

**Town of Chester  
Board of Selectmen Meeting  
Thursday, June 11<sup>th</sup>, 2015  
Municipal Complex  
Approved Minutes**

**I Preliminaries**

- Call the Meeting to Order
- Roll Call
- Pledge of Allegiance
- Chairman’s Additions or Deletions
- Public Comment (10 minutes)
- Approval of Minutes
- CIP Meeting
- Budget
- Barbara Gagnon, Town Clerk/Tax Collector
- Rich Antoine, Fire Chief – Proposed Non-Public RSA 91-A:3, II(i)
- Derry Fire Representatives re Contracts
- Roundtable
- Public Comment
- Non Public Session
- Adjournment

*1.1 Call to Order*

Chairman Landau called this meeting of the Town of Chester Board of Selectmen to order at 7:02pm.

*1.2 Roll Call*

Selectmen present:

- Jack Cannon
- Joe Castricone
- Joseph Hagen
- Stephen Landau
- Dick Trask

Members of the Public present, at various times:

- Richard Antoine, Fire Chief
- Greg Bolduc, Fire Captain
- Barbara Cannon
- Barbara Gagnon, Town Clerk
- Michael Gagnon, Fire Chief, Derry
- Jon Goldman, Communications Director, Derry
- Scott Haggart, Battalion Chief, Derry
- Chuck Hemeon, EMS Director, Derry
- Matt Rittenhouse, Tri-Town Times
- Leroy Scott
- Kevin Wunderly, Fire Captain
- And other persons unknown to the Recording Secretary

*1.3 Pledge of Allegiance*

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

56 *1.4 Additions and Deletions*

58 Three non-public sessions will be added; two on Reputation and one on Pending Litigation. During Old  
60 Business, a report on last night’s CIP meeting will be given.

62 *1.5 Public Comment*

64 As no Members of the Public wished to be heard, Public Comment was closed at 7:04pm.

66 **II. Old Business**

68 *2.1 Approval of Minutes*

70 *April 30<sup>th</sup>, 2015:* Vice-Chairman Hagan moved that these minutes be approved as drafted; Selectman  
72 Cannon seconded the motion. The vote was four in favor with Selectman Trask abstaining as he was  
74 not a member of the Board during the meeting in question; so moved.

76 *June 4<sup>th</sup>, 2015:* Selectman Trask moved that these minutes be approved as drafted; Vice-Chairman  
78 Hagan seconded the motion. The vote was four in favor with Selectman Cannon abstaining due to  
80 absence from the meeting in question; so moved.

82 *2.2 CIP Meeting*

84 Vice-Chairman Hagan attended last night’s CIP Meeting, and summarized it for the Board members  
86 unable to attend. Its purpose was to decide what requests to bring forward to the senior decision  
88 makers, and to look at costs. It was posited that it will take \$200k each year to fund Fire Department  
90 needs only, and \$100k to fund Police Department needs only. Selectman Cannon stated that the  
92 Highway Department will also have millions of dollars’ worth of projects as well, and this program can  
94 only work if Chester has ‘boom-like growth’; Vice-Chairman Hagan agreed that it is unlikely that the CIP  
96 will lessen the need for tax dollars. One benefit, however, is that it will lessen the number of Warrant  
Articles each year.

98 *3.3 Budget*

100 Chairman Landau spoke with Bookkeeper Duffy, and Vice-Chairman Hagan spoke with Finance Director  
102 Smith; apparently the payroll and ‘general bills’ were already taken into account when the \$13k figure  
104 discussed last week was calculated. Therefore, he believes it would be appropriate to negate the  
106 spending freeze and continue with the requirement that any expenditure over \$500 must receive  
approval in advance. He urged Department Heads not to spend their budgets down because of fears  
that if they don’t use all of their funds that they won’t be approved for those funds next Fiscal Year.  
Saving money is always beneficial.

