

**Town of Chester
Board of Selectmen Meeting
Thursday, September 1st, 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 7:09pm.

1.2 Roll Call

Selectmen present:

Jack Cannon
Joe Castricone
Stephen Landau
Michael Weider

Selectmen absent:

Joseph Hagan

Members of the Public present, at various times:

Thomas Albano
Rich Antoine, Fire Chief
Glenn Crawford
Maggie Crawford
Tom Edwards, Spring Hill Farm
Jeff Geary, Spring Hill Farm
Cynthia Herman
Andy Higham
Bob Latham
Cindy LeBlanc, Spring Hill Farm
Chuck Myette, Spring Hill Farm
Michael Oleson, Road Agent
Matt Rittenhouse, Tri-Town Times
Carolyn Scott
Leroy Scott
Gary Van Geyte
David Veale, Chester Field of Dreams
Brad Wamsley, Spring Hill Farm
And other persons unknown to the Recording Secretary

1.3 Pledge of Allegiance

48 Chairman Landau led the attendees in the Pledge of Allegiance.

50 *1.4 Additions and Deletions*

52 Three non-public sessions were added: one on Compensation, one on Reputation, and one on Pending
54 Litigation.

54

1.5 Public Comment

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Carolyn Scott stood and was recognized. She wished Chairman Landau a happy birthday.

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

60

II. Old Business

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2.1 Approval of Minutes

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This subject was not addressed tonight.

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2.2 Employee Raises

68

The Board will be meeting with Department Heads in non-public session on a non-meeting night.

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III. New Business

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3.1 Orcutt Drive - Road Agent and the Albanos

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Road Agent Oleson and Mr. Albano appeared before the Board to discuss a potential culvert on
76 Orcutt Drive. Road Agent Oleson met with Jeff Adler of DuBois & King, and reviewed the original
plans. These plans called for 60' of ditch line in the Town easement and a 12" culvert at the end of
78 Mr. Albano's driveway, which was planned to be 80' from the lot line. However, the driveway was
moved to 15' from the lot line, and no ditch line nor culvert were installed. Mr. Albano believes
80 that this should have been noted when the occupancy permit for the driveway was issued (by the
Road Agent, which is how it was done at that time - at this time, the Building Inspector issues these
82 permits) and would like the Town to install the culvert. His driveway never clears in the winter,
even with excessive amounts of salt, and is hazardous.

84

Road Agent Oleson stated that he has the culverts on hand, and the job would take 20' of 12"
86 culvert, two workers, and one day's work - unless he hits ledge, in which case he would have to rent
a hammer and it would take more time. He would, of course, call DigSafe - power lines are under
88 the driveway - and Jeff Adler would come out again to review the work.

90 Chairman Landau asked Mr. Albano if he would release liability; Mr. Albano was not willing, as he
believes that the problem is the fault of the Road Agent that approved the driveway when the
92 house was built. However, Chairman Landau does not wish to do work on private property without a

release, and open the Town up to lawsuits.

94 Mr. Albano stated that installing this culvert will not fix his driveway problem, only that of the
road; Road Agent Oleson stated that a swale would have to be installed alongside Mr. Albano's
96 driveway. Mr. Albano stated that the entire development has water drainage issues, a statement
with which Vice-Chairman Cannon agreed.

98

Selectman Weider suggested having Jeff Adler come before the Board in order to hear his take on
100 the problem. He also suggested looking at the developer and engineers, etc., who performed the
original work in order to recover any costs, as they apparently caused the issue in the first place.

102

Chairman Landau will ask Jeff Adler and Diane Gorrow, or their representatives, to attend next
104 week's meeting; perhaps the builder's engineer as well.

106 Mr. Albano departed the meeting at 7:39pm.

108 Road Agent Oleson stated that the Fremont Road Bridge work has been delayed due to the storm
damage in Vermont; the missing items should be here on September 7th.

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The post-storm cleanup is done; the \$700 chainsaw purchased is not part of FEMA.

112

Road Agent Oleson departed the meeting at 7:40pm.

