

**Town of Chester
Board of Selectmen Meeting
Thursday, May 26th, 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 7:08pm.

1.2 Roll Call

Selectmen present:

Jack Cannon
Joe Castricone
Joseph Hagan
Stephen Landau
Michael Weider

Members of the Public present, at various times:

Don Brown
Barbara Dolloff
Midge Gould
Charlotte Lister
Patricia Martin, Administrative Assistant
Todd Renaud, Scoutmaster
Trevor Renaud, Eagle Scout Candidate
Mrs. Renaud
Miss Renaud
Matt Rittenhouse, Tri-Town Times
Carolyn Scott
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

Three non-public sessions were added, one on reputation and two on litigation; discussions of the new Police Vehicle and Stevens Hall were added to New Business and Old Business respectively.

48 1.5 *Public Comment*

As no members of the public wished to speak, Public Comment was closed at 7:10pm.

50 **II. Old Business**

52 2.1 *Approval of Minutes*

54 *April 7th, 2011:* The discussion about an odor on Dump Road was raised by Chairman Landau, not
56 Vice-Chairman Cannon, during the roundtable. Vice-Chairman Cannon moved to accept these minutes
58 as amended; Selectman Weider seconded the motion. The vote was four in favor with Selectman
Hagan abstaining as this meeting was prior to his election; so moved.

60 *May 19th, 2011:* Selectman Weider moved to accept these minutes as drafted; Vice-Chairman
Cannon seconded the motion. The vote was four in favor with Selectman Castricone abstaining due
62 to absence from the afore-referenced meeting; so moved.

64 2.2 *Edwards Mill Dam*

66 The Town's response to DES which was sent on Tuesday was read into the record; it is attached at
the end of these minutes. Vice-Chairman Cannon believes that the Town should prepare to
68 challenge DES on this issue.

70 Apparently Health Officer Darrell Quinn was instrumental in adding the cribbing to the stone walls
some ~40 years ago along with Red Dolloff; Mr. Quinn should be involved in any meetings. Vice-
72 Chairman Cannon wondered if removing the cribbing might make things worse. It was opined that
the Edwards Mill Dam has held up better than the Wason Pond Dam did.

74 2.3 *Dump Road*

76 The minutes from April 7th will be sent to the Petitioner. Vice-Chairman Cannon did not wish to sign
78 off on them; in his opinion, Town Counsel said that the Board of Selectmen are responsible for
initiating the process. Selectman Weider disagreed, stating that Town Counsel said that the
80 Petitioner did not petition properly. Chairman Landau stated that the Petitioner may want to come
in front of the Board of Selectmen anyway; Selectman Weider stated that Planning Board must be
82 first. He also stated that it is a Class VI road and that plowing it does not make it into a Class V
road.

84 2.4 *Stevens Hall*

86 The Board perused a letter from Robert Morgan, the roofing/painting contractor, along with
88 photographs. Mr. Morgan stated that the roofing slates were damaged some time after the roof
was put on, and included an estimate; however, this is two years old and should be updated. The
90 Finance Department pulled the invoice for the roof shoveling; after some discussion, the Board
agreed that that the shoveling contractor couldn't be found responsible for the damage.
92 Selectman Castricone asked if insurance might cover it. Selectman Weider opined that it looked

like a day's worth of work.

94

The paint damage is not likely to be related to the roof damage. The Engineers need to look at it before any work is done.

96

98 *2.5 Profit Sharing Agreement - Spring Hill Farm and CSA*

100 The Board reviewed a copy of the Profit Sharing Agreement between Spring Hill Farm and the
102 NHCSA; there are things about it that Vice-Chairman Cannon is displeased with. He asked if Town
104 Counsel had reviewed it; this is unknown. He stated that this agreement is an "evergreen
agreement" with only one reason to terminate; also, it doesn't stipulate how the CSA's gross
revenue is to be determined - there are no audit rights in the contract.

106 Chairman Landau referred to the "minimum payment of \$500"; Vice-Chairman Cannon is concerned
108 that that is merely the rent. He would like Town Counsel to review this document, and decide what
needs to be amended in order to protect the Town's interests.

110 This agreement will be sent to Soule, Leslie, along with the lease agreement, for their review.

112 **III. New Business**

114 *3.1 Reappointment to the ZBA - Charlotte Lister*

116 Charlotte Lister and Don Brown appeared before the Board discuss Ms. Lister's appointment to the
118 Zoning Board of Adjustment. Mr. Brown confirmed that this appointment was for a three-year
term. The Board had no questions for Ms. Lister; Selectman Hagan thanked her for her service.

