

**Town of Chester
Board of Selectmen Meeting
Thursday, April 7th, 2011
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 7:00pm.

1.2 Roll Call

Selectmen present:

Jack Cannon
Joe Castricone
Gene Charron
Stephen Landau
Michael Weider

Members of the Public present, at various times:

Richard Antoine, Fire Chief
Richard Drowne, Mill Pine Village
Chris Hadik
Patricia Martin, Administrative Assistant
Erin Newnan
Michael Oleson, Road Agent
Matt Rittenhouse, Tri-Town Times
Carolyn Scott
Leroy Scott
Steve Tunberg, Fire Chief Emeritus
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

One non-public session will be added; a meeting with Fire Chief Antoine about the truck and a discussion on rental of Town property has been added.

1.5 Public Comment

As no members of the public wished to speak, Public Comment was closed at 7:01pm.

48

II. Old Business

50

2.1 Approval of Minutes

52

March 3^d, 2011: Selectman Weider moved to accept these minutes as drafted; Vice-Chairman Cannon seconded the motion. The vote was unanimous in the affirmative; so moved.

54

March 10th, 2011: Selectman Weider moved to accept these minutes as drafted; Selectman Castricone seconded the motion. The vote was three in favor with Vice-Chairman Cannon and Selectman Charron abstaining due to absence from the afore-mentioned meeting; so moved.

56

March 12th, 2011: Selectman Weider moved to accept these minutes as drafted; Selectman Castricone seconded the motion. The vote was unanimous in the affirmative; so moved.

60

The minutes from the meetings of March 17th and March 24th will be reviewed at a later date.

62

64

III. New Business

66

3.1 Public Hearings

68

3.1.1 7:15 PM Open Public Hearing - Woodbury Lane for Road Acceptance

70

Selectman Weider moved to open the Public Hearing on road acceptance for Woodbury Lane in Mill Pine Village; Selectman Charron seconded the motion. The vote was unanimous in the affirmative; so moved. The Public Hearing was opened at 7:18pm.

72

74

Chairman Landau stated that the Town had received a letter from Jeff Adler at Dubois & King, stating that there were no outstanding issues that would prevent the Town accepting Woodbury Lane. The letter did indicate, however, that there should be a retainage for a wear coat on Woodbury, Golden Eye Circle, and Red Head

76

78

Richard Drowne of Mill Pine Village was in attendance and had brought the deed. He stated that Woodbury Lane was the only public road in the development, and it ran from Sandown to Fremont. Golden eye Circle and Redhead are private roads. Selectman Charron stated his concern that if the company should fail, the privately owned roads are lengthy driveways. Mr. Drowne also stated that Mill Pine Village is a Land Lease Community; people only buy the structures. There was some discussion about the retainage; Jeff Adler and the Planning Board will handle this.

80

82

84

86

Road Agent Oleson stated that Woodbury Lane may go through Chester for 2/10ths of a mile, but it must be accessed from Sandown. He may be speaking to the Sandown Road Agent about this issue.

88

90

The public was invited to comment, but none did so. This Public Hearing will remain open until 8:18pm.

92

94 At 8:20pm, Chairman Landau again asked for public input on the Woodbury Lane Public Hearing;
there was none. Therefore, the Public Hearing on Woodbury Lane was closed at 8:20pm.

96

Selectman Weider moved to accept Woodbury Lane in Mill Pine Village as a town road; Vice-
98 Chairman Cannon seconded the motion. The vote was unanimous in the affirmative; so moved.

100 *3.1.2 7:45 PM Open Public Hearing - Hazard Mitigation Plan 2010 Amendment*

102 Selectman Weider moved to open the Public Hearing on the Hazard Mitigation Plan approved by
FEMA; Selectmen Castricone seconded the motion. The vote was unanimous in the affirmative; so
104 moved. The Public Hearing was opened at 7:45pm.

106 Fire Chief Emeritus Steve Tunberg was in attendance and spoke to this issue. He stated that
Hazard Mitigation Plans had been mandated in 2004. The Town completed their first plan in 2005.
108 These must be updated every five years. The latest update began last year, and took six meetings
to complete. Unfortunately, FEMA has not yet approved the format of this update, so the Board of
110 Selectmen is not able to approve it. They will need to continue this meeting until approved
formatting is received from FEMA.

112

Selectman Weider moved to continue this Public Hearing until a date to be determined; Selectman
114 Charron seconded the motion. The vote was unanimous in the affirmative; so moved.

