

**Town of Chester
Board of Selectmen Meeting
Thursday, August 9th, 2018
Municipal Complex
Approved Minutes**

I Preliminaries

Call the Meeting to Order
Roll Call
Pledge of Allegiance
Additions and Deletions
Public Comment
Approval of Minutes
Items for Signature
Wason Pond Open Discussion
Highway Department Updates
Edwards Mill Dam Finances
Center Scoop
Building Safety
Police Space Needs RFP
Roundtable
Non-Public Sessions
Adjournment

1.1 Call to Order

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

1.2 Roll Call

Selectmen present:

Steve D'Angelo
Joseph Hagan
Jeremy Owens

Selectmen absent:

Cass Buckley
Stephen Landau

Members of the Public present, at various times:

Mark Ansart, Dubois & King
Bob Armitage
Aaron Berube, Police Chief
Myrick Bunker, Building Inspector
Steve Chabot, Busby
Jerome Gesel
Chuck Myette
Nancy Myette
Michael Oleson, Road Agent
Corinna Reishus, Recreation Director
Jim Ricker
Maria Veale

Penny Williams, Tri-Town Times
John Wright
Sandy Wright
And other persons unknown to the Recording Secretary

1.3 Pledge of Allegiance

Chairman Owens led the attendees in the Pledge of Allegiance.

1.4 Chairman’s Additions and Deletions

The Police Chief has asked to have a brief discussion on the Police Department Space Needs RFP.

1.5 Public Comments

As no 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 previous weeks’ meeting minutes is in the signature folder.

2.2 Items for Signature

All members should review and sign items in the Signature Folder. Selectmen were reminded that this is payroll weekend and they should visit the Finance Office to sign manifests over the weekend or on Monday morning.

III. New Business

3.1 Wason Pond Open Discussion

Chairman Owens invited anyone in attendance to speak about the Wason Pond property. He noted that every year there are issues with smoking, drinking, drugs, etc. Many solutions have been suggested, such as gates and parking passes, but any solution will cost the Town money.

An unidentified woman asked about the parking situation at Wason Pond. Road Agent Oleson replied that the Fire Department emergency vehicles were unable to pass through the cars parked along both sides of Ash Street and the circle, and as such parking was being restricted to the parking lots only, with the Police Department given the power to enforce. The Officer does make an effort to locate the illegal parker and ask him to move his vehicle before issuing a ticket. Police Chief Berube added that tickets can be issued by an employee other than a Police Officer, such as the Park Ranger, as long as he is given the authority to do so by the Town that hired him. This also applies to the non-smoking ordinance that was recently enacted.

Bob Armitage noted that the Transfer Station utilizes stickers to restrict usage to residents only, as was it possible to implement the same at Wason Pond? Unfortunately, as the property was paid for in part with Federal funds, usage cannot be restricted in that fashion.

Chuck Myette added that usage still could be regulated, as long as it was open and fair to all.

One suggestion was perhaps permanent parking passes for residents (which could be issued with car

registrations, for example) and day passes to non-residents; the problem is that non-residents might then park along 102, which could be dangerous.

Police Chief Berube displayed a copy of this week’s CarriageTowne News, which had a cover story on Wason Pond, including a photograph of a dog in the water. He mentioned that the Police had been called there today for a case of underage drinking.

Maria Veale stood and was recognized. She noted that they have had issues with horseback riders insisting on being on the trails while they were being used by the Wason Pond Pounder, and was wondering if the Chester Charitable Foundation had any authority to prevent this. Although the public cannot be excluded in general, Mr. Myette pointed out that this was a safety issue and access should be restricted during a special event such as this. Perhaps the Selectmen could approve restricting access to the property for safety purposes for a two-day period for setup, the Pounder, and cleanup. Either a Police detail, or the Park Ranger, could be on hand to help enforce this.

Another unidentified woman stated that she had contacted the Recreation Department when she observed horses being brought into the pond and defecating there, and had even taken photographs, but there was no way to enforce an exclusion, as there is no ordinance against animals in the pond. Sandy Wright stated that although she owns horses, she believes that they should not be present during the Wason Pond Pounder or other crowded times, nor should they be in the water during the Summer. She added, however, that a Facebook page frequented by equestrians specifically advertises Wason Pond as a place that horses can swim.

Chairman Owens would like the Wason Pond Commission to make some recommendations based on tonight’s conversation. As budget season is coming up, this is the perfect time to suggest anything that might cost the Town money. Mr. Myette suggested that an attorney be present when any decisions are made in order to be sure to adhere to the requirements for the property.

