

**Town of Chester
Board of Selectmen Meeting
Thursday, March 23rd, 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
Chester Academy PTA Fundraiser
Brian Sullivan – Planning Board Re-appointment
Aaron Berube, Police Chief
Budget & Warrant Article Review
Roundtable
Non-Public Session
Adjournment

1.1 Call to Order

Chairman Landau called this meeting of the Town of Chester Board of Selectmen to order at 7:02pm.

1.2 Roll Call

Selectmen present:

Cass Buckley
Jack Cannon
Joseph Hagan
Stephen Landau
Dick Trask

Members of the Public present, at various times:

Aaron Berube, Police Chief
Steve D'Angelo, Budget Committee
Amy Fournier, Chester Academy PTA
Michael Oleson, Road Agent
Lorie Ouwerkerk, Chester Academy PTA
Brian Sullivan, Planning Board
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

Two non-public sessions, on Public Employees and Pending Litigation, were added.

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 Chester Academy PTA Fundraiser

Ms. Fournier and Ms. Ouwerkerk of the Chester Academy PTA appeared before the Selectmen to discuss hosting a Trivia Night/Auction fundraiser in the MPR in April, and to ask permission to allow alcohol consumption.

Their previously scheduled Silent Auction fundraiser at Zorvino did not sell sufficiently well, and had to be cancelled. They would instead like to hold a BYOB Trivia Night/Auction in the MPR. This would require the hiring of a Police detail as well as permission from the Board of Selectmen for the consumption of alcohol on Town property.

Vice-Chairman Trask moved to allow the Chester Academy PTA to hold a BYOB Trivia Night/Auction fundraiser in the MPR on Saturday, April 15th, 2017; Selectman Buckley seconded the motion. The vote was unanimous in the affirmative; motion carried.

Ms. Fournier and Ms. Ouwerkerk thanked the Selectmen, and departed the meeting at 7:06pm.

3.2 Brian Sullivan – Planning Board Re-appointment

Mr. Sullivan appeared before the Selectmen for reappointment to the Planning Board. He has been a member for at least the past ten years and currently serves as Chairman.

The Selectmen agreed that Mr. Sullivan does a great job, and thanked him for his service to the Town, stating that he is the kind of volunteer that the Town needs.

Vice-Chairman Trask moved to reappoint Brian Sullivan to the Planning Board for a term to expire on May 31st, 2019; Selectman Buckley seconded the motion. The vote was unanimous in the affirmative; motion carried.

Mr. Sullivan returned to the Public at 7:08pm.

3.3 Aaron Berube, Police Chief

Police Chief Berube appeared before the Selectmen to discuss moving his request for a full-time Police Officer from a Warrant Article to the Operating Budget, and any associated savings that could be realized.

Selectman Buckley asked for justification for this new position, stating that it was a significant increase in both cost and staff. Police Chief Berube provided data which indicated that the number and types of calls in Chester were approximately equal to those in surrounding communities with much larger Police Departments. He stated that his part-time Officers, which are a critical part of the staff, are becoming overwhelmed. He cited one example; even though a part-time officer may have a full-time job to go to tomorrow, if s/he arrests someone for domestic violence, State law requires that the arrestee be

arraigned on the next business day and the part-time officer may be compelled to remain on the job in Chester right up until s/he needs to leave for the full-time job the next day.

In order to provide safety to the Town and also to deter crime, an additional full-time officer is needed. Selectman Buckley opined that the large number of motor vehicle stops increased the total number of calls, and that this practice is driven by the Police Department. Police Chief Berube countered that the data showed that communities with fewer motor vehicle stops also had a corresponding rise in number of burglaries; to wit, he believes that these motor vehicle stops help prevent crimes.

Selectman Buckley reported that the residents with whom he has spoken see no need for additional Police staff. Police Chief Berube suggested that older and younger residents are more likely to contact the Police Department when they see a need, and that the Department had over 2,700 calls for service last year. He would like to avoid a situation where an emergency happens when there is only one Officer on duty, and the calling resident has to wait ~40 minutes for help to arrive.

