

**Town of Chester  
Board of Selectmen Meeting  
Thursday, December 8<sup>th</sup>, 2011  
Municipal Complex  
Draft Minutes**

**I Preliminaries**

*1.1 Call to Order*

Chairman Landau called this meeting of the Town of Chester Board of Selectmen to order at 7:03pm.

*1.2 Roll Call*

Selectmen present:

Jack Cannon  
Joe Castricone  
Joseph Hagan  
Stephen Landau  
Michael Weider

Members of the Public present, at various times:

Anthony Amato  
Richard Antoine, Fire Chief  
Greg Bolduc, Fire Captain  
Barbara Dolloff  
Bob Latham  
Michael Oleson, Road Agent  
Matt Rittenhouse, Tri-Town Times  
Thom Roy, Building Inspector  
Carolyn Scott  
Leroy Scott  
Dick Trask, American Legion  
Mike Willinsky, Fire Deputy Chief  
Kevin Wunderly, Fire Lieutenant  
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 Moment of Silence*

There was a moment of silence for the Worcester, MA firefighter killed in the line of duty this morning.

48 *1.5 Additions and Deletions*

50 The following additions were made: Road Agent Michael Oleson will be appearing before the board  
52 in order that they may sign for a grant, and there were three non-public sessions added on Pending  
Litigation. Chairman Landau noted that these were not new issues.

54 *1.6 Public Comment*

56 Dick Trask, Commander of Chester's American Legion, stood and was recognized. He reported that  
58 the work on the Legion Hall is going well - there were 45 workers there last night, including  
volunteers from the Boy Scouts, Chester Academy, and State American Legion - they are forming  
60 their membership as well as a Ladies' Auxiliary. Last night (December 7<sup>th</sup>, 2011) they held a  
ceremony to commemorate the 70<sup>th</sup> anniversary of Pearl Harbor. One member's father had been on  
62 the USS Nevada, and had taken the flag from the ship and sent it to his son - that member still  
has the flag.

64 Vice-Chairman Cannon asked if Gladys Nichols had been there; Mr. Trask reported that she was  
unable to attend last night's ceremony but that she had stopped by many times.

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68 As no other members of the public wished to speak, Public Comment was closed at 7:14pm.

70 **II. Old Business**

72 *2.1 Approval of Minutes - 12/3, 11/17, 11/3, 8/25, and 8/18/2011*

74 This subject was not addressed tonight.

76 **III. New Business**

78 *3.1 Michael Oleson, Road Agent*

80 Road Agent Oleson appeared before the Board with the paperwork for a FEMA grant to install a  
culvert on Fremont Road. This is a 75/25 matching grant; the Town is responsible for \$10k. These  
82 funds can either be encumbered at the end of the Fiscal Year, or a Warrant Article to raise and  
appropriate them can be written. The Board will peruse and sign the documents and leave them  
with Administrative Assistant Patricia Martin.

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86 Road Agent Oleson also mentioned a large tree in the Town's right of way on East Derry Road. It  
broke and fell onto another tree on a resident's property; the Town's broken tree is right over the  
property owner's house, and needs to be removed. Road Agent Oleson stated that he might need a  
88 bucket truck and crane, and it could cost \$2500. Vice-Chairman Cannon asked him to visit the site  
in the daylight to assess it.

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92 The new Highway Truck arrived yesterday.

Road Agent Oleson departed the meeting at 7:11pm.

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3.2 *Thom Roy, Building Inspector*

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Building Inspector Roy appeared before the Board to discuss the new Maintenance position. The Board would like him to consider integrating supervision of this position into his workload.

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100 Vice-Chairman Cannon stated that the Board was not asking him to be a manager, but to use his  
102 expertise to guide the department. They find his monthly building inspector/code enforcement  
104 reports useful and would like to see them used on the Maintenance side. Chairman Landau stated  
106 that Building Inspector Roy was well versed in how large projects (boilers, generators, etc) should  
be handled; Vice-Chairman Cannon stated that his background would help the Town prepare Scope  
of Works, etc., in a timely fashion. They believe that he would be able to manage the budget and to  
judge if the Town performs large projects in-house or contracts them out.

108 Building Inspector Roy stated that he appreciated the confidence, but he is concerned that the  
110 maintenance budget is large and there is much activity for the position, and his workload will not  
112 allow for it. He is already working 40-45 hour weeks, building in town is picking up, and he has no  
administrative support which might lighten his workload. He would be willing to help out in the  
interim, but does not think it is a good fit for him. He also would like to see the position be more  
well defined.

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Chairman Landau stated that a new Maintenance person would be starting, and might be able to  
handle some of the above-mentioned tasks. Vice-Chairman Cannon suggested that the Board  
bulletize the position and get back to Building Inspector Roy in a couple of weeks.

