

TOWN OF CHESTER



PUBLIC WAYS WORKING GROUP

Report to the Board of Selectmen

February 1st, 2022

Introduction

As the Town of Chester has grown in population over the past 20 years, it has significantly increased its transportation infrastructure. Approximately ten miles of roads have been added and use of roads has increased. Additional personnel and resources have been required to maintain, repair, and build the public roads and related bridges, culverts, and signage to ensure public safety and convenience.

Supervision of day-to-day operations and major repair and construction projects is now a full-time job. Planning, approval, and preparation for construction projects often takes two or more years. The members of the Board of Selectmen believe it may be time for Chester to transition from a Road Agent elected every two years to a Supervisor of Roads, employed by the town. The Supervisor would have professional qualifications and experience to provide long-term continuity in meeting increasingly rigorous quality, service, operating, engineering, planning, fiduciary, and regulatory standards.

The Board of Selectmen established the Public Ways Working Group in December 2021 to:

1. Examine:
 - The actions required for the town to move from an elected Road Agent to an appointed Supervisor of Roads
 - The benefits to the town of such a change
 - Factors to be considered to successfully implement such a change
2. Make a recommendation to the Board of Selectmen for its consideration based on the Working Group's examination.

The members of the Public Ways Working Group are:

Dave Anderson, Resident
Myrick Bunker, Building Inspector / Code Enforcement Officer
Jack Cannon, Budget Committee
Debra Doda, Town Administrator
Andrew Hadik, Town Planner
Chuck Myette, Selectman
Mike Oleson, Road Agent
Mat Stover, Resident, *Chairman*

Executive Summary

The Public Ways Working Group recommends the Town of Chester hire and appoint a Supervisor of Roads responsible for the safety and convenience of using the town's transportation infrastructure.

The Supervisor of Roads would replace the elected position of Road Agent and that position would be discontinued.

Benefits

The town would benefit from a full-time experienced professional providing long-term continuity to:

1. Supervise and actively participate in the day-to-day maintenance of transportation infrastructure, including winter maintenance and around-the-clock service to repair acts of nature or other conditions which threaten public safety.
2. Provide professional planning, engineering, financial and regulatory compliance and approval, competitive bidding, hands-on monitoring of contractors, and day-to-day management of both maintenance operations and major building and repair projects.

The advantages of continuity in overseeing transportation infrastructure have been demonstrated over the past 15 years, as the same Road Agent has been reelected since 2007. He has worked with Selectmen, town staff, and the Budget Committee and Planning Board to meet increased volumes of work, improve financial processes and controls, include transportation projects in the Capital Improvement Plan, and increase quality, productivity, and cost-effectiveness in delivering maintenance services and capital projects.

Over the next seven to ten years, Chester will need to complete major rebuilding projects for over 30 roads, six major culverts, and two red-listed bridges, at an estimated cost of more than \$16 million. Most of these projects will take two or more years to engineer and complete. Professional and efficient planning and management will be essential for this largest portion of town expenditures.

Just as the Chief of Police and the Fire Chief are employee professional safety officials providing long-term continuity of service to the town, the Supervisor of Roads would be employed as a professional official responsible for the safety and good condition of town roads. As a town employee, the Supervisor could have no financial interest or conflict of interest with any contractor, consultant, or supplier for infrastructure maintenance or construction operations and projects. All compensation to the Supervisor would be clear to town officials and the public.

The town would have immediate authority to enforce compliance by the Supervisor with town and state policies, procedures, and regulations, including documentation, approval, and auditing of expenditures, as well as bidding and contract terms.

A professional and experienced Supervisor of Roads would be able to take a long-term view to plan and implement:

- Operations to use the most cost-effective combination of town employees and resources and contracted employees and resources to meet requirements for day-to-day road maintenance and safety requirements and requests for service from residents, as well as respond to emergencies 24 hours a day throughout the year.
- Repair and construction projects to keep roads and related infrastructure in good condition at the lowest cost over time.

Required Action and Implementation

The Board of Selectmen direct and have final responsibility and accountability for the maintenance and construction of transportation infrastructure and the expenditure of funds for that purpose. At present, an elected Road Agent oversees these activities on a day-to-day basis. In compliance with RSA 231:62, a warrant article approved by Chester voters, would be required to change from an elected Road Agent to an appointed Supervisor of Roads. The Working Group recommends the Board of Selectmen propose such a warrant article at the 2022 Town Meeting, and that the change take place at the conclusion of the current Road Agent's term of office in March 2023.

To facilitate an effective transition from the Road Agent to the Supervisor of Roads, we recommend the Supervisor be in place no later than January 1, 2023, so that the individual can overlap with the Road Agent for the final months of the Road Agent's term, participate with the Selectmen and other town officials and committees to become familiar with Chester and create a detailed operational transition plan for transportation infrastructure, and establish relationships with members of the community and current contractors to prepare the way for success.

There would be a cost to the town for the Supervisor's salary and benefits during FY 2022-2023, which amount should be noted in the warrant article. Highway budgets for future years would be based on spending to meet the needs of the town using a combination of town employees and resources and contracted employees and resources and presented with recommendations from the Board of Selectmen and the Budget Committee for approval by the voters at Town Meeting.

The other sections of this report provide information on:

- Chester's transportation infrastructure
- Requirements to maintain and improve the infrastructure
- Governance of the Supervisor of Roads
- Responsibilities and Qualifications of the Supervisor of Roads
- Proposed warrant article
- Frequently asked Questions and Answers

Chester's Transportation Infrastructure

- Town Roads:** 54.06 miles
(An additional 1.86 miles of new roads are expected to be accepted for town maintenance during 2022.)
- Bridges:** Three (Hanson, Fremont, and Towle roads)
- Major Culverts:** Six (Cole, Edwards Mill, Halls Village I, Halls Village II, Shepard Home, and Rod & Gun Club roads)
- Drainage:** 68 catch & retention basins, and hundreds of minor culverts
- Equipment:** 2002