Police Chief Berube reminded the Selectmen that during last year's Budget Season he had voluntarily declined the Selectmen's offer to put two additional full-time police officers into the Operating Budget in favor of one part-time detective. The Detective has been handling different types of investigations, including sexual assault and robbery, and has started a juvenile diversion program, which is a positive alternative to the court system for youthful offenders.

Police Chief Berube asked that the Selectmen give him the authority to begin the hiring process now, so that he will be ready with a candidate for a hire date of July 1st. He is willing to make reductions in his part-time officer line (hours, not personnel) once that authority has been granted.

Vice-Chairman Trask moved to give Police Chief Berube the authority to hire a full time officer with a hire date of July 1st, 2017; Selectman Hagan seconded the motion.

Selectman Buckley objected, due to the increase in the budget. He also asked why the full-time Police Officer would be put into the Operating Budget, whereas the DPW Director and the Recreation Coordinator positions were both remaining as warrant articles.

Selectman Hagan does not believe that the positions are equivalent, adding that the Police Department would be able to cover more, and with greater expertise, with a full-timer rather than cobbling together a number of part-timers. He noted that the Police Department often functions as a social service – "Who else can you call?". A quick calculation of budget and population showed that each resident pays \$123 annually for the Police Department.

Chairman Landau noted that he is in complete agreement with the need for a new full-time Police Officer, but that he is not in favor of Vice-Chairman Trask's motion because he believes that the Legislative Body has the right to make that decision.

Selectman Buckley opined that the School did a great job of keeping their budget increase low. Chairman Landau dissented; in his opinion, the School District meeting was poorly advertised and just as poorly attended, with 36 residents attending and none of them questioning a budget of over \$12M. Vice-Chairman Trask added that the student numbers are decreasing while the number of residents in Chester is growing, and yet the School budget still increased.

Selectman Buckley asked that Vice-Chairman Trask's motion be amended to add that the Selectmen would agree to cut the amount added by the new full-time officer elsewhere in the Operating Budget to keep it level; Vice-Chairman Trask refused this amendment. Selectman Hagan suggested that the Selectmen consider reducing the amount being raised and appropriated for the CIP from \$800k to perhaps \$725k.

The question was called. **The vote was three in favor with Selectman Buckley opposed and Chairman Landau abstaining; motion carried.**

As Police Chief Berube now had his assurance, he noted that while his line *01-4210-1-115 PD Salary Full* would be increased from \$269,361 to \$315,121, his line *01-4210-1-122 PD Salaries – Officers (PT)* could be lowered from \$65,992 to \$40,000, for a net increase of \$19,768, which would make the bottom line of the Police Department budget \$648,536, an overall increase of 5.16% over last year.

Vice-Chairman Trask moved to lower line 01-4210-1-122 PD Salaries – Officers (PT) from \$65,992 to \$40,000; Selectman Cannon seconded the motion. The vote was unanimous in the affirmative; motion carried.

There was some discussion about the Police Detail Special Revenue Fund, which contains revenue from Police Details, not funds raised by taxation. Police Chief Berube had recently submitted a Warrant Article (#R) to use \$10,000 from that fund for Communications Equipment; this would have no tax impact. Vice-Chairman Trask suggested that, since there is currently \$74,774 in that Fund, some other Police Equipment that was originally planned to be purchased under the CIP could be purchased with those funds instead. It was clarified that this would not cause a problem with grants. Police Chief Berube had no objection, and it was decided to move the purchase of the Heavy Duty Safety Road Cones for \$5,000 from the CIP Projects Warrant Article to the Police Detail Special Revenue Fund Warrant Article, and to split the cost of the purchase of Police Protective Equipment for \$10,000 into two halves – half under the CIP Projects WA and half under the Police Details Special Revenue Fund WA. The Police Protective Equipment to be purchased includes items such as boots, bulletproof vests, sidearms, ballistic vests and helmets, etc. Unfortunately the Police Department has had to borrow this sort of equipment from neighboring Towns when the need arises; they need their own.