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3.2 *Spring Hill Farm Trustees - Maggie & Glenn Crawford*

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Cindy LeBlanc, Tom Edwards, Chuck Myette, Brad Wamsley, and Jeff Geary of the Spring Hill Farm
118 Trustees appeared before the Board along with Glenn & Maggie Crawford, the chosen tenants for
the Spring Hill Farm house.

120

The Trustees explained that they had advertised the farm rental in the Tri-Town Times and the
122 Weekly Market at the end of June, and had received 15 applicants by the first of August. Using a
pre-set criteria, they had narrowed the list to six, and then down to the Crawfords. Mr. Myette
124 explained that the Trustees were looking for tenants who were farm/community friendly, with
public awareness, and who were interested in creating local produce for the community. The
126 applicants included the New Hampshire Agricultural Institute, who were interested in rotating
potential farmers through the property for educational purposes, as well as therapeutic riders.
128 The Trustees believed the Crawfords best fit the Farm's needs, being well educated with the
pertinent experience.

130

The Crawfords are interested in being part of the community, allowing residents to connect fresh,
132 organic food to its source, start to finish. They practice sustainable, closed-circuit farming, using
rotational pasture, heirloom seeds, and heritage animals. Mr. Crawford is a chef; he is interested in
134 using the Chester Kitchen to create 'added-value' items (pot pies, etc.) from their produce and
livestock. They have also participated in "Agriculture in the Classroom" - providing fertilized eggs
136 to schools for educational hatching purposes, and then taking the chicks back without issues.

138 There was some discussion about the feasibility of having two CSAs in Chester. This will be

140 addressed at a future date; the primary thing was to get the house rented. The Trustees will
141 continue to supervise and monitor the Farm. The Lease was reviewed by Town Counsel within the
142 past few days.

143 Vice-Chairman Cannon moved that the Board execute the Spring Hill Farm lease to start October
144 1st, 2011, for a one-year term, to Glenn & Maggie Crawford; Selectman Weider seconded the motion.
145 The vote was four in favor with Selectman Hagan absent; so moved.

146 The Crawford and the Trustees departed the meeting at 8:13pm.

148 *3.3 Vision Appraisal - Paul McKenney and Scott Marsh of MRI*

149 Mr. McKenney of Vision Appraisal and Mr. Marsh and Joe Lessard from MRI appeared before the
150 Board to discuss the recent property revaluation by Vision Appraisal.

154 There were 60 residential sales, 5 condominium sales, and 1 vacant land sale from April 1st, 2009 to
155 March 31st, 2011. Overall values decreased 20%; according to Mr. McKenney, this is typical of other
156 New Hampshire towns of this size. Overall median assessment to sales ratio is 96%; standard is
157 90-110%. Overall coefficient of dispersion is 7.82%; standard is less than 15%. Price related
158 differential is 1.009550; standard is .98 to 1.03.

160 2011 assessed value for the Town is \$489,710,600, which is \$125,876,700 less than the 2010
161 assessed value of \$615,587,300. There were 43 hearings on August 10th & 11th; final notices are
162 expected to be mailed on September 2nd.

164 Selectman Weider noted that although the revaluation came in under budget, it was late. Jean
165 Packard of Assessing had suggested that the Board ask Vision Appraisal to extend the website
166 viewing for an extra year in lieu of penalty; Mr. McKenney agreed.

168 Selectman Weider moved to waive penalties against Vision Appraisal and instead have them extend
169 the viewing one extra year; Vice-Chairman Cannon seconded the motion. The vote was four in favor
170 with Selectman Hagan absent; so moved.

172 The MS5 and MS1 are in process, and the audit can begin after they are done. It is expected that
173 these will be signed off by September 12th. Mr. Marsh stated that they did not yet have the actual
174 utility numbers, but that the MS1 could always be revised later if need be. Apparently these
175 numbers are always late.

176 Vice-Chairman Cannon moved to accept these valuations as presented; Selectman Weider seconded
177 the motion. The vote was four in favor with Selectman Hagan absent; so moved.

