

**Town of Chester
Board of Selectmen Meeting
Thursday, March 14th, 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
Road Repairs
Maintenance Garage
Non-Public Session
NHEC Settlement
Warrant Articles
Roundtable
Adjournment

1.1 Call to Order

Chairman Owens called this meeting of the Town of Chester Board of Selectmen to order at 7:02pm.

1.2 Roll Call

Selectmen present:

Cass Buckley
Steve D'Angelo
Joseph Hagan
Stephen Landau
Jeremy Owens

Members of the Public present, at various times:

Jeff Adler, Dubois & King
Jess Edwards, American Legion Commander
Chuck Heuer
Andy Higham, Highway Department
Nancy Myette
Michael Oleson, Road Agent
Brian Shankey
Mike Weider, Budget Committee

Penny Williams, Tri-Town Times
And other persons unknown to the Recording Secretary

1.5 Pledge of Allegiance

Chairman Owens led the attendees in the Pledge of Allegiance.

1.6 Chairman's Additions and Deletions

Agenda Item 3.2, *15 Chester Street*, was cancelled by Jerome Gesel and potentially moved to a future meeting.

1.7 Public Comment

As no Members of the Public wished to be heard, Public Comment was closed at 7:03pm.

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 Road Repairs Discussion

Jeff Adler of Dubois & King and Road Agent Michael Oleson appeared before the Selectmen to discuss road repairs in the Town.

The Selectmen had previously pondered if there were methods to create roads other than dirt or asphalt paving, and also wanted to know what other Towns were doing, both for roadwork and for funding.

Mr. Adler stated that typically roads are built of either asphalt or gravel, but primarily asphalt. The best way to build roads that last is to put down a good gravel base and drainage. Older roads were not necessarily built that way and are expensive to rebuild properly. Some Towns are leaving the bad roads alone in favor of spending their funds on maintaining the good roads.

Mr. Adler added that some Towns vote for bonds, which allows work to begin quickly, and others raise and appropriate a fixed amount each year, which means that it takes a few years for work to begin. He added that in that case, as properly built roads last ~20 years, once all

the roads have been redone one needs to begin all over again.

Road Agent Oleson stated that in the case of North Pond Road, for example, with a figure of \$1.5m he could apply for permits and have the engineering done at the beginning of the upcoming Fiscal Year, put the job out to bid over the winter, and then rebuild the road during the summer of 2020. Engineering was already done for East Derry Road in 2012, so with a figure of \$1.2m that road could be rebuilt this summer and another road, such as Jennifer, Holman, Parker, or Rand, could be reclaimed.

Vice-Chairman Buckley suggested that it might be more economical to reclaim East Derry Road this year at an estimated cost of \$500k, which might last 8-10 years, and then reclaim it again when it failed. Mr. Adler noted that a reclaimed East Derry Road might only last five years, which would mean it would need to be reclaimed multiple times to reach the 20-year life expectancy of a rebuilt road. Road Agent Oleson is concerned that due to East Derry Road's current condition, it might only last two years before being all broken up again.

Vice-Chairman Buckley stated that as the voters had repeatedly declined to fund road projects over the past several years, it could be surmised that it wasn't really that important to them. He suggested the formation of a working group, perhaps containing a member of the Board of Selectman, the Planning Board, the Budget Committee, and interested residents, to determine how the roads should be handled.

Selectman Landau suggested drafting a Warrant Article for a \$15m bond, which could feasibly repair North Pond, East Derry, Fremont, Candia, and Lane Roads, and letting the legislative body decide whether to fund it. Road Agent Oleson countered with a \$10m bond; he could utilize up to \$5m the first two years and invest the other \$5m. North Pond Road is getting dangerous, and he wanted to close East Derry Road three years ago.

Selectman D'Angelo stated that the roads are at a critical stage right now and that the governing body is responsible for deciding and letting the residents know what needs to be done. If not a bond, perhaps a special assessment on one's taxes.

Chairman Owens solicited comments from the other Selectmen and the public.

Mike Weider stood and was recognized. He stated that the Town's CIP had begun ten years ago, but that it had not been funded at the level that it should. The Legislative Body has declined to vote for bonds, but they have supported the CIP. He added that Road Agent Oleson had done an excellent job indexing the roads for Table 10 and suggested that \$1.5m - \$2m be raised and appropriated every year for roadwork under the CIP.

Chuck Heuer stood and was recognized. He agreed with Mr. Weider, recollecting that one rationale behind the CIP was the discontinuation of bonds and significant warrant articles that caused spikes in the tax rate. He believes Road Agent Oleson is doing a wonderful job and he would like to see the higher CIP funding guarantee him a certain amount of money each year for roadwork.

Selectman Hagan stated that there were other ways to find money for roadwork other than raising taxes. He suggested that a member of the School Board be added to the working group that Vice-Chairman Buckley suggested, and that each dollar increase in the Town budget be paired with a corresponding two dollars decrease from the school budget. Merely raising taxes will drive Seniors out of Town and make it less appealing to young families.