Chairman Landau moved to withdraw the spending freeze, and to reinstate the rule that expenditures  
over \$500 must be approved by a majority of the Board of Selectmen, until July 14<sup>th</sup> at the earliest;  
Selectman Cannon seconded the motion.

Selectman Cannon suggested that Department Heads do what they are instructed to do without  
complaint; Selectman Castricone opined that invoices can always be approved at a later date, and that it  
is unwise to put off purchases until the next Fiscal Year, as that would cause Departments to start the  
Year ‘in the hole’.

The question was called. The vote was four in favor with Selectman Castricone opposed; so moved.

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**III. New Business**

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*3.1 Barbara Gagnon, Town Clerk/Tax Collector*

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Town Clerk Gagnon appeared before the Board with Barbara Cannon, her selected candidate for the role of Deputy Town Clerk/Tax Collector. Town Clerk Gagnon, as an Elected Official, may select her own Deputy and present him or her to the Board in order that they may appoint the position.

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Town Clerk Gagnon noted that Ms. DiPerri, who currently functions as Assistant Town Clerk/Tax Collector but has submitted her resignation, is limited in the roles that she can perform, due to not being a resident of the Town of Chester. Mrs. Cannon is a resident, and may be appointed as a Deputy; her roles will be unlimited. Mrs. Cannon is able to start on Monday, June 29<sup>th</sup>, 2015.

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Mrs. Cannon has worked in retail management, education, and in every aspect of a municipal office. She has experience with multi-million dollar budgets and confidentiality issues, and has management skills. The State will be performing the necessary background checks.

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Chairman Landau moved to go into non-public session under RSA 91-A:3 II (b) Employment; Selectman Castricone seconded the motion. The vote was four in favor with Selectman Cannon abstaining; so moved.

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The meeting room was closed at 7:12pm. Town Clerk Gagnon and Mrs. Cannon remained in the meeting room; Selectman Cannon recused himself at this time and left with the Members of the Public.

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The meeting room was reopened at 7:21pm.

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Selectman Castricone moved that the Board come out of non-public session; Selectman Trask seconded the motion. The vote was four in favor with Selectman Cannon recused; so moved.

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Chairman Landau moved that the minutes to the first non-public session, on Employment, be sealed for a period of sixty (60) days; Selectman Castricone seconded the motion. The vote was four in favor with Selectman Cannon recused; so moved.

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Chairman Landau moved to appoint Barbara Cannon as Deputy Town Clerk/Tax Collector; Selectman Castricone seconded the motion. The vote was four in favor with Selectman Cannon recused; so moved.

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Town Clerk Gagnon and Deputy Town Clerk Cannon departed the meeting at 7:22pm.

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*3.2 Rich Antoine, Fire Chief – Proposed Non-Public RSA 91-A:3, II (i)*

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Chairman Landau moved to go into non-public session under RSA 91-A:3 II (i), Emergency Functions; Selectman Castricone seconded the motion. The vote was unanimous in the affirmative; so moved.

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The meeting room was closed at 7:24pm. Fire Chief Antoine and Captain Wunderly remained in the meeting room.

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The meeting room was reopened at 7:30pm.

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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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160 Chairman Landau moved that the minutes to the second non-public session, on Emergency Functions,  
162 be sealed for a period of one (1) year; Selectman Castricone seconded the motion. The vote was  
unanimous in the affirmative; so moved.

164 *3.3 Derry Fire Representatives re Contracts*

166 Jon Goldman, Scott Haggart, and Chuck Hemeon from Derry Fire appeared before the Board with Fire  
168 Chief Antoine and Captain Wunderly to discuss the Ambulance and Dispatch contracts.

Chester and Derry have partnered together for decades to provide Dispatch and Ambulance services to  
170 the residents of Chester; the Board would like for this to continue for the long term in a mutually  
beneficial manner. However, recent extensive press on Derry’s budget issues has raised concerns.

172 Battalion Chief Haggart stated that there were significant cuts made during the budgeting process, but  
174 none that would stop them from fulfilling the existing Ambulance contract through its expiration date of  
June 30<sup>th</sup>, 2018. They are still able to maintain the contractual three (3) paramedical level ambulances.  
176 He added that there are efforts underway from Derry residents to reverse these cuts.

