

**Town of Chester
Board of Selectmen Meeting
Thursday January 20th, 2011
Municipal Complex
Approved Minutes**

I Preliminaries

1.1 Call to Order

Chairman Landau called the meeting of the Town of Chester Board of Selectmen to order at 7:09pm.

1.2 Roll Call

Selectmen present:

Chairman Stephen Landau
Jack Cannon
Gene Charron
Michael Weider

Absent:

Joe Castricone

Members of the Public present, at various times:

Colin Costine
Matt Rittenhouse, Tri-Town Times
Carolyn Scott
Leroy Scott
Ron Varney

And various other members of the public unknown to the minute taker.

1.3 Pledge of Allegiance

Chairman Landau led the attendees in the Pledge of Allegiance.

1.4 Meeting Additions or Deletions - Selectman Weider added two non-public discussions to the agenda; Selectman Charron added one non-public discussion to the agenda; all the additional items relate to reputation.

7.10pm

1.5 Public Comment - Ron Varney stood and was recognized by the BOS. Mr. Varney stated that for 30 years a precedent has been set in Town to allow access to the Highway sand / salt supply for personal use however this has changed. The last few times Mr. Varney has gone to collect sand, the pile has been depleted and there is a barricade that means access is

48 very limited and it makes filling containers much more work. Mr. Varney has asked the
Highway Department about the changes and the Road Agent has stated that the changes
50 have been made due to reports of commercial trucks backing up to the sand pile and loading
their flatbeds however there are no police reports to indicate this. Mr. Varney also advised
52 the Road Agent that the limited access makes it impossible for handicapped residents to
access the sand pile; he was told that everyone uses a bucket and shovel. Mr. Varney
54 believes that the sand / salt needs to be stocked and easily accessible for all residents. Mr.
Varney also stated that the Town snow plow drives at speed on the wrong side of the road
where he lives.

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58 Vice Chairman Cannon stated that he spoke with Mr. Oleson (the Road Agent) and the sand /
salt pile has been going down at a rapid rate and that he has received reports of trucks
backing up to the pile (prior to the area being built up and barricaded) and loading their
60 trucks and in one case a sander. Vice Chairman Cannon believes that the sand / salt is
available to the residents of Chester for personal use on driveways and pathways and that it
62 is based on the honor system. Selectman Charron stated that the pile used to be by the
cemetery in the center of Town and residents would fill a bucket or two for personal use. If
64 it is that commercial trucks are using it then it needs to be stopped. Chairman Landau
stated that he would like to go to the site of the sand / salt pile to review the access and
66 stock before making any decisions.

68 Mr. Varney stated that he has a long driveway which he plows himself and he uses the sand
in buckets for weight in his truck bed and he uses it for sanding his driveway. Mr. Varney
70 believes that sand is not an expensive item for the Road Agent and should be readily
available to the residents. Selectman Weider stated that the pile is not just sand but road
72 salt too. The price does increase for this item due to the trucking costs, fuel surcharges
and labor involved in mixing the sand and salt prior to the residents getting it. Some local
74 communities do not offer sand / salt due to the expense and misuse by their residents. If
the Road Agent is saying it is going down too quickly then there is a potential problem. Vice-
76 Chairman Cannon asked Mr. Varney if he planned to take legal action on this matter. Mr.
Varney stated that he had discussed the matter with the BOS Administrative Assistant and
78 he was advised by Ms. Martin that there is no law in Town that states that the sand / salt
has to be provided to the residents but he believes that by setting a precedent for 30
80 years it could legally be ruled that way however he does not intend any legal action in this
matter. The BOS will review the situation and if there is a problem with the remote location
82 of the sand / salt pile then perhaps a different location in the center of Town will work
better.

84 **III New Business**

86 **3.1 Illegal Dumping Policy**

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90 The BOS Administrative Assistant (Pat Martin) called Town counsel regarding the illegal
dumping and littering ordinance and she found that the BOS can vote on this policy tonight
as long as there are no changes to the fines / wording (i.e. the State fines would apply using
92 RSA 163-B, RSA 265:102 and RSA 147:22). Any changes to the ordinance would mean that

the ordinance needs to be voted on at Town Meeting.

94 Chairman Landau read the ordinance as follows:

96 **Illegal Dumping and Littering Ordinance**

98 Illegal dumping and littering on Town property and roads (hereinafter "Town property") are
100 prohibited by a number of State statutes including but not limited to RSA 163-B, RSA 265-
102 102 and RSA 147:22. The Town will take all the necessary steps to enforce those statutes
and to obtain all applicable penalties and fines against any person found to have illegally
dumped or littered on Town property including seeking restitution for the clean-up costs.