180 Mr. Marsh will alert Ms. Packard.

182 Mr. McKenney, Mr. Marsh, and Mr. Lessard departed the meeting at 8:33pm.

184 *3.4 Cynthia Herman and Fire Chief Antoine - Fireworks*

186 Ms. Herman, Fire Chief Antoine, and Gus <?> from American Thunder Fireworks appeared before
the Board to discuss Ms. Herman's issues with Town Fair Fireworks.

188
190 Fire Chief Antoine provided a map for the Board's perusal showing where the fireworks would be
set off, where the 400' exclusion zone is, and where Ms. Herman's house is. She is not within the
400' exclusion zone, and there are other houses closer to the fireworks than hers.

192
194 American Thunder has run the fireworks display for the past three years; it was previously done by
Atlas Fireworks. Atlas used to set off 6" shells; laws are stricter now, and this is no longer done.
2" , 3" , 4" , and 5" shells are used. Fire Chief Antoine will ask Melissa Rossetti, who previously
196 handled Town Fair, if she has records pertaining to the past fireworks displays.

198 Ms. Herman stated that her issues began three years ago, and expressed doubt that smaller shells
were being used now; she stated that her house shakes, bulbs loosen, items fall off of walls and
200 shelves, etc. Gus stated that his company runs the fireworks display at Hampton Beach every
Wednesday, and that fireworks are set off within 350' of the Sandcastle competition; no
202 sandcastle has ever been disturbed. In his 20 years of fireworks experience, he has never heard
of anything like this occurring.

204
206 Ms. Herman would like the fireworks display moved, and suggested Wason Pond. This is impractical
due to the lack of parking and room for spectators; David Veale, who was present at the meeting,
indicated that this would not be permissible due to the regulations outlined in the Wason Pond
208 conservation easement.

210 Selectman Castricone asked if it was a possibility that the smaller shells did not go as high as the
larger ones; in that case, they might be louder.

212
214 Ms. Herman would like to be assured that the 400' exclusion zone is accurate; she is also concerned
with firework debris and perhaps unexploded shells falling on the school. She also expressed
concern about excessive partying in her neighborhood during Town Fair. She asked that others
216 having the same problem with the fireworks display come forward.

218 Fire Chief Antoine suggested having a Fire Department person stationed at her home with a radio
during the fireworks display; then, if there are issues, the display could be stopped. Selectman
220 Weider suggested procuring a seismograph and perhaps firing off some test shots beforehand.
Fire Chief Antoine will attempt to borrow a seismograph from Aggregate and get a permit for test
222 shots.

224 Ms. Herman, Fire Chief Antoine, and Gus departed the meeting at 9:09pm.

226 *3.5 Chester Field of Dreams - Wason Pond Pounder*

228 David Veale of the Chester Field of Dreams and Tom Edwards appeared before the Board to give
them an update on the Wason Pond Pounder. Mr. Veale attended a similar event in Amesbury this
230 weekend, but on a much larger scale.

- 232 ● The potential sponsor as discussed at the previous meeting will not be sponsoring the event,
234 as the conservation easement documents prohibit alcohol on Wason Pond property. They are
attempting to line up a soft drinks sponsor.
- Parking will not be allowed on the offered Dump Road property. Some other suggestions
236 were Aggregate or along Route 121. Mr. Veale would prefer all cars to be in a single lot for
ease of shuttling, rather than scattered all over town.
- 238 ● Insurance has been arranged through TULIP and is all set.
- A walk-through was done with the Wason Pond Commission; they are happy with the
240 prospective placement of obstacles. These will be mainly pipe staging, and go over wetlands,
not through. Signage identifying the obstacle builder/sponsor is allowed, as long as it leaves
242 when the obstacle is removed.
- Vendors will be local non-profit/civic groups.
- 244 ● There will be 23 portable toilets in the parking lot; this will not affect handicapped parking.
- Wason Pond buildings will be closed.
- 246 ● There are currently ~150 registrations; there will be a maximum of 1,000, and no minimum.
- Liaisons will be:
 - 248 ○ Michele Rodin <?> - Fire Department
 - Dave Chisholm - Police Department
 - 250 ○ David Veale - Board of Selectmen
 - Alana Wentworth - Wason Pond/Conservation Commissions
 - 252 ○ John Sullivan - Recreation
 - Maria Veale - Road Agent

254 Selectman Weider asked Mr. Veale to check with Joanne Smith, the acting Finance Director, to get
256 the "burdened rate" for Police and Fire Department details.

