

**Town of Chester
Board of Selectmen Meeting
Monday, April 14th, 2016
Municipal Complex
Approved Minutes**

I Preliminaries

Call the Meeting to Order
Roll Call
Pledge of Allegiance
Chairman's Additions or Deletions
Public Comment
Approval of Minutes
John Colman, Chair - Great Hill Cemetery
7:15pm - Public Hearing - Evelyn Noyes Lane, Road Acceptance
7:30pm - Public Hearing - 2016-2017 Budget and Warrant
Further Discussion on Warrants
Greg Bolduc, Interim Fire Chief
Roundtable
Public Comment
Non-Public Sessions
Adjournment

1.1 Call to Order

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

1.2 Roll Call

Selectmen present:

Jack Cannon
Joe Castricone
Joseph Hagan
Stephen Landau
Dick Trask

Members of the Public present, at various times:

Rich Bellemore, Lieutenant, Fire Department
Greg Bolduc, Interim Chief, Fire Department
Cass Buckley, Budget Committee
Don Brown, Great Hill Cemetery Trustee
Ben Clark, Captain, Fire Department
John Colman, Great Hill Cemetery Trustee
Steve D'Angelo, Budget Committee
Andrew Hadik
Chris Hadik
Chuck Heuer, Budget Committee
Rhonda Lamphere, Budget Committee
Darrell Quinn, Great Hill Cemetery Trustee
Matt Rittenhouse, Tri-Town Times
Leroy Scott
Michael Weider, Budget Committee

Valerie Weider
And others unknown to the Recording Secretary

1.3 Pledge of Allegiance

Chairman Landau led the attendees in the Pledge of Allegiance.

1.4 Additions and Deletions

One Non-Public Session on Reputation was added to the agenda; Interim Fire Chief Bolduc’s appointment with the Board also includes a non-public session.

The Budget Committee’s Public Hearing on the 2016-2017 Budget and Warrants will be held concurrently with the Board of Selectmen’s Public Hearing on Evelyn Noyes Lane, and begin on or about 7:30pm.

1.5 Public Comment

As no Members of the Public wished to be heard, Public Comment was closed at 7:02pm.

II. Old Business

2.1 Approval of Minutes

This subject was not addressed tonight.

III. New Business

3.1 John Colman, Chair - Great Hill Cemetery Trustees

Mr. Colman appeared before the Board with the other Great Hill Cemetery trustees, Mr. Brown and Mr. Quinn, to discuss issues currently facing the Cemetery.

Graves dug in plots at the Cemetery’s ‘Upper Side’ recently have run into ledge, which interferes with digging deep enough to inter a coffin. In the recent cases, jackhammer work solved the problem, but it is likely to arise again.

The Trustees will swap these plots for others in the Cemetery when possible, but this is not a solution if family members are already interred in the plot, and in those particular cases, blasting would not be a solution, either. The Trustees have stopped selling plots for coffins in that area of the Cemetery and plan to limit it to plots for cremains only (which sell at a discounted rate), as they do not need to be dug as deep.

There is sufficient space in the remainder of the Cemetery to last for some time yet, but at some point in the future, the Upper Side will be needed. The Trustees would like to have the area mapped with ground-penetrating radar to determine the underground topography, and then blast where necessary. As the Cemetery is Town-owned property, however, who pays to mitigate this ledge problem?

Mr. Quinn posed this question electronically to members of the New Hampshire Cemetery Association, and only received a response from Wolfeboro. Residents who purchase plots in that town do so with a “risk clause” included, which means that any cost to mitigate ledge or other obstructions that are discovered when a grave is dug is the responsibility of the plot owner, not of the Town. Mr. Colman opined, however, that Chester residents are unlikely to purchase plots with this sort of clause. There is a meeting of the NHCA next week, and Mr. Quinn hopes that other attendees who may not spend much

time online will be able to answer his question.

Selectman Cannon agreed that the mapping should be done as soon as the cost could be identified, and the entire area blasted at one time to eradicate the ledge, not plot by plot. (Mr. Brown noted that some of the cost could be recouped by selling the blasted material.) Chairman Landau inquired of Mr. Weider, who was in attendance, about the cost of blasting; Mr. Weider concurred that it was, indeed, expensive. Chairman Landau would like to know how much plots sell for in surrounding towns; is the Great Hill Cemetery charging enough to recoup expenditures? Mr. Quinn stated that the New Hampshire Cemetery Association performs a survey of prices every year; Chester, at \$350, is on the lower end.

