

**Town of Chester  
Board of Selectmen’s Meeting  
Thursday, February 23, 2023  
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)  
Consent Agenda  
Public Hearing on Warrant Article #23 – Transportation Improvement Capital Reserve Fund  
Conservation Commission – Easements  
Warrant Finalization  
Hydro Contract  
Chairman’s Announcements  
Roundtable  
TA Report  
Action Items  
Potential Non-Public Sessions  
Adjournment

*1.1 Call to Order*

Chairman Myette called the meeting of the Chester Board of Selectmen to order at 6:00pm.

*1.2 Roll Call*

Selectmen Present:

Chuck Myette  
Stephen Landau  
Steve D’Angelo (via Zoom)  
Steve Couture  
Jeremy Owens (arrived at 6:04pm)

Town Administrator Debra Doda

Members of the Public Present at various times:

Sara Jane Bibeau, Supervisors of the Checklist  
Kathy Burke, Supervisors of the Checklist  
Barbara Cannon, Deputy Town Clerk  
Dianna Charron, Supervisors of the Checklist  
Victor Chouinard, Conservation Commission  
Phil Gladu, Fire Chief  
David LaVita

Liz Lufkin, Town Clerk / Tax Collector  
Nancy Myette  
Leslie Packard, Supervisors of the Checklist  
Michael Scott, Town Moderator  
Saul Shriber

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 Public Comment*

Chairman Myette opened the meeting to public comment at 6:01pm.

As no Members of the Public wished to be heard, Public Comment was closed at 6:02pm.

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

Chairman Myette added a discussion on Town Elections and registering to vote.

Moderator Scott believes the Town does a great job with registering residents to vote. One issue often found is that when voting in a Primary election, some independents forget to change their status back to an independent after the election. Chairman Myette reiterated that the Board of Selectmen will be present at the election, but the moderator is in charge of the elections.

Ms. Charron went thru the process of registering residents. The next voter registration is March 4<sup>th</sup> from 11:00am to 12:00pm, Room #6 in the municipal building. The documents needed were explained. New this year is a special ballot for anyone that needs to fill out the paperwork if not all documents are present. Any questions on residency or citizenship should involve Moderator Scott.

Ms. Lufkin stated the sample ballots have been posted. There is one ballot for the Town and one for the School and both can be found on the Town’s webpage.

Mr. Scott thanked the volunteers at the elections. They work very hard and Chester receives great comments from the Attorney General’s office.

March 4<sup>th</sup> is your last opportunity to register to vote before Election Day with the Supervisors of the Checklist from 11:00am to 12:00pm, or in the Town Clerk’s office any day next week.

School District Meeting is Wednesday, March 8<sup>th</sup> at 7:00pm.

Town Elections are Tuesday, March 14<sup>th</sup> from 7:00am to 7:00pm.

Town Meeting is Thursday, March 16<sup>th</sup> at 6:00pm.

## **II. Consent Agenda**

### *2.1 Items for Signature*

- 2.1.1 Veterans Credit
- 2.1.2 Elderly Exemption
- 2.1.3 Disabled Veterans Credit

No comments on the items for signature.

***Vice Chairman Couture motioned to approve the consent agenda as presented. Selectman 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.***

### **III. New Business**

#### ***3.1 Public Hearing on Warrant Article #23 – Transportation Improvement Capital Reserve Fund***

The public hearing was opened at 6:27pm.

Chairman Myette read Article #23, Transportation Improvement Capital Reserve Fund:

*Special Warrant Article. Shall the Town establish a Transportation Improvement Capital Reserve Fund under the provisions of RSA 261:153 for the purpose of supporting Town transportation improvement, including but not limited to roads, bridges, culverts, electric charging stations, and bike lanes, and further to impose and collect an additional motor vehicle registration fee of up to \$5.00 per vehicle, the entirety of such fees to be placed in this fund, and further to raise and appropriate the sum of \$1 to be placed into this fund. The Board of Selectmen will be named as agents to expend from this fund. If passed, this article will have no tax impact. Ballot vote required.*

Selectman D’Angelo questioned if it would be wise to give residents the option to participate. Chairman Myette stated that if approved, there would not be an option to not participate.

Selectman Landau cannot support this article. He feels it is a hidden tax. Chairman Myette agreed it is a tax that will generate \$37K to \$40K per year. The money could be used for charging stations, bike lanes or for lane striping on the roadways.

Mr. Shriber, Jennifer Drive, questioned the cost per motorized vehicle. Chairman Myette explained when you register your vehicles it would be an additional \$5.00 fee.

Mr. LaVita, Raymond Road, asked if this fee would be included when registering motorcycles. Chairman Myette indicated it would only be on vehicles; exclusions would be motorcycles, ATV’s, and boats.