120 Chairman Landau moved to reappoint Charlotte Lister as a regular member of the Zoning Board of
122 Adjustment for a three-year term; Selectman Weider seconded the motion. The vote was
unanimous in the affirmative; so moved.

124 Ms. Lister and Mr. Brown departed the meeting at 7:11pm.

126 *3.2 Trevor Renaud - Eagle Scout Candidate*

128 Eagle Scout Candidate Trevor Renaud and Scoutmaster Todd Renaud appeared before the Board to
130 discuss Eagle Scout Candidate Renaud's Eagle Project. He plans to build a 6' wide concrete walkway
connecting the Multi Purpose Room walkway to the Television Studio, and install a granite bench and
132 landscaping. This will make the Television Studio door handicap accessible, and easier to reach in
the winter. He plans to do the work this fall, as soon as enough money is raised. Selectman Weider
suggested that the Board arrange for Digsafe.

134

Selectman Castricone moved to accept Trevor Renaud's Eagle Project; Selectman Hagan seconded
136 the motion. The vote was unanimous in the affirmative; so moved.

138 Eagle Scout Candidate Renaud's next step is to go in front of the Eagle Board this coming

140 Wednesday, June 1st.

142 The Renauds departed the meeting at 7:17pm.

144 *3.3 Liaisons*

146 The 2011-2012 Liaisons were decided as follows:

Chairman Landau	Agricultural, Brownfields, Cemeteries, Kitchen, Conservation, Fire Department, Library, Recreation, Regional Hazmat, Spring Hill Farm, Town Clerk, Transfer Station, Trustees of the Trust Fund, Welfare
Vice-Chairman Cannon	CART, CIP, Police and Highway Safety, Road Agent, Senior Citizens, Strategic Land Protection, Wason Pond
Selectman Castricone	Building Maintenance, Historical Society, NH Climate Resolution, PACT, Risk Management, Supervisors of the Checklist, Web
Selectman Hagan	Budget Committee, Health Officer, ZBA
Selectman Weider	Assessing, Building Inspector, Finance Dept., Planning Board, School Board

148 There was some discussion about the advisability of having an onsite Maintenance Supervisor in
 150 place. Selectman Castricone stated that it was not necessary; Selectman Weider believes that it
 152 is. Selectman Weider stated that work was not getting done due to lack of supervision, while
 154 Selectman Castricone countered it was because there was only one person. Selectman Castricone
 would prefer that any maintenance supervisor be a working supervisor; Selectman Weider stated
 that the supervisor would handle RFPs, budgets, contracts, etc., and not manual labor.

156 Selectman Castricone currently assists Peter Broom with his maintenance duties when an extra pair
 158 of hands are needed; however, he is not a Town employee and not covered under Workers'
 160 Compensation, so this cannot continue. Chairman Landau suggested that assistance for Mr. Broom
 could be arranged from the Town's other resources, such as other employees, or perhaps persons in
 debt to the Town.

162 The person Selectman Weider had in mind is new Building Inspector Thom Roy; apparently during
 the interview process, this possibility was mentioned. He will be asked to come in and meet with the
 Board about this situation, and any subsequent meeting would include Mr. Broom. Administrative
 164 Assistant Martin will contact Mr. Roy about getting on the agenda by June 30th.

166 *3.4 New Police Vehicle*

168 Chairman Landau spoke with Police Chief Burke recently, and was informed that the new Police

170 Vehicle is already at the Dealership; he was wondering if it would be possible to purchase it early,
171 since the monies are coming from the Capital Reserve fund and not taxation. That way it could be
172 prepped and ready to go as early as possible. Selectman Weider believes that one probably cannot
173 spend money out of the Fiscal Year; Vice-Chairman Cannon and Selectman Hagan stated that they
174 would be ok with it if Town Counsel agrees. Diane Gorrow suggested asking John, the Town
Auditor, and Jeannie Samms of DRA for their opinion; this will be done.

176 **IV. Selectmen's Business**

178 *4.1 Roundtable*

180 *Chairman Landau*

- 182 ● The Board has received a letter from Soule Leslie about the previous week's non-public
discussion on reputation. They suggest keeping the lien in effect, and updating it. Any further
184 discussion on this letter needs to be done in non-public.
- 186 ● A letter was received to close the Wason Pond Dam work; the valve will be closed tonight.
Once the Bridge is build, valve closing will be much easier. The Fire Department will be
188 keeping the "key". Questions have come up about the suitability of the concrete, but these
are being worked on.
- 190 ● The Fishing Derby is June 4th; the pond will be stocked by the State. This is the one day in
the year one can fish without a license.
- 192 ● A letter was received from Continental Paving. They will be resurfacing Route 102 for 11.4
miles from Pond Road in Derry to near 107 in Fremont with a 3/4" paver shim, starting May
31st, 2011. Vice-Chairman Cannon suggested sending a copy of this letter to the Police
Department.
- 194 ● Some discussion has occurred about having Town Counsel come in to discuss various duties
of the Town's elected officials with those persons. LGC could do it, but Town Counsel is
196 preferable as LGC does not represent the Town in all things. Selectman Weider suggested
combining this meeting with the one with Finance, and also inviting the School.

