

**Town of Chester  
Selectboard’s Meeting  
Thursday, September 7, 2023  
Municipal Complex  
Approved Minutes**

**I. Preliminaries**

Call the Meeting to Order

Roll Call

Pledge of Allegiance

Chairman’s Additions or Deletions

Public Comment (10 minutes)

Roadwork Updates

Town Owned property

Monitoring wells on Town Owned Property

Conservation Easements

Finalize Budgeting & Financial Planning Process for FY24-25

Finalize Engineering RFP

Post Office Lease

Consent Agenda

Chairman’s Announcements

Roundtable

TA Report

Action Items

Potential Non-Public Sessions

Adjournment

*1.1 Call to Order*

Chairman Myette called the meeting of the Chester Selectboard to order at 6:00pm.

*1.2 Roll Call*

Selectboard Present:

Chuck Myette

Steve Couture

Dick Trask

Stephen Landau (via Zoom)

Selectboard Absent:

Dana Theokas

Town Administrator Debra Doda

Members of the Public Present at various times:

Ted Broadwater

Victor Chouinard

Mike Howley  
Nancy Myette

and other persons unknown to the Recording Secretary.

### *1.3 Pledge of Allegiance*

Chairman Myette led the attendees in the Pledge of Allegiance.

### *1.4 Chairman’s Additions or Deletions*

There were neither additions nor deletions.

### *1.5 Public Comment*

Chairman Myette opened the meeting to public comment at 6:01pm.

As no Members of the Public wished to be heard, Public Comment was closed at 6:02pm.

## **II. Appointments**

### *2.1 Roadwork Updates*

Supervisor of Roads Piper appeared before the Selectboard to discuss the Highway Department’s recent activities.

Lane Road has been paved and is open for business as of mid-August; after a consultation with Engineer Scott Bourcier, it was determined that guardrails should be installed on the downstream side of the road. These will cost approximately \$9k and will be installed when guardrails are installed on the Fremont Road Bridge.

SoR Piper also updated the Selectboard on the status of the Fremont Road Bridge work, which is projected to be more costly than originally anticipated due to the hidden damage revealed when the bridge was opened up.

### *2.2 Town Owned Property*

Ted Broadwater appeared before the Selectboard in order to discuss a nine-acre parcel of land (Map & Lot 7-59) on Chester Street which is contiguous to his own 98-acre parcel (Map & Lot 4-28).

Mr. Broadwater is of the opinion that the nine acres in question has always belonged to his family (the “William P Underhill Farm”) and that it was improperly created as a separate lot and sold to another family in 1964 by a person who did not have clear title. These new owners eventually defaulted on their property taxes and the Town took ownership.

Mr. Broadwater would like to regain legal ownership of this nine-acre parcel in order to restore his property to its original size and to clean up the nine-acre parcel upon which sits a dilapidated building and is experiencing illegal dumping. He has suggested that he is willing to pay the back taxes owed and possibly the legal fees involved in transferring ownership.

The Selectboard asked that Mr. Broadwater attempt to get information from former owners, the Rands and the Sullivans, and solicit an attorney’s opinion as to the legitimacy of his claim so that they may consider the issue with full information. The subject will be discussed again at a future meeting.

### *2.3 Monitoring Wells on Town Owned Property*

Chairman Myette stated this is a request from Department of Environmental Services (DES) to place monitoring wells on town owned property.

Mr. Howley, Senior Geoscience Program Specialist with New Hampshire Geological Survey, presented the proposal to install a bedrock well adjacent to the power line corridor at the end of Bridle Path on town owned property to monitor water. The monthly water monitoring is used to determine the status of the water. Multiple agencies use the information for monitoring droughts.

Mr. Howley is requesting the Board to sign an access agreement to allow them to install a monitoring well and access the well monthly. Chairman Myette would encourage the Board to sign this agreement.

Vice Chairman Couture inquired if the property had an easement on it. The parcel is .79 acres and does not have an easement. Chairman Myette asked that with the FAA Tower so close that they be made aware of the monitoring well and monthly visits to the site.

Selectman Landau mentioned there is a private contractor who plows the road for access to the FAA Tower every winter. Mr. Howley will send over the access agreement for signatures.

### *2.4 Conservation Easements*

Mr. Chouinard will be presenting two conservation easements and they have both been reviewed by Town Counsel. The first easement is to add parcels to the North Woods. The Conservation Commission is working on getting bids to have the properties surveyed.

The Jenkin Farms easement is part of an open space subdivision that had been conservation land.

***Vice Chairman Couture motioned to approve the Amended Declaration of Conservation Easement off Ledge Road and the Jenkins Farm Declaration of Conservation Easement as presented. Selectman Trask seconded the motion. A roll call vote was taken Myette – aye, Trask – aye, Theokas –absent, Couture –aye, Landau – aye. With four in favor, the motion passed with Theokas absent.***

## **III. New Business**

### *3.1 Finalize Budgeting & Financial Planning Process for FY24-25*

Town Administrator Doda mentioned the only change to the document was putting in the 3% that had been approved at a prior meeting.

***Vice Chairman Couture motioned to approve the Budget and Financial Planning Process for FY24-25. as presented. Selectman Trask seconded the motion.***

Selectman Trask stated he does not like the concept or idea of this document. Chairman Myette explained if the increases exceed the 3% then justification is required by the department head. Vice Chairman Couture mentioned the Budget Committee has not approved the document yet. Town Administrator Doda will revise the document.