258 Mr. Veale and Mr. Edwards departed the meeting at 9:32pm.

260 **IV. Selectmen's Business**

262 *4.1 Roundtable*

264 *Vice-Chairman Cannon:*

- With regards to the vacation discussion of last week, Marianne Duffy from the Finance
266 office had provided him with a list of Police Officers and the earned time they had taken
since January 1st. There was some discussion about how to manage this leave taken versus
268 the vacation time they would be entitled to. It was suggested that the Officers be
awarded the vacation time they were entitled to, and the necessary number of those hours
270 deleted from their vacation account and used to 'reimburse' their earned time accounts.
This would increase the amount of earned time to be funded, but as the actual amount to be
272 raised has yet to be determined, this may not be material. Selectman Castricone will handle
speaking with Ms. Duffy and the Police Department.

274

Selectman Weider:

- 276 ● He raised the subject of the Fee Schedules from last week. Contractors will find the fees

278 raised, but homeowners will be able to pay one "trade fee" which will cover all DIY items.
Thom Roy will speak with Administrative Assistant Martin to schedule the public hearing.

280 *Selectman Castricone:*

282 ● He has two choices for service contracts for the generators. One is for the Municipal
Complex only; it is \$425 major/\$285 minor, semiannually. The other is for the Municipal
284 Complex and the Fire Department together; it is \$800 major/\$540 minor. Currently the
Fire Department has Vern, a diesel mechanic, maintain their generator; Selectman Weider
286 would like him to quote maintenance for the Municipal Complex also if possible. The Fire
Department should be asked for their input.

288 *Chairman Landau:*

290 ● It is Chester's turn to host the local Hazardous Waste disposal day.
● LGC needed to be alerted by August 1st in order to start the STD/LTD in lieu of earned
292 time by October 1st. Chairman Landau also has documentation from LGC stating that
STD/LTD are available to any employee working over 20 hours a week. There are 8 part-
294 time employees working over 20 hours a week; they should be asked to indicate their level
of interest. He does not have a price for this.
● According to PSNH, who services 969 homes in Chester, 0% are without power as of August
296 30th, 2011. However, if anyone knows of anyone else without power, please let him know.
● The next Municipal Law Lecture series will take place on October 12th, 19th, and 26th. These
298 are Wednesdays at 7pm. If anyone is interested, he has the brochure.

300 *4.2 Public Comment*

302 Leroy Scott stood and was recognized. He stated that when Social Security gives a raise to the
retired persons receiving it, then the Town can give Employees a raise. But until then, it may be
304 nice, but is not necessary.

306 He also stated that the culvert situation on Orcutt Drive was caused by the Developer, and they
should be paying for any repairs.

308

He had a written message for Administrative Assistant Martin; as she was not present, he handed
310 it to Chairman Landau.

312 As no other Members of the Public wished to be heard, Public Comment was closed at 10:03pm.

314 *4.3 Non-Public Sessions*

316 Vice-Chairman Cannon moved that the Board go into Non-Public Session for three items: one item
under RSA 91-A:3 II (a), Compensation, one item under RSA 91-A:3 II (c), Reputation, and one item
318 under RSA 91-A:3 II (e), Pending Litigation. Selectman Castricone seconded the motion. The vote
was four in favor with Selectman Hagan absent; so moved.

320

The Meeting Room was closed at 10:04pm.

322

The Meeting Room was reopened at 10:27pm.

324

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

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Chairman Landau moved that the minutes to the all three non-public sessions be sealed for an indefinite period; Vice-Chairman Cannon seconded the motion. The vote was four in favor with Selectman Hagan absent; so moved.

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332 **V. Adjournment**

Chairman Landau moved to adjourn the meeting; Selectman Weider seconded the motion. The vote was four in favor with Selectman Hagan absent; so moved. The meeting was adjourned at 10:29pm.

336

338 Respectfully Submitted,

340 Debra H. Doda