198

Vice-Chairman Cannon:

- 200 ● He would like to have the Wason Pond sign repainted; it is weathered and hard to read.
Chairman Landau will speak with the Wason Pond Commission.
- 202 ● There is an issue with the new Town Truck - one will not be available for several months, as
it is between model years. Road Agent Oleson will need to buy one from the new model year.

204

Selectman Castricone:

- 206 ● The winter clothing area will be open in a couple of weeks; the walls and floors will be sealed.
Two dump truck loads were taken to Raymond.
- 208 ● Granite State Telephone may be coming in on June 30th.
- 210 ● Dick Godfrey, the resident largely responsible for the TV Studio, passed away a year ago.
Selectman Castricone moved to dedicate the studio to his memory; Chairman Landau
212 seconded the motion. The vote was unanimous in the affirmative; so moved. Vice-Chairman
Cannon stated that his passing left huge holes in the programming, and this dedication is
well deserved. A date will be set for a formal dedication; Selectman Castricone will work
214 with Hilary Hall. A plaque will be made.

216 *Selectman Weider:*

- The agreement with Coppola Rockburn has been received, and was sent to Town Counsel. Diane Gorrow put it in consulting contract format; fees/charges, how the Town will be billed, and how the bills will be paid still need to be added, along with some clarification of duties. It was suggested to bring Ms. Coppola and Ms. Rockburn in, along with the Finance Department and Town Treasurer. Administrative Assistant Martin will arrange this meeting, possibly for June 9th, as well as sending the contract to Coppola Rockburn for further information.

224

Selectman Hagan:

- Nothing to report.

228 *4.2 Public Comment*

230 Leroy Scott stood and was recognized. He stated that he had been at the Board of Selectmen's meeting last week when it was decided to have the Highway Department remove the detritus from the Wason Pond Dam. He stated that he, and other residents, did not believe that the cost for this work should come out of the Road Agent's budget, but that of Recreation or Wason Pond; he also wondered why the Wason Pond Caretaker wasn't doing this job. Vice-Chairman Cannon stated that the Highway Department had attempted to remove the detritus, but with little success; Mr. Scott stated that then apparently nature had taken its course, for most of it was gone. Chairman Landau stated that the Wason Pond Caretaker's job was only to walk the property; also, there had been no decision made to charge the Highway Budget for this work.

240 As no other Members of the Public wished to be heard, Public Comment was closed at 8:37pm.

242 *4.3 Non-Public Session*

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

248 The Meeting Room was closed at 8:40pm.

250 The Meeting Room was reopened at 8:56pm.

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

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Vice-Chairman Cannon moved that the minutes to all three non-public sessions be sealed for an indefinite period; Selectman Weider seconded the motion. The vote was unanimous in the affirmative; so moved.

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V. Adjournment

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262 Selectman Weider moved to adjourn the meeting; Selectman Castricone seconded the motion. The
vote was unanimous in the affirmative; so moved. The meeting was adjourned at 8:57pm.

264

Respectfully Submitted,

266

268 Debra H. Doda



Town of Chester

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Stephen O. Landau, Chairman '14

Joseph S. Castricone, '12

Michael A. Weider, '13

Jack Cannon, Vice Chairman '12

Joseph M. Hagan, '14

May 24, 2011

Steve N. Doyon, PE, Administrator
Dam Safety & Inspection Section
NH Department of Environmental Services
P.O. Box 95
29 Hazen Drive
Concord, NH 03302-0095

Re: Edwards Mill Dam #044.03, Chester

Dear Mr. Doyon:

We are writing in response to your letter dated April 5, 2011 received by this office on April 11, 2011 regarding Edwards Mill Dam. We would like to have a face-to-face meeting concerning each of the six (6) points of expectation as well as the December 1, 2011 deadline for completion of this work. We have examined these points with our engineers and several contractors and have determined that the funds are not available in our present budget, and that the receipt of this letter did not allow for a timely adjustment to our budget before our May Town Meeting.

Please advise as to a convenient time for our meeting so we can coordinate with all the appropriate people.

We are furnishing this letter via email and U.S. Post.

Sincerely yours,

Stephen O. Landau, Chairman