

**Town of Chester
Board of Selectmen Meeting
Thursday, November 17th, 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 7:09pm.

1.2 Roll Call

Selectmen present:

Jack Cannon
Joseph Hagan
Stephen Landau
Michael Weider (arrived 7:13pm)

Selectmen absent:

Joe Castricone

Members of the Public present, at various times:

Terry Akashian
Phil Gladu
Steve Hurley
Bob Latham
Joe Lessard, MRI
Scott Marsh, MRI
Paul McKenney, Vision Appraisal
Jean Packard, Assessing
Matt Rittenhouse, Tri-Town Times
Carolyn Scott
Leroy Scott
Joanne Smith, Finance Director (via telephone)
Stephen Tunberg, Emergency Management Director
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

48 The following additions were made: one non-public session on Reputation, and one on Pending
49 Litigation.

50 *1.5 Public Comment*

52 As no members of the public wished to speak, Public Comment was closed at 7:11pm.

54 **II. Old Business**

56 *2.1 Approval of Minutes*

58 *October 27th, 2011:* It should be noted that Selectman Castricone was able to produce a copy of
59 his NIMS Certification as proof that he had indeed taken the on-line classes and tests, and that
60 the Board has yet to receive the URL for these classes from Fire Chief Antoine. Selectman Hagan
61 moved that the minutes be approved as amended; Vice-Chairman Cannon seconded the motion. The
62 vote was four in favor with Selectman Castricone absent; so moved.

64 **III. New Business**

66 *3.1 Stephen Tunberg, Emergency Management Director*

68 Chief Emeritus Tunberg appeared before the Board with Phil Gladu, who he recommends take on the
69 role of Emergency Management Director.

70

71 Mr. Gladu has been a resident of Chester for four years; he is a Navy recruiter in Boston and a
72 Chester firefighter. Vice-Chairman Cannon asked Mr. Gladu if his regular full-time position was
73 flexible enough to allow him to take on the Emergency Management duties; Mr. Gladu replied that
74 when weather events were threatened, his office always shut down.

76 Selectman Hagan asked Mr. Gladu for information on his rank; Mr. Gladu replied that he was an
77 active duty E8, CTT, and in the 4th year of a 3-year tour. He plans to retire.

78

79 Chief Emeritus Tunberg stated that he met Mr. Gladu during the ice storm of 2008. He is
80 organized and fully functional insofar as federal organizations were concerned; he has the
81 motivation to support his community.

82

83 Chairman Landau asked what items were on the Emergency Management to-do list. Chief Emeritus
84 Tunberg stated that Chester tends to become an island during rainstorm events; he would
85 recommend liaising with the Emergency Management departments of Raymond and Derry and
86 contacting the State for a fix. He also believes that the Emergency Management Department
87 needs more structure; for example, the Emergency Operations Center (the Firehouse) does not
88 always have an Emergency Management person at that location.

90 Chairman Landau thanked Chief Emeritus Tunberg for his service to the town and stated that he is
91 sorry to see him go; he also suggested that perhaps Mr. Gladu would be willing to serve as an interim
92 Emergency Management Director while the Board considers the situation.

- 94 Mr. Gladu departed the meeting at 7:25pm.
- 96 Chairman Landau moved that the Board go into non-public session under RSA 91A:3 II (c),
98 Reputation; Vice-Chairman Cannon seconded the motion. The vote was four in favor with Selectman
Castricone absent; so moved.
- 100 The meeting room was closed at 7:26pm. Chief Emeritus Tunberg remained in the room with the
Board.
- 102 The meeting room was reopened at 7:33pm.
- 104 Chairman Landau moved that the Board come out of non-public session; Selectman Weider seconded
106 the motion. The vote was four in favor with Selectman Castricone absent; so moved.
- 108 Chairman Landau moved that the minutes to this first non-public session, on Reputation, be sealed
for 60 days; Selectman Weider seconded the motion. The vote was four in favor with Selectman
110 Castricone absent; so moved.
- 112 Chief Emeritus Tunberg departed the meeting at 7:35pm.
- 114 *3.2 Vision Appraisal and MRI Assessing Services*
- 116 Jean Packard from Assessing, Scott Marsh and Joe Lessard from MRI, and Paul McKenney from
Vision Appraisals appeared before the Board to discuss the situation with the property taxes on
118 the Shaker Heights and Villages condominium complexes.
- 120 There was some discussion about whether or not the situation needed to be discussed in non-public;
Vice-Chairman Cannon was loathe to do so. Steve Hurley stood and was recognized. He agreed with
122 Vice-Chairman Cannon, stating that this subject was why a group of residents had attended
tonight's meeting - they wanted to know what had happened and how the Town was going to fix it.
- 124 Apparently Mr. Marsh reviewed the original appraisals, and disagreed with those done on the two
126 complexes in question as being too high; he sent an email to Mr. McKenney. Mr. McKenney received
this email, reviewed Mr. Marsh's information, and on August 17th, in the afternoon, made the
128 changes. However, unbeknown to Mr. McKenney, Vision Appraisals had already sent the files to Ms.
Packard on August 17th in the morning. Therefore, she received the wrong ones, and the number
130 given to the State for calculating the tax rate was \$1.8m too high.
- 132 This translates to a difference of \$29k in taxes, affecting 63 residences. Vice-Chairman Cannon
asked what cross-references were in place to avoid this happening; apparently there are none. He
134 also asked why the original appraisals were too high; Mr. McKenney stated that there were
insufficient sales in the complexes - for Shaker Heights, 3 in 2008, 1 in 2009, and none in 2010; for
136 the Villages, 1 in 2009 and 1 in 2010. Mr. Marsh looks at factors other than sales to determine
assessments.
- 138

