

**Town of Chester
Board of Selectmen Meeting
Thursday, March 28th, 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
Roadwork Funding – Open Discussion
American Legion Lease
Warrant
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 7:02pm.

1.2 Roll Call

Selectmen present:

Steve D'Angelo
Stephen Landau
Jeremy Owens

Selectmen absent:

Cass Buckley
Joseph Hagan

Members of the Public present, at various times:

Alex Bartels
Jack Cannon
Scott Currier
Ephraim Dobbins, Budget Committee
Jess Edwards, American Legion
Chuck Heuer
Andy Higham

Karl Knudsen
Rhonda Lamphere
Anthony McFarland
Nancy Myette
Michael Oleson, Road Agent
James Piper
Susan Quint
Corinna Reishus
Sheryl Rich, SAU 82
Ralph Titone
Dick Trask
Michael Weider
Penny Williams, Tri-Town Times
Kevin Wood
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

There were neither additions nor deletions.

1.7 Public Comment

As no Members of the Public wished to be heard, Public Comment was closed at 7:02pm.

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 Roadwork Funding – Open Discussion

It was noted that Road Agent Michael Oleson has been in office since 2007; warrant articles to fund roadwork had been proposed every year from 2008 – 2014 and were voted down every year. Money has not been spent on the roads and they are now failing; a large infusion of cash is necessary to get the roads back up to a decent standard. Some are becoming

dangerous. The Selectmen are looking for resident input.

Alex Bartels opined that Fremont Road was in terrible condition and asked about the plan going forward. Road Agent Oleson noted that if he were to repair all the roads indexed as "Priority 1" in the CIP, it would cost ~\$8-9m. Once a determination is made as to how much the Town wishes to fund, he will prioritize the roads from there. Last month he used 50 tons of cold patch. Should the section of Fremont Road in question be reclaimed, it is likely to cost \$550k as test pits and engineering are also required. He does not wish to waste taxpayer dollars by merely band-aiding bad roads.

Rhonda Lamphere inquired about the legend on the StreetScan map, with roads marked as red, orange, yellow or green; this shows the condition of the road. Road Agent Oleson noted that as engineering is not considered, many of the yellow/orange roads might possibly be red as well. He added that StreetScan considers 65% of the Town's roads to be in failure and need reclaiming, at least. Over the past two years the Town has appropriated ~\$1m towards roadwork; this amount will not fix a bad road, so the funds are being spent on keeping the good roads in good condition. For example, Orcutt Drive had been built 18 years ago; he had resurfaced it recently and it was still in great shape. Laying one mile of asphalt is ~\$135k; rebuilding one mile of road is \$1m. Engineering is 10-15% of the cost of a rebuild, plus there is tree cutting, stump removal, etc.

Chuck Heuer stated that he has observed, in Connecticut, a liquid asphalt spray; Road Agent Oleson identified that as "mixed in place", a method that former Road Agent Clarence Ware had utilized. He stated that although it is more of a preservative like chip or crack sealing, "mixed in place" is now frowned upon due to overspray and runoff contaminating water systems, etc. Mr. Heuer noted that although the State had just paved 102 this past summer, it is already cracking; is asphalt unsuitable for the New England climate?

Selectman D'Angelo asked Mr. Heuer how much he was willing to pay for roadwork. Mr. Heuer responded that he was not in favor of a bond and believed that 'serious money' should be allocated to roadwork every year, at least \$800k plus the block grant, which would add up to somewhere in the \$1m range in total.

Road Agent Oleson stated that the Town has kicked the roadwork can down the road for many years now. He added that although there are some roads that can be planed and resurfaced, both East Derry and North Pond are beyond that and will take many dollars to rebuild. As he already has engineering on East Derry, it could be started this year; North Pond would have to be done in a subsequent year. In any case, \$1m was not enough to rebuild either East Derry or North Pond; what should be done with that amount, repair a smaller road or save the money for another year? If funding cannot be guaranteed for a subsequent year, work cannot even begin on a larger road. At some point speed limits on East Derry and North Pond may need to be reduced to 15mph.

Another resident asked if the weight limit could be lowered on East Derry Road to keep the big trucks off it; Road Agent Oleson stated that lowering the weight limits would also limit available services and that those trucks pay quite a bit of tax to use the roads. Selectman

Landau added, however, that per RSA 231.191, Towns may set more restrictive weight limits with an established reason and after a public hearing.

Selectman D'Angelo is not in favor of a bond; a \$10m bond will cost the Town \$3m in interest and the Town is stuck with the payments. Using the CIP funding method, should the economy go bad, the amount of funding could be decreased or a year could be skipped. Additionally, if the Town votes against the bond, you get \$0 for roadwork.

