

**Town of Chester  
Board of Selectmen Meeting  
Thursday, June 18<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
- Sharon Welch – Volunteer-of-the-Year Award
- Colin Costine – Trustees of the Trust Funds Appointment
- Selectmen Liaisons
- Rhonda Lamphere, Treasurer
- Nobis Engineering, Spring Hill Farm Trustees, and LeClair’s Abutters
- Proposed Non-Public, RSA 91-A:3, Section 2 A
- 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 7:06pm.

*1.2 Roll Call*

Selectmen present:

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

Members of the Public present, at various times:

- Colin Costine, Trustee of the Trust Funds
- Rhonda Lamphere, Treasurer
- Jeanne Laventure
- Charlie Mitchell
- Jodi Mitchell
- Chuck Myette, Spring Hill Farm Trustee
- Jim Ricker, Nobis Engineering
- Matt Rittenhouse, Tri-Town Times
- Leroy Scott
- Brad Wamsley, Spring Hill Farm Trustee
- Andrea Waszczuk
- John Waszczuk
- Gary Welch
- Sharon Welch

54 And other persons unknown to the Recording Secretary

56 *1.3 Pledge of Allegiance*

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

60 *1.4 Additions and Deletions*

62 Agenda Item 3.6 will be tabled tonight, a brief appointment with Treasurer Lamphere has been added,  
64 the Derry Dispatch Contract will be discussed during Old Business, and one non-public session on Reputation will be added.

66 *1.5 Public Comment*

68 As no Members of the Public wished to be heard, Public Comment was closed at 7:08pm.

70 **II. Old Business**

72 *2.1 Approval of Minutes*

74 This subject was not addressed tonight.

76 *2.2 Derry Dispatch Contract*

78 Chairman Landau received an email from Derry Fire Chief Gagnon, thanking the Board for meeting with  
80 them last week. Derry has reiterated that they wish to continue their relationship with Chester.

82 Selectman Cannon spoke with Town Counsel Gorrow, who rendered her opinion that Chester does indeed have full termination rights in the contract, so no substantive changes are needed.

84 The Board has until June 30<sup>th</sup>, 2015 to sign the Derry Dispatch contract. A copy will be in the  
86 Selectmen’s office; all Selectmen should review it this week and be prepared to vote on it at next week’s meeting.

88 **III. New Business**

90 *3.1 Sharon Welch – Volunteer of the Year Award*

92 Mrs. Welch appeared before the Board to receive her Volunteer of the Year award, which had been  
94 announced at Town Meeting. Mrs. Welch had been out of town on that date and unable to attend.

96 The Board thanked her for her work beautifying the Revolutionary War monument in the center of Town,  
98 which she does on her own time and at her own expense. Mrs. Welch stated that she does it for the Town’s veterans, and that it is her pleasure. She stated that many residents do the same – see a need, and address it. She thanked her husband for his support.

100 Mrs. Welch asked the Board if the flag could be put back up, and lighting installed. They will speak with  
102 the Cemetery Trustees.

104 Mr. & Mrs. Welch departed the meeting table at 7:12pm.

106 *3.2 Colin Costine – Trustees of the Trust Funds Appointment*

Mr. Costine appeared before the Board to be reappointed to the Trustees of the Trust Funds.

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He has served as a Trustee for the past 14 years, and decided against running during the May elections in the hopes that someone else would step up. However, no-one did, and as Mr. Costine received a number of write-in votes, he agreed to take the open position.

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Mr. Costine stated that he enjoyed working with the Town’s Financial Advisor on strategy. He reported that the Town’s principal increased during the bull market, even with low interest rates and erosion caused by the downturn in the economy.

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Chairman Landau moved to reappoint Colin Costine as a Trustee of the Trust Funds; Selectman Trask seconded the motion. The vote was unanimous in the affirmative; so moved.

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Mr. Costine will see Town Clerk Gagnon to be sworn in.

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Mr. Costine departed the meeting table at 7:18pm.

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124 *3.3 Selectmen Liaisons*

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Selectman Cannon asked if Liaisons were really necessary for all departments. He suggested that Liaisons should only be necessary for Budget Committee, Finance, Fire, Highway, Planning, Police, and ZBA. Department Heads without Liaisons would come directly in front of the Board, if they had needs, rather than channeling those requests through a Liaison. Vice-Chairman Hagan agreed that truncation could be beneficial.

