

**Town of Chester  
Board of Selectmen’s Meeting  
Thursday, April 22, 2021  
Virtual Meeting  
Approved Minutes**

**I. Preliminaries**

Call the Meeting to Order  
Roll Call  
Pledge of Allegiance  
Chairman’s Additions or Deletions  
Public Comment (10 minutes)  
Approval of Minutes  
Items for Signature  
Public Hearing on Rescinding Special Revenue Fund  
Stone Property Presentation  
Gate Installation on Old Chester Turnpike  
Roundtable  
Potential Non-Public Sessions  
Adjournment

*1.1 Call to Order*

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

Under the emergency provisions of RSA 91A, this meeting is being conducted electronically and will be recorded, via dial-in, (929) 436-2866, internet at <https://zoom.us/j/770832311> as well as broadcast on Channel 20 and streamed on <http://vod.chesterctv.com>.

*1.2 Roll Call*

Selectmen Present (Present Remotely):

Jeremy Owens  
Chuck Myette  
Steve D’Angelo  
Stephen Landau  
Joseph Hagan

Town Administrator Debra Doda (Present Remotely)

Members of the Public Present (Remotely), at various times:

Wendy Anderson  
Aaron Berube, Police Chief  
Victor Chouinard, Conservation Commission  
Zach Dyson  
Liz Lufkin, Town Clerk/ Tax Collector  
John O’Neil, Manchester Water Works

Penny Williams, Raymond Area News  
Mike Willinsky  
PACT

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 or Deletions*

*None*

### *1.5 Public Comment*

Chairman Owens opened the meeting to public comment at 7:01pm.

As no Members of the Public wished to be heard, Public Comment was closed at 7:01pm.

## **II. Old Business**

### *2.1 Approval of Minutes*

An approval sheet for the previous meeting’s minutes was sent electronically.

### *2.2 Items for Signature*

All members reviewed and signed the items in the signature folder submitted electronically.

## **III. New Business**

### *3.1 Public Hearing on Rescinding Special Revenue Fund*

Chairman Owens read Article #23 – Rescinding of 2013 WA #20 for the record.

*Shall the Town vote to rescind the provisions of RSA 31:95-c to restrict 100% of revenues from the sale of cemetery lots to expenditures for the purpose of cemetery maintenance. Such revenues and expenditures shall be accounted for in a special revenue fund to be known as the Cemetery Maintenance Special Revenue Fund, separate from the general fund. Any surplus in said fund shall not be deemed part of the general fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate a specific amount from said fund for a specific purpose related to the purpose of the fund or source of the revenue. Ballot vote required.*

**Selectman Landau motioned to open the public hearing for Article #23 – Rescinding of 2013 WA #20. Selectman D’Angelo seconded the motion. A roll call vote was taken, Owens – aye, D’Angelo – aye, Landau – aye, Myette – aye and Hagan – aye. With all in favor, the motion passed unanimously.**

The public hearing was opened at 7:02pm and will remain open for one hour.

Town Administrator Doda explained in 2013 when this account was created, it was created incorrectly as a special revenue account instead of an expendable trust fund.

### *3.2 Stone Property Presentation*

Vice-Chairman Myette presented Special Warrant Article #26 – 78 Raymond Road

*Shall the Town vote to accept the donation of approximately 28.2 acres of land and buildings therein known as Tax Map 5 Lot 20 with an address of 78 Raymond Road on terms to be negotiated by the Board of Selectmen; and to authorize the Board of Selectmen to take any other action or to pass any other vote relative thereto.*

The property is unique as it borders Route 102, Stockman Hill Road, Town Owned property, Chester Academy, and the Fire Department. This donation to the town is being considered as a tax write off by the property owner and is contingent upon a satisfactory appraisal.

Currently the 28.2 acres of land has an 1820 accessible Colonial which has been vacant for several years. Past uses for the building included a restaurant and a daycare. There is a large capacity sewer and water already on site with a large parking lot. In the middle of the property there are some Class A and Class B wetlands.

Vice-Chairman Myette identified possible future uses for the land for safety and growth in the town. Some possibilities include secondary egress for emergency fire vehicles, traffic flow for both buses and parents picking up and dropping off at Chester Academy, traffic control during sporting events or other events, Chester Police Department, and or Academy expansion. This land could have ball fields, hiking trails, and cross-country trails. The land is very close to Great Hill Cemetery if they needed to expand in the future.

The building could give the Historical Society more room or be used as a Senior Center or Community Center. Or perhaps it could become the SAU office or be rented out as office space.

Nothing is set in stone; these are just ideas for future use. While the building is showing some wear and tear, it is in relatively good condition. Electrical has been updated along with the installation of metal roofing.