Mike Weider, speaking as a resident, stated that the last road bond for \$2.1m hurt the Town for ten years and nothing was achieved from it. Utilizing the CIP allows the Town to purchase without owing money and allows the collection of Impact Fees (currently \$6,927 for a single-family home). However, it has been and continues to be funded at a low level. He would prefer to see it funded at \$1.5m-\$2m. By funding the CIP at \$2m each year over its seven-year lifecycle, more could be achieved than with a bond.

Ralph Titone asked, as funds for roadwork had been voted down for many years, if it was possible to do work on the major roads in sections. Road Agent Oleson stated that it was, but it was more expensive as permits would need to be applied for repeatedly, plus every time roadworks stops and starts there would be a shift in the road. Selectman D'Angelo urged Mr. Titone to attend Town Meeting and vote for road funding.

Selectman D'Angelo suggested the following method to achieve an available \$2m for roadwork: ~\$800k currently in the CIP Capital Reserve Fund, the School's estimated surplus of ~\$500k, and \$700k from the Unassigned Fund Balance (UFB). (As the School's surplus is used to reduce the tax rate on their side, the ~\$500k would still need to be raised and appropriated at Town Meeting.) Road Agent Oleson is in favor of this method, as there will be a minimal tax impact this way.

Selectman Landau stated that the UFB is currently at 16.51%; using \$500k would bring it down to 13.47% and \$700k would bring it down to 12.25%. If no funds are used, it might go over the recommended maximum of 17% at the end of this Fiscal Year.

Road Agent Oleson stated that roadwork needs to be planned a year ahead; should major funding be approved, he would begin requesting engineering and permits for Summer 2020. And the Town must then approve major funding for FY20-21 as well, or else that money would be wasted.

Dick Trask stated that he would like to see a Warrant Article to separate funding for roadwork only; this is already being done via the Highway Capital Improvement Plan Capital Reserve Fund.

Rhonda Lamphere wanted to clarify two things: 1, that the CIP Projects Warrant Articles are 'special', so the funds have a longer life; and 2, that most of the funds in the UFB are unanticipated revenues. Selectman D'Angelo asked her to report, as both School and Town Treasurer, how her investments had done this year. She stated that she had budgeted an investment income of \$55k for the Fiscal Year and at this point already was up to \$72k. All

her investments must be in-state, short-term, and liquid.

Roadwork funding discussions ceased at 8:23pm.

3.2 American Legion Lease

Jess Edwards would like to review the latest version of the lease before discussing it with the Selectmen; he will contact BOS AA Doda on Monday.

3.3 Warrant

Article #A, Operating Budget: Selectman D'Angelo moved to move this article with the Selectmen's Budget figure of \$4,714,422 to the Warrant; Selectman Landau seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #B, CIP Funding: Selectman D'Angelo moved to fund the CIP Capital Reserve Fund at \$2m, split between \$700k from the UFB and \$1.3m from taxation, and move that Article to the Warrant; Chairman Owens seconded the motion. Selectman Landau stated that if the School does not end up using its \$500k surplus to reduce their side of tax rate, he would consider lowering this figure at Town Meeting. The question was called. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Sheryl Rich, the SAU's Business Administrator, joined the meeting at this time; she confirmed that on page 61 of the School Report, they have committed to using ~\$462k of their surplus to reduce the School's portion of the tax rate.

Article #C, CIP Projects: There was some discussion about items that could be removed from this Warrant Article in order to divert more funds to roadwork. The Library Patio for \$27k and Library Renovations for \$52k were pushed back a year, as was the Annex Roof for \$51k; \$40k of the \$53,749 earmarked for a Police Cruiser was removed, as Selectman D'Angelo stated that there were funds in the Police Detail Special Revenue Fund that could be used. Selectman D'Angelo moved to move this Article to the Warrant; Selectman Landau seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #D, Highway CIP Funding: Selectman D'Angelo moved to move this Article to the Warrant; Selectman Landau seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #E, Highway CIP Projects: Selectman D'Angelo moved to move this Article to the Warrant; Selectman Landau seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #G, Revaluation: Selectman D'Angelo moved to move this Article to the Warrant;

Chairman Owens seconded the motion. The vote was two in favor with Selectman Landau opposed and Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #H, PACT: Selectman D'Angelo moved to move this Article to the Warrant; Selectman Landau seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #I, 300th Anniversary: Selectman Landau moved to move this Article to the Warrant; Selectman D'Angelo seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #K, Roadside Tree Removal: Road Agent Oleson stated that this was to fund the removal of trees in the Town's right of way that were dead or dying, specifically ones that were too large to remove without a bucket truck and/or crane as the cost is prohibitive to be covered out of the Operating Budget. Selectman D'Angelo moved to move this Article to the Warrant; Chairman Owens seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried. Mrs. Lamphere stated that she did not wish this fund to be like the Winter Maintenance Fund which is replenished every year.