116 *3.2 Stephen Tunberg, Emergency Management Director - Hazard Mitigation Intent Letter*

118 Fire Chief Emeritus Tunberg and Erin Newnan appeared before the Board to discuss an upcoming
grant. Five hazard mitigation sites have been identified in Chester; number one is Rod & Gun Club
120 Road. It is estimated that it will cost \$560,000 to replace two culverts with a bridge near the
church. Ms. Newnan has begun the grant process. This is a 75/25 grant; the application is due in
122 the fall and the grant is awarded at the beginning of the year, so the necessary 25% will be raised
and appropriated next year. Vice-Chairman Cannon asked how the determination was made that Rod
124 & Gun Club Road was number one. Ms. Newnan stated that Engineering had told them that the
current culverts can only handle 1/4 - 1/3 of water flow during an event. The fact that people on
126 this road are often stranded is why it was made number one.

128 Fire Chief Emeritus Tunberg departed the meeting at 7:37pm; Ms. Newnan returned to the Public.

130 *3.3 Backhoe Repair - Mike Oleson, Road Agent*

132 Road Agent Oleson appeared before the Board to discuss the backhoe repair. Apparently the
transmission cooler failed (this transmission has 5000 hours); transmission fluid then mixed with
134 anti-freeze. This was discovered when a highway employee was performing a routine check of the
backhoe before use. The repair part, which has been ordered, will cost \$1,250, plus the cost of
136 major labor brings the total cost to at least \$4,000. The work will take three-four days, and will
be performed by Vern in the Town Garage. All repair records are kept in the Financial Director's
138 office, and Road Agent Oleson also has logs.

140 Road Agent Oleson mentioned in passing that the Town Truck had passed inspection at a cost of
under \$400.

142
144 Road Agent Oleson departed the meeting at 7:44pm.

146 *3.4 Rich Antoine, Fire Chief - Truck*

146 Fire Chief Antoine and Erin Newnan appeared before the Board to discuss the new truck. At the
148 Board's request, he located a decent used truck, although it is bigger than he would like. He also
looked at new/demo equipment. The leasing company will write an eight-year lease on used
150 equipment, and a ten-year lease on new/demo equipment. A grant would pay off new/demo
equipment, but not used. Selectman Weider is concerned that the grant application currently in
152 process would not apply to a different truck, but Fire Chief Antoine and Ms. Newnan assured him
that it would.

154
156 Vice-Chairman Cannon asked about the quality of demo equipment. Fire Chief Antoine stated that a
demo truck usually does a "show circuit" for one year, and then gets sold. Selectman Castricone
stated that it is a buyers' market right now. Selectman Weider is concerned that the State is
158 making cuts that the Town will need to cover, and asked why Fire Chief Antoine did not want a used
truck. Fire Chief Antoine explained that a new truck has a useful life of ~20 years; a used one, only
160 ~10. He is against putting money into a used truck because at the end of the 8-year lease it will be
almost out of use, and the Town will need to begin the purchasing process all over again.

162
164 Fire Chief Antoine would like to go to Town Meeting with the exact truck in mind. He does have an
official truck committee formed. There was some discussion about how to write the Warrant
Article. Selectman Charron wants to be sure that all homework is done so that the Town can be
166 prepared. Vice-Chairman Cannon wondered if it was possible to use money from the unreserved
fund balance to pay for the truck; in other words, \$450,000 to be raised and appropriated,
168 \$35,000 to be encumbered from last year, and the remaining \$65,000 from the unreserved fund
balance. Chairman Landau will call Gordon to see how to properly amend the Warrant Article. This
170 will be done by Monday night's budget committee meeting.

172 Vice- Chairman Cannon is concerned that the Budget Committee plans to continue the April 14th
meeting until April 21st because of the truck issue. He believes that this will cut it too close for
174 printing of the Town Report. Fire Chief Antoine and Chairman Landau assured the Board that they
would have the necessary information on the truck and on the Warrant Article by Monday, April
176 11th, 2011 for Selectmen Weider to present to the Budget Committee.

178 Fire Chief Antoine and Ms. Newnan departed the meeting at 8:29pm.

180 **IV. Selectmen's Business**

182 *4.1 Warrant Articles*

184 Town Meeting

Town Meeting will be held on Saturday, May 14th, 2011, starting at 9:00am.

