

**Town of Chester
Board of Selectmen Meeting
Thursday, September 8th, 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 7:11pm.

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:

Rich Antoine, Fire Chief
Cass Buckley
Cynthia Herman
Andrew Hadik, Planning Board
Bob Latham
Rich LeBlanc
Jean Methot
Michael Oleson, Road Agent
Bryan Remillard
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

A discussion on the Town Fair Fireworks with Fire Chief Antoine and Cynthia Herman was added;

Chairman Landau has a letter from Town Counsel about LeClair's.

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1.5 *Public Comment*

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As no members of the public wished to speak, Public Comment was closed at 7:13pm.

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II. Old Business

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2.1 *Approval of Minutes*

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58 *September 6th, 2011:* This meeting took place on a Tuesday, not a Thursday. Selectman Weider
moved to approve the minutes as amended; Selectman Castricone seconded the motion. The vote
was three in favor with Selectman Hagan absent and Vice-Chairman Cannon abstaining due to
60 absence from the referenced meeting; so moved.

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III. New Business

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3.1 *Planning Board Alternate Member Appointment - Cass Buckley*

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Andrew Hadik, representing the Planning Board, and Mr. Buckley appeared before the Board in
order that Mr. Buckley might be appointed as an alternate member to the Planning Board.

68

Mr. Buckley, originally from Brentwood, has lived in Chester for 2 ½ years. He is interested in
70 preserving the character of the Town - not stopping growth, but managing it - and has attended
four Planning Board meetings. The Selectmen thanked him for his involvement.

72

Selectman Weider moved to appoint Cass Buckley as an alternate member of the Planning Board for
74 a three year term to expire May 31st, 2014; Selectman Castricone seconded the motion. The vote
was four in favor with Selectman Hagan absent; so moved.

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Mr. Buckley will need to visit or telephone Town Clerk Barbara Gagnon in order to be sworn in.

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Mr. Hadik and Mr. Buckley departed the meeting table at 7:17pm; Mr. Hadik remained in the
80 meeting.

82

3.2 *Jean Methot, Chair - Scenic Byway*

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Mr. Methot, representing the Southern New Hampshire Planning Commission, appeared before the
Board to discuss the Scenic Byways program and other items.

86

A Scenic Byway needs to comprise a complete circle; the SNHPB has already organized one using
88 Route 114 (the John Stark highway). They are now considering one that goes from Chester through
Auburn, Derry, Hampton, Sandown, and Atkinson and back to Chester using 121 and Bypass 28. Mr.
90 Methot also suggested perhaps making a CD of a "town tour" that could be purchased or borrowed
from the library and listened to whilst driving.

92

94 Mr. Methot would like to have a meeting in Chester in October with the above-referenced towns in
order to discuss this program. He would invite representatives from their Conservation
96 Commissions, Planning Boards, Historical Societies, and Board of Selectmen. Chairman Landau
suggested they might want to meet in Stevens Hall, and suggested that he call Sharon Mulrennan
98 from Recreation or Administrative Assistant Patricia Martin for booking, as well as Channel 21 for
filming purposes.

100 Mr. Methot plans to handle the Veterans' Day activities. He has contacted Dick Trask, who would
like to host a breakfast for Veterans before the Parade. He also has some speakers lined up.
102 Selectman Castricone will handle organizing a PA system.

104 He needs a replacement for Ray Boyden for the SNHPC. Selectman Weider opined that Janet
Boyden had volunteered; he will check with her. If this is not so, the Board will advertise for a
106 volunteer.

108 He is waiting for engineering specs for Town Mapping in order to bid. Selectman Weider stated
that the current contract expires in January, and the Board will be preparing an RFP in October or
110 November.

112 Mr. Methot departed the meeting at 7:36pm.

114 *3.3 Mike Oleson, Road Agent - Pheasant Run Culvert*

116 Road Agent Oleson appeared before the Board with a proposal from DuBois & King to replace a
culvert on Pheasant Run Drive.