On another subject, some residents on Haverhill Road whose home borders the Village Cemetery dirt road entrance are having issues with people heading to the ballfield parking on their property and treating it with disrespect. Road Agent Oleson, who was present at the time, noted that he has often put up "No Parking" signs along that road, but that Chester Baseball removes them.

Chairman Landau asked Police Chief Berube what he needed to be able to enforce a parking ban in that area. Apparently there is a lack of clarity about the delineation between the residents' property and Town property. That should be determined, perhaps with the assistance of Building Inspector Myrick Bunker or Planning Coordinator Andrew Hadik, clearly marked, and "No Parking" signs erected once more. Persons wishing to visit the ballfield or conservation land should park at Chester Academy.

Police Chief Berube returned to the Public at 8:23pm.

3.4 Budget & Warrant Articles Review

Review of the Budget and Warrant Articles continued.

Article #M - Recreation Director, Full Time

The Recreation Commission along with Finance Director Smith have dollarized this article, to wit:

Shall the Town raise and appropriate the sum of Seventeen thousand, seven hundred dollars (\$17,700) to change the Recreation Coordinator from a part-time to a full-time position with benefits.

Vice-Chairman Trask moved to approve the dollarized Recreation Director Warrant Article; Selectman Cannon seconded the motion. The vote was unanimous in the affirmative; motion

carried.

Article #P – Creation of LUCT Fund

Vice-Chairman Trask moved to approve the Creation of LUCT Fund Warrant Article; Selectman Buckley seconded the motion.

Chairman Landau spoke in opposition to this Warrant Article, stating that the Legislative Body decided twenty years ago to place this revenue into the Conservation Fund, and that these funds have been well spent on many things including dam repair, covered bridge building, etc. With the amount of development looming, Conservation funds will be necessary.

Vice-Chairman Trask dissented, opining that the Legislative Body should be asked to make this decision more than once every twenty years.

The question was called. **The vote was two in favor with Chairman Landau opposed and Selectmen Buckley and Hagan abstaining; motion carried.**

Article #Q – Placing LUCT monies into LUCT Fund

As it is undecided how much money would still go into the Conservation Fund, this Article will be addressed next week when the Conservation Commission is present.

Article #R – Police Department Equipment

This new Warrant Article was discussed earlier this evening with Police Chief Berube, and reads as follows:

Special Warrant Article. Shall the Town raise and appropriate the sum of Twenty thousand dollars (\$20,000) for the following projects:

<i>Communications Equipment</i>	<i>\$10,000</i>
<i>Police Protective Equipment</i>	<i>\$5,000</i>
<i>Heavy Duty Safety Road Cones</i>	<i>\$5,000</i>

and withdraw Twenty thousand dollars (\$20,000) from the Police Detail Special Revenue Fund established for this purpose.

Vice-Chairman Trask moved to approve the Police Department Equipment Warrant Article; Selectman Cannon seconded the motion. The vote was unanimous in the affirmative; motion carried.

Article #C – CIP Funding

This article was readdressed tonight; a suggestion was made that the amount of funding be reduced this year due to the other expenses in the Budget and Warrant Articles. Selectmen Buckley and Hagan suggested \$600k, Vice-Chairman Trask suggested \$700k, and Selectman Cannon would prefer to leave it at \$800k, stating that spending more out of the CIP than was being put in was unwise.

There was some discussion about which items in the CIP were wants versus needs, which might be removed based on other changes being suggested to Town property, and which might potentially be funded by grants.

Selectman Hagan moved to lower the figure in the CIP Funding Warrant Article from \$800k to \$600k; Selectman Buckley seconded the motion. The vote was three in favor with Vice-Chairman Trask and Selectman Cannon opposed; motion carried.

