

**Town of Chester
Board of Selectmen Meeting
Thursday, March 30th, 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
Land Use Change Taxes
Budget & Warrant Article Review
Items for Signature
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
Joseph Hagan
Stephen Landau
Dick Trask

Selectmen absent:

Jack Cannon

Members of the Public present, at various times:

Aaron Berube, Police Chief
Greg Bolduc, Fire Chief
Ben Clark, Deputy Fire Chief
Steve D'Angelo, Budget Committee
Jerome Gesel
Chuck Heuer, Budget Committee
Chuck Myette, Conservation Commission
Erin Newnan, Town Clerk
Scott Newnan, Lieutenant, Fire Department
Michael Oleson, Road Agent
Joanne Smith, Finance Director
Michael Weider, Budget Committee
Gary Welch
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 Pending Litigation, were added.

1.5 Public Comments

Police Chief Berube stood and was recognized. He thanked the Selectmen for their open lines of communication with the Police Department and other Department Heads during the budget season, which can be contentious. That said, he wished to clear up some possible misconceptions that arose at the last Budget Committee meeting:

- The Town has agreed to provide the Police Department with a new cruiser every year; the cost of which is ~\$50k, fully outfitted. The cost was indeed much lower in 2011. Part of the price increase, though, is the fact that the department is now purchasing a different type of vehicle, and the items used to outfit the previous type, a Crown Vic, cannot be swapped into the new type. Once all vehicles are the same model, the cost of outfitting will decrease.
- A statement that was made that the Police Department cannot attract personnel is no longer true, as pay rates have increased to be more in line with other Towns.
- When the additional Police Officer was added to this year's budget, the part-time line was cut by \$26,000, not \$20,000.
- Contrary to what was stated, he did provide justifications for his budget during the process. Only Mr. D'Angelo has approached him with questions. If the other members of the Budget Committee have questions, they should ask him.

Road Agent Oleson stood and was recognized. He also wished to discuss items raised at the last Budget Committee meeting.

- If the Budget Committee wanted more justification for his budget, they should call or email him to ask questions.
- The Budget Committee stated that his original budget request was for \$759k; this is not true.
- He never indicated that the DPW Director, if hired, would work for him; he had stated that they would work together on a transition.

As no other Members of the Public wished to be heard, Public Comment was closed at 7:19pm.

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 Land Use Change Taxes – Chuck Myette

Mr. Myette appeared before the Selectmen to discuss the disposition of the Land Use Change Tax revenue, a tax that is collected when a resident's land comes out of Current Use.

The concept behind Current Use is when a portion of a property owner's land is unimproved - used for farming, perhaps – the property owner can request that it be assessed at a lower value and as such the taxes are discounted. When the property owner changes the purpose of the land to commercial or for development, the Town then recoups some of the deferred taxes, thus the term Land Use Change Tax (LUCT).

At the 1997 Town Meeting, the Legislative Body voted to place 100% of the LUCT taxes collected into the Conservation Fund, with a maximum of \$20,000 per year (the \$20,000 limit was removed at the 1999 Town Meeting).

Vice-Chairman Trask noted that there is currently ~\$550k in the Conservation Fund and would be interested in knowing what the Conservation Commission's plans were for those funds.

Mr. Myette stated that the Conservation Commission and its subcommittee, the Strategic Land Protection Committee (SLPC), worked together to identify land which could be protected with the placement of a Conservation Easement, or purchased in order that the Town would own property that could be used for another school, a cemetery, recreation, etc. They currently have a list of properties that they are looking at; this list, of course, is confidential. He invited anyone interested to become a member of the SLPC.

Chairman Landau added that Conservation Fund monies have also been spent on large projects, such as the Wason Pond Dam repair, that were financially unpalatable to the Legislative Body without the assistance of the Conservation Fund.

The funds are invested to generate revenue; in fact, the Town Treasurer Rhonda Lamphere attended their last meeting in order to discuss moving the bulk of their funds into a short-term investment that would generate more interest than where it currently resides.

Mr. Myette also added that he did not understand the purpose of the suggested Warrant Article. The Town effectively loses money on every house that is built, as it costs ~\$10k each year to put a child through school, and yet it is unlikely that the tax revenue from that house approaches \$10k. Keeping money available for conservation purposes is essential.