As no other members of the public wished to speak, the Selectmen moved on to the next topic. The Public Hearing will remain open.

#### ***3.2 Conservation Commission – Easements***

Mr. Chouinard presented one easement for the recently purchased Tax Map 8, Lot 18-4. The other easement will be presented at a later date.

Selectman Landau read a paragraph from Appendix A.

*A certain parcel of land in Chester aforesaid containing 10 acres more or less, it being part of the 20 acres, 10 of which was conveyed by William Shannon, the other 10 conveyed to him by John Jenness which lay on the north easterly end of the 20 acres and said 10 acres is bounded as follows: first at a stake and stones southerly and west and near Lt. Peter Hills, then south easterly by the road to the starting point. Beginning south easterly, 81 rods to an oak stump, then south westerly by the Melvin lot, 19 1/3 rods to stake and stones, then about north westerly 73 ½ rods to the Highway, stake and stones, then 20 rods to the bound first mentioned by highway.*

Based on the description, it would be nice for the property to be surveyed. The people in the description have been gone many years, and the stump they referred to might also be gone at this point.

Selectman D’Angelo asked if a survey is needed prior to accepting property. Mr. Chouinard felt that if a survey could not be expedited, they might lose the property. A survey can be done after the purchase.

Vice Chairman Couture stated a best practice when purchasing land is to have a survey done.

***Selectman Landau motioned to approve the easement for Tax Map 8, Lot 18-4 consisting of approximately 10 acres. Vice Chairman 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.***

### *3.3 Warrant Finalization*

Chairman Myette advised the last two articles for the Board to finalize on the warrant are Article #7 - Operating Budget and #23 – Transportation Improvement Capital Reserve Fund.

Chairman Myette presented the final operating budget of five million seven hundred thirty-two thousand six hundred twelve dollars (\$5,732,612). The tax impact is \$7.72.

A roll call vote to support the article was taken Myette – aye, D’Angelo – aye, Owens – aye, Couture – aye, Landau – aye. This article will be marked as supported in the Warrant.

***Selectman Landau motioned to close the public hearing for Warrant Article # 23 - Transportation Improvement Capital Reserve Fund. Vice Chairman 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.***

A roll call vote to support article #23 was taken Myette – abstained, D’Angelo – aye, Owens – nay, Couture – aye, Landau – nay. This article will be marked as not supported in the Warrant.

### *3.4 Hydro Contract*

Chairman Myette mentioned this contract is a renewal from a contract originally signed in 2015 and subsequently signed in 2018. Vice Chairman Couture advised this would have no negative impact with the solar power proposal.

Chairman Myette requested a list of long-term contracts that can be reviewed annually by the Board.

***Vice Chairman Couture motioned to sign the renewal with Standard Power. 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.***

Vice Chairman Couture briefed the Board on the Congressionally Directed Spending grants. The process is fairly easy and the Wason Pond bridge might be a great project. The deadlines were discussed for Senator Shaheen and Congressman Pappas. Chairman Myette offered to help with the applications if needed.

#### **IV. Selectmen’s Business**

##### ***4.1 Chairman’s Announcements***

Chairman Myette announced the following meetings and upcoming events:

Monday February 27, 2023	Conservation Commission Meeting at 6:00pm (Meeting Room)
	Winterfest Wrap up Meeting at 6:30pm (Rangeway)
	Budget Committee Meeting at 7:00pm (Meeting Room)
Wednesday March 1, 2023	Planning Board Meeting at 7:00pm
Thursday, March 2, 2023	Board of Selectman Meeting at 6:00pm
Saturday, March 4, 2023	Register to vote from 11:00am to 12:00pm in the Municipal Building Room 6.

##### ***4.2 Roundtable***

Selectman Landau has two non-public sessions on employment and legal.

Vice Chairman Couture will not be available for next week’s meeting.

Selectman D’Angelo:  
*Nothing to report*

Selectman Owens will also not be available for next week’s meeting.

Due to the lack of a physical quorum, the Board of Selectmen’s meeting for March 2<sup>nd</sup> has been cancelled.

Chairman Myette mentioned a meeting tomorrow with Supervisor of Roads Piper to understand the projects and look at the next couple of years in the Highway Department.

Chairman Myette requested a clear understanding of the different funds in town. What has been spent and what is earmarked. The report could be sent to the Board quarterly.

4.3 Town Administrator’s Report

Vice Chairman Couture queried the definition of a term on the Town Administrator’s report.

4.4 Action Items

None

4.5 Non-Public Session(s)

Chairman Myette announced six non-public sessions.