Article #J - Winter Road Maintenance Fund

Road Agent Oleson had originally asked that this Fund be raised from \$85k to \$125k; at an earlier meeting the Selectmen had agreed on raising it to \$105k. Road Agent Oleson stated that he needs every dollar he's requested in his Department's Operating Budget for the upcoming Fiscal Year in order to ensure that the \$105k figure is sufficient.

Selectman Buckley would like a Warrant Article included that limits budget growth to CPI plus a certain defined percentage. Chairman Landau is unsure if this is legal; he suggested that Selectman Buckley contact Town Counsel.

IV. Selectmen's Business

4.1 Roundtable

Selectman Cannon:

- The 300th Anniversary Committee will be holding a contest, with a prize, for any resident or former resident of Chester to design its logo. Rules are being drafted and will be cleared with Town Counsel.

Selectman Buckley:

- The Selectmen need to finalize a budget for the Budget Committee to review; it keeps changing. Vice-Chairman Trask stated that the Budget Committee would be attending the meeting of March 30th and has asked that the Selectmen remove \$80k from the Operating Budget in order that the two groups go to Town Meeting with a unified budget.

Vice-Chairman Trask:

- The Historical Society has approved the placement of picnic tables at the center of Town near the cannons; Sam from the General Store will keep the area clean. Maintenance Supervisor Amato believes he can find the few hundred dollars necessary to purchase a table in his budget.

Vice-Chairman Trask moved to purchase a picnic table for the cannons area; Selectman Cannon seconded the motion. The vote was unanimous in the affirmative; motion carried.

Selectman Hagan:

- The Legislature's term is half done. The House recently passed a "Veterans' Track" in the Criminal Justice System, which is an alternative way to adjudicate offenses that could have been caused by issues related to their service - PTSD, substance abuse, etc.

Chairman Landau:

- Residents interested in running for office should visit the Town Clerk's office between March 22nd and March 31st to sign up. Elections will take place on Tuesday, May 9th, 2017, from 7am to 7pm. The Town could always use more volunteers.
- At last night's Planning Board meeting, the members approved the use of Offsite Improvement funds for the East Derry Road repairs.
- A letter was received from the Town of Lebanon urging Governor Sununu to investigate the Trump Administration's claim of voter fraud.
- LifeShare donated a microwave oven to the Chester Kitchen to replace the old one which was

broken and not repairable.

Vice-Chairman Trask moved to accept the gift of a Frigidaire Microwave Oven for the Chester Kitchen from LifeShare; Selectman Hagan seconded the motion. The vote was unanimous in the affirmative; motion carried.

4.2 Public Comment

As no Members of the Public wished to be heard, Public Comment was closed at 9:12 pm.

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 and (c) Reputation; Vice-Chairman Trask seconded the motion. The vote was unanimous in the affirmative; motion carried.

The meeting room was closed at 9:13pm. Police Chief Berube remained in the meeting room.

Police Chief Berube departed the meeting room at 9:29pm.

The meeting room was re-opened at 9:33pm.

Chairman Landau moved that the Board come out of non-public session; Vice-Chairman Trask seconded the motion. The vote was unanimous in the affirmative; motion carried.

Chairman Landau moved that the minutes to the first non-public session, on Public Employees, be sealed for an indefinite period; Vice-Chairman Trask seconded the motion. The vote was unanimous in the affirmative; 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 Cannon seconded the motion. The vote was unanimous in the affirmative; motion carried.

V. Adjournment

The next regularly scheduled meeting of the Board of Selectmen will be Thursday, March 30th, 2017.

Chairman Landau moved to adjourn the meeting; Selectman Cannon seconded the motion. The vote was unanimous in the affirmative; motion carried.

The meeting was adjourned at 9:35pm.

Respectfully Submitted,

Debra H. Doda
Recording Secretary