Vice-Chairman Trask stated that some Towns put their LUCT revenue into a LUCT Fund and from there the Legislative Body votes each year on where to direct those funds, and that he believes the Legislative Body should have the right to choose more often than every ~20 years. He added that the Town is currently in a building boom, and the infrastructure could use maintenance work; moving some of the LUCT revenue into the CIP, for example, would assist with this while keeping taxes down. Mr. Myette noted that these funds only come in as lots are broken, and they are in no way a large windfall; infrastructure cannot be maintained using LUCT revenue. He added that without mixed-use or commercial development, the responsibility for funding the Town remains on the backs of the taxpayer.

Vice-Chairman Trask asked Mr. Myette what percentage of the LUCT revenue the Conservation Commission would need to retain; Mr. Myette stated that he would be unable to give a figure without having the Town's plan in hand of what it intended to do with the LUCT revenue. Vice-Chairman Trask countered that he would like to see the Conservation Commission's plan; Mr. Myette stated that he and any other members of the Board of Selectmen were welcome to attend a meeting of the SLPC.

Jerome Gesel stood and was recognized; he asked if the meeting between the BOS and the SLPC would be public or non-public. It would be in public, but portions would need to be in non-public session in order to protect confidential information.

On another subject, Selectman Buckley asked Mr. Myette, who is also on the Spring Hill Farm Board of Trustees, about a request he had received to utilize the \$4,200 remaining of the \$37,300 that was raised by Warrant Article #17 at the 2016 Town Meeting for renovations to the buildings at Spring Hill Farm to perform some work on the bathroom at the Farmhouse. He would prefer to see those extra funds go towards something that would generate revenue for the farm.

Mr. Myette stated that the single original bath is decades old and has some lead pipes; the Trustees would like to redo the plumbing and perhaps run a line up to the second floor to install a half bath. A plumber has been identified and will be coming to give a quote; until then, it is unknown if the \$4,200 would be sufficient to perform any of the work.

Vice-Chairman Trask stated that as every other Department in Town needs to work through the CIP, he would prefer that Spring Hill Farm do the same. Mr. Myette stated that the Trustees have drawn up a list of projects that could be put into the CIP and are also pursuing grants.

This subject will be readdressed once the Plumber has given his estimate.

Mr. Myette departed the meeting at 8:03pm.

3.2 Budget & Warrant Articles Review - Budget Committee

Mr. D'Angelo, Mr. Heuer, and Mr. Weider from the Budget Committee appeared before the Selectmen to discuss the Budget and Warrant Articles.

Mr. Heuer stated that the Budget Committee meetings were open to the Public, but that none were ever in attendance. Insofar as Road Agent Oleson was concerned, he stated that the Highway Budget had increased by \$100k but there was only one line on the Justification page, which was insufficient, and that the Budget Committee would not be chasing a Department for answers. Road Agent Oleson replied that the Budget Committee had reduced his budget last year by over 16%, so this year he had increased it by 15%; he believed that to be self-explanatory.

Mr. Heuer then apologized to Police Chief Berube for the apparent misunderstanding; he had thought the Town had agreed to a new cruiser every other year, not every year. He added that the Budget Committee had met with the Fire Department this past Monday; they would like to do the same with the Police Department. They are unable to locate justification for the additional Police Officer, although Mr. D'Angelo added that they had left it in the Budget.

Police Chief Berube opined that the Budget Process of two years ago, when the Selectmen, Budget Committee, and Department Heads all met together at the same time, was preferable to this year's process, and he would like those meetings to be the default once again.

Mr. Weider stated that if the Selectmen and the Budget Committee could agree on a unified budget, then Town Meeting would come down to just Warrant Articles. The Budget Committee would like to see the Selectmen cut \$106k from their Budget, thus reducing it from \$4,393,942 to \$4,287,942.

