

**Town of Chester
Board of Selectmen Meeting
Thursday, April 27th, 2017
Municipal Complex
Approved Minutes**

I Preliminaries

Call the Meeting to Order
Roll Call
Pledge of Allegiance
Chairman's Additions and Deletions
Public Comment
Approval of Minutes
Maintenance of Old Chester Turnpike by Eversource
Appointment to Recreation Committee
Appointment to Chester Village Cemetery Trustees
Hart Roberts Road
Edwards Mill Dam Contract Approval
Awarding of Telephone and IT Vendor Bids
Items for Signature
Roundtable
Non-Public Sessions
Adjournment

1.1 Call to Order

Chairman Landau called this meeting of the Town of Chester Board of Selectmen to order at 7:03pm.

1.2 Roll Call

Selectmen present:

Cass Buckley
Jack Cannon
Stephen Landau
Dick Trask

Selectmen absent:

Joseph Hagan

Members of the Public present, at various times:

Bill Ahie
Brian Emerson, Cornerstone
Andy Higham, Highway Department
Kevin Kistler, Recreation Commission
Aaron Mansur, Village Cemetery Trustees
Michael Oleson, Road Agent
Richard Pike
James Piper
Patty Quinn, Cornerstone
Rick Schaefer, Village Cemetery Trustees
Penny Williams, Tri-Town Times

1.3 Pledge of Allegiance

Chairman Landau 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

As no Members of the Public wished to be heard, Public Comment was closed at 7:04pm.

II. Old Business

2.1 Approval of Minutes

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

III. New Business

3.1 Maintenance of Old Chester Turnpike by Eversource

Brian Emerson and Patty Quinn, both of Cornerstone (a Public Service contractor), appeared before the Selectmen to request permission for Eversource to maintain a section of Old Chester Turnpike that leads to their power lines. The section of Old Chester Turnpike in question is a Class VI Road, and subject to gates and bars, although there are none there at present. (Should Eversource wish to gate it themselves, the Town would of course be provided with a key.) The road is passable, but as a Class VI Road not maintained by the Town; in the rainy season, there are often parts where the water is quite deep.

Eversource would like to bring it up to their standards, which is normally a 20' wide roadway. They would perform vegetation management every three years, and perhaps use it for storm hardening and workers in pickup trucks. They are willing to offer a payment of \$2,500 which could be used to offset any legal fees incurred in the granting of this permission.

Chairman Landau referenced some recent damage at Bridle Path, which is also a Class VI road and used by the FAA for access to their equipment. Should there be damage to Old Chester Turnpike, who would be responsible? Mr. Emerson indicated that language could be added to the agreement, stating that Eversource would be responsible for damage done by themselves or their contractors.

Selectman Buckley suggested that Mr. Emerson or his designee should meet with Road Agent Oleson about this section of roadway. Chairman Landau asked that Eversource perform a survey of the section, and then create an agreement that could be sent to Town Counsel for approval. The remainder of the Selectmen agreed that a survey was the logical first step.

Selectman Cannon moved to permit Eversource to continue its exploration by developing a site survey of the section of Old Chester Turnpike in question for review and presentation to the Selectmen; Chairman Landau seconded the motion. The vote was four in favor with Selectman Hagan absent; motion carried.

Mr. Emerson and Ms. Quinn departed the meeting at 7:22pm.

3.2 Appointment to Recreation Committee

Kevin Kistler and Richard Pike appeared before the Selectmen in order that Mr. Pike could be appointed to the Recreation Commission.

Mr. Pike has lived in Chester for approximately ten years and has four children between the ages of five and 13 who are involved in Recreation. He is interested in getting involved and contributing to the community. He has attended the requisite number of Recreation Commission meetings.

Vice-Chairman Trask moved to appoint Richard Pike to the Recreation Commission for a three-year term; Selectman Cannon seconded the motion. The vote was four in favor with Selectman Hagan absent; motion carried.

The Selectmen thanked Mr. Pike for volunteering.

Mr. Kistler and Mr. Pike departed the meeting at 7:26pm.

