

**Town of Chester
Board of Selectmen Meeting
Thursday, October 4th, 2012
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 7:05pm.

1.2 Roll Call

Selectmen present:

Jack Cannon
Joseph Hagan
Stephen Landau
Richard LeBlanc
Michael Weider

Members of the Public present, at various times:

Andrew Hadik
Andy Higham, Highway Department
Mike Oleson, Road Agent
Matt Rittenhouse, Tri-Town Times
Leroy Scott
And other persons unknown to the Recording Secretary

1.3 Agenda

Appointments:

Andrew Hadik - Transfer Station
Pat Martin - Website Editing
Plowing Contracts - Road Agent
Environmental Consultant - Landfill

Roundtable

Adjournment

1.4 Pledge of Allegiance

Chairman Landau led the attendees in the Pledge of Allegiance.

46 1.5 *Additions and Deletions*

48 Selectman Weider and Selectman LeBlanc added non-public sessions under RSA 91-A: 3 II(c)
50 reputation; plus one non-public session under RSA 91-A: 3 II (e) and Chairman Landau has some legal
papers to review with the BOS.

52 1.6 *Public Comment - none.*

54 **II. Old Business**

56 2.1 *Approval of Minutes*

58 This subject was not addressed tonight.

60 **III. New Business**

62 3.1 *Legal Papers re: Granite State Telephone (GST)*

64 Chairman Landau stated that the Town has been served with papers by GST. They are
66 petitioning a judge for abatement re: assessing the value of their poles / equipment that is
located on Town land.

68 The other legal matter involves the Town attorney dealing with notices from the NH
70 Electric Co-op. Chester (and seven other local towns) are being sued for property tax
evaluation. The Town attorney will work on behalf of the BOS with NH Electric Co-op on
72 this matter.

74 **Appointments**

76 3.2 *Transfer Station Roof Extension - Andrew Hadik*

78 Mr. Hadik stated that the transfer station needs a roof over the recycling containers. The
transfer station is due a refund of approximately \$1100 from NRRRA and an additional credit
80 of \$1500 which could be used to offset some of the cost. There has been a decline in the
commodities prices this year with glass being very expensive to get rid of, the major cost
82 being the trucking costs. Mr. Hadik has worked with the NRRRA to reduce the trucking costs
by 42% this year. This year is the 15th anniversary of the transfer station; this year the
transfer station processed 15,000 tons of materials with 9,600 tons going to the landfill
84 which means there was 36% recycled. 38% of the input to the transfer station was saved in
2011 which amounted to \$35,400 in profit from the kitchen recyclables alone.

86 The roof extension was discussed late last fall however the project has just been passed
88 along to Mr. Hadik; the original builders of the facility A & B Lumber have been on a site
visit and assessed the requirements for the project including a materials list. They proposed
90 a free standing building with flashing joining it to the existing building avoiding any snow

92 build up; the new roof will be meet the State seismic, snow and wind codes. They have not
costed the project yet. The BOS discussed the design with Mr. Hadik. Mr. Hadik stated
94 that the materials would be approximately \$10K and the labor would be approximately \$8K
plus the cost of the footings; the overall project cost would be approximately \$15K - 25K.
96 Time is of the essence with this project to have it completed before the winter months
however there is not enough money in the Transfer Station budget. The transfer station
staff currently clears the roofs of the containers by standing on ladders.

98
100 Selectman Cannon asked if the engineer has considered the pick-up of the containers and
the clearing height that would be needed. The BOS also asked about the strength of the
102 columns into the footings in case a driver hits them - the BOS suggested a row of barriers
in front of the columns. Mr. Hadik stated that A & B lumber has been at the site for 4
104 hours working on the plans therefore he would like to see them get the contract but
obviously that depends on their price. The engineers at DuBois & King estimated the project
at a similar price to Mr. Hadik's estimate. The BOS stated that they need to discuss the
106 budget and see if there is any way to get this project completed; they will get back to Mr.
Hadik soon. There was some discussion of the footings; A & B Lumber can sub-contract out
108 the footings part of the project; the BOS have some concern that the asphalt could be
damaged by the equipment used; there may also be slab at the front edge that will have to
110 be cut to get the footings below the frost line. Mr. Hadik will ask for more information on
the footings / columns for the BOS.

112
114 Mr. Hadik stated that there will be a 15th anniversary celebration for the Transfer Station
on Saturday October 20th from 10am - 2pm. There will be refreshments for the public.
116 Selectman LeBlanc suggested signs over the containers to show the cost savings of
recycling. Wal mart is donating a banner sign for the celebration. More recycling means
fewer taxes.

