

**Town of Chester  
Board of Selectmen’s Meeting  
Thursday, July 22, 2021  
Municipal Complex  
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  
Appointment -SHFAC  
Court Updates: Police Chief Berube  
Leash Law  
Lincoln Lane Bridge Fund  
Shelter Permits  
Class VI Roads- Trails / Speed Limit Signs  
Wason Pond Bridge  
Encumbrance Prioritization  
Chairman’s Announcements  
Roundtable  
Potential Non-Public Sessions  
Adjournment

*1.1 Call to Order*

Chairman Myette called the meeting of the Chester Board of Selectmen to order at 7:01pm.

*1.2 Roll Call*

Selectmen Present:

Chuck Myette  
Steve Couture  
Steve D’Angelo  
Jeremy Owens  
Stephen Landau

Members of the Public Present at various times:

Aaron Berube – Police Chief  
Myrick Bunker, Building Inspector (Remotely)  
Victor Chouinard  
Phil Gladu, Acting Fire Chief  
Chris Hadik, Wason Pond Commission Chairman  
Deborah Hesketh

William Hesketh  
Liz Lufkin, Town Clerk/ Tax Collector (Remotely)  
Nancy Myette  
Mike Oleson, Road Agent  
Robert Pellegrino  
Kim Rairdon  
Kristina Snyder  
John Wright, Animal Control  
Sandy Wright

and other persons unknown to the Recording Secretary.

### *1.3 Pledge of Allegiance*

Chairman Myette led the attendees in the Pledge of Allegiance.

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

None

### *1.5 Public Comment*

Chairman Myette opened the meeting to public comment at 7:02pm.

As no other 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 meeting’s minutes was sent electronically.

### *2.2 Items for Signature*

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

## **III. New Business**

### *3.1 Appointment: SHFAC - Kim Rairdon*

Kristina Snyder presented Kim Rairdon to be appointed to the Spring Hill Farm Advisory Committee. Ms. Rairdon has already been actively participating in activities and meetings. Chairman Myette mentioned Ms. Rairdon volunteered at the cleanup day at the farm with her family and she will be a welcome addition to the committee.

Selectman Couture thanked Ms. Rairdon for volunteering.

***Selectman Landau motioned to appoint Kim Rairdon as a regular member of the Spring Hill Farm Advisory Committee with a term to expire on May 31, 2024. Selectman Couture seconded***

***the motion. A roll call vote was taken Myette – aye, D’Angelo – aye, Owens – aye, Couture – aye, Landau – aye. With all in favor, the motion passed unanimously.***

*3.2 Court Updates: Police Chief Berube*

Police Chief Berube informed the Board of a potential issue in the future. During a budget cycle, department heads are asked to give a budget with minimal to no increase due to either an emergency or project happening. With a growing town it makes it difficult for some departments to be asked this.

The police overtime budget is the same as it was in 2015 with an additional two full-timers. The officers are paid out of the overtime budget to go to court. This year to catch up on court, departments have been notified that court time will be increased significantly. Court alone will use the entire overtime budget line plus some. Some departments the same size as Chester have already overspent this line significantly.

Police Chief Berube mentioned some officers have court on their days off and are being asked to adjust their regular schedules by leaving early or come in late. There is concern with the officers that they are losing time off and not being compensated for it.

Selectman D’Angelo stated the courts are all backed up around the world because of the shutdown for Covid-19. To get a better assessment of the needs of the department it was advised to provide a copy of the court docket which the Police Chief will send via email on July 23, 2021, to the Board of Selectman and Town Administrator. Police Chief Berube advised there will be two days of arraignments and up to four days of trial per month to get caught up.

Selectman D’Angelo also has concerns regarding the report that an officer was hurt. As a town we want to know there is sufficient back up if an officer needs it.

Selectman Landau questioned where the money goes if a fine is assessed at court. The state receives 90% of the fine but the town is responsible for paying the officer. The town does receive the witness fees and some other alcohol related fees. Police Chief Berube would like it on the record this may not be the correct dollar amount, but witness fees are approximately \$7.00.

Another area of concern for the officers is shift coverage. The normal schedule is to have two officers on most shifts, if an officer calls out, the shift is then run with minimal coverage. A lot of times the callouts are on the busiest shifts. The Police Department handles calls with one officer whereas the Fire Department and Highway Department always has two when going out to a call or to work on a road. It is the town’s duty to protect the officer to the best of their ability.

Police Chief Berube advised holidays are also a concern. Without funds to support holidays we are running with minimal coverage while other agencies are doubling the coverage on those days. The overage in the overtime line will be significant this year based on these factors.

Selectman D’Angelo suggested doing an assessment of manpower needs before the budget cycle for both the Police and Fire Departments. Chairman Myette pointed out communication and documentation is a key part when departments ask for an increase in the budget.

Chairman Myette mentioned Acting Fire Chief Gladu is currently working on a strategic plan. Police Chief Berube advised when he became chief in 2015, he developed a strategic plan, but it was not

received well. Since the topic has come up recently, he has done some research. There are companies that work with community members to devise a plan for the town; not the department head giving wants and not necessarily needs.