178 Chairman Landau stated that the Board would be interested in adjusting the two contracts with Derry to  
run concurrently; at this point, the Ambulance contract expires in 2018 and the Dispatch contract, if  
180 approved, would expire in 2020. The optimal change would be to extend the Ambulance contract to  
2020. Selectman Cannon asked what the Derry Town Council’s view is on the current contract, and  
182 what their view might be on this extension. Battalion Chief Haggart stated that to the best of his  
knowledge, the Town Council had no plans to cancel the Ambulance contract. Mr. Goldman stated that  
184 the Town Council agreed at their last meeting to approve the Dispatch contract by a vote of 7-0.

186 The Board is not prepared to sign the Dispatch contract, as there is some ambiguous wording about  
terminations. Specifically, although Section 1.3 allows both communities to cancel with one year’s  
188 notice, Section 7.3 states that Derry can cancel at its ‘sole convenience’ but Section 7.2 does not extend  
that same ‘sole convenience’ right to Chester. The Board would like Town Counsel’s input on this  
190 ambiguity. The current contract expires on June 30<sup>th</sup>, 2015; would Derry consider a month-to-month  
extension, as Derry’s Town Council does not plan to meet again for another two weeks?

192 Derry Fire Chief Michael Gagnon joined the meeting at this point, and was brought up to speed on the  
194 conversation so far. He is loath to address the Town Council again on this situation if it can be avoided.

196 Selectman Cannon asked Derry Fire Chief Gagnon if Derry intended to fulfil its Ambulance contract with  
Chester. He believed that the Fire Department was in favor, but needs to hear what the Town Council’s  
198 intent is. He added that Chester’s second choice is to cut the term of the Dispatch contract from five (5)  
years to three (3) so that it will run concurrently with the Ambulance contract. Derry Fire Chief Gagnon  
200 stated that there is every intention to honor the Ambulance contract.

202 Chairman Landau suggested that Derry Fire Chief Gagnon wait to hear from Chester’s Town Counsel  
about the ambiguous wording before approaching Derry’s Town Council. He will contact Soule Leslie  
204 tomorrow and get an answer as soon as possible. Selectman Cannon suggested that perhaps an  
addendum can be created rather than the contract itself amended.

206 The Derry Town Council’s next meetings are planned for July 7<sup>th</sup> and August 4<sup>th</sup>; Derry Fire Chief Gagnon  
208 will attempt to get on the agenda for July 7<sup>th</sup>.

210 Chairman Landau moved to go into non-public session under RSA 91-A:3 II (i), Emergency Functions;  
Selectman Castricone seconded the motion. The vote was unanimous in the affirmative; so moved.

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214 The meeting room was closed at 8:35pm. Fire Chief Antoine, Captain Wunderly, Captain Bolduc, Derry  
Fire Chief Gagnon, Mr. Goldman, Battalion Chief Haggart, and Mr. Hemeon remained in the meeting  
216 room.

218 The meeting room was reopened at 8:57pm.

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

222 Chairman Landau moved that the minutes to the third non-public session, on Emergency Functions, be  
224 sealed for an indefinite period; Selectman Castricone seconded the motion. The vote was unanimous in  
the affirmative; so moved.

226 Derry Fire Chief Gagnon, Mr. Goldman, Battalion Chief Haggart, Mr. Hemeon, Fire Chief Antoine, Captain  
Wunderly, and Captain Bolduc departed the meeting at 8:58pm.

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**IV. Selectmen’s Business**

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*4.1 Roundtable*

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*Selectman Cannon:*

- 234 • A letter was received from the Rockingham County Commissioners, inviting the Board to attend  
their meeting on Thursday, July 16<sup>th</sup>, 2015, at 6pm. Therefore, there will be no Board of  
236 Selectmen’s meeting that night.