Mr. Quinn stated that he estimates the price to perform ground penetrating radar mapping to be somewhere in the \$18-20k range for the entire Upper Side. However, costs could be reduced by only mapping "stripes" of land that would cover standard grave layout areas; perhaps under \$10k. These are all ballpark figures.

Although this mapping was agreed to be important, there are simply no funds for it right now, nor are there any in the budget for the upcoming Fiscal Year. It was suggested that a Warrant Article be written for a future Town Meeting, requesting funds to perform the mapping. It was also suggested that if there are sufficient funds remaining at the end of this Fiscal Year, they could be encumbered and used for the mapping, with a Warrant Article written for the blasting for next year's Town Meeting.

A brief discussion ensued on the change from 'deeds' and 'perpetual care' funds, to 'right to inter', which took place in 2010. Perpetual care funds are with the Trustees of the Trust Funds, and only the interest can be used for maintenance on those graves that were purchased with it. They cannot be used for cemetery roads, general maintenance, expansion, blasting, etc. Funds for those activities must be raised through taxation.

Mr. Colman mentioned Warrant Article #20 from Town Meeting 2013, which authorized Cemetery Trustees, per RSA 31:95-C, to establish a Special Revenue Fund into which cemetery plot revenue could be placed and used for general cemetery activities that perpetual care funds may not be used for. The Warrant Article had been created at the behest of the Village Cemetery Trustees, but could the Great Hill Cemetery Trustees either participate in that, or create their own, fund?

The Warrant Article, which passed by 57 to 8, reads as follows:

Shall the Town adopt 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.

Chairman Landau will inquire of Town Counsel Gorrow; if this fund is restricted to the Village Cemetery Trustees, the Great Hill Cemetery Trustees should meet with Town Counsel to write their own Warrant Article for a future Town Meeting.

The Great Hill Cemetery Trustees departed the meeting at 7:44pm.

3.2 7:15pm - Public Hearing - Evelyn Noyes Lane, Road Acceptance

Chairman Landau moved to open the Public Hearing on the acceptance of Evelyn Noyes Lane, situated

in Pond View Meadows of Chester; Selectman Castricone seconded the motion. The vote was unanimous in the affirmative; so moved. The Public Hearing was opened at 7:27pm.

No Members of the Public wished to be heard; the Public Hearing will remain open for at least one hour, and close no earlier than 8:27pm.

Both the Budget Committee and the Board of Selectmen inquired on a regular basis over the next hour if anyone wished to be heard on the subject of Evelyn Noyes Lane; no-one responded.

Chairman Landau noted that according to the Engineers, the Planning Board, and Road Agent Oleson, this road has met all conditions for approval.

Chairman Landau moved to accept Evelyn Noyes Lane, located at Pond View Meadows of Chester; Selectman Trask seconded the motion. The vote was unanimous in the affirmative; so moved.

3.3 7:30pm - Public Hearing - 2016-2017 Budget and Warrant

Chairman Weider moved to open the Public Hearing on the 2016/2017 Budget and Warrant; Mr. Heuer seconded the motion. The roll call vote was unanimous in the affirmative; so moved.

The Public Hearing was opened at 7:46pm.

Chairman Weider read each article in full, including tax impact and support or non-support by the Budget Committee and Board of Selectmen. Articles 1 through 7, as Planning Board Zoning Amendments, were not addressed; Article 13, on the Road Agent position, as not budget-related, was also not addressed. Articles 1 through 7 will be voted on via ballot on Tuesday, May 10th, 2016; the remaining articles will be voted on during Town Meeting on Saturday, May 14th, 2016.

Article #8 – CIP

Andrew Hadik stood and was recognized. He commended the Budget Committee and Board of Selectmen for their efforts to fund the CIP. He suggested, however, that they consider using ~\$100-\$200k from the Unreserved Fund Balance towards the \$800k in order to lessen the 'tax bite'. The Budget Committee and Board of Selectmen were not opposed, but as the amount in that Fund is unknown at present, a decision cannot be made tonight. This Warrant Article could always be amended by the Legislative Body at Town Meeting; BOS Chairman Landau will consult with Town Counsel Gorrow. The Unreserved Fund Balance should be between 8% - 12%; it is believed to currently be at 10%.