A strategic plan will help the Board assess what is needed for both full and part time employees and then a plan can be established on how to fund and support it.

Police Chief Berube mentioned several years ago a pay matrix was put together by elected officials and town employees. This document was well thought out, it is now 3 years old and has not been adjusted. Selectman Landau was under the impression it was adjusted. Chairman Myette will have Town Administrator Doda look into the adjustment of the matrix.

Selectman Couture explained his understanding from a previous meeting. Although the matrix was not adjusted, employees were given a CPI adjustment in their current step.

Selectman Landau mentioned taxes are based on the services provided. The Police Department provides services to our community and occasionally other communities. Why are the funds that come from arrests and the fines sent to the state? Selectman Landau suggested having one of the representatives explain why all the funds are going to the state and not the communities.

Selectman Couture explained that there will need to be some patience and incremental steps towards a strategic plan along with a buy in from the community.

### *3.3 Leash Law*

Chris Hadik, Wason Pond Commission Chairman, mentioned an incident at Wason Pond with an unleashed dog going after a leashed dog. Wason Pond Commission does have a rule that a dog must be leashed but it cannot be enforced.

Police Chief Berube advised the law states voice control is acceptable. To enforce a leash law an ordinance and fine schedule will have to be established.

Selectman Landau mentioned the Board of Selectman will have to propose an ordinance for the townspeople to vote on at Town Meeting. Mr. Hadik mentioned the town can have separate rules for different town properties with respect to a leash law.

Chairman Myette will work on a solution to solve this problem.

### *3.4 Lincoln Lane Bridge Fund*

Chairman Myette advised the homeowners on Lincoln Lane have been working with Conservation to try to get the Lincoln Lane Bridge money off the Conservation books. Since the bridge was never built, the residents have asked to put a community seating area in the cul-de-sac. The Conservation Commission unanimously agreed to allow the Lincoln Lane residents to build a seating area in the cul-de-sac.

The Lincoln Lane residents went to the Road Agent, Building Inspector and Planning for permission. The location is on town property and the liability for the town put the project on hold.

Road Agent Oleson approves of the project as long as it does not interfere with plowing or drainage.

Selectman Landau suggested a release and waiver of liability when the project is finished.

Selectman D’Angelo recommended a letter signed by all the abutters stating they agree to the project and returning with the letter at another meeting.

### *3.5 Shelter Permits*

Mr. Pellegrino advised since the meeting on July 8<sup>th</sup>, 2021, he has not been contacted about the shelter permit. If a permit is applied for will the shelter now be taxed? Selectman D’Angelo advised something will be posted on the town website regarding permits for shelters up longer than six months. If a permit is applied for, will the shelter now be taxed? Building Inspector Bunker advised that is a question for the Assessing Department.

Chairman Myette suggested Mr. Pellegrino speak to all the departments for the answers to the questions.

### *3.6 Class VI Roads- Trails / Speed Limit Signs*

Mr. Pellegrino pointed out there have been Speed limit signs posted on a Class VI Road. Chairman Myette advised the speed limit signs on the Class VI Road are on the property owners land and they have the right to place the sign on their property.

### *3.7 Wason Pond Bridge*

Chairman Myette explained the bridge was built decades ago. It is showing signs of wear and tear. The engineer cannot evaluate a weight restriction on the bridge. The recommendation is not to use the bridge for personnel or vehicles.

The short-term solution is steel plates welded together with a cost of around \$40K. Another solution is a bridge can be constructed with 4x6 pressure treated wood decking that would allow for pedestrian traffic and the Fire Department’s Gator. Long term, the structure is not salvageable and without more information this is a conversation for another time.

Selectman Couture questioned if vehicle access was needed in respect to safety. Acting Fire Chief Gladu mentioned the gator and the brush truck can get around so that is not an issue. Road Agent Oleson advised removing the bridge, so it is not a liability for the town. Chairman Myette suggested for the short term to leave the bridge.

Selectman Landau suggested placing jersey barriers on both sides of the bridge and if someone crosses that it is their liability not the town. There are not funds available to tear the bridge down and there is no solution as to the future.

Selectman Couture agrees in keeping people off the bridge, but Wason Pond is a popular recreation area that many people like to use. Since there is a short-term option, we might want to consider it.

Selectman Landau advised a solution for the bridge should come from Wason Pond Commission. Vice-Chairman Owens concurs the decision should come from Wason Pond Commission.

Mr. Chouinard stated there is some money in conservation to help with the repairs of the bridge but feels the railings are the bigger issue when the current is really flowing. If a temporary bridge is placed, the railings need to be part of the fix.

Until a solution is found, barriers, fences, a no trespassing sign and map should be placed as it is dangerous to use. Wason Pond Commission can look at the short- and long-term suggestions and come up with ideas for the bridge and possibly look at grants to help fund the project.