186

Warrant Article Wording

188

Selectman Weider moved to approve Warrant Article K, which reads as follows: *Shall the town vote to establish a capital reserve fund under the provisions of RSA 35:1 to be known as the Employee Separation Benefits Capital Reserve Fund, for the purpose of funding the buyout and payment of employee benefits upon separation of employment and to name the Selectmen as agents to expend this fund and to further raise and appropriate the sum of \$30,000 to be placed in this fund. The sum to come from the June 30 fund balance available for transfer on July 1.* Vice-Chairman Cannon seconded the motion. The vote was unanimous in the affirmative; so moved.

190

192

194

196

Selectman Charron noted that if this Warrant Article should pass, the Earned Time Policy will end as of July 1st, 2011. As this would be a policy change, all proper policy change procedures will be followed.

198

Petitioned Warrant Articles

200

Two petitioned Warrant Articles have been received. One is from Gary Lamy of 32 Pulpit Rock Road. This Warrant Article asks for a 10 year agreement for \$550,000 to purchase the truck for the Fire Department. A typographical error in the digits portion caused this Warrant Article to read \$550,00 rather than \$550,000.

202

204

206

The other is to establish two revenue accounts for the Fire Department: one will be a capital reserve account for equipment, to be funded by 80% of Medical Transport Fees; the second will be a special revenue account, funded by the remaining 20% of Medical Transport Fees.

208

210

There was some discussion about these two petitioned Warrant Articles; to wit, they have the ability to affect the 10% rule. Should both the Board of Selectmen and the Budget Committee recommend these Warrant Articles, and they pass, they will not be subject to the 10% rule. Should neither Board recommend the articles, and they pass, they are subject to the 10% rule, and furthermore, they move to the "front of the line". It was suggested that should the Selectmen's Fire Truck Warrant Article pass, the second of the two petitioned warrant articles could be tabled or withdrawn during Town Meeting. Vice-Chairman Cannon is concerned that the Board of Selectmen already has a good Fire Truck Warrant Article in place, but once submitted, a petitioned Warrant Article cannot be withdrawn or changed. He also stated that he would not vote on recommending a Petitioned Warrant Article.

212

214

216

218

220

Selectmen Weider moved that the Board vote on recommending Petitioned Warrant Article 23, which reads as follows: *Shall the Town vote to authorize the Selectmen to enter into a 10 year lease/purchase agreement for five hundred and fifty thousand dollars (\$550,00.00) for the purpose of purchasing and equipping a Aerial Ladder Quint for the Chester Fire Department payable over a term of 10 years. There will be no payment in 2011. The first payment will be in 2012 at the amount of sixty-four thousand four hundred fifty-one dollars and fifty-one cents (\$64,451.51) a year; last payment will be made in 2022. The lease/purchase will contain an escape clause.*

222

224

226

228

Selectmen Charron seconded the motion. The vote was three opposed with Vice-Chairman Cannon and Selectmen Castricone abstaining. The Board of Selectmen will not recommend this Warrant Article.

230

232 Selectmen Weider moved that the Board vote on recommending Petitioned Warrant Article 24,
which reads as follows: *To see if the Town of Chester will vote to establish two revenue accounts*
234 *for the Chester Fire Department to be established as follows. The first account, to be known as*
the Chester Fire Department Equipment and Apparatus Account, is to be established as a Capital
236 *Reserve Fund under the provisions of RSA 35:1 for the purpose of purchasing fire/rescue*
equipment and apparatus. This Capital Reserve Fund will be funded by placing 80% of the revenues
238 *generated from the medical transports made by the Chester Fire Department annually into this*
account. The second account, known as the Chester Fire Special Revenue Account, will be funded
240 *with the remaining 20% of the revenue generated from the medical transports made by the*
Chester Fire Department annually. Funds placed in the Chester Fire Special Revenue Account will
242 *be used for the purpose of offsetting the costs of medical supplies and equipment associated with*
the operations of the Rescue. This article appoints the Fire Chief or his/her designee to expend
244 *the Chester Fire Special Revenue Account. This article will result in a reduction from \$5,500 to \$1*
in the EMS Supplies budget line item (Acct# 01-4220-4-811) for the 2012/2013 fiscal year. All
246 *other revenues raised by the Chester Fire Department will continue to go to the Town's General*
Fund. Selectmen Charron seconded the motion. The vote was three opposed with Chairman Landau
248 *and Vice-Chairman Cannon abstaining. The Board of Selectmen will not recommend this Warrant*
Article.