140 The error was not discovered until a resident received his tax bill which showed an appraisal higher than the letter he had previously received, and brought it to Ms. Packard's attention.

142 The Town's budget cannot handle a shortfall of \$29k in tax money, and asked MRI and Vision Appraisals what they planned to do to rectify this error. Mr. Lessard stated that most Towns used an overlay to handle abatements; however, this is much larger than the historical abatement amount. He then suggested using the unexpended fund balance. Vice-Chairman Cannon did not agree with this approach. Selectman Weider stated that the Public needed to trust that the Town was doing the right thing in fixing this error.

148 Chairman Landau moved that the Board go into non-public session under RSA 91A:3 II (c), Reputation; Vice-Chairman Cannon seconded the motion. The vote was four in favor with Selectman Castricone absent; so moved.

152 The meeting room was closed at 7:58pm.

154 Ms. Packard entered the meeting room at 8:06pm.

156 Mr. Marsh, Mr. Lessard, and Mr. McKenney entered the meeting room at 8:11pm.

158 The meeting room was reopened at 8:37pm.

160 Selectman Weider moved that the Board come out of non-public session; Selectman Hagan seconded the motion. The vote was four in favor with Selectman Castricone absent; so moved.

164 Selectman Weider moved that the minutes to this second non-public session, on Reputation, be sealed for an indefinite period; Vice-Chairman Cannon seconded the motion. The vote was four in favor with Selectman Castricone absent; so moved.

168 Vice-Chairman Cannon moved that the Board of Selectmen agree to negotiate with Vision Appraisals to resolve the financial liability for the appraisal technical error; Selectman Weider seconded the motion. The vote was four in favor with Selectman Castricone absent; so moved.

172 Vice-Chairman Cannon moved to direct the Town's Assessing Department to immediately begin the process to abate the 63 condominium properties directly affected by the appraisal technical error; Selectman Weider seconded the motion. The vote was four in favor with Selectman Castricone absent; so moved.

176 Ms. Packard stated that she would be performing a blanket abatement, and thinks that it can be completed by early next week. The affected residents will not be receiving new tax bills; Selectman Weider suggested sending them a letter with the new amount. Residents must pay their taxes by December 1st; otherwise the Town is compelled by the State to charge interest.

182 Terry Akashian stood and was recognized. She stated that her taxes were escrowed through Wells Fargo, and asked how that would be handled; it was surmised that she would need to be refunded, as it was likely that her mortgage company had already processed the payment.

186 Selectman Hagan asked Mr. McKenney if he was confident that the rest of Chester's appraisals
188 were correct; he was.

188 Ms. Packard, Mr. Marsh, Mr. Lessard, and Mr. McKenney departed the meeting at 8:44pm.

190 *3.3 Joanne Smith, Finance Director - Audit List (by telephone conference call)*

192 Finance Director Smith had a document from the auditors with 26 questions that needed to be
194 answered prior to the audit taking place. These questions were as follows: claims pending against
196 the Town, abatements, the sale of assets, debt, union contracts, long term leases with fixed
198 prepayments, projects with other towns, grant violations, water and sewer, suspected irregularities,
198 finance employees with lifestyle changes, being a responsible party with the EPA, recent events
200 that would impact the audit, family issues, environmental liabilities, high risk liabilities, violation of
202 environmental laws, pending claims with the EPA, hazardous waste issues, buried barrels, reports
204 issued on properties, site cleanups, environmental remediation liabilities, reduction in insurance, and
206 blanket bonding insurance. All questions except for #21 and #26 were answered with "no".

202 #21, reports issued on properties, was answered with yes, but there are no deficiencies. This
204 refers to the old Transfer Station; Finance Director Smith will contact Administrative Assistant
206 Martin for copies of the documentation.