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Building Inspector Roy departed the meeting at 7:32pm.

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3.3 *Anthony Amato*

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Mr. Amato appeared before the Board to discuss transferring from on-call work at the Transfer  
Station to a part-time position as the Maintenance person. Three (3) members of the Board had  
interviewed him Saturday morning; they wished for Selectmen Castricone and Hagan to have an  
opportunity to ask him questions.

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Mr. Amato stated that he is well versed in general construction and has a realistic idea of his  
abilities; he is not afraid to ask questions.

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Vice-Chairman Cannon moved that the Board go into non-public session with Mr. Amato under RSA  
91A:3 II (b), Hiring; Selectman Weider seconded the motion. The vote was unanimous in the  
affirmative; so moved.

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The meeting room was closed at 7:37pm.

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The meeting room was re-opened at 7:56pm.

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The meeting room was re-opened at 7:56pm.

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

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Selectman Weider moved that the minutes to this first non-public session, on Hiring, be sealed for sixty days; Vice-Chairman Cannon seconded the motion. The vote was unanimous in the affirmative; so moved.

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Selectman Castricone moved that Anthony Amato be transferred from the Transfer Station to the Maintenance Department as the new part-time Maintenance worker; Selectman Hagan seconded the motion. The vote was unanimous in the affirmative; so moved.

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152 *3.4 Vision Appraisal - Paul McKenney*

The representatives from Vision Appraisal will not be coming tonight; they are scheduled for December 22<sup>nd</sup>, 2011.

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156 *3.5 Richard Antoine, Fire Chief - Deputy Fire Warden Appointments*

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Fire Chief Antoine appeared before the Board along with Deputy Chief Willinsky, Captain Bolduc, and Lieutenant Wunderly, who are all being re-appointed as Deputy Fire Wardens. Fire Chief Antoine is the town's Fire Warden, and is reviewed by the State. He had a copy of this year's review and gave it to the Board for their signatures.

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Fire Chief Antoine stated that the duties of the Fire Warden included Forest Fire incidents, equipment, planning, and citations for violations. The Deputy Wardens write reports, inspect, and issue permits. All Officers in the Chester Fire Department are Deputy Wardens.

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Selectman Weider moved to accept the recommendation of Fire Chief Antoine for the Deputy Fire Wardens; Selectman Castricone seconded the motion. The vote was unanimous in the affirmative; so moved.

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Fire Chief Antoine also mentioned that the Town had received a 50/50 match forestry grant for a skid unit. The equipment is \$5k; the Town's share is \$2500, and it is in his budget - \$1500 from Forestry Equipment and \$1000 from Forestry Repair.

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Fire Chief Antoine referred to a letter he had received from the Board two weeks ago. He is concerned that the Board is trying to take away the authority of the Fire Department to hire. Selectman Weider stated that that was not the intention; Fire Chief Antoine's recommendations need to come before the Board for hiring approval as they are employees, not volunteers, according to the Department of Labor. The pertinent RSAs have changed, and this is now required by the Town's workers compensation insurance carrier. There was some discussion about when the Town began paying the volunteer firefighters, which turned them into employees.

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Fire Chief Antoine stated that firefighters used to be voted upon by the Association with a simple

186 up or down vote; now they fill out an application, go through oral boards, background checks,  
187 physicals, etc., and serve a one-year probationary period.

188 Captain Bolduc and Lieutenant Wunderly departed the meeting at 8:20; Fire Chief Antoine and  
189 Deputy Chief Willinsky remained in the meeting room.

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191 *3.6 Richard Antoine, Fire Chief - Proposed Non-Public - Personnel*

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193 This will take place at the end of the meeting.

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195 **IV. Selectmen's Business**

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197 *4.1 Roundtable*

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199 *Vice-Chairman Cannon*

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- He asked if the Board was ready to select the Insurance Broker and expressed his preference for Fred C Church. They would be paid at a 10% value of contracts; the salary analysis would be paid to FCC directly. He suggested asking FCC to submit a draft contract to be reviewed next week.

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203 *Selectman Weider:*

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- The School Superintendent had asked if the Town had decided to join them in the bulk buy program for materials and supplies. Selectman Castricone stated that he handled the cleaning supplies and Marianne Duffy handled the paper; Selectman Weider asked them to contact the Superintendent.
- The School Superintendent was also solicited by Southern New Hampshire Planning, as they would like School input on the Commission.