Mr. Hadik also inquired about possibly using a \$160k "windfall" that the Town received last year; BOS Chairman Landau noted that those funds were from a lawsuit that the Town had won.

Article #9 - CIP Projects

Interim Fire Chief Bolduc stood and was recognized. He stated that of the four Fire Department lines in this Warrant Article, the dollar figures on only one was correct; the other three were insufficient to fund the purchases that must be made.

Fire Department – CPR Device	\$ 14,500 \$15,340
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The amended figure is the correct price of the CPR Device.

Fire Department – Personal Protective Equipment	\$ 32,000 \$45,314
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264 **Article #17- Spring Hill Farm**

266 Mrs. Lamphere stated that the Budget Committee had declined to support this Article, as they did
268 not have a listing of specific projects or their costs; also, there is still some difference of opinion
about the Farm's revenue which has yet to be resolved.

270 **Article #18- Winter Maintenance**

272 Mrs. Lamphere stated that most of the Budget Committee had declined to support this Article, as
they did not see a need for it, given the mild winter. BOS Chairman Landau responded that there
274 is no way to know what the weather will be like before the end of the Fiscal Year, and the Town
needed to be protected in case of additional snow. He added that if it proves to be unnecessary,
276 it would be tabled at Town Meeting. BOS Vice-Chairman Hagan added that the New Hampshire
Municipal Association has commended the Town for this method of funding Winter Maintenance.

278 Chris Hadik stood and was recognized. He asked if the Budget Committee would like to
280 reconsider their vote, in light of the preceding conversation. Selectman Trask moved that the
Budget Committee recommit, and choose to support Warrant Article #18; Mr. D'Angelo seconded
282 the motion. The vote was five in favor with one abstention; so moved.

284 **Article #19 – Building Improvement Capital Reserve**

286 The Budget Committee stated that they were unclear on what the work entailed, and did not
have sufficient information to decide if it was necessary. Selectman Castricone responded by
288 listing the tasks that DES has mandated; apparently the information in the Budget Books is
incorrect.

290

Article #20 – Police Vehicle

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BOS Chairman Landau noted that should Article #9 CIP Projects not pass, this Article will be tabled.

294

Mr. D'Angelo moved to close the Public Hearing on the 2016/2017 Budget and Warrant; Selectman Trask
296 seconded the motion. The vote was unanimous in the affirmative; so moved.

298 The Public Hearing on the 2016-2017 Budget and Warrant closed at 8:38pm.

300 *3.4 Further Discussion on Warrant Articles*

302 Selectman Cannon moved to add the word 'said' between the words 'of' and 'Thirty Six Thousand' in the
last sentence of Warrant Article #19, Building Improvement Capital Reserve, in order to clarify its
304 meaning; Vice-Chairman Hagan seconded the motion. This is not a substantive change, merely
wordsmithing. The vote was unanimous in the affirmative; so moved.

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Selectman Trask moved to re-vote to support the newly amended Article #9, CIP Projects; Selectman
308 Castricone seconded the motion. The vote was unanimous in the affirmative; so moved.

310 There was some discussion about Article #13, changing the status of the Road Agent from elected to
appointed. Chairman Landau is concerned that as the Town moves from rural/suburban to
312 suburban/urban, there are fewer residents with the equipment and knowledge to perform as Road
Agent, and that any unexperienced person elected would have a huge learning curve. Having an
314 appointed Road Agent does not necessarily mean that the Town would have to purchase all its own
equipment; it could continue to be rented from outside providers.

316

All agreed that the current Road Agent does a good job and provides a valuable service to the Community.

After discussion concluded, the vote to support was: *2 yes / 2 no / 1 abstain.*

3.5 Greg Bolduc, Interim Fire Chief

Interim Fire Chief Bolduc appeared before the Board with Captain Ben Clark and Lieutenant Richard Bellemore.

A letter to be signed was produced, clarifying the new pay method for Officers; stipends in addition to an hourly wage. All were in agreement that this was what they had expected.