Article #L, Motor Vehicle Registration Fee Waived for POWs: Selectman D'Angelo moved to move this Article to the Warrant; Chairman seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #M, Town Master Plan Capital Reserve Fund Creation and Funding: Selectman D'Angelo moved to move this Article to the Warrant; Selectman Landau seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #N, Increase in Elderly Property Tax Exemption: Selectman D'Angelo moved to move this Article to the Warrant; Chairman Owens seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #O, Increase in Veterans' Property Tax Credit: Selectman D'Angelo moved to move this Article to the Warrant; Chairman Owens seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #P, Increase in Veterans' Tax Credit for Service-Connected Total Disability: Selectman D'Angelo moved to move this Article to the Warrant; Chairman Owens seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #Q, \$15k for Steeple Repair at Chester Congregational Church: Selectman D'Angelo

moved to move this Article to the Warrant; Selectman Landau seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Article #R, \$50k for Steeple Repair at Chester Congregational Church: This article was deleted.

Article #S, Town Administrator: **Selectman D'Angelo moved to move this Article to the Warrant; Chairman Owens seconded the motion. The vote was two in favor with Selectman Landau opposed and Vice-Chairman Buckley and Selectman Hagan absent; motion carried.**

Article #T, Road Bond: This article was deleted.

Article #U, Replenish Unanticipated Maintenance CRF: **Selectman D'Angelo moved to move this Article to the Warrant; Selectman Landau seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.**

Article #V will be discussed in non-public session.

Article #W, Wason Pond Community Center Parking Lot: Selectman Landau believes this work can be done in-house; Road Agent Oleson estimates \$12-\$15k for compacted gravel and labor. This article was deleted.

Now that the Articles have been moved forward to the Warrant, next week they will be reordered, and votes taken to recommend or not.

Discussions on the Warrant ceased at 9:06pm.

IV. Selectmen's Business

4.1 Roundtable

Selectman Landau:

- Ceiling tiles and insulation have been ripped out of one of the portables behind the building by volunteers so that rewiring can be done.
- He will be stepping down as liaison to the Library due to a potential conflict of interest.

Selectman D'Angelo:

- This coming Saturday, March 30th, from 10am to 3pm there will be a Small Business Fair in the MPR.

Chairman Owens:

- There is a contract to sign for Standard Power, but it is for a 48-month period. It will be run by Town Counsel.
- A letter was received from Mr. Quintal's attorney about Carkin Street. Town Counsel has already weighed in on it; copies will be emailed to all Selectmen.
- Building Inspector Bunker would like guidance on how to handle an ongoing violation situation. The Selectmen agreed that he should proceed as per his suggestion.
- Sign-ups for elected office are ongoing and will continue until 5pm on Friday, April 5th. Please see the Town Clerk. One Selectmen's seat is on the list.

4.2 Non-Public Session

Selectman Landau moved that the Board go into non-public session under RSA 91-A:3 II (c) Reputation and (d) Property; Selectman D'Angelo seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

The meeting room was closed at 9:15pm. Ephraim Dobbins, Mrs. Lamphere, and Road Agent Oleson remained in the room.

Mr. Dobbins, Mrs. Lamphere, and Road Agent Oleson departed the meeting at 9:33pm; Kevin Wood entered at this time.

Mr. Wood departed the meeting at 9:43pm; Anthony McFarland and Susan Quint entered at this time.

The meeting room was re-opened at 10:03pm; Mr. McFarland and Ms. Quint departed the meeting at this time.

Selectman Landau moved that the Board come out of non-public session; Chairman Owens seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Selectman Landau moved that the minutes to the first non-public session, on Property, be sealed until July 1st, 2019; Selectman D'Angelo seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Selectman Landau moved that the minutes to the second non-public session, on Reputation, be sealed for an indefinite period; Chairman Owens seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

Selectman Landau moved that the minutes to the third non-public session, on Reputation, be sealed for an indefinite period; Chairman Owens seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent;

motion carried.

V. Adjournment

The next regularly scheduled meeting of the Board of Selectmen will be Thursday, April 4th, 2019.

Selectman Landau moved to adjourn the meeting; Selectman D'Angelo seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Hagan absent; motion carried.

The meeting was adjourned at 10:04pm.

Respectfully Submitted,

Debra H. Doda,
Recording Secretary