Selectman Landau mentioned the possibility of a Police Department on the land. The town has worked with an architect and building it at 84 Chester Street would cost a fortune. The entire property would have to be revamped to accommodate the building. The PD Space Needs Committee has not met since, considering the price was unreasonable on the current property.

### *3.3 Installation of gate on Old Chester Turnpike*

Chairman Owens mentioned that the gate installation was discussed at a previous meeting. Letters were sent to abutters and we asked for their input. We received one email that as long as they were granted access to their property, they did not oppose the gate.

Mr. John O’Neil, Manchester Water Works Land and Property Manager, manages eight thousand acres and oversees twenty-four thousand acres of drainage space. In the future Manchester Water Works would like to improve some of the access to allow emergency vehicles access to the area. This would allow the officers to patrol the area and have better access in case a person needs assistance. There is a lot of partying and things in the area.

As property owners Manchester Water Works is seeing lots of property damage from ATV’s and other things. Manchester Water Works is proposing to purchase and to install a gate on Old Chester Turnpike after the houses. The gate would be installed but would allow access to landowners and pedestrian traffic. They are trying to restrict some of the access in an effort to clean and improve the area.

Mr. Victor Chouinard, Conservation Commission Chairman, stated the Commission has watched this area for a few years and are excited for a gate to be installed. They have walked the area and have noticed lots of dumping and ATV traffic in the wetland. There is a large stretch of the road under water, does Manchester Water Works intend to fix that area?

Mr. O’Neil advised they will access the road and possibly install large culverts in the future to allow for crossing. The intent is to connect Old Chester Turnpike to Gardner Road so the vehicles can pass from Auburn to Chester.

Mr. Chouinard is concerned with the abuse of the wetlands in that area by ATV’s.

Mr. O’Neil pointed out Manchester Water Works property is open to the public to use for hiking, hunting, and exploring.

Selectman Landau noted the Town has a piece of donated Conservation Land maintained by the Scouts and it borders Manchester Water Works property. He feels a gate is a good thing for all the landowners as long as it is open to being used.

**Selectman Landau motioned to allow Manchester Water Works to install a gate on Old Chester Turnpike allowing access to both landowners and town employees that need vehicle access. Selectman Myette seconded the motion. A roll call vote was taken, Owens – aye, D’Angelo – no, Landau – aye, Myette – aye and Hagan – aye. The motion passes.**

Selectman D’Angelo asked what the impact is on the road. Vehicles and ATVs don’t seem to be the issue it is more of a trash problem. Does Manchester Water Works have documentation that ATVs have been in there?

Selectman Landau stated he has personally seen ATVs, Jeeps, and a logging truck while camping with the scouts.

Mr. O’Neil advised that North Woods Law filmed Fish & Game patrolling the area and giving tickets to people trespassing on private property. The damage from ATV’s is very evident in the area. It is also a dumping ground for tires and debris. Having the gate up may deter people from dumping if they feel like someone could possibly see them.

Selectman D’Angelo asked if a gate goes up will it solve the problem with ATVs. Mr. O’Neil advised if the gate goes up and the road is repaired, it will allow the Chester Police and Manchester Water Works Officers to access the area with a vehicle to patrol the area for ATVs and be able to respond

to emergencies in the area. The ATVs are tearing up the wetlands and this is causing problems with water quality in the area.

Selectman D’Angelo asked why the Police Department would be patrolling private property. Mr. O’Neil advised the state law in NH requires individuals on ATVs to have written permission from the landowner to be on the property and not just out destroying someone’s land. For now, putting up a gate will possibly deter people from destroying private property and the road can be worked on in the future.

### *3.1 Public Hearing on Rescinding Special Revenue Fund (continued)*

***Selectman Landau motioned to close the public hearing for Article #23 – Rescinding of 2013 WA #20. Selectman Hagan seconded the motion. A roll call vote was taken, Owens – aye, D’Angelo – aye, Landau – aye, Myette – aye and Hagan – aye. With all in favor, the motion passed unanimously.***

The public hearing was closed at 8:13pm.

## **IV. Selectmen’s Business**

### *4.1 Roundtable*

Selectman Landau was asked by Jean Methot, 300<sup>th</sup> Anniversary Chairman, about placing a mural facing Route 121 on the Multi-Purpose Building. Selectman D’Angelo pointed out this has been discussed in a prior meeting a few years ago. At that time, the Board questioned where the money would come from, the longevity of the artwork, and if they had a painter in mind.

Chairman Owens believes this is a great idea if it would stay on the building.

Vice-Chairman Myette suggested asking the Town of Derry who they had do the murals by the depot. Town Administrator Doda advised in 2018 the artist they chose was Beaman Cole, a resident in Chester, but that could have changed.