118
120 3.3 *Website Editing - Pat Martin*

122 Ms. Martin asked the BOS to discuss setting a policy regarding departments updating their
website pages. Selectman Weider suggested having the departments come up with the policy
124 for website content / updates and then have Ms. Martin present it to the BOS. It could be
managed and policed by the departments themselves once a policy is established. LGC has
126 seminars on website policies / setting up permissions etc. Recreation will post their events
onto their own calendar rather than the BOS calendar.

128 Ms. Martin stated that there is a seminar on Health & Safety and by attending the seminar
the Town is eligible for \$500 towards this budget; this seminar discusses the benefits of
130 using LGC as the Town's health sponsor. This academy matches with Ms. Martin's role on the
risk management committee. The BOS are okay with her attending this seminar.

132
134 Ms. Martin asked the BOS to consider her request for an assistant in the BOS Office to
help with reviewing the welfare paperwork and to send reminders to welfare recipients
136 about them about paying back the Town. There were three people involved in the Welfare
program last year, now there is only Ms. Martin. The assistant would work for 3 - 5 hours

per week. The BOS would like to meet the candidate that Ms. Martin has in mind; there is \$1800 in the budget for this role.

3.4 2012-2013 Plow Contracts - Mike Oleson

The BOS discussed the plow rates from the 2011-2012 winter season and concluded that they could keep the plowing base rates the same for 2012-2013 using different diesel and unleaded surcharge rates; the new surcharge rates ** would be \$3.72 for unleaded and \$4.08 for diesel. Mr. Oleson believes that the plow contractors would be happy with these rates.

| | Unleaded | Diesel |
|---------------------------------|----------|---------|
| 6 wheeler with wing and sander | \$89.29 | \$88.93 |
| 6 wheeler with sander (no wing) | \$84.11 | \$83.75 |
| 1 ton with plow and sander | \$73.74 | \$73.38 |
| 1 ton with plow (no sander) | \$68.56 | \$68.20 |
| Backhoe | \$78.92 | \$78.56 |

Selectman Weider made a motion to approve the 2012-2013 plow contractor rates (as written above); Selectman Cannon seconded. All were in favor; so moved.

Mr. Oleson addressed the BOS regarding the bills he has been submitting and the comments / queries made on each bill by Selectman Weider. Mr. Oleson stated that he rents his equipment i.e. the chipper to the Town (for \$300 per day) as and when needed especially when the Town equipment is out of order. If the highway department rented from ECL or similar, that would mean lost production time picking up and returning the equipment each day. Mr. Oleson submitted a bill for the roadside mowing for \$8212.52 however this exceeds the \$5K bid purchase policy allowed by the Town; Mr. Oleson should have put the contract out to bid (he could bid for the contract as a private entity). Mr. Oleson stated that the farmers that used to do the roadside mowing cannot afford the liability and workers compensation coverage that the Town requires of contractors. When Mr. Oleson does this work in-house the highway department employees trim around the poles and make a good job. Selectman Weider stated that it is not okay for Mr. Oleson to violate Town policies.

Selectman Weider made a motion that the roadside mowing contract be put out to bid for the 2012-13 mowing season. Chairman Weider seconded the motion for discussion.

Selectman Cannon stated that since he joined the BOS there has always been contention between the road agent and the BOS. He stated that if the public do not like the situation, they should vote for an appointed road agent versus the elected road agent. Chairman

184 Landau stated that the bid purchase policy allows up to \$5K which is not enough for
186 projects like the roadside mowing or the transfer station roof. If that is the case, then the
188 transfer station roof extension project needs to be put out to bid rather than awarding it
190 to A & B lumber because they have already done some site work / drafted a materials list
192 etc. The BOS needs to revisit the bid purchase policy. Selectman Weider stated that
elected positions need to follow the Town policies; he read out the bid purchase policy
figures for some of the neighboring towns. Selectman Weider stated that the Town could
have bought their own tractor and done the mowing themselves for the cost of the roadside
mowing by the road agent in the last two years.

194 Selectman Weider explained his position and why he questions / comments on the invoices
submitted by the road agent - Selectman Weider would like to see more detail on the
196 invoices and which job the equipment was rented for; the length of the rental and the
equipment rented. Mr. Oleson stated that he will keep coming in to the BOS each month to
198 review the queries on his bills so that the public is aware of the situation.

200 Selectman Weider voted in favor of his motion to put the roadside mowing contract for
202 2012-13 out to bid; three members of the BOS were not in favor; Chairman Landau
abstained; the motion failed.

204 3.5 *Environmental Consultant at the Landfill*

206 The environmental consultant Nobis submitted an invoice for the landfill monitoring totaling
\$7900 for 2012-13; the Town had budgeted \$9500 for this work. Selectman Weider made a
208 motion to accept the 2012-13 contract from Nobis for the landfill monitoring; Selectman
Cannon seconded. All were in favor; so moved.

