant Martin recently attended a meeting
88 on MtBEs at which Nobis Engineering was present. Mr. Andrews and Mr. Ricker from Nobis were invited
89 to appear before the Board to discuss the possibility of the Town receiving a NHDES grant to create a
90 water supply for the residents whose wells are impacted by MtBE from the LeClair property.

92 Nobis, which has been in business for 25 years, has worked with the Town since the late 90s; they
93 directed the placement of the Transfer Station wells, and monitor them.

94

95 MtBE (Methyl tertiary-butyl ether) is a type of gasoline additive known as an oxygenate, which bonds to
96 water and allows fuel to burn faster and cleaner; this, therefore, results in fewer emissions. However, it
97 is also extremely water soluble, and gets into the groundwater by not only spillage but also vapor
98 condensation. Aquifers are difficult to clean, and the rate at which MtBE degrades is dependent also
99 upon whether the water’s environment is aerobic or anaerobic, due to the presence of microbes which
100 aspirate the contaminant. There is also concern that the contaminated groundwater plume can move
101 towards the river.

102

103 The State of New Hampshire stopped using MtBE in 2007, and many States sued the major petroleum
104 producers for not warning them of the danger of this additive. Approximately one year ago, New
105 Hampshire was awarded a total of \$136M from all companies sued other than Exxon-Mobil; the Exxon-
106 Mobil award is \$236M, but it is currently under appeal.

108 New Hampshire DES will be receiving \$22M over the next two years, and they plan to use these funds to
110 remediate MtBE-contaminated groundwater. They are forming a new MtBE Bureau, which will be led by
112 Gary Lynn. This Bureau is currently developing an application form for Towns interested in applying for
114 these grants. The process would start with a feasibility study and be followed by the development of a
116 Scope of Work, budget, and process. Applications will be taken now, but resources will not be available
118 until 2015, perhaps in a year or so.

114 Mr. Andrews noted that these grants are likely to work much like the ODD (Oil Discharge, Disposal, and
116 Cleanup) Fund, with the cost to the Town being “nearly nothing” – Nobis, as consultant, would invoice
118 NHDES directly for their work. The State is well versed with how this process works, and Nobis already
has the appropriate team in place.

120 Selectman Cannon asked Mr. Ricker about the movement of the plume towards the Exeter River, a
122 subject he hadn’t previously heard discussed. Mr. Ricker stated that this was anecdotal; wells in the
124 direction of the plume may be starting to show MtBE effects, but there is no imminent danger.
126 Selectman LeBlanc asked if the plume was indeed moving, how would funding for additional
contaminated wells being added to the system be handled? Mr. Ricker stated that DES could continue to
monitor wells, and this would be theirs to address.

126 Selectman Cannon also asked what the Town should expect long-term should a water supply be created
128 for a neighborhood – what would be the costs, the risks, the needs?

130 Mr. Ricker stated that these funds were intended for mediation, not ongoing maintenance; Mr. Andrews
132 added that the Town could always contract with a private entity (such as Pennichuck) to manage the
134 system. For example, people living in a trailer park usually pay for water in their fees, but there are
many options. Additionally, there would be no need for the Town to ‘take’ the LeClair property.

134 Although the water quality of the wells affected by the LeClair property (19 in total, 17 of which are in
136 Chester) has improved since operations ceased, these 19 wells still have ‘point of entry’ treatment
138 systems, which are tested and maintained by the State. Testing and maintaining one well might not be
an issue, but 19 is a burden. Therefore, Chester appears to be a ‘poster child’ for these grants.

140 Insofar as ‘next steps’ are concerned, Mr. Andrews stated that the Board of Selectmen needs to decide if
142 they want to move forward, determining challenges and options. Selectman Cannon stated that he
believes that the residents should make that decision. It would also behoove the Town to speak with
the various Water Works currently operating in Town. Selectman LeBlanc stated that residents should
144 expect to pay for being part of a Water Works system; Vice-Chairman Hagan noted that well water
wasn’t free, either.

146 Mr. Ricker stated that this might not be a ‘forever problem’ now that the LeClair property has been
148 cleaned; Selectman Cannon countered with a query as to why one would then want to create a ‘forever
solution’?

150 Selectman Castricone moved to contact the affected residents and get their opinions on creating a
152 permanent water system; Selectman LeBlanc seconded the motion. The vote was unanimous in the
affirmative; so moved.

154 Chairman Landau stated that letters would be sent to the affected residents; Mr. Andrews and Mr. Ricker
156 stated that they would be willing to return to Chester to meet with them. Additionally, they will meet
with Mr. Lynn to address various questions raised by the Board which they were unable to answer.

158 Mr. Andrews and Mr. Ricker departed the meeting at 8:04pm.

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IV. Selectmen’s Business

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4.1 Roundtable

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Selectman Cannon:

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- Nothing to report.

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Selectman Castricone:

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- Nothing to report.

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Selectman LeBlanc:

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- A resident has volunteered to donate four hours a week to the Town to clean up the Wason Pond trails. Chairman Landau will pass the information along to the Wason Pond Commission, as they are responsible for the property. The resident will be covered as a volunteer for insurance purposes.

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176

- Chuck Myette had inspected the newly repaired bridge at Wason Pond, and is satisfied with the job.

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Vice-Chairman Hagan:

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- Andy Higham will be back to work on August 4th – his secondary injury was treated with injections.

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- The Wason Pond site cleanup as discussed at last week’s meeting has begun.

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Chairman Landau:

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- A card was received from Beverly and Charlie Lindsey of the Congregational Church, thanking the Town for the ‘Key to Chester’.

188

- A tax abatement request was received from Town Clerk Barbara Gagnon. The Town is in the process of acquiring eight acres near the Water Works property via donation. Some questions on the appraisal were finally resolved today, but the property cannot be accepted until the next Conservation Commission meeting, which is in August. The taxes would be due before that date, and therefore need to be abated.

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- He has one non-public session to discuss information received from Town Counsel on the LeClair property.

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4.2 Public Comment

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As no Members of the Public wished to speak, Public Comment was closed at 8:18pm.

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4.3 Non-Public Sessions

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Chairman Landau moved to go into non-public session under RSA 91A:3 II (e) Pending Litigation; Selectman LeBlanc seconded the motion. The vote was unanimous in the affirmative; so moved.

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The meeting room was closed at 8:19pm.

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The meeting room was re-opened at 8:26pm.

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

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Chairman Landau moved that the Board seal the non-public session, on Pending Litigation, for an indefinite period; Selectman Castricone 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 scheduled for Thursday, August 14th, 2014 at 7pm in the Meeting Room.

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Chairman Landau moved to adjourn the meeting; Vice-Chairman Hagan seconded the motion. The vote was unanimous in the affirmative; so moved.

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The meeting was adjourned at 8:27pm.

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Respectfully Submitted,

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Debra H. Doda

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