Selectman Landau spoke with Road Agent Oleson about the Highway CIP Warrant Article #15 and realized changing it from \$1M to \$750K may have been a mistake. With some of the money going into finishing North Pond Road the town will not have enough money for the repairs to Parker Road, Rand Drive, Holman Way and Jennifer Drive. Selectman Landau is proposing an amendment at Town Meeting to add another \$250K from the unassigned fund balance for a total of \$1M for road work.

Selectman D’Angelo is not in favor of changing the warrant articles before Town Meeting. We should continue the road work in town just with a little less money this year. We are running a surplus right now and that could potentially be put into the roads if we had an estimate on the Stevens Hall repairs. Without estimates we may have a hard time getting the town to approve Stevens Hall and adding more money to the roads.

Selectman D’Angelo asked if the Town Moderator will be at the upcoming meeting for Town Meeting. Town Clerk /Tax Clerk Lufkin is unsure if he will be present, but he was invited. Town Meeting will be the same as last year.

Selectman D’Angelo commented on the report by Town Administrator Doda concerning people watching sporting events and not wearing masks out of town. If they are not wearing masks out of town, will they be wearing them when they have home games?

Chairman Owens stated we are maintaining the mask mandate for facilities and events. Outside events are becoming more relaxed with mask mandates. If the school is not enforcing, how would the town enforce mask usage on the fields.

Vice-Chairman Myette felt that if we are saying masks must be worn at sporting events, we need to be prepared to enforce it. The only thing we can ask is that people follow the recommendations.

Chairman Owens suggested waiting for new mask recommendations to make a recommendation on how to proceed.

Vice-Chairman Myette noted a request has come in from the Legion for a memorial service and also a car wash at the Transfer Station. Would the car washers need to wear a mask? Selectman Landau advised the Scout Troop, that would possibly be helping with the event, will be wearing a mask per their guidelines.

Selectman D’Angelo approved of the car wash as long as they are being safe about it. Selectman Hagan noted that outdoor events are generally safe, and we should just go with the recommendations and not make people comply if they choose not to.

Chairman Owens announced the following meetings and events are coming up:

Saturday April 24, 2021	Hazardous Waste Day at 51 Old Chester Road, Plaistow from 9-12pm Drug Take-Back Day at the Transfer Station from 10-2pm
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Tuesday, April 27, 2021	300 <sup>th</sup> Anniversary Committee at 7:00pm
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Wednesday, April 28, 2021	Planning Board at 7:00pm
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Thursday, April 29, 2021	Board of Selectmen at 7:00pm
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#### *4.2 Non-Public Session(s)*

***Selectman Landau motioned to go into non-public session pursuant to 91-A:3(II) (a) public employees and (c) reputation. Selectman D’Angelo seconded the motion. A roll call vote was taken, Owens – aye, D’Angelo – aye, Landau – aye, Myette – aye and Hagan – aye. With all in favor, the motion passed unanimously.***

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

***Selectman Landau motioned to come out of non-public session. Vice-Chairman Myette seconded the motion. A roll call vote was taken, Owens – aye, D’Angelo – aye, Landau – aye, Myette – aye and Hagan – aye. With all in favor, the motion passed unanimously.***

The meeting was reopened to the public at 9:41 PM.

*Selectman Landau motioned to seal the minutes of the first non-public session, on Reputation, for an indefinite period. Selectman Hagan seconded the motion. A roll call vote was taken, Owens – aye, D’Angelo – aye, Landau – aye, Myette – aye and Hagan –aye. With all in favor, the motion passed unanimously.*

*Selectman Landau motioned to seal the minutes of the second non-public session, on Reputation, for an indefinite period. Selectman Hagan seconded the motion. A roll call vote was taken, Owens – aye, D’Angelo – aye, Landau – aye, Myette – aye and Hagan –aye. With all in favor, the motion passed unanimously.*

*Selectman Landau motioned to seal the minutes of the third non-public session, on Public Employees, for an indefinite period. Selectman Hagan seconded the motion. A roll call vote was taken, Owens – aye, D’Angelo – aye, Landau – aye, Myette – aye and Hagan –aye. With all in favor, the motion passed unanimously.*

*Selectman Landau motioned to seal the minutes of the fourth non-public session, on Public Employees, for an indefinite period. Selectman Hagan seconded the motion. A roll call vote was taken, Owens – aye, D’Angelo – aye, Landau – aye, Myette – aye and Hagan –aye. With all in favor, the motion passed unanimously.*

#### **V. Adjournment**

*Selectman Landau moved to adjourn the meeting. Vice-Chairman Myette seconded the motion. A roll call vote was taken, Owens – aye, D’Angelo – aye, Landau – aye, Myette – aye and Hagan – aye. With all in favor, the motion passed unanimously.*

The meeting was adjourned at 9:43 PM.

Respectfully submitted,

Janis A. Jalbert  
Recording Secretary