118 He expects it to be an \$8,000 job, with another \$4,600 in fees to DuBois & King should the work
120 not be performed by the Highway Department. Selectman Weider disagreed with the estimate; he
stated that it should be a \$2,900 oversight fee only, and that Road Agent Oleson could be
122 performing that particular job. Road Agent Oleson demurred, stating that he would not oversee
other contractors. He stated that Jeff Adler had opined that the Highway Department should
124 perform the work in order to save money. Chairman Landau suggested waiting on this issue until
Tuesday, as Jeff Adler would be in Town and could be asked to discuss this subject in person.
126

Selectman Weider stated that small jobs, like the replacement of culverts, should be combined and
128 bid out as a group each year. Road Agent Oleson replied that these culvert replacements were
often emergency jobs and couldn't wait for bids. Bryan Remillard stood and was recognized. He
130 stated that the Road Agent should be compelled to solicit Time & Materials bids each year; he
stated that he would be on call 24/7 for emergencies in the Town should his bids be accepted.
132

Mr. Remillard also opined that the Board gave Road Agent Oleson more leeway than the former
134 Road Agent because they "liked him". The Selectmen denied this accusation, with Vice-Chairman
Cannon countering that Mr. Remillard used to attend Board meetings and insist that the Selectmen
136 leave the former Road Agent alone to do his job; now he attends Board meetings and insists that
the Selectmen exercise more control over Road Agent Oleson. Mr. Remillard denied this, and asked
138 why he hadn't received a personal letter from the Selectmen answering the complaints he had made

140 against Road Agent Oleson last year about some work done on Rod & Gun Club Road. Chairman
Landau stated that Mr. Remillard's complaints had been investigated and addressed with the
142 appropriate parties, it was determined that nothing untoward had occurred, that the issue had been
discussed at length during Board meetings a year ago, and correspondence from Town Counsel had
144 been forwarded to Mr. Remillard; in short, he considered the matter closed. Mr. Remillard
responded with vulgarities and departed the meeting.

146 Road Agent Oleson stated that Petra will charge ~\$4,000 to pave the Skate Park, once the
obstacles are removed; Chairman Landau will alert Recreation and perhaps the cost can be shared.
148 There is no time frame on this work.

150 Road Agent Oleson departed the meeting at 7:53pm.

152 3.4 *Cynthia Herman and Fire Chief Antoine - Fireworks*

154 Fire Chief Antoine and Mrs. Herman appeared before the Board to discuss the upcoming Town Fair
fireworks.

156 Fire Chief Antoine measured the distance from Mrs. Herman's house to the fireworks site; it is
158 793 feet. The minimum allowable distance is 350 feet. He also met with Mrs. Herman's neighbors;
none of them have any complaints nor have they had any issues or damages. Police Chief Burke has
160 also never received any complaints. Fire Chief Antoine also contacted the State Fire Marshal. Two
investigators were sent; they went over the permitting and looked at the Herman house.

162 Unfortunately, test shots during the week will not be allowed, only some earlier during the day on
164 the Saturday of Town Fair. These test shots will be done, and Fire Chief Antoine will be at the
Herman home during them. He is still attempting to procure a seismograph and technician to put
166 halfway between the fireworks site and Mrs. Herman's house, although as they measure vibration
rather than concussion, the results may not be useful. There are no regulations regarding
168 concussion.

170 Mrs. Herman stated that she appreciated the quick and thorough response from Fire Chief Antoine
and the State Fire Marshal. She is packing up her house, and plans to have someone else at her
172 home during the display Saturday night in order to back up her findings. She is still not happy with
the situation, stating that she would prefer that the fireworks display be moved or canceled.

174 Fire Chief Antoine will report back to Chairman Landau once he has more information on obtaining a
176 seismograph and the associated costs.

178 Fire Chief Antoine and Mrs. Herman departed the meeting at 8:06pm.

180 **IV. Selectmen's Business**

182 4.1 *Roundtable*

184 *Chairman Landau:*

- 186 ● He has received a copy of a letter from Attorney Michael Tierney to the Superior Court
188 Clerk as regards LeClairs. The amount of \$969,833.27 has been awarded to the Town and
not paid; the Town wants a writ of execution. A copy was also sent to the LeClairs and the
abutters' attorney.
- 190 ● The Transfer Station has been talking with the School about taking their paper for
192 recycling purposes. The Town currently receives \$115/ton from Schwartz for cardboard,
and a similar amount for mixed paper. They need a small enclosed trailer for this purpose,
194 as the vendor's trailer is too large; one was located for \$1,500, and would pay for itself in
less than a year. Andrew Hadik asked if it would be possible to get a grant, at least a
partial one, to help pay for this trailer; apparently "New Hampshire the Beautiful" gives one
every few months. Selectman Castricone will speak with the Superintendent on Tuesday.
- 196 ● He has received a bid for snow removal at the Transfer Station; however, there is no RFP as
of yet. This needs to be done.
- 198 ● He has spoken to the Insurance company about Orcutt Drive; they do not wish to attend
200 Tuesday night's meeting. Jeff Adler and Diane Gorrow will be there, and Mr. Albano has
been invited. Selectman Weider suggested meeting with Mr. Adler and Attorney Gorrow
first, and then adding Mr. Albano afterwards.

