

**Town of Chester  
Board of Selectmen Meeting  
Thursday, January 10<sup>th</sup>, 2019  
Municipal Complex  
Approved Minutes**

**I. Preliminaries**

Call the Meeting to Order  
Roll Call  
Pledge of Allegiance  
Additions and Deletions  
Public Comment  
Approval of Minutes  
Items for Signature  
Carkin Street  
Budgets  
Highway Department  
Roundtable  
Non-Public Sessions  
Adjournment

*1.1 Call to Order*

Chairman Owens called this meeting of the Town of Chester Board of Selectmen to order at 7:00pm.

*1.2 Roll Call*

Selectmen present:

Cass Buckley  
Steve D'Angelo  
Joseph Hagan (arrived at 7:06pm)  
Stephen Landau  
Jeremy Owens

Members of the Public present, at various times:

Aaron Berube, Police Chief  
Colin Costine, Trustees of the Trust Funds  
Andy Higham, Highway Department  
Nancy Myette  
Erin Newnan, Town Clerk/Tax Collector  
Scott Newnan  
Michael Oleson, Road Agent  
Jean Packard, Assistant Assessor  
James Piper, Highway Department  
Michael Weider, Planning Board  
Penny Williams, Tri-Town Times  
And other persons unknown to the Recording Secretary

*1.3 Pledge of Allegiance*

Chairman Owens led the attendees in the Pledge of Allegiance.

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

There were neither additions nor deletions.

#### *1.5 Public Comments*

Town Clerk Erin Newnan stood and was recognized. She stated that she had received numerous calls from residents concerned about the reason for her resignation and wished to clarify that although she had not been looking for a new position, accepting Londonderry’s offered position of an appointed tax collector was the right move for her. She will be available to assist during the transition to a new Town Clerk/Tax Collector. She thanked the other Department Heads and thanked the Board of Selectmen for allowing her to run her office without micromanagement.

Selectman Landau stated that Town Clerk Newnan had done a phenomenal job since she took over from former Town Clerk Barbara Gagnon, and that the Board of Selectmen were sorry to see her go.

As no other Members of the Public wished to be heard, Public Comment was closed at 7:06pm.

### **II. Old Business**

#### *2.1 Approval of Minutes*

An approval sheet for the previous weeks’ meeting minutes is in the signature folder.

#### *2.2 Items for Signature*

All members should review and sign items in the Signature Folder.

### **III. New Business**

#### *3.1 Carkin Street – Russell Quintal*

Mr. Quintal appeared before the Selectmen to discuss potentially purchasing some Town-owned property that abuts his property on Carkin Street.

He purchased his house as a foreclosure last summer, and when he had a certified plot plan drawn up, he discovered that a corner of his existing garage is on a “paper” cul-de-sac (the road was designed and shown on the map as a cul-de-sac, but it was not built that way). Additionally, his house so close to this paper cul-de-sac that he cannot obtain a permit to rebuild the front porch. As the Town does not plow this portion of the road (the plow trucks turn directly onto Donna Street), his engineer suggested that he ask to purchase that portion. He has consulted with his neighbors, and they have no objection. There is another ‘paper’ road at the end of Donna Street (Map 5 Lot 47) that would give access to the property at Map 5 Lot 78, if that is an issue. There do not appear to be any previous variances, and he has brought the house up to code with the proper permits. He does have title insurance.

Selectman Landau believes that the Selectmen themselves cannot authorize the sale of a piece of property or the granting of an easement; this would need to go through Town Meeting. He suggested that Town Counsel be consulted to confirm this.

As Road Agent Oleson was in attendance, Vice-Chairman Buckley asked for his opinion. Road Agent Oleson would prefer that an easement be granted; this would allow Mr. Quintal a clear title yet prevent the creation of another potential cul-de-sac should Map 5 Lot 78 be developed in the future. Vice-Chairman Buckley does not believe that the Town needs to protect the development rights of other landowners; Road Agent

Oleson clarified that he was merely concerned about the person who would need to maintain that cul-de-sac in the future.

Vice-Chairman Buckley believes that selling the land would be 'cleaner' than granting an easement. Mr. Quintal is willing to pay full market value and the associated property taxes.

Selectman Hagan suggested the creation of two Warrant Articles: one to sell the property, and a contingent one to grant an easement, should the first one not pass.

Mr. Quintal stated that until Town Counsel weighs in on this matter, he will continue to pursue variances for his porch and garage.

Mr. Quintal departed the meeting at 7:25pm.