238 *Selectman Castricone:*

- 240 • Selectman Castricone asked what should be done about items purchased during the freeze, or  
valued over \$500 during the restriction. These invoices should be reviewed and discussed at  
242 next week’s meeting.

*Selectman Trask:*

- 244 • Nothing to report.

246 *Vice-Chairman Hagan*

- 248 • Two of Governor Hassan’s recent vetoes were sustained, and one overturned. The overturned  
veto was related to the marketing of boutique beers in New Hampshire.  
250 • Vanessa Beauchesne of the New Hampshire Bar Association is holding meetings on Home  
Retention. The nearest meetings will be on July 15<sup>th</sup> in Derry and October 14<sup>th</sup> in Raymond.  
252 • A Highway Department employee was hurt on the job and will be out on Workers’ Compensation  
for a brief period. Vice-Chairman Hagan will keep the Board updated.

254 *Chairman Landau:*

- 256 • Liaisons will be discussed at next week’s meeting. The appointment with Terry Knowles, the  
Cemetery Trustees, and Town Counsel has been cancelled. Jim Ricker of Nobis would like to  
258 attend to discuss Step #2 of the MtBE Remediation Study; LeClair abutters and the Spring Hill  
Farm Trustees will be invited as well. Insofar as using Spring Hill Farm to install a public water  
260 system, it should be noted that the Spring Hill Farm Trustees wished to put solar panels on their  
property, but Rockingham County Conservation District objected.  
262 • Neither of the bids received for the MPR floor have been accepted as of yet, but one of them  
will. Recreation has visited sites with each kind of floor installed; they will be asked to come in  
front of the Board to discuss these visits.  
264 • A phone call was received in the Selectmen’s office today about brush and weeds along 121.  
According to the State, brush and weeds that impact a homeowner’s view while coming out of

266 his own driveway are that homeowner’s responsibility to cut; only brush and weeds that impact  
268 drivers on the road itself are the responsibility of the State. Brush and weeds on State Roads  
are not the responsibility of the Town.

• 270 There are a number of items to be signed, including some intent-to-cuts and the renewal of a  
mapping contract. Chairman Landau would like to review historical mapping. There is also a  
272 Conservation Deed to be signed, for 19.61 acres off of Sandown Road. Town Counsel has  
reviewed this deed, and the Conservation Commission has accepted it.

274 *4.2 Public Comment*

276 As no Members of the Public wished to be heard, Public Comment was closed at 9:31pm.

278 *4.3 Non-Public Session*

280 Chairman Landau moved to go into non-public session for three items: two under RSA 91-A:3 II (c),  
Reputation and one under RSA 91-A:3 II (e), Pending Litigation; Vice-Chairman Hagan seconded the  
282 motion. The vote was unanimous in the affirmative; so moved.

284 The meeting room was closed at 9:33pm.

286 The meeting room was re-opened at 10:01pm.

288 Selectman Castricone moved that the Board come out of non-public session; Selectman Trask seconded  
the motion. The vote was four in favor with Selectman Cannon absent; so moved.

290 Chairman Landau moved that the minutes to the fourth non-public session, on Pending Litigation, be  
292 sealed for an indefinite period; Selectman Castricone seconded the motion. The vote was unanimous in  
the affirmative; so moved.

294 Vice-Chairman Hagan moved that the minutes to the fifth non-public session, on Reputation, be sealed  
296 for an indefinite period; Selectman Castricone seconded the motion. The vote was unanimous in the  
affirmative; so moved.

298 Chairman Landau moved that the minutes to the sixth non-public session, on Reputation, be sealed for  
300 an indefinite period; Selectman Castricone seconded the motion. The vote was unanimous in the  
affirmative; so moved.

302 **V. Adjournment**

304 The next meeting of the Board of Selectmen is scheduled for Thursday, June 18<sup>th</sup>, 2015 at 7pm in the  
306 Meeting Room.

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

310 The meeting was adjourned at 10:03pm.  
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314 Respectfully Submitted,  
316 Debra H. Doda