202

Selectman Weider:

- 204 ● The MS1 is finalized and needs to be signed. No valuation will be done on Comcast or
206 Granite State Telephone. The assessors were advised not to include these utilities, as they
reportedly believe that the amount they pay for poles is all they owe. The State is being
208 appealed to via the DRA and PUC. The Town will bill them anyway; if they pay, which is
unlikely, the form will be adjusted next year.
- 210 ● The MS5 will be completed tomorrow. After these are done, the internal audit and the tax
setting can take place.
- 212 ● Although the School Board believes the Town is ready to take over, the Town is not going to
plow the School this year. The Town will work with the School Board during the budget
process to prepare for next year's plowing.
- 214 ● Apparently the propane company chosen by the School does not wish to allow the Town and
School to bundle together for propane bids. However, he will ask the School to ask again.
- 216 ● The School CIP will be transitioning to impact fees; this will be submitted to the Planning
Board.
- 218 ● There was a discussion at the last Planning Board meeting about impact fees for South
Woods. The Planning Board wants all reviews to go through the Selectmen.

220

Selectman Castricone:

- 222 ● The projected change from last week's discussion on earned time and vacation is \$1,883.
He reiterated the suggestion that earned time that was used for vacation purposes be
224 returned to the employee's account, and his/her vacation time debited. The Selectmen will
ponder this issue and vote on it at the next meeting.
- 226 ● The Wason Pond water passed all of its tests; all emergency lights at the Municipal Complex
have been repaired; the fire alarm at Stevens Hall is operational.
- 228 ● Now that the Caretaker is gone from Wason Pond, what is the plan? Selectman Weider
suggested having the Wason Pond Commission create a job description, advertise the
230 position, and hold the initial interviews. They can then bring their selected candidate to the

232 Selectmen. Vice-Chairman Cannon asked if Mr. Broom could perform the duties until then;
Selectman Castricone replied that he estimated it to be about 10 hours a week, and that
Mr. Broom did have the time.

234 ● He brought up the generator maintenance contracts again; apparently the person who
maintains the Fire Department generator only maintains the engine, not the electric.
236 Nobody appeared to know who maintained the School generators. Vice-Chairman Cannon
stated that Powers should do the work.

238 ● The Highway Garage furnace needs to be replaced; this will cost \$4,500 for a new oil
furnace plus \$2,000 for a new tank and piping, as the current tank and piping are not up to
240 code and if a new furnace is purchased rather than the old one repaired, this replacement
would need to be done. A bid was received from Russ Ouwerkerk to replace it with a
242 propane furnace; this would be \$4,000, and the Town would need to purchase a tank (~\$100-
\$200). Selectman Weider asked about the fact that the boiler was under warranty;
244 Selectman Castricone stated that it would cost \$850 to replace the part under warranty.
Unfortunately, there is no money in the budget for a new furnace. No-one is quite sure how
246 old the furnace is; Selectman Castricone will investigate.

248 *4.2 Public Comment*

250 Rich LeBlanc stood and was recognized. He wished to thank Road Agent Oleson and the Highway
Department, Fire Chief Antoine and the Fire Department, and the Police Department for their help
252 during Hurricane Irene. He was out of town when a tree fell on his house; his wife was home alone.
All pitched in and helped; the job was done quickly and smoothly, the tree removed, and the hole
254 tarped. He stated that this was what living in a small town was all about and thanked all involved
again.

256 As no other Members of the Public wished to be heard, Public Comment was closed at 8:44pm.
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260 **V. Adjournment**

Vice-Chairman Cannon moved to adjourn the meeting; Selectman Castricone seconded the motion.
262 The vote was four in favor with Selectman Hagan absent; so moved. The meeting was adjourned at
8:44pm.
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266 Respectfully Submitted,

268 Debra H. Doda