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211 *Selectman Castricone:*

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- He stated that an analysis had been done on the Loader; Chairman Landau stated that Spring Hill Farm had voted to take it over.
- The two electricity bulk buy brokers had submitted their information: UMG, 12 months at \$0.07667, and White Columns, 12 months at \$0.0698. Selectman Weider stated that he had spoken with UMG, who were willing to honor the 18-month school price of \$0.07657. Selectman Weider believes that taking UMG's 18-month rate will be better in the long run than taking White Columns' 12-month rate and having an increase after 12 months. Vice-Chairman Cannon estimated that the Town could save \$2,700 a year using a broker, but would like Finance Director Smith to perform an analysis to confirm that this is cheaper than going through PSNH. He would also like to see each broker's contract; Selectman Weider has UMG's, and Selectman Castricone will procure White Columns'. Selectman Castricone will ask them to come in next week. He noted that rates change every day, and the Town will not know the final rate until they lock it in.

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229 *Selectman Hagan:*

- Nothing to report.

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*Chairman Landau:*

- 232 ● The Town has received a letter from the Attorney General about the Spring Hill Farm  
234 trust. Apparently there is concern with the way the trust was initially set up, and it is  
236 unclear whether it is a private or a public (charitable) trust. They would like copies of all  
238 records and to come in and meet with the Board and the Trustees. The Trustees believe  
240 that it's private; the Attorney General believes that it's public. There is no hurry and  
242 Chairman Landau informed Ms. Knowles of the AG's office that they'd get her the  
244 information by February 1<sup>st</sup>. Apparently the determining factor is whether the trust  
246 benefits Spring Hill Farm only, or the entire Town. Currently the Trustees hold their own  
248 checkbook; if it's a public trust, the Trustees of the Trust Funds may have to hold it.  
250 ● He received some financial information which could be of benefit to the Town, and  
252 wondered if the Trustees of the Trust Funds would be interested in it.  
254 ● He was asked by the American Legion, as a non-profit, to waive the \$230 fees for their  
256 sign. (The ZBA collects these fees unless the Board waives them.) Chairman Landau would  
prefer that the Board pay these fees in order to not cause any loss in revenue to the ZBA.  
Chairman Landau moved to pay the \$230 in signage fees to the ZBA using account #01-  
4130-1-130, Executive Office/Executive Salaries. Vice-Chairman Cannon seconded the  
motion and asked that it be confirmed that the sign would meet all zoning requirements.  
Chairman Landau stated that the American Legion would be a benefit to the Town, and  
paying the fees from that line would not hurt anyone. Selectman Weider asked why the  
ZBA needed the funds; Chairman Landau replied that the point was if the Board waives the  
fees for this group, they could be asked to waive for all groups. The vote was unanimous in  
the affirmative; so moved.
- He has spoken with Soule Leslie about the Vision Appraisals situation. Mr. McKenney will be  
bringing in his Vice-President on December 22<sup>nd</sup>, as Mr. McKenney cannot negotiate with the  
Board.

258 4.2 *Public Comment*

260 As no Members of the Public wished to be heard, Public Comment was closed at 8:55pm.

262 4.3 *Non-Public Session*

264 Vice-Chairman Cannon moved that the Board go into non-public session under RSA 91A:3 II (c),  
Reputation and RSA 91A:3 II (e), Pending Litigation; Selectman Castricone seconded the motion.  
266 The vote was unanimous in the affirmative; so moved.

268 The meeting room was closed at 8:56pm. Fire Chief Antoine and Fire Deputy Chief Willinsky  
remained in the room.

270 Fire Chief Antoine and Fire Deputy Chief Willinsky departed the meeting at 9:40pm.

272 The meeting room was reopened at 10:05pm.

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

278 Vice-Chairman Cannon moved that the minutes to this second non-public session, on Pending  
Litigation, be sealed for sixty days; Selectman Weider seconded the motion. The vote was  
280 unanimous in the affirmative; so moved.

282 Vice-Chairman Cannon moved that the minutes to this third non-public session, on Reputation, be  
sealed for an indefinite period; Selectman Weider seconded the motion. The vote was unanimous in  
284 the affirmative; so moved.

286 Vice-Chairman Cannon moved that the minutes to this fourth non-public session, on Pending  
Litigation, be sealed for an indefinite period; Selectman Weider seconded the motion. The vote was  
288 unanimous in the affirmative; so moved.

290 Vice-Chairman Cannon moved that the minutes to this fifth non-public session, on Pending Litigation,  
be sealed for six months; Selectman Weider seconded the motion. The vote was unanimous in the  
292 affirmative; so moved.

294 **V. Adjournment**

296 Vice-Chairman Cannon moved to adjourn the meeting; Selectman Castricone seconded the motion.  
The vote was unanimous in the affirmative; so moved.

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The meeting was adjourned at 10:07pm.

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302 Respectfully Submitted,

304 Debra H. Doda