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Selectman Castricone disagreed, stating that with Liaisons, Department Heads know who to call. Chairman Landau stated that some Boards required a Liaison, such as Wason Pond, and that the nature of some departments’ business would require one, such as Welfare; Selectman Castricone opined that Maintenance should have a Liaison.

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It was agreed that no individual Selectman has the right to make a decision; they must operate as a Board.

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RSAs should be reviewed to see if this subject is covered, and Selectmen should think on the subject. It will be addressed again at a future meeting.

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144 *3.4 Rhonda Lamphere, Treasurer*

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Treasurer Lamphere appeared before the Board to inform them of some issues with the Town’s bank, Citizens.

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As both Town and School Treasurer, she can transfer within accounts, but not between them – Citizens must perform those transfers. Last week she requested a transfer of \$531k from the Town to the School in order to cover their balloon payment payroll. Citizens erred while making the transfer, and narrowly avoided ‘bouncing’ the payroll.

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Treasurer Lamphere is making all of the deposits now. The Department receiving funds produces a worksheet with the checks and/or cash which is double-checked by Town Clerk Gagnon and triple-checked by Treasurer Lamphere. She also runs an adding machine tape of the funds received, and all of this is provided to Citizens when the deposit is made.

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However, Citizens will not scan the checks while she is present in the bank; they put the deposit aside, give her a receipt for the amount she specifies, and scans them later. Three times now she has received

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160 ‘deposit advice’ after the fact, which indicates that her deposit was incorrect. She has asked for further  
162 details and continues to await them.

162 Today the teller gave her a receipt for \$21,631.44, whereas the deposit was actually for \$216,314.42.  
164 When she objected, they appeared unconcerned and told her they could not correct it now and that  
166 she’d receive ‘deposit advice’ later on. She had to wait forty (40) minutes to receive a corrected receipt,  
168 and yet the online banking application still shows the incorrect deposit. The towns of Bedford, Exeter,  
and Windham have all left Citizens Bank in the past few months after experiencing the same type of  
problems.

170 Treasurer Lamphere would like to transfer the Town’s banking to TD Bank. TD Bank would provide the  
equipment for her to scan the checks herself at no cost, whereas Citizens charges \$0.10 each check. TD  
172 Bank’s interest rate is 0.25%, whereas Citizens’ is 0.15%. They would provide any training needed due  
to new software or procedures. This is an ideal time to make any changes, as it will be a new Fiscal  
174 Year and there will be a new employee in the Town Clerk’s office.

176 Although this is not subject to the Town’s bid policy, as annual fees are under \$5k, Chairman Landau  
suggested that she also consider speaking with other capable banks.

178 Treasurer Lamphere departed the meeting at 8:11pm.

180 *3.5 Nobis Engineering, Spring Hill Farm Trustees, and LeClair Abutters*

182 Jim Ricker of Nobis Engineering and Chuck Myette and Brad Wamsley of the Spring Hill Farm Trustees  
184 appeared before the Board to discuss Phase I of the MtBE Remediation Study. Phase I of the process is  
the feasibility study; Phase II, test wells for pumping and sampling; and Phase III, an engineering  
186 evaluation which would lead to the construction phase. This study is being paid for by the State, using  
funds awarded in a lawsuit against petroleum companies.

188 Nobis performed Phase I in the LeClair property area to determine what could be done in the way of  
190 MtBE remediation for the Abutters. They determined that a well drilled on Spring Hill Farm property  
would be the best source of nearby unpolluted water, based on a geologic study, ease of access, and  
192 lack of need to clear. Rockingham County Conservation District, who holds the conservation easement  
on Spring Hill Farm, was consulted.

194 Mr. Myette stated that Lenny Lord of RCCD’s opinion was that the easement prohibited the placement of  
196 a well on Spring Hill Farm property. Mr. Lord opined that the conservation easement arranged by Miss  
Church only allows for agricultural and forestry, not commercial businesses; it also prohibits buildings,  
198 and surface or sub-surface water systems. Mr. Myette added that the Attorney General can be asked to  
weigh in with his interpretation of the easement, if desired.

200 There was some discussion about whose responsibility it would be to appeal to the Attorney General, or  
202 to request taking by Eminent Domain. Mr. Myette believes that this project belongs to the Town;  
Selectman Castricone believes that it belongs to the State; Selectman Cannon believes it’s a Town-Nobis-  
204 DES partnership.