Maria Veale stood and was recognized; she is a member of the School Board. She wished to point out that the School's budget had actually decreased this year and invited Selectman Hagan to attend School Board meetings and give his input for further tax reduction.

Road Agent Oleson stated that he would maintain the roads in whatever fashion that the Town voted for and that the Board of Selectmen ultimately decided.

Mr. Adler and Road Agent Oleson departed the meeting at 7:56pm.

3.2 Maintenance Garage

American Legion Post Commander Jess Edwards appeared before the Selectmen to discuss rental of the Maintenance Garage, as originally discussed in January.

At the present time, the Maintenance Department is still using the Maintenance Garage, although Selectman Landau plans to move them to the Stevens Hall basement. They have cleared an area in the Garage for the Legion to use for now.

One issue that arose was due to the Legion planning to use the Garage for commercial purposes; zoning does not allow this. Mr. Edwards stated that the Legion would not rent the property to outsiders but instead offer the storage space to their members at no cost as a membership perk. Selectman D'Angelo asked if they would be able to afford to maintain the building; Mr. Edwards stated that they would.

He had prepared a petition warrant article that specified a ten-year term with termination rights on either side and asked if the Selectmen would support it; however, the Selectmen have no control over and do not give input on petition warrant articles. In any case, the Selectmen would prefer a lease with a shorter term.

Mr. Edwards noted that he has found a surveyor to survey the Legion and Maintenance Garage properties, as the Legion is under the impression that they own part of the property that the Maintenance Garage is on.

Vice-Chairman Buckley moved to draw up a lease to rent the Maintenance Garage to the American Legion for a one-year period with six months' notice to terminate by either party; Selectman Hagan seconded the motion. The vote was unanimous in the affirmative; motion carried.

Mr. Edwards departed the meeting at 8:25pm.

3.3 Non-Public Session

Vice-Chairman Buckley moved that the Board go into non-public session under RSA 91-A:3 II (c) Reputation; Selectman Landau seconded the motion. The vote was unanimous in the affirmative; motion carried.

The meeting room was closed at 8:26pm. Mr. Weider remained in the room.

The meeting room was re-opened at 8:31pm.

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 non-public session on Reputation be sealed for a period of six (6) months; Selectman Hagan seconded the motion. The vote was unanimous in the affirmative; motion carried.

Selectman Landau moved to allow Budget Committee Chairman Michael Weider to expend funds for legal services; Selectman D'Angelo seconded the motion. The vote was unanimous in the affirmative; motion carried.

3.4 NHEC Settlement

Selectman D'Angelo explained that Chester, as well as many other towns in New Hampshire, has been in litigation for years with utility companies due to their disagreement with our valuation of the poles on which their utilities reside.

A settlement was recently reached with New Hampshire Electric Co-Op for a total of ~\$115k which will be returned to NHEC as a tax credit over the next three years with no interest. Funds were set aside for this in the overlay. There are lawsuits with three other utility companies (Granite State Communications, Fairpoint, and Eversource) still underway; the Town has a potential exposure of \$1m.

There is a House Bill in process to address assessments.

3.5 Warrant Articles

Budget Committee Vice-Chair Rhonda Lamphere has asked that the Selectmen finalize the amount to be raised and appropriate to fund the CIP in order that the Budget Committee can begin to review the Warrant. Last year the Selectmen funded it at \$800k with \$200k of that coming from the UFB, which currently contains ~\$2.7m. Vice-Chairman Buckley warned that the UFB is not an infinite resource; Selectman D'Angelo again referred to the potential

exposure from the utilities lawsuits.

Selectman D'Angelo stated that this year's proposed Operating Budget is up 5.62% over last year's; Vice-Chairman Buckley would prefer a lower increase, perhaps CPI + 1%. Selectman Landau pointed out that there are many items in the budget – the cost of oil and propane, for example – over which the Town has no control.

IV. Selectmen's Business

4.1 Roundtable

Selectman Landau:

- He mentioned the \$40k for a van included in the CIP Projects Warrant Article and stated that he had seen a 1998 Ford E450, V-10 engine, with 76k miles, going up for auction at the end of March. He plans to have a mechanic inspect it; if it passes muster, this would cost much less than \$40k. The van will be left in the CIP Projects line for now, however.

Selectman D'Angelo:

- Nothing to report.

Selectman Hagan:

- Nothing to report.

Vice-Chairman Buckley:

- Nothing to report.

Chairman Owens:

- Nothing to report.

V. Adjournment

The next regularly scheduled meeting of the Board of Selectmen will be Thursday, March 21st, 2019.

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

The meeting was adjourned at 9:04pm.

Respectfully Submitted,

Debra H. Doda
Recording Secretary