### *3.8 Encumbrance Prioritization*

Chairman Myette presented the final number for encumbrances for the year of \$193, 960.95. With the final numbers, the encumbrances are short \$66,189.05.

Chairman Myette stated the truck has already been paid for so that number should come out leaving less of a shortage. Selectman D’Angelo advised the shed for the cemetery was also ordered and paid for from the budget and the access window was already installed.

Selectman D’Angelo questioned if the town received written contracts for the roadwork. Road Agent Oleson advised the signed contracts were given to finance and the road work has been done. The contractors were in town and the work has started.

Chairman Myette indicated the addition of \$85k in road work was a number that was thrown out as a possibility but not authorized. That was a number proposed by Selectman D’Angelo to give to road work if the town had the money left over in the budget.

With all board members looking at the numbers the conclusion is the encumbrances are short by \$27K. Selectman Landau suggested taking the fireworks off and take \$5K from the barn roof. Selectman D’Angelo advised Recreation has \$50K in their revolving account to pay for the fireworks.

Road Agent Oleson feels he can find \$20K in all the projects the highway department is doing. A culvert on Candia Road failed and that was an unexpected expense of \$45K to replace. Money is not set aside for these types of emergencies.

Selectman D’Angelo suggested a warrant article for unexpected emergencies like replacing failed culverts and such.

Selectman Couture mentioned there will be grants for infrastructure design and permitting and for construction coming. We need to be ready when that happens.

Selectman D’Angelo pointed out that Chester has \$577K to use for infrastructure, broadband, sewer, and water. This could be an opportunity to get some money to help with some of the projects. The deadline is coming up for the submittal of the application.

***Selectman Couture motioned to adjust the encumbrances as presented and discussed for a total of \$193,960.95. Selectman Landau seconded the motion. A roll call vote was taken Myette – aye, D’Angelo – aye, Owens – aye, Couture – aye, Landau –aye. With all in favor, the motion passed unanimously.***

## **IV. Selectmen’s Business**

299  
300 *4.1 Chairman’s Announcements*  
301

302 Chairman Myette announced the following meetings for next week:  
303

304 Tuesday, July 27, 2021                300<sup>th</sup> Anniversary Committee Meeting at 7:00pm  
305

306 Wednesday, July 28, 2021        Planning Board Meeting at 7:00pm  
307

308 Thursday July 29, 2021            Board of Selectmen Meeting at 7:00pm  
309

310 *4.2 Roundtable*  
311

312 Vice Chairman Owens:  
313

314 *Nothing to report.*  
315

316 Selectman Couture attended the Budget Committee and Trustees of the Library meetings. A tax cap  
317 was mentioned at the Budget Committee Meeting. The patio and pay levels compared to other  
318 libraries and town employees was mentioned at the Library Trustees meeting.

319 Selectman D’Angelo attended the ZBA meeting and Bed & Breakfast came up. Someone had an  
320 outbuilding and applied for a variance which was granted. There is a problem with monitoring the  
321 system to make sure guests are not at the Bed & Breakfast for more than 45 days.  
322

323 Selectman D’Angelo indicated a licensing program should be in place to monitor Bed & Breakfast  
324 guests. . Without a program in place, it is hard to enforce. Chairman Myette stated Planning has  
325 been talking about the enforcement but has not come up with how to get there. Currently there are  
326 minimal requirements and that could be problematic in the future.  
327

328 Selectman D’Angelo explained ARK Animal Homecare would like to expand in their operation. ARK  
329 is in violation of their existing variance. Abutters showed up at the meeting to express their  
330 concerns about congestion and traffic on the road. Selectman D’Angelo advised ARK is looking to  
331 put a 2000 square foot barn on the property. The property is in a residential area of town.  
332

333 The ZBA is still weighing in on the ARK variance. The ZBA is not sure what their votes will be on  
334 this. Selectman D’Angelo suggested looking at other properties in town that are zoned  
335 commercially.  
336

337 Chairman Myette stated ARK went to Planning as they are permitted for a mobile operation to  
338 travel to homes but also using the trucks on the property for appointments. They were looking to  
339 move the mobile lab to another location and have a few more vets in the barn.  
340

341 Selectman Landau received an email from Charters Brothers to be discussed at a later meeting. The  
342 question was raised if it would be ok to have the company working on the church to look at the  
343 tower posts at Stevens Hall with Maintenance Director Cavanaugh. Chairman Myette agreed we do  
344 need estimates on what needs to be done. Roofers have also been approached but they are busy.  
345

346 Selectman Landau has one non-public on reputation.  
347

Chairman Myette attended Planning, Wason Pond, and Conservation meetings. A lot of the issues from this evening are what they are focusing on.

#### 4.3 Non-Public Session(s)

Chairman Myette announced there are four non-publics on reputation, employment, and legal.

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

The meeting was closed to the public at 9:04 pm.

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

The meeting was reopened to the public at 9:44 PM.

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

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

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

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

#### V. Adjournment

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

The meeting was adjourned at 9:45 PM.

Respectfully submitted,



398 Janis A. Jalbert  
399 Recording Secretary