3.3 Appointment to Chester Village Cemetery Trustees

Bill Ahie, Aaron Mansur, and Rick Schaefer, appeared before the Selectmen in order that Mr. Ahie could be appointed to the Village Cemetery Trustees.

A Trustee position is open due to the passing of Geoff Barnett, who had been a Trustee since 2010. Although his term was planned to expire in 2019, Mr. Ahie's appointment will not expire until the elections in May 2018. This is due to the fact that there are no candidates running for the position in this year's elections, and also so that the terms of all three trustees can expire on different years.

Vice-Chairman Trask moved to appoint Bill Ahie to the Village Cemetery Trustees until the 2018 Elections; Selectman Buckley seconded the motion. The vote was four in favor with Selectman Hagan absent; motion carried.

The Selectmen thanked Mr. Ahie for volunteering.

Messrs. Ahie, Mansur, and Schaefer departed the meeting at 7:29pm.

3.4 Hart Roberts Road

Road Agent Michael Oleson appeared before the Selectmen to discuss an issue with Hart Roberts Road.

Hart Roberts Road is a Class V road, but its suitability has been debated for a number of years due to its condition. At Town Meeting 1997 a Warrant Article was floated to discontinue it, but was tabled due to objections from abutters.

Due to Hart Roberts Road being Class V, a former Building Inspector was compelled to issue a permit to construct a house there, although the Road Agent and a former Fire Chief were opposed.

On a recent visit to Hart Roberts Road, Road Agent Oleson observed some issues, to wit:

1. Trees in the Town's Right of Way have been cut down, which is impermissible,
2. A homeowner has tied into the Town's drainage system, which is impermissible, and
3. A homeowner has installed sprinklers in the Right of Way, which is impermissible.

Road Agent Oleson is especially concerned about the tree cutting. Due to the road's condition, plow

trucks tend to slide off of it once or twice a season and need to be pulled back onto the road. The trees that were cut down were preventing these trucks from falling further down into a ditch; now that they are gone, some other barrier is need, perhaps a guardrail. ~300'-400' of guardrail would be needed, which will be expensive.

Selectman Cannon asked if the tree cutting would be considered a code enforcement issue, and if so, who would investigate? Chairman Landau is of the opinion that it should be a discussion between Building Inspector Myrick Bunker, Road Agent Oleson, and Fire Chief Greg Bolduc. Road Agent Oleson agreed; he will arrange a meeting between the Building Inspector, Fire Chief, and the property owners on Hart Roberts Road.

Road Agent Oleson departed the Meeting Table at 7:44pm.

3.5 Edwards Mill Dam Contract Approval

The contract for the Edwards Mill Dam work, Phase II, has been drawn up by Dubois & King and approved by Town Counsel Diane Gorrow. The Selectmen have had an opportunity to review it, and no objections were raised.

Vice-Chairman Trask moved to approve the Edwards Mill Dam Phase II contract and move forward; Chairman Landau seconded the motion. The vote was four in favor with Selectman Hagan absent; motion carried.

Shawn Patenaude of Dubois & King will be asked to arrange a time with the contractor for a pre-construction/contract signing meeting. Fire Chief Bolduc will be invited to attend, as this is a fire pond.

3.6 Awarding of Telephone and IT Vendor Bids

Vice-Chairman Trask has produced a spreadsheet showing the costs of the wiring, VOIP phones, and Managed IT systems, as well as the available funding, should the Town move forward with these projects. The bottom line is higher than the amount currently budgeted; there is a significant shortfall.

Selectman Cannon asked why the proper amount wasn't requested in the upcoming Fiscal Year's budget; this is because those costs were not known until relatively recently. He asked if it would be legally permissible to amend the Warrant Article to increase the funds requested for the VOIP Project at Town Meeting, or if would be permissible to move funds from one project in the Warrant Article to another; Town Counsel will be asked for an opinion.

It was also queried whether or not existing telephone numbers could be retained; the IT Committee will be asked.

Selectman Buckley stated that he is simply not in favor of something that does not have zero impact on the budget.

As there were questions still to be answered, the Selectmen will not be discussing this item further tonight.