### *3.2 Budgets*

Vice-Chairman Buckley expressed a desire to keep budget growth down to CPI, and not to use the Unassigned Fund Balance to artificially reduce the tax rate.

#### *3.2.1 Assessing*

Assistant Assessor Jean Packard appeared before the Selectmen to defend her budget request. This request is for \$75,265, which is a decrease of 2.21% from last year's budget.

Much of the decrease is tied to the discontinuation of the Inventory Forms – costs associated with their printing (01-4152-2-312) and mailing (01-4152-2-625) have been removed. Town Tax Maps have been converted to GIS format which is easier to maintain (01-4152-2-350), so that line has decreased. As she was recently certified, course costs (01-4152-2-560) can be decreased. The salary line has remained flat, but she asked that the Selectmen look at the article she provided on Salary Compression.

As the Selectmen had no questions for Assistant Assessor Packard, she departed the meeting at 7:28pm.

#### *3.2.2 Trustees of the Trust Funds*

Trustees of the Trust Funds Chairman Colin Costine appeared before the Selectmen to defend his budget request. This request is for \$18,600, which is an increase of 58.97% over last year's budget.

Mr. Costine pointed out that the costs of investment services are directly tied to what Town Meeting votes for, as it costs money to manage money. He suggested that if the Selectmen are aware of a large investment to be made this year, such as a Capital Reserve Fund, they consider further increasing the Trustees of the Trust Fund's budget.

As the Selectmen had no questions for Mr. Costine, he departed the meeting at 7:31pm.

#### *3.2.3 Finance, Insurance, Ad & Regional Associations, Legal, Debt Service, Benefits, IT*

Finance Director Smith was not present to defend these budget requests but can be reached by telephone if necessary.

##### *Finance Department*

This request is for \$135,103, which is an increase of 0.37% over last year's budget.

*Insurance*

This request is for \$104,699, which is an increase of 8.85% over last year's budget. As property values increase, so do property taxes; accordingly, as wages increase, so does Unemployment, etc.

*Ad & Regional Associations*

This request is for \$8,248, which is an increase of 5.49% over last year's budget. This increase is due to the Associations raising the cost of their dues. Selectman Hagan wondered what would happen if municipalities told the Associations they were not willing to pay higher dues.

*Legal*

This request is for \$80,000, which is the same as last year's budget. Selectman Landau suggested decreasing the request to \$65,000, as there is still 81% left for this Fiscal Year; the other Selectmen were amenable to this suggestion.

*Debt Service*

This request is for \$52,022, which is a decrease of 54.78 from last year's budget. (\$48,748 is for principal and \$3,274 is for interest.) The only item remaining in this budget is the Quint Fire Truck, which will be totally paid off in 2020. Selectman Landau suggested paying it off early, using funds from the Unassigned Fund Balance. Vice-Chairman Buckley was in favor of this idea. Selectman D'Angelo pointed out, however, that the Town's exposure in the Utilities Assessment cases is unknown at this time. The interest rate on the loan is 3.3%; BOS AA Doda will ascertain what the Town is making in interest on its funds.

*Benefits*

This request is for \$756,951, which is an increase of 4.70% over last year's budget. Health and Dental alone is up 15%. The Selectmen would like to know what is driving this increase – higher enrollment, increased claims? The Town is part of a pool, however, so the claims might be from other Towns. They also asked why the increases or decreases shown in the Health Trust letter were not the same as those on the Budget worksheet. Finance Director Smith will be asked to attend a future meeting to better explain this request.

*IT*

This request is for \$131,040, which is an increase of 17.92% over last year's budget. Vice-Chairman asked why there was an increase, as he had been under the impression that going with Block5 would be saving the Town money. Chairman Owens suggested having Finance Director Smith attend a future meeting to better explain this request.

*3.2.4 Highway*

Road Agent Oleson appeared before the Selectmen to defend his budget request. This request is for \$763,861, which is an increase of 8.48% over last year's budget.

Road Agent Oleson stated that he had tried to stay within CPI this year, but it had not been possible. Salaries are up 9.86%, as he put in a little extra in case he needed to borrow Maintenance Man Paul Cavanaugh, who holds a CDL. Vice-Chairman Buckley stated that in that case, a corresponding amount should be deleted from the Maintenance budget.

Dirt road maintenance is up 13.6%; as an example, he spent ~\$4k in two days working on dirt roads. Vice-Chairman Buckley again suggested allowing roads to return to dirt.

Cold patch is up 55.79%; as an example, he spent ~\$6-7k cold patching potholes in the last two weeks alone.

Roadside cleanup is up 39.10%. This line is used for removed downed trees and mowing the roadsides.