**Selectman Landau motioned to go into non-public session pursuant to 91-A:3(II), (a) public employees, (c) reputation, and (e) pending litigation. Selectman 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.**

The meeting was closed to the public at 7:14 PM.

**Vice-Chairman Couture motioned to come out of non-public session. 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.**

The meeting was reopened to the public at 7:43 PM.

**Vice-Chairman Couture motioned to seal the minutes of the first non-public session, on Reputation. Selectman 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.**

**Vice-Chairman Couture motioned to seal the minutes of the second non-public session, on Public Employees. Selectman 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.**

**Vice-Chairman Couture motioned to seal the minutes of the third non-public session, on Reputation. Selectman 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.**

**Vice-Chairman Couture motioned to seal the minutes of the fourth non-public session, on Reputation. Selectman 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.**

**Vice-Chairman Couture motioned to seal the minutes of the fifth non-public session, on Pending Litigation. Selectman 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.**

**Vice-Chairman Couture motioned to seal the minutes of the sixth non-public session, on Reputation. Selectman 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.**

**V. Adjournment**

*Selectman Landau moved to adjourn the meeting. Vice-Chairman 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.*

The meeting was adjourned at 7:48 PM.

Respectfully submitted,

Janis A. Jalbert  
Recording Secretary

313 Ted Scott requested that this letter be appended to the end of the minutes.  
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Ted Scott  
121 Derry Rd.  
Chester NH 03036  
(603) 553-6754

Feb. 20, 2023

To:

Chester Town Administrator  
Chester Board of Selectman

A few new concerns since I last spoke at Public Comment about the lack of members on the Fire Department, how it manifested during the 300<sup>th</sup> Anniversary parade in that several pieces of apparatus were not IN that parade, and how that also might affect the need to replace Engine 2:

1. At the 14 Towle Rd. fire in December, the chief responded to the scene in the command car. Engine 1 responded with 3 members. Tank 1 responded with 2 members. Approximately an hour later, a permanently-assigned limited duty member brought drinking water in her own car. That was the entire Chester FD response for the first building fire in seven years, on a Saturday night at 8pm, a time when one would expect the highest response of the week. No other members responded, no other vehicles left the station. (Extremely hard to justify replacing an engine that cannot be staffed).
2. On February 5, Sunday, at a little after 9 am, Derry requested an engine to cover the English Rd. station. The chief sent a message to the department members after the dispatch: "Come on folks. Looking for another person to go to Derry". There are not enough active members responding to calls. (There are not enough active members..... period)
3. During the evening of Feb. 17, Derry again requested an engine to cover the English Rd. station. The chief responded with one other member to Derry. It is understood amongst the surrounding towns that when Derry requests an engine, they expect it to be staffed with 3 people: a truck operator and 2 other firefighters, one of which is to be an officer. This is for both safety and operational reasons. The people covering the station never know what their assignment might be: moving up to the fire, covering a medical call, going to a motor vehicle accident, or responding to another fire call. There have been several times in the past when Chester has notified Derry that they could not adequately staff a truck to respond, and Derry moves down the list to another department to cover their station.
4. On that same call (Feb. 17), while our 2 firefighters were in Derry, the chief left the command car parked in front of the Engine 2 bay door, necessitating someone to move that vehicle if Engine 2 has to respond to a call. I have been told that the

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car has had to be moved several times to allow Engine 2 egress from the building while the chief was on another call. The most disturbing thing noticed, however, was the car was unlocked, with the keys in the ignition. There is tens of thousands of dollars worth of equipment in that vehicle, including a laptop computer mounted to the center console in plain sight. The fire chief has a Knox Box key which may or may not be on that key ring. IF the key is left unsecured in the car, the security of every municipal building, business and residence that has subscribed to keeping their building keys in a Knox Box for emergency access has been compromised. When one of the police officers was asked about locking cruisers when exiting and going into the police station, his response was “I should hope so!”.

5. A picture was posted on Facebook at 3:22 on Saturday Feb. 18, of the bonfire at Spring Hill Farm being lit. Someone stated that the fire department was there overseeing it. The problem is that there was no snow cover. NH state law says that there needs to be 100’ radius of snow cover from the outside edge all the way around the fire. When there is not adequate snow cover, ALL state fire laws regarding outside burning are in effect. The fire warden/chief is responsible for enforcing those laws in his town. Those laws state that there is no outside burning except with a burn permit between the hours of 5 pm and 9 am unless raining. **THE FIRE WARDEN DOES NOT HAVE THE AUTHORITY TO SUSPEND OR MODIFY THOSE STATE LAWS.**

If you have any questions, please contact me. I would love to have some feedback/follow-up on these issues.