The Command Car is at Scruffy's, and in need of ~\$3k worth of repairs. It has 98k miles on the odometer, plus unidentifiable idling time. Its Kelly Blue Book value is less than \$9k. It appears that this vehicle has already had \$6,700 worth of work done since 2013, but as it cannot be replaced this year, the work must be done. Selectman Castricone questioned the 4 previous invoices on A/C repair; it was noted that this was the first time that the vehicle had gone to Scruffy's.

According to Maintenance Supervisor Amato, Town Building Fire Protections had not been inspected by the Fire Department - but possibly by private companies - since 2009. The Derry Fire Marshal came to Chester, and went out with Firefighter Jason Coulter on his inspections.

The Fire Department is looking for payment information on the MPR floor in order to use that as matching funds against an Emergency Shelter grant. Bookkeeper Marianne Duffy should be consulted. The file on the grant cannot be located at the Fire House.

It has been discovered that the Fire Department ordered \$8,423.25 worth of radios that have arrived, are ready to be installed, and need to be paid for. The current radios are 12 years old, and 2-3 years past being repairable. However, the budget does not have funds to cover this purchase and Interim Fire Chief Bolduc does not know what Mr. Antoine's plan was. Only \$4,315 is available in the budget for this purchase, broken down as \$2,315 under "Radio Repair" and \$2,000 under "Radio Equipment". The file also cannot be located.

Almost 50% of the Fire Department's budget lines are overspent, with some necessary repairs (due to air pack testing being done every five years rather than annually) not budgeted for. Interim Fire Chief Bolduc will speak with Finance Director Smith next week.

There was a brief discussion about flu shots being offered by HealthTrust, the Town's new health insurance provider. Captain Clark noted that Parkland usually sends someone to administer these shots in the Fall.

Interim Fire Chief Bolduc wished to publicly thank the members of the Fire Department for stepping up and being supportive over the past week.

The remainder of Interim Fire Chief Bolduc's business with the Board of Selectmen will be held in non-public session.

IV. Selectmen's Business

4.1 Roundtable

Selectman Cannon:

- 370 • Nothing to report.

372 *Selectman Castricone:*

- Nothing to report.

374

Selectman Trask:

- 376 • Nothing to report.

378 *Vice-Chairman Hagan:*

- Signage to restrict is up on Cole Road, and the school bus provider has been notified. Repair work will begin on Monday, April 25th, 2016, and is expected to take 2-3 weeks. The cost is under \$25k.

382

Chairman Landau:

- 384 • On April 30th, 2016, from 9am - 12 noon, Plaistow will be holding a Household Hazardous Waste Collection at the New Plaistow Recreation Fields. Flyers indicating what can and cannot be brought there are available at Town Hall.
- 386 • An invitation was received from FEMA for a meeting on May 6th, 2016. This should be passed along to Michael Trainque, Chester's representative to the Southeast Watershed Alliance.
- 388 • A letter was received from Unison Site Management, expressing interest in purchasing the Town's cell tower site. This is a substandard lot, and there is no interest in selling.
- 390

392 *4.2 Public Comment*

394 As there were no Members of the Public who wished to be heard, Public Comment was closed at 9:23pm.

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4.3 Non-Public Sessions

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Chairman Landau moved that the Board go into non-public session under RSA 91-A:3 II (c) Reputation, for three items; Selectman Castricone seconded the motion. The vote was unanimous in the affirmative; so moved.

400

402 The meeting room was closed at 9:25pm. Interim Fire Chief Bolduc and Captain Clark remained in the meeting room.

404

406 Interim Fire Chief Bolduc and Captain Clark departed the meeting room at 9:51pm.

408 The meeting room was re-opened at 10:02pm.

410 Chairman Landau moved that the Board come out of non-public session; Selectman Castricone seconded the motion. The vote was unanimous in the affirmative; so moved.

412

Chairman Landau moved that the minutes to each of the three non-public sessions on Reputation be sealed for an indefinite period; Selectman Trask seconded the motion. The vote was unanimous in the affirmative; so moved.

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V. Adjournment

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418 The next meeting of the Board of Selectmen is scheduled for Thursday, April 21st, 2016 at 7pm in the Meeting Room.

420

422 Chairman Landau moved to adjourn the meeting; Selectman Castricone seconded the motion. The vote

was unanimous in the affirmative; so moved.

424

The meeting was adjourned at 10:04pm.

426

428 Respectfully Submitted,

430 Debra H. Doda