Road Agent Oleson noted that with the roads falling apart and not being fixed properly, costs for repairs are bound to go up.

### *3.3 Highway Department*

Road Agent Oleson is asking for a Warrant Article for \$50k to handle dead tree removal in the Town's roadside easement. These trees require a crane, a bucket truck, and a police detail to remove – all very costly. He is concerned that people will be injured by falling trees or limbs. Unless the dead trees affect the overhead wires, the utility companies will not remove them.

Vice-Chairman Buckley advised adding this work to the Roadside Cleanup line in the Budget; Selectman D'Angelo countered with a suggestion to have it in a Warrant Article the first year, and if the Town is in favor of it, adding it to the Budget thereafter. Although there was a suggestion to hire an arborist to determine which trees need to come down, Road Agent Oleson believes that he is capable of making that decision. In the end, it is up to the Legislative Body to decide if they want to fund the work.

There was some discussion about the cost to pave North Pond (\$1.5m) and East Derry (\$1.2m) Roads. Right now, the cost to reclaim and pave, no drainage included, is ~\$450k/mile. Although North Pond Road and Derry Road garner the most complaints, the Rand Drive/Parker Road area is also an issue.

Road Agent Oleson plans to ask StreetScan to come to a Selectmen's meeting at the end of February to discuss their findings. They have reported that of the ~58 miles of Town roads, 30% are 'pristine' while 50-52% are in 'structural failure' and in need of major work. Their report will be ready to be presented at Town Meeting.

There was some discussion about new developments taking a toll on the existing roads with their heavy-duty equipment, and the developers not being asked to mitigate. Perhaps something more than the existing impact fees is needed.

Selectman Landau inquired about the F-550 that the Highway Department plans to replace this year; it will be handed down to the Maintenance Department. Road Agent Oleson stated that it was well taken care of and would need nothing.

Selectman D'Angelo inquired about the proposed secondary access road out of the Fire Station. Road Agent Oleson reiterated that he had suggested a cost of \$90k, with \$82k being for the road and an additional \$8k as contingency. The \$250k figure that had been discussed earlier included redoing the parking lot at the Fire Station – the requests for that work, and the access road, have been severed and will be considered separately. He is also working on a figure for repaving the Town Hall parking lot, adding a little more space by the Police Station and fixing the catch basins.

Road Agent Oleson also wished to address questions posed at last week's Selectmen's meeting about plowing. Selectman D'Angelo stated that the Town did not have an ice/snow policy; Road Agent Oleson replied that he had proposed one a dozen years ago but the Selectmen had decided against implementing it. Last week's question was from Selectman D'Angelo, who stated that he had seen a plow truck on the side of the road last week and didn't know what it was doing. Road Agent Oleson stated that the Highway Department employees in the truck had been salting the roads, and then stopped to clean out culverts before salting again. Selectman D'Angelo added that his road had been plowed after the morning rush hour, but when he got home his driveway had melted so he saw no need for the road to have been plowed. Road Agent Oleson stated that even if the air temperature is above freezing, the road temperature will be

in the 20s and plowing is necessary to avoid the snow/ice freezing on the road. He explained that during snow events, he works with the Police Department to determine the best time to plow. He calls in the Highway Department employees first, and then the external contractors one by one. If Selectmen have questions about the Highway Department, he would prefer to be asked directly rather than hearing complaints at the meeting.

Road Agent Oleson departed the meeting table at 8:53pm.

### *3.3 Warrant Articles*

Selectman D'Angelo had requested that \$40k be added to this year's CIP Projects Warrant Article for a van; however, the Planning Board declined, stating that it expects all requests to go through the vetting process, and the van has not. Vice-Chairman Buckley stated that he agreed with the Planning Board. Selectman Landau demurred, stating that if three members of the Selectmen agree that something is wanted, it is up to the Legislative Body, not the Planning Board, to make the decision. Vice-Chairman Buckley stated that he would agree with that, if the purchase is deemed to be critical.

Mike Weider stood and was recognized. He stated that last night's Planning Board meeting had been to approve the CIP in readiness for the Public Hearing on January 23<sup>rd</sup>. There was no time to add an unvetted item now.

The Selectmen reviewed the prospective Warrant Articles; one may need to be added for Mr. Quintal. The Warrant Articles will be discussed again at next week's meeting.