206 There was also some discussion about finding other property in the area for a well. The Right Of Way is  
too close to adjoining properties; other land in the area is privately owned. A piece of Town-owned land  
208 on Stowe Road, which is a Class VI road, was located that might be a possibility; Nobis would need to  
perform Phase I again.

210 In any case, if a water system were eventually built, the costs for water and maintenance would belong  
212 to the homeowners. A development is currently planned on Upper Reed Road; it is possible that these

214 wells will be contaminated as well. And it is possible that unaffected homeowners along the pipeline would wish to tie in, which would reduce the cost per household overall.

216 The Abutters expressed some concerns with tying into a water system, due to the cost and the possibility that power outages would leave them without water. There was also some concern expressed  
218 that should the Abutters reject the water system that the State would stop cleaning and monitoring their wells; this appears not to be true. Some Abutters might be interested in splitting water usage – for  
220 example, using the water system for home use while retaining the well for irrigation. It was estimated, based on other towns’ water systems, that the cost to tie into a water system may be in the range of  
222 \$50 each month; Chairman Landau will ask Administrative Assistant Martin to contact a few water companies to get more estimates if possible.

224 Mrs. Mitchell suggested canvassing the entire neighborhood to determine interest; Chairman Landau offered the use of the Town Meeting Room with representatives from Nobis and the Board of Selectmen in attendance if desired. Mr. Myette will provide a copy of the Easement documents and the RCCD letter to Mr. Ricker.  
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230 Mr. Ricker, Mr. Myette, Mr. Wamsley, and the Abutters departed the meeting at 9:21pm.

232 *3.6 Proposed Non-Public, RSA 91-A:3, Section 2 A – Dismissal, Promotion or Compensation of a Public Employee*

234 This agenda item was tabled.

236 **IV. Selectmen’s Business**

238 *4.1 Roundtable*

240 *Selectman Cannon:*

- 242 • Nothing to report.

244 *Selectman Castricone:*

- The lawnmower is in the Garage.
- 246 • The Coke Machine in the MPR burnt out its outlet; this has been repaired.

248 *Selectman Trask:*

- Nothing to report.

250 *Vice-Chairman Hagan*

- 252 • One Highway employee is still out on Workers’ Comp, and the other will be taking vacation next week.

254 *Chairman Landau:*

- 256 • He received an email from the Spring Hill Farm trustees, asking to encumber the funds remaining from the 2014 Town Meeting’s Warrant Article #16. Mr. Myette stated that the  
258 insulation was finished, and that he had spoken with the Contractor today; they would be meeting at the Farmhouse tomorrow. A vote to encumber will be taken next week when final  
260 numbers are available. Finance Director Smith will be on hand at this meeting.
- 262 • John Colman of the Heritage Commission has requested a membership to the New Hampshire Preservation Alliance; this is in the signature folder.
- 264 • There is a release of tax deed in the signature folder; the new property owner has paid the delinquent taxes.
- The Town received a letter from NH DES about water samples at the Wason Pond Community

266 Center, stating that the Town has fulfilled its requirement.  
268 • The Town received a letter from Wadleigh Starr about an upcoming change in RSA 91-A. It will  
270 be a requirement that any Board sealing non-public minutes come out of non-public session  
272 before doing so. The Board of Selectmen already follows this procedure.

4.2 *Public Comment*

274 Leroy Scott stood and was recognized. He asked about some trees along Derry Road that were taped  
276 and apparently dying; he is concerned that they will fall on the power lines. Chairman Landau is of the  
278 opinion that the Electric Company is the entity that taped them.

As no other Members of the Public wished to be heard, Public Comment was closed at 9:26pm.

4.3 *Non-Public Session*

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

284 The meeting room was closed at 9:27pm.

286 The meeting room was re-opened at 9:34pm.

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

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

**V. Adjournment**

298 The next meeting of the Board of Selectmen is scheduled for Thursday, June 25<sup>th</sup>, 2015 at 7pm in the  
300 Meeting Room.

302 Selectman Castricone moved to adjourn the meeting; Selectman Trask seconded the motion. The vote  
304 was unanimous in the affirmative; so moved.

The meeting was adjourned at 9:35pm.

306 Respectfully Submitted,

308 Debra H. Doda