3.7 Items for Signature

There were a number of items to be signed, including one to be discussed in Non-Public Session.

IV. Selectmen's Business

4.1 Roundtable

Selectman Buckley:

- Nothing to report.

Vice-Chairman Trask:

- Nothing to report.

Selectman Hagan:

- Nothing to report.

Chairman Landau:

- **Chairman Landau moved that the Trustees of the Trust Funds be requested to draw down the Winter Maintenance Fund by \$85k in order to cover the Town's winter maintenance costs; Selectman Cannon seconded the motion. The vote was four in favor with Selectman Hagan absent; motion carried.**
- Tomorrow (Friday, April 28th, 2017) is the last day that the Town Clerk can accept voter registrations before Election Day. Her office will be open from 8am – 1pm.
- On Saturday, April 29th, 2017, the Supervisors of the Checklist will be holding a session to register voters and correct the checklist. This will take place from 11am – 12 noon in their office, Room #6 at Town Hall.
- On Saturday, April 29th, 2017, the Town Clerk's Office will be open from 8am – 12 noon for dog registrations only. No other business can be transacted. Selectman Cannon added that there was also a rabies clinic going on at Town Hall this Saturday from 8am to 12 noon; one's dog cannot be registered if s/he has not received the rabies vaccine.
- The Selectmen have received a letter from Don Brown, who recently observed a Town Crier competition. He would be interested in serving the Town in that capacity, should the Selectmen approve. The Selectmen were interested in knowing if the Town had ever had a Town Crier before, and what the Historical Society's position would be. If there is precedence, and if the Historical Society would endorse and support such a position, the Selectmen would be in favor. The Historical Society will be asked for input.
- The City of Manchester has given the Town of Chester, via Fire Chief Bolduc, three electronic signs that they received via an Emergency Management Grant. There was some discussion about where these signs could go, what they could be used for, and if a variance would be required to utilize them.

Vice-Chairman Trask moved to accept the three electronic signs from the City of Manchester; Selectman Buckley seconded the motion. The vote was two in favor with Chairman Landau and Selectman Cannon opposed and Selectman Hagan absent; motion failed.

Chairman Landau moved to accept the three electronic signs from the City of Manchester, with the caveat that they be used for emergency purposes only; Selectman Cannon seconded the motion. The vote was three in favor with Selectman Cannon opposed and Selectman Hagan absent; motion carried.

4.2 Public Comment

As no Members of the Public wished to be heard, Public Comment was closed at 8:17pm.

4.3 Non-Public Sessions

Chairman 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 Cannon seconded the motion. The vote was four in favor with Selectman Hagan absent; motion carried.

The meeting room was closed at 8:18pm.

The meeting room was re-opened at 8:47pm.

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

Chairman Landau moved that the minutes to the first non-public session, on Public Employees, remain unsealed; Selectman Cannon seconded the motion. The vote was four in favor with Selectman Hagan absent; motion carried.

Chairman Landau moved that the minutes to the second non-public session, on Reputation, be sealed for a period of six (6) months; Selectman Buckley seconded the motion. The vote was four in favor with Selectman Hagan absent; motion carried.

Chairman Landau moved that the minutes to the third non-public session, on Pending Litigation, remain unsealed; Selectman Buckley seconded the motion. The vote was four in favor with Selectman Hagan absent; motion carried.

Chairman Landau moved that the minutes to the fourth non-public session, on Public Employees, be sealed for a period of one (1) year; Selectman Buckley seconded the motion. The vote was four in favor with Selectman Hagan absent; motion carried.

Chairman Landau moved that the minutes to the fifth non-public session, on Reputation, be sealed for a period of four (4) months; Selectman Buckley seconded the motion. The vote was four in favor with Selectman Hagan absent; motion carried.

V. Adjournment

The next regularly scheduled meeting of the Board of Selectmen will be Thursday, May 4th, 2017.

Chairman Landau moved to adjourn the meeting; Selectman Buckley seconded the motion. The vote was four in favor with Selectman Hagan absent; motion carried.

The meeting was adjourned at 8:49pm.

Respectfully Submitted,

Debra H. Doda
Recording Secretary