104 The Selectmen are prepared to respond to complaints of illegal dumping or littering on Town
property with the following procedure:

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- 108 1. The police will be called to investigate. They will:
 - 110 a. Attempt to identify the person violating the law.
 - 112 b. If the police determine the origin of the litter or waste they will have that
person collect the waste for proper disposal.
 - 114 c. If the person refuses, the person will be billed for the cost of collecting and
disposing of the litter or waste and charged with violation of all applicable
laws.
- 116 2. In any criminal proceeding, the Town will seek the maximum penalties and fines
including but not limited to any and all costs of collecting and disposing of the litter
or waste.

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120 Chairman Landau stated that this ordinance was put forward due to recent cases of dumping
on class 6 roads in Town; this ordinance reinforces the present ordinance in place.
122 Selectman Charron believes that it is a misdemeanor to dump or litter with fines up to
\$1000. The new ordinance allows the Town to seek restitution for the clean-up costs which
amounted to \$6K for the last two roads in Town that were used for dumping. Chairman
124 Landau reminded the public that the Transfer Station in Town handles a wide variety of
materials and that there is an agreement with the Town of Raymond for the disposal of
126 construction debris. If the dumping occurs on a class 5 or lower road in Town, then the
Town Highway department has to do the clean-up however if the dumping is on a class 6
128 road then the State has to do the clean-up.

130 Selectman Weider made a motion to accept the Illegal Dumping and Littering Ordinance as
written; Selectman Charron seconded. The BOS discussed the ordinance further and then
132 voted. The vote was unanimous in favor; so moved.

134 **3.2 Assessing Revaluation Bids Review**

136 Selectman Weider asked the BOS if they could make an appointment for the two lowest
bidders on the upcoming Town revaluation to meet with the BOS and explain their program
138 with the assistance of Scott Marsh and Jean Packard (Chester Assessing Department) for

140 clarity and to see which bidder they prefer. There is a \$40K difference between the
142 highest and lowest bids which is a significant difference. All the bidding companies are
144 qualified however the BOS needs to set guidelines for what they want done with the
146 assistance of the Town Assessing department. The BOS decided to bring all three of the
148 lowest bidding companies in at a future meeting of the BOS - possibly February 3rd or
February 10th, 2011. Vice-Chairman Cannon asked if the range of years for the revaluation
could be expanded from 2 years up to 5 years because of the large differences in the
market / economy since the last revaluation. There may be State limits on the number of
years that can be included.

Chairman Landau stated that the BOS and Insurance Committee have a meeting with MVP
insurance representatives on Tuesday January 25th at 7pm. This meeting will be followed by
a meeting with the Town attorney and Town Engineer at 8:30pm.

The next meeting of the BOS will be on Thursday January 27th at 7pm.

IV Selectmen's Business:

4.1 Round Table

Vice-Chairman Cannon

- Vice-Chairman Cannon stated that the Finance Director has completed her review of the health insurance information from the Insurance Committee. Vice-Chairman Cannon would like to make the upcoming meeting with the insurance company open for discussion / comments from the employees and public. The BOS decided that the meeting would be open to the public; any specific questions about the health insurance plan from the employees could be submitted to the BOS prior to the meeting for review at the meeting. Any feedback / subsequent questions could be submitted to the BOS for further clarification from the insurance company. Vice-Chairman Cannon will ask Ms. Martin to notify the employees of the meeting and request any questions from the employees. Chairman Landau stated that the BOS is only looking at this insurance plan as one solution, nothing has been signed; the research is ongoing by the BOS and Insurance Committee. Selectman Weider stated that it has taken a lot of work to analyze the policies and packages available and as a member of the Insurance Committee he still finds the options unclear therefore it is important for the employees to attend the meeting and ask questions via the BOS. Vice-Chairman Cannon stated that it is important for the BOS and employees to continue open communication to avoid any hearsay / rumors on the plans. **The insurance presentation / meeting will be held on Tuesday January 25th at 7pm.**
- Vice-Chairman Cannon stated that the Town sent flowers to the funeral home for the Sandown Firefighter who recently passed away. Sandown and Chester have a mutual aid program between the Fire departments.