250

Warrant Article Reordering

252 The Warrant Articles have been numbered as follows:

- 254 8 C) Road Bond
9 Reports of Agents and Auditors
256 10 A) Fire Truck
11 E) Police Cruiser
258 12 F) Dump Truck Class 8
13 G) Dump Truck Class 5
260 14 B) Winter Maintenance
15 D) Fremont Road Bridge
262 16 J) PACT Fund
17 K) Employee Separation Fund
264 18 H) Road Reconstruction
19 I) Agricultural Commission
266 20 L) Operating Budget
21 Petitioned Article - Stop Hunting Hen Pheasants
268 22 Petitioned Article - Discontinue Portion Bald Hill Road
23 Petitioned Article - Fire Truck
270 24 Petitioned Article - (2) Fire Department CRF

272 4.2 Roundtable

274 *Selectman Weider:*

- 276 ● The Planning Board is seeking direction. They had asked both Public Safety Departments,
as well as the Library, to work on impact fees; they now plan to drop the Library and add

278 the School instead. The Planning Board does not have time to implement impact fees this
280 year, and it will be deferred until the next. If any money remains in the budget, it will be
282 encumbered. Implementation entails much work because the Town's impact fees must be
vetted against those of other Towns in order to avoid court challenges. Chairman Landau
would like to discuss this matter further insofar as dropping the Library is concerned.

284 *Selectman Castricone:*

- A kitchen renter smelled gas and notified the Fire Department. The gas was shut off, and a plumber fixed the broken pipe.

286 *Selectman Charron:*

- Nothing to report.

290 *Chairman Landau:*

- There is an odor issue on Dump Road; there is also an issue with the request to reclassify this road from Class V to Class VI. Apparently the Petitioner is not following the proper procedure. He should approach the Planning and Zoning Boards with all pertinent information such as plans, engineering, etc., get their support first, and then the Board of Selectmen will work with them. Further investigation is needed, and this discussion will continue at a later date. The attorney might be asked to come in. Selectman Weider moved that the minutes to tonight's meeting be forwarded to the Petitioner; Selectmen Castricone seconded the motion. The vote was unanimous in the affirmative; so moved.
- The Town has received a letter from PSNH; they need approval to put two telephone poles on Town property. The Pole License Petition number is 230458; the poles will be placed on Raymond Road near #425. Chairman Landau moved that the Board sign the petition; Selectman Castricone seconded the motion. The vote was unanimous in the affirmative; so moved. Three signatures are needed on each of three copies.
- The Town has received a letter from Eric Grove, Licensed Forester. The projected income from the harvest of the Hatton property is between \$17-21,000, and from the Wason Pond property \$3-3500. No harvest is planned for Wason Pond at this time; perhaps in the fall. The slash will be cleaned up.
- Chester Selectmen will hold a Public Hearing on April 13th, 2011, to discuss road improvement indebtedness. On this date will also be a Public Hearing on the Wason Pond Bridge.
- The Board has received a letter from the Energy Audit Committee on the passing of Ray Boyden. They asked that his seat on the Committee be filled by Janet Boyden. She will be asked to appear before the Board.
- A resident is interested in renting the old Building Inspector office in the Ruth Ray Building, which was most recently used by Mother Hubbard's Cupboard. The room is approximately 10 x 12 with a bathroom. This is allowable per the Post Office lease. Selectmen Weider moved that Chairman Landau speak with the resident before bringing him or her before the Board; Selectmen Castricone seconded the motion. The vote was unanimous in the affirmative; so moved.

322 4.3 *Public Comment*

324 As no Members of the Public wished to be heard, Public Comment was closed at 9:29pm.

326 4.4 *Non-Public Session*

328 Selectman Weider moved that the Board go into Non-Public Session under RSA 91-A:3 II (c),
330 Reputation; Vice-Chairman Cannon seconded the motion. The vote was unanimous in the affirmative;
332 so moved.

334 The Meeting Room was closed at 9:30pm.

336 The Meeting Room was reopened at 9:35pm.

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

342 Vice-Chairman Cannon moved that the minutes to the non-public session be sealed for an indefinite
344 period; Selectman Castricone seconded the motion. The vote was unanimous in the affirmative; so
346 moved.

348 **V. Adjournment**

350 Selectman Castricone moved to adjourn the meeting; Selectman Weider seconded the motion. The
352 vote was unanimous in the affirmative; so moved. The meeting was adjourned at 9:36pm.

354 Respectfully Submitted,

356 Debra H. Doda