3.2 Highway Department Updates – Road Agent Oleson

Road Agent Oleson appeared before the Selectmen to give them updates on the Highway Department’s activities.

Due to the heavy rains, there have been a number of washouts. Requests for Action are received every day and gotten to as soon as possible.

Cold patching is ongoing.

One of the “No Parking” signs at Wason Pond has already been stolen; he has spent \$1,500 on signs and posts. Despite the presence of the signs, people are simply parking between them or on the grass. He is considering moving large rocks between the signs to keep people from parking anywhere than in the parking lot.

The demo chipper, which is gas powered and 160HP, is due next week. If the Highway Department approves of it, one will be purchased from Beauregard Equipment in Concord.

A 300’ well (which was approved in this year’s CIP Warrant Article) was drilled at the Salt Shed with a flow rate of 25 gallons a minute. A trench will be dug in the next month or two and the pump tied in.

Paving will commence in two weeks and take about ten days. These are the remaining ‘wear course’ roads as delineated in Table 10: Crawford, Isinglass, McIntosh, Mulberry, Muskrat, Opossum, Orcutt, and Red Squirrel. Next year’s roads will be ‘grind and repave’ and as such not as many will be done. Road Agent Oleson plans on putting some asphalt onto Harantis Lake Road at the end of the paving project,

just as he did last year.

He would like to bring a representative from ‘StreetScan’ to an upcoming meeting; August 23rd was chosen.

There was a washout at Red Squirrel, and the ~22-year-old culvert and headwalls have failed. Dubois & King and Busby, who do the reclaiming work for the paving contractor, have both inspected it, and it is suggested that he replace the 24” pipe with a 30” one; this should cost about \$115k to repair. It will be a difficult project, as Red Squirrel must remain open and there are power lines in the way. Red Squirrel was already on the list of roads to be addressed with the CIP funds this year, and the culvert work will be done while the contractors are already in Town. Road Agent Oleson expects to be able to cover the entire cost with those CIP funds and offsite improvement funds. He had planned to reclaim another road with any excess, but this washout will prevent that.

Selectman D’Angelo moved to appropriate funds from the CIP to perform the Red Squirrel culvert replacement; Selectman Hagan seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Landau absent; motion carried.

Road Agent Oleson departed the meeting table at 7:45pm.

3.3 Edwards Mill Dam Finances – Mark Ansart, Dubois & King and Steve Chabot, Busby Construction

Mark Ansart from Dubois & King and Steve Chabot from Busby Construction appeared before the Selectmen to explain why the repair of Edwards Mill Dam had run more than ~\$10,000 over the contract.

Mr. Chabot explained that he and Mr. Ansart had had two different sets of plans – he had the ones he had bid from, dated March 2014, and Mr. Ansart had an updated set dated December 2014. The original set had the stone wall exposed, and the updated set had it buried; therefore, there was a difference in the amount of embankment soil needed.

Secondly, the organics had been thicker than anticipated and they all needed to be removed before the embankment material could be replaced. A requirement for 325 yards of embankment material on the plan ended up being 400 yards in order to bury the wall and more to meet the contour, totaling 512 yards.

Selectman D’Angelo stated that although he had no issue with the quality of the work, he would have liked Busby to have solicited approval from the Selectmen before going over the contract. If they had known about the extra \$10k before the end of the Fiscal Year, they could have put it onto the encumbrance list.

Mr. Ansart and Mr. Chabot departed the meeting at 7:56pm.

3.4 Center Scoop – Jerome Gesel

Mr. Gesel appeared before the Selectmen to discuss receiving an extension to his temporary certificate of occupancy for the Center Scoop.

Mr. Gesel stated that his current temporary certificate of occupancy expires on August 31st, 2018, and he has yet to complete the requirements set when the first temporary CO was issued in September 2017 and an extension given in April 2018. Specifically, he has not procured a site plan nor has he met with the Planning Board to have the site plan reviewed and receive their approval.

Selectman D’Angelo noted that issuing an extension would be at the discretion of the Building Inspector,

and that the Board of Selectmen didn’t plan to interfere with how a Department Head did his job. He added that they would support whatever the Building Inspector chose to do with this situation.

Mr. Gesel stated that the Engineer would have the site plan ready tomorrow or next week.