208 #26, blanket bonding insurance, was answered with yes; it is through LGC.

210 Finance Director Smith will type up the answers to the questionnaire, and bring it in on Monday.

212 Selectman Weider moved to allow Chairman Landau to sign this questionnaire; Vice-Chairman Cannon
214 seconded the motion. The vote was four in favor with Selectman Castricone absent; so moved.

214 The conference call with Finance Director Smith was terminated at 8:57pm.

216 **IV. Selectmen's Business**

218 *4.1 Roundtable*

220 *Vice-Chairman Cannon*

- Nothing to report.

222

Selectman Weider:

- He reviewed the Insurance brokers' reports; Fred C Church did not provide a compensation
226 breakdown, and he has placed a call to them to clarify.

226

Selectman Hagan:

- Nothing to report.

228

230 *Chairman Landau:*

- 232 ● He received a letter on November 14th from New Hampshire the Beautiful; they have
awarded the Town a \$1k grant towards the purchase of the trailer and shredder. The
trailer is being used; the school is picking out a shredder.
- 234 ● He has a letter from the tax collector; apparently there was an issue with an incorrect
death certificate. Vice-Chairman Cannon does not believe that the person should have to
236 pay the \$125 fee twice, nor should the Town have to pay it. Chairman Landau stated that he
had directed Town Clerk Gagnon to resolve the issue with the state agency.
- 238 ● The Lions Club has boxwood bushes; they would like to plant some by the sign at Stevens
Hall. It was agreed that the Board would like to accept the gift, but Selectman Weider is
240 concerned that these bushes will overgrow the sign. Chairman Landau suggested asking that
they be planted on either side of the flagpole behind the cemetery wall. He will contact the
242 Lions Club.
- 244 ● He attended last night's Spring Hill Farm meeting. There was an issue with the ten acre
lease; he has spoken to Diane Gorrow. He also noted that the farmhouse's furnace needs to
246 be replaced due to a broken heat exchanger; they plan to take the cost out of trust funds.
They would like to write a warrant article to cover this cost as well as the cost of new
248 windows and insulation. He also asked if Spring Hill Farm was eligible to apply for impact
fees. Selectman Weider stated that they were not in the master plan, but perhaps so if
the property was used for Recreation purposes. Chairman Landau asked Selectman Weider
250 to attend a future meeting of the Spring Hill Farm trustees.
- 252 ● At last night's Spring Hill Farm meeting, the trustees voted to accept the loader. It has
been inspected; the trustees have been told that the motor is fine, but brakes are needed.
- 254 ● Lt. Col. Stefanik will be returning to Chester after a tour in Afghanistan; the Town sign will
reflect this. It would be nice to have a large canvas sign; this is not possible for this
occasion but perhaps in the future.
- 256 ● Southern New Hampshire Planning Commission is participating in broadband mapping
programs, and would like 2 people per town appointed by the end of the year. Meetings will
258 be 2-3 times a year over several years. The Board will advertise for volunteers. Selectman
Weider suggested notifying the School; Chairman Landau will send the information to the
260 Superintendent as well as to Chester College.
- 262 ● Among the items to be signed is one for a new postage meter which is cheaper and better
than the current one. Selectman Weider moved to allow Chairman Landau to sign this
264 document; Selectman Hagan seconded the motion. The vote was four in favor with
Selectman Castricone absent; so moved.

266 4.2 *Public Comment*

268 As no Members of the Public wished to be heard, Public Comment was closed at 9:13pm.

270 4.3 *Non-Public Session*

272 Vice-Chairman Cannon moved that the Board go into non-public session under RSA 91A:3 II (c),
Reputation; and (e), Pending Litigation; Selectman Hagan seconded the motion. The vote was four in
274 favor with Selectman Castricone absent; so moved.

276 The meeting room was closed at 9:14pm.

278 The meeting room was reopened at 9:39pm.

280 Vice-Chairman Cannon moved that the Board come out of non-public session; Selectman Hagan seconded the motion. The vote was four in favor with Selectman Castricone absent; so moved.

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Chairman Landau moved that the minutes to this third non-public session, on Reputation, be sealed an indefinite period; Vice-Chairman Cannon seconded the motion. The vote was four in favor with Selectman Castricone absent; so moved.

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Chairman Landau moved that the minutes to this fourth non-public session, on Pending Litigation, be sealed for one year; Vice-Chairman Cannon seconded the motion. The vote was four in favor with Selectman Castricone absent; so moved.

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290 **V. Adjournment**

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Vice-Chairman Cannon moved to adjourn the meeting; Selectman Hagan seconded the motion. The vote was four in favor with Selectman Castricone absent; so moved.

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296 The meeting was adjourned at 9:41pm.

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300 Respectfully Submitted,

Debra H. Doda