210 3.4 *Road Agent discussion continued*

212 Selectman Weider would like the Town to purchase their own equipment rather than paying
the road agent for the rental of his equipment. Selectman Weider referred to RSA 95 that
214 outlines the role of an elected road agent and how they should adhere to the Town policies.
Selectman Weider stated that by signing the invoices that violate bid purchase policies the
216 BOS are not keeping the best interest of the Town in mind; he understands that there are
emergency situations and timely decisions have to be made but this should not be occurring on a
218 regular basis. Selectman LeBlanc stated that the BOS cannot micro-manage the road agent;
Selectman Weider stated that 2 years ago the Town contracted out the roadside mowing
220 however Mr. Oleson bought the equipment and now does it himself in-house. Selectman
LeBlanc stated that farmers cannot afford the insurance policies / liability coverage that
222 the Town requires to perform this job however Selectman Weider disagreed with this point.
Selectman Weider stated that the Selectman are elected to do the right thing for the
224 Town not to make friends or make money doing this job.

226

228

230 **IV. Selectmen's Business**

232 4.1 *Roundtable*

234 *Selectman Cannon: Nothing to report.*

236 *Selectman Weider:*

238 Selectman Weider advised the BOS about the presence of arsenic in the water at the
Jenkins Farm sub-division. The developer has not provided any test results; Selectman
Weider will meet with the Town attorney and get advice on this matter. The resident of the
240 first house in the sub-division is very concerned with the situation.

242 The PB will be meeting to review the CIP. There has been some discussion of the easement
language on the Wason Pond master plan. The original master plan for the ball fields was
244 prepared in 2005; there needs to be a redesign so the fields do not intrude on the pond
buffer. The Rockingham County Conservation Commission will approve the plans before
246 recreation moves forward with the ball fields.

248 *Selectman LeBlanc:*

250 Selectman LeBlanc advised the BOS that he had received a bid for the replacement of the
MPR doors (custom designed) however the bid was received outside of the bid submission
252 time. The bid came in below \$10K for 2 sets of double doors. There have been two verbal
bids for \$15K each; the BOS recommended that Selectman LeBlanc only get written
254 estimates for bids. The bid does not state if the contractor will be using the existing or
new hardware on the doors. The BOS discussed the scope of the bid and it was decided
256 that the bid needs to include 2 sets of double doors and two single doors. Selectman
LeBlanc stated that with the changes, the bid will not be under the \$10K budget set aside
for this job.

258

Vice-Chairman Hagan:

260 Vice-Chairman Hagan weighed in on the bid purchase process for the MPR doors; the BOS
decided that the bid spec can be corrected and re-posted.

262

Chairman Landau:

264 The BOS discussed that Town employees and Selectmen should not meet with developers by
themselves. That way the developer will not use one person's opinion to assume it would be
266 the BOS / Town's consensus too.

268 Robert Grimm has resigned as the chair of the PACT commission due to work / life time
constraints.

270

272 The Town Fair made \$621 in profit this year; the BOS commended the work of Jean
Packard and the Town Fair Association; Chairman Landau made a motion to send the Town
Fair Association a thank you; Selectman LeBlanc seconded. All of the BOS were in favor.

274

276 Selectman LeBlanc has been working with Irving Oil to get better deals for the propane
supply to the Town. The tanks for the Wilcomb Townsend trust and American Legion will be
278 swapped out by Irving; the propane rate will be \$1.75 / gallon. There was some discussion of
the propane needs at the transfer station for the propane fueled toilet.

280 4.2 *Public Comment*

282 Leroy Scott stood and was recognized. Mr. Scott stated that he appreciated the work that
has been done cleaning up the landscaping around the post office and around the memorial.
284 Selectman LeBlanc will send a thank you.

286 **There will be no meeting of the BOS next week.**

288 4.4 *Non-Public Session*

290 **9:30pm**

292 Selectman Weider moved that the Board go into non-public session for two items under RSA 91A:3
II (c), Reputation, and RSA 91A:3 II (e), Pending Litigation; Selectman LeBlanc seconded the
294 motion. The vote was unanimous in the affirmative; so moved. There will be a vote made during the
legal discussion; Chairman Landau will announce the result at the next meeting.

296 **9:50pm**

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

302 Selectman Weider moved that the minutes for the pending litigation non-public session be sealed
for a period of six months; the two non-public sessions on reputation will be sealed indefinitely;
304 Chairman Landau seconded the motion. The vote was unanimous in the affirmative; so moved.

306 **V. Adjournment**

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

310 The meeting was adjourned at 9:54pm.

312 Respectfully Submitted,

314 Sarah E Scanlan