Building Inspector Bunker joined Mr. Gesel at the meeting table at this point. He stated that when he had issued Mr. Gesel’s first extension on April 13th, he had indicated that there would be no further extensions and that he had had since last fall to comply with the requirements. Mr. Gesel countered that he had to go to the ZBA for a variance before he could arrange for the site plan; Building Inspector Bunker noted that Mr. Gesel had received his variances in February, which was six months ago and there had been plenty of time to procure a site plan and meet with the Planning Board in those six months.

Selectman Hagan asked Mr. Gesel when he normally closes for the season; the answer was October 31st. Selectman Hagan asked Building Inspector Bunker if there were any more life safety issues at the Ice Cream shop itself; there are not.

Building Inspector asked Mr. Gesel to visit him tomorrow in his office. Mr. Gesel departed the meeting at 8:02pm.

3.5 Building Safety – Police Chief Berube and Building Inspector Bunker

Building Inspector Bunker was joined by Police Chief Berube in order to discuss a quote from an architect to make recommendations for improved building safety at the 84 Chester Street property.

Building Inspector Bunker stated that the Joint Loss Management Committee had requested Building Inspector Bunker to look into improving the safety of the Town Hall building. He had contacted three firms and received a quote from only one. Any changes to be made would have to meet Department of Labor guidelines.

Selectman D’Angelo moved to sign the contract to hire an architect to make building safety recommendations; Chairman Owens seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Landau absent; motion carried.

Building Inspector Buckley departed the meeting table at 8:06pm.

3.6 Police Department Space Needs RFP

Police Chief Berube stated that he had met with some companies interested in submitting proposals in response to the Police Department Space Needs RFP, and has plans to meet with others. He has found that most of them are coming up with the same basic questions for him, and he would like input from the Board of Selectmen to answer them.

Some of the prospective bidders have suggested that they are unable to meet the requirements of the RFP with the available funding. Selectman D’Angelo suggested talking to the Planning Board about additional funds, but Police Chief Berube would prefer not to spend more if he can get adequate proposals for the available amount. He would like this RFP to focus on space needs only and no more, and is neutral as to whether the proposals suggest renovation or new construction.

Selectman D’Angelo does have one question for Police Chief Berube on this subject that should be discussed in non-public session at the end of the public meeting.

IV. Selectmen’s Business

4.1 Roundtable

Selectman D’Angelo:

- The PACT Committee has selected a candidate to hire for their part time studio coordinator. This person will be a contractor, not a Town employee, working an average of 20 hours a week, and will be presented to the Selectmen at their meeting of August 23rd.

Selectman Hagan:

- Nothing to report.

Chairman Owens:

- Nothing to report.

4.2 Non-Public Sessions

Selectman D’Angelo moved that the Board go into non-public session under RSA 91-A:3 II (a) Public Employees, (c) Reputation, (d) Property, and (e) Pending Litigation; Selectman Hagan seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Landau absent; motion carried.

The meeting room was closed at 8:20pm. Police Chief Berube remained in the meeting room.

Police Chief Berube departed the meeting room at 8:25pm; Leonard Stein entered at this time.

Mr. Stein departed the meeting room at 8:50pm; Recreation Director Reishus entered at this time.

Recreation Director Reishus departed the meeting room at 9:00pm.

The meeting room was re-opened at 9:05pm.

Selectman D’Angelo moved that the Board come out of non-public session; Selectmen Hagan seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Landau absent; motion carried.

Selectman D’Angelo moved that the minutes to the first non-public session, on Property, be sealed for an indefinite period; Selectman Hagan seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Landau absent; motion carried.

Selectman Hagan moved that the minutes to the second non-public session, on Public Employees, be sealed for an indefinite period; Selectman D’Angelo seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Landau absent; motion carried.

Selectman D’Angelo moved that the minutes to the third non-public session, on Pending Litigation, be sealed for a period of thirty (30) days; Chairman Owens seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Landau absent; motion carried.

Selectman D’Angelo moved that the minutes to the fourth non-public session, on Reputation, be sealed for a period of sixty (60) days; Chairman Owens seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Landau absent; motion

carried.

V. Adjournment

The next regularly scheduled meeting of the Board of Selectmen will be Thursday, August 16th, 2018.

Selectmen Hagan moved to adjourn the meeting; Selectman D’Angelo seconded the motion. The vote was three in favor with Vice-Chairman Buckley and Selectman Landau absent; motion carried.

The meeting was adjourned at 9:07pm.

Respectfully Submitted,

Debra H. Doda
Recording Secretary