***A roll call vote was taken Myette – aye, Trask– abstained, Theokas –absent, Couture –aye, Landau – aye. With three in favor, the motion passed with Theokas absent and Trask abstaining.***

### *3.2 Finalize Engineering RFP*

Vice Chairman Couture thanked Town Administrator Doda for putting together the RFP.

***Vice Chairman Couture motioned to approve the Engineering RFP as presented. Selectman Trask seconded the motion. A roll call vote was taken Myette – aye, Trask– aye, Theokas –absent, Couture –aye, Landau – nay. With three in favor, the motion passed with Theokas absent.***

The Board decided to change the date to November 1<sup>st</sup>.

***Vice Chairman Couture motioned to amend the motion to approve the Engineering RFP with the date for submissions changed to November 1, 2023. Selectman Trask seconded the motion. A roll call vote was taken Myette – aye, Trask– aye, Theokas –absent, Couture –aye, Landau – aye. With four in favor, the motion passed with Theokas absent.***

### *3.3 Post Office Lease*

Chairman Myette mentioned this lease for the Post Office expires in September of 2024. The new contract is for five years with an increase of 7%. Town Administrator Doda mentioned this is identical to past leases with the exception of a 4% broker fee to be paid by the Town. Selectman Trask does not feel the Town should be paying a fee.

Selectman Landau pointed out the worst scenario if the Town does not agree with the lease is the Post Office closes and everything will go to Derry. They could also look for other property and build a new Post Office.

Town Administrator Doda stated the last contract was approved via a warrant article in 2014. The Broker will be advised that nothing can be signed until the next Town Meeting in May of 2024. The Board feels the Post Office should be paying the broker fees.

## **IV Consent Agenda**

### *4.1 MS-1*

***Selectman Trask motioned to accept the MS-1. Vice Chairman Couture seconded the motion. A roll call vote was taken Myette – aye, Trask– aye, Theokas –absent, Couture –aye, Landau – aye. With four in favor, the motion passed with Theokas absent.***

## **V. Selectmen’s Business**

### *5.1 Chairman’s Announcements*

Chairman Myette announced the following meetings and upcoming events:

Monday September 11, 2023                      Budget Committee Meeting at 7:00pm  
Wason Pond Commission Meeting at 7:00pm

Tuesday September 12, 2023                      Conservation Commission Meeting at 7:00pm

Wednesday September 13, 2023                      Planning Board Meeting at 7:00pm  
School Board Workshop at 6:00pm

Monday September 18, 2023                      Spring Hill Farm Meeting at 7:00pm

Tuesday September 19, 2023                      Solar Working Group Meeting at 7:00pm  
ZBA Meeting at 7:00pm

Thursday September 21, 2023                      Selectboard Meeting at 6:00pm

Scarecrows for sale – Saturday, September 9, 2023 – 9:00am at Stevens Hall. Price is \$30.00

Chester Town Fair - Saturday, September 9, 2023 - fun begins at noon!

#### *5.2 Roundtable*

Selectman Trask is continuing to work on getting funding from the state for Halls Village Road. The grant for the Police Department body worn cameras has been approved.

Vice Chairman Couture  
*Nothing to report.*

Selectman Landau  
*Nothing to report.*

Chairman Myette mentioned the Legion is hosting a fall fest at Busche Academy on September 30<sup>th</sup>. The Garabedian Pit will be starting to blast in the next few weeks. Neighbors have been notified.

#### *5.3 Town Administrator’s Report*

The Wason Pond Bridge grant was discussed.

*5.4 Action Items*  
*None*

#### *5.5 Non-Public Session(s)*

Chairman Myette announced non-public sessions on reputation and property.

***Vice Chairman Couture motioned to go into non-public session pursuant to 91-A:3(II) (c) reputation and (d) property. Selectman Trask seconded the motion. A roll call vote was taken***

***Myette – aye, Trask– aye, Theokas –absent, Couture –aye, Landau – aye. With four in favor, the motion passed with Theokas absent.***

The meeting was closed to the public at 7:27 PM. Conservation Commission Chairman Chouinard remained in the meeting room.

Conservation Commission Chairman Chouinard departed the meeting room at 8:14 PM.

***Vice Chairman Couture motioned to come out of non-public session. Selectman Trask seconded the motion. A roll call vote was taken Myette – aye, Trask– aye, Theokas –absent, Couture –aye, Landau – aye. With four in favor, the motion passed with Theokas absent.***

The meeting was reopened to the public at 8:30 PM.

***Selectman Trask motioned to seal the minutes of the first non-public session, on Property. Vice Chairman Couture seconded the motion. A roll call vote was taken Myette – aye, Trask– aye, Theokas –absent, Couture –aye, Landau – aye. With four in favor, the motion passed with Theokas absent.***

***Selectman Trask motioned to seal the minutes of the second non-public session, on Reputation. Vice Chairman Couture seconded the motion. A roll call vote was taken Myette – aye, Trask– aye, Theokas –absent, Couture –aye, Landau – aye. With four in favor, the motion passed with Theokas absent.***

## **VI. Adjournment**

***Vice Chairman Couture moved to adjourn the meeting. Selectman Trask seconded the motion. A roll call vote was taken Myette – aye, Trask– aye, Theokas –absent, Couture –aye, Landau – aye. With four in favor, the motion passed with Theokas absent.***

The meeting was adjourned at 8:37 PM.

Respectfully submitted,

Janis A. Jalbert  
Recording Secretary