## **IV. Selectmen's Business**

### *4.1 Roundtable*

#### *Selectman Landau:*

- The Village Cemetery Trustees have requested to take over and repair the former Maintenance truck, the F-150, that is parked behind Town Hall. They will be repairing it at their own cost and the Town will continue to pay the insurance and registration. **Vice-Chairman Buckley moved to transfer use of the F-150 to the Village Cemetery Trustees; Selectman D'Angelo seconded the motion. The vote was unanimous in the affirmative; motion carried.**
- He attended the Seniors' Coffee Hour on Tuesday morning with a local architect to discuss possible changes to the Wason Pond Community Center. The only thing they expressed a desire for was paving; other renovations are being proposed via the CIP.
- The Chester Kitchen has received a donation of a 8' stainless steel table with a butcher block top, and has spoken with Building Inspector Bunker and Fire Lieutenant Scott Newnan about venting of the convection oven.
- He is still waiting to hear about a possible stove donation for Stevens Hall.

#### *Selectman D'Angelo:*

- The School is looking to start full time kindergarten this Fall; this will further exacerbate the traffic issue at Murphy Drive. Several solutions were proposed: making the exit onto Route 102 right turn only, hiring the Wason Pond Ranger to direct traffic, etc. Mr. Weider noted that the School Superintendent had asked parents to stop blocking the Fire Department egress and to avoid creating two lanes out of one; this did not help. The Budget Committee is not in favor of spending money to build a secondary access road simply because parents do not want to follow the rules. Police Chief Berube suggested that the intersection of Murphy Drive and Route 102 be designated as one lane, right turn only, with the appropriate pavement markings and signage so that the Police Department could enforce it. (It is unknown how much time this would add to the school bus routes.) Road Agent Oleson estimates that it will cost ~\$5k for paint and signage and that he

- could have it ready for September.
- He is interested in having Town Counsel draw up an ordinance to fine motorists who go through the Bridle Path gate and become locked in. Apparently the FAA leaves it open when they are working in there to avoid any delays should emergency services need to reach them, but closes and locks it when they leave. Police Chief Berube is currently talking to a locksmith about putting a Town lock on the gate with a combination rather than a key; the Police and Fire Departments would have the combination.
- The Town has some exposure in the Utilities Assessment cases, but it is unknown at this point what that is. It may need to be paid out of the Unassigned Fund Balance. Mediation will be taking place next month, and the Towns may want to consider talking to the Legislature about the situation.

*Selectman Hagan:*

- Nothing to report.

*Vice-Chairman Buckley:*

- Nothing to report.

*Chairman Owens:*

- An Eversource light on Town property near the Olde Post Restaurant has burned out, and the existing mercury vapor lightbulb cannot be replaced in kind. The two options for new bulbs are high pressure sodium or metal halide; Selectman Landau recommended high pressure sodium, and the other Selectmen were amenable to the suggestion.

#### *4.2 Public Comment*

As no Members of the Public wished to be heard, Public Comment was closed at 9:37pm.

#### *4.3 Non-Public Sessions*

**Selectman Landau moved that the Board go into non-public session under RSA 91-A:3 II (a) Public Employees, (c) Reputation, and (e) Pending Litigation; Selectman Hagan seconded the motion. The vote was unanimous in the affirmative; motion carried.**

The meeting room was closed at 9:38pm. Police Chief Berube remained in the meeting room.

Police Chief Berube departed the meeting room at 9:42pm.

The meeting room was re-opened at 10:18pm.

**Selectman Landau moved that the Board come out of non-public session; Selectman D'Angelo seconded the motion. The vote was unanimous in the affirmative; motion carried.**

**Selectman Landau moved that the minutes to the first non-public session, on Public Employees, remain unsealed; Selectman D'Angelo seconded the motion. The vote was unanimous in the affirmative; motion carried.**

**Selectman Landau moved that the minutes to the second non-public session, on Pending Litigation, remain sealed for an indefinite period; Selectman D'Angelo seconded the motion. The vote was unanimous in the affirmative; motion carried.**

**Selectman Landau moved that the minutes to the third non-public session, on Reputation, remain sealed for an indefinite period; Selectman D'Angelo seconded the motion. The vote was unanimous in the affirmative; motion carried.**

**Selectman Landau moved that the minutes to the fourth non-public session, on Public Employees, remain sealed for an indefinite period; Selectman D'Angelo seconded the motion. The vote was unanimous in the affirmative; motion carried.**

**V. Adjournment**

The next regularly scheduled meeting of the Board of Selectmen will be Thursday, January 17<sup>th</sup>, 2019.

**Selectman Landau moved to adjourn the meeting; Vice-Chairman Buckley seconded the motion. The vote was unanimous in the affirmative; motion carried.**

The meeting was adjourned at 10:20pm.

Respectfully Submitted,

Debra H. Doda  
Recording Secretary