Chairman Landau:

- Chairman Landau stated that the Building Inspector's office has been moved today to the

186 new location. After speaking with the new BI, there is a need for a drafting table and some
bookcases in the new office. The old drafting table is built in to the wall of the old office.
188 Vice-Chairman Landau will follow up on getting prices for these items.

- 190 • Chairman Landau stated that there is a new snow plow contract and a new hire contract to
be reviewed and signed by the members of the BOS. Upon review, the workers compensation
192 insurance has not been provided by the snow plow contractor therefore the contract needs
further review before the BOS can sign it.
- 194 • Chairman Landau stated that a resident had asked him about the flag at Edwards Mill being
taken down and whether it will be replaced. Chairman Landau stated that a young boy in
196 Town would like to replace the flag pole in the spring and light up the new flag too.

198 **Selectman Weider:**

- 200 • Selectman Weider would like the BOS to meet and review the Town budget outside of the
regular meeting schedule so that the budget can be analyzed and discussed. The meeting
202 will be open to the public but there will not be any votes made by the BOS. The BOS will
request that the Finance Director attends the meeting too; she is currently writing up the
204 warrant articles for review by DRA and the Town lawyers. Selectman Weider mentioned
that other municipalities use master lease schedules for the replacement and maintenance
206 of their vehicles. The Finance Director has been reviewing this option for Chester; it would
mean onsite servicing and repairs and regular replacement of Town vehicles with an option
208 to purchase the vehicle at the end of the lease. Selectman Weider would like the electronic
budget worksheets to be linked prior to their meeting on **Saturday January 29th at 8am.**

210 **Selectman Charron:**

- 212 • Selectman Charron asked about the replacement of the side windows on the American
214 Legion Hall. A resident has boarded up the side windows (that were open to the elements);
Chairman Landau stated that the stained glass front window is due to be installed in the
216 next week. Once the building is restored the BOS hopes that volunteers will look out for
the building and help maintain it; contact the BOS office if you are interested in helping
218 out.

220 **8.10pm**

222 **4.2 Public Comment** - Colin Costine asked the BOS if the work on the Post Office includes the
replacement of the posts on the ramp because it is the only thing supporting the porch right
224 now. The BOS and Mr. Costine reviewed the plans; Chairman Landau will contact the
architect for clarification.

226 Chairman Landau asked Mr. Costine if the Trustee of the Trust Funds needed anything
228 adding to their budget; Mr. Costine stated that the committee's report would be completed
by an outside company this year; he will check with the rest of the trustees and see if they
230 need anything else.

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234 **III Old Business**

236 **3.1** The BOS reviewed the meeting minutes from the following dates: 01.04.2011, 01.06.2011,
12.16.10, 12.09.10, 11.18.10 and 01.13.2011.

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The BOS could not review 01.04.2011 because the minutes include non-public time which
240 needs Selectman Castricone present for their review.

242 Selectman Charron made a motion to accept the BOS minutes from 01.06.2011 as written.
Selectman Weider seconded; all were in favor; so moved.

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Selectman Weider made a motion to accept the BOS minutes from 12.16.2010 as written.
246 Selectman Charron seconded; all were in favor; so moved.

248 Selectman Weider made a motion to accept the BOS minutes from 12.09.2010 as written.
Selectman Charron seconded; Vice-Chairman Cannon abstained; so moved.

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Selectman Charron made a motion to accept the BOS minutes from 11.18.2010 as written.
252 Selectman Weider seconded; all were in favor; so moved.

254 Selectman Weider made a motion to accept the BOS minutes from 01.13.2011 as written.
Vice-Chairman Cannon seconded; all were in favor; so moved.

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8.18pm

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Selectman Weider moved that the Board go into a Non-Public session under RSA 91-A: III, (c).
260 reputation. Selectman Charron seconded the motion. The roll call was unanimous in the affirmative;
so moved.

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9.10pm

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Vice-Chairman Cannon moved that the Board come out from their Non-Public session. Chairman
266 Landau seconded. The roll call was unanimous in the affirmative; so moved.

268 Selectman Weider moved that the meeting minutes relating to first issue of the Non-Public session
be sealed indefinitely; the meeting minutes relating to the second issue be sealed for 6 months and
270 the meeting minutes from the third issue be sealed indefinitely. Vice-Chairman Cannon seconded.
The roll call was unanimous in the affirmative; so moved.

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IV Adjournment

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Selectman Weider moved to adjourn the meeting at 9.12pm Vice-Chairman Cannon seconded. The
276 vote was unanimous in the affirmative; so moved.

278 Respectfully Submitted,
Sarah Scanlan

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