One issue that received much discussion was the addition of a new Full Time Police Officer to the Operating Budget. The Budget Committee is of the opinion that the hiring of new positions has traditionally gone through a Warrant Article, and believes that the Police Officer position is no different than the Full Time Recreation Director and the Department of Public Works Director, which are currently requested via Warrant Articles. They would like the Legislative Body to make the decision as to whether or not the Town needs an additional full time officer. Police Chief Berube disagreed, stating that the Legislative Body had elected the Selectmen to administer the Town; they have agreed to allow him to

begin the hiring process, and he is in hopes to have a certified officer ready to begin on July 1st. The Selectmen also disagreed, stating that the Police Chief knows best how to manage his Department and budget and that furthermore, they had already voted last week to give him the authority to begin the hiring process; the question is moot.

Another issue that was much discussed was the Full Time DPW Director. Mr. D'Angelo opined that a Town Administrator would be a better choice; Selectman Buckley is concerned that the creation of a Public Works Department would oblige the Town to purchase large amounts of equipment and hire additional employees, all of which comes at a great cost. Vice-Chairman Trask disagreed, stating that the Town could continue to use contracted equipment.

Road Agent Oleson was asked for his opinion. He stated that he is in favor of this Warrant Article; the Town is growing, and the job is getting to be too much for a part-time elected official. The budget is continually cut, which means that less work gets done. The Town is fortunate in that he has his own employees and equipment that are available to the Town 24/7/365; another person who is elected to the Road Agent position might not have those resources.

Different methods of reaching the Budget Committee's \$106k recommendation were discussed. Selectman Buckley suggested isolating all Departments that had requested an increase and cutting that increase by 25%. Vice-Chairman Trask suggested that the two boards compromise with a cut of \$75k; Selectman Buckley thought that that figure was insufficient. The Selectmen had been able to identify ~\$65k in potential cuts thus far; the Budget Committee is still looking for more.

Chairman Landau is concerned that if the budget is cut too harshly, services will have to be cut as well. Selectman Buckley opined that the Legislative Body should make the decision of what level of service they would prefer; it does not always have to be the highest or best.

The CIP Warrant Articles were discussed. Mr. Weider is concerned that if funding of the CIP is too low, purchasing will be affected. He is also concerned that if the Fire Department receives all three vehicles it has requested, they will no longer be eligible to collect as much in Impact Funds, as there will be nothing waiting to be purchased. He suggested that they push one vehicle out; perhaps the Command Vehicle.

The Board of Selectmen were invited to meet with the Budget Committee at their regularly scheduled meeting on Monday, April 3rd, 2017 at 7pm to finalize this discussion. The Public Hearing for the Budget is on Monday, April 10th, 2017.

Mr. D'Angelo, Mr. Heuer, and Mr. Weider departed the meeting at 9:59pm.

The Selectmen continued to discuss potential cuts to the budget. Chairman Landau asked if the Selectmen would consider approaching the Budget Committee with the already-identified \$65k in cuts, and add that they are willing to delete the DPW Director Warrant Article for this year. Although that is not part of the Operating Budget, it still affects the tax rate. Vice-Chairman Trask was opposed to this, but Selectman Buckley in favor; he opined that having an extra year would allow the Selectmen to develop a better job description, and a more specific, detailed plan for the addition of employees and equipment. There continues to be disagreement on whether or not the Town would need to purchase its own equipment, or if it could continue to rent.

Chairman Landau moved to stay with the \$65k of reductions in the Operating Budget and remove Warrant Article #N, Director of Public Works, Full Time; if this is not acceptable to the Budget Committee, the Board of Selectmen and Budget Committee will go to Town Meeting with two separate budgets. Selectman Buckley seconded the motion.

Road Agent Oleson did not object to this deletion, as the Town would still have a Road Agent in place;

however, he pointed out that when he needed to close two roads recently, he was unable to find any contractors available to assist. After two years, the Town is unlikely to have a reliable source of equipment and will need to purchase. Selectman Hagan agreed, noting that Congress is currently working on infrastructure plans and that in two years the town will absolutely have to purchase equipment.

The question was called. **The vote was three in favor with Vice-Chairman Trask opposed and Selectman Cannon absent; motion carried.**

Vice-Chairman Trask moved to take \$200k from the Unassigned Fund Balance and use it to fund the CIP; Selectman Hagan seconded the motion for discussion purposes.

Vice-Chairman Trask is concerned that should the CIP spending continue to outpace the funding, at some point the CIP will simply defund itself and disappear, and he believes that the CIP is vital to the infrastructure of the Town. There is currently 15% in the UFB, which is within DRA's guidelines.

Selectman Hagan stated that he had originally suggested lowering the amount raised and appropriated to fund the CIP; Chairman Landau added that he prefers using the UFB to lower the tax rate.

The question was called. **The vote was one in favor with Selectman Buckley opposed and Chairman Landau and Selectman Hagan abstaining; motion failed.**

3.3 Items for Signature

Bartlett Tree Experts has submitted their contract to perform services on the trees at Stevens Hall; this funding for this work is in this year's budget.

Selectman Hagan moved that the contract from Bartlett Tree Experts be signed; Selectman Buckley seconded the motion. The vote was four in favor with Selectman Cannon absent; motion carried.

Jean Methot has asked that the Selectmen sign an agreement with the NH DOT allowing the Town to put up signs on the Robert Frost Scenic Byway at its own expense. This agreement has been reviewed and approved by both Town Counsel and the Town's insurance carrier.

Selectman Hagan moved that the agreement with the NH DOT for Robert Frost Scenic Byway signs be signed; Chairman Landau seconded the motion. The vote was three in favor with Selectman Buckley abstaining and Selectman Cannon absent; motion carried.

CAI Technologies, Inc. has submitted their contract to maintain the Town's tax maps. The cost has remained the same as last year at \$2,200.

Vice-Chairman Trask moved that the contract from CAI Technologies, Inc. be signed; Selectman Buckley seconded the motion. The vote was four in favor with Selectman Cannon absent; motion carried.

Jean Methot has asked, on behalf of the 300th Anniversary Committee, for permission to plant daffodils along the Village Cemetery stone wall, the Soldier Monument area, and any other areas that the Selectmen see fit. After some discussion, it was decided that the only area that should be excluded is around the flagpole, as another resident maintains that area. This is at no cost to the Town itself.

Vice-Chairman Trask moved that permission be granted for the 300th Anniversary Committee to plant daffodils other than around the flagpole; Selectman Hagan seconded the motion.

The vote was four in favor with Selectman Cannon absent; motion carried.

At last week's meeting, a motion was made to purchase a picnic table for the area by the cannons, under the mistaken impression that the Historical Society had approved such placement. Apparently they would prefer that no picnic tables be installed there.

Chairman Landau moved to nullify last week's motion to purchase a picnic table for the cannons area; Vice-Chairman Trask seconded the motion. The vote was four in favor with Selectman Cannon absent; motion carried.

MRI has submitted their contract for FY 17/18. The monthly fee remains at \$1,000 but there is an additional \$833 each month for cyclical inspection services. The Selectmen would like further information on this contract before signing it; Assistant Assessor Packard will be asked for clarification.

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:

- Nothing to report.

4.2 Public Comment

As no Members of the Public wished to be heard, Public Comment was closed at 11:00 pm.

4.3 Non-Public Sessions

Chairman Landau moved that the Board go into non-public session under RSA 91-A:3 II (e) Pending Litigation; Selectman Hagan seconded the motion. The vote was four in favor with Selectman Cannon absent; motion carried.

The meeting room was closed at 11:00pm.

The meeting room was re-opened at 11:10pm.

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

Chairman Landau moved that the minutes to the first non-public session on Pending Litigation be sealed for an indefinite period; Selectman Hagan seconded the motion. The vote was four in favor with Selectman Cannon absent; motion carried.

Chairman Landau moved that the minutes to the second non-public session on Pending

Litigation be sealed for an indefinite period; Selectman Hagan seconded the motion. The vote was four in favor with Selectman Cannon absent; motion carried.

V. Adjournment

The next regularly scheduled meeting of the Board of Selectmen will be Thursday, April 6th, 2017. The Selectmen have also been invited to attend the Budget Committee meeting of Monday, April 3rd, 2017; this will be noticed as a quorum will be in attendance.

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

The meeting was adjourned at 11:12pm.

Respectfully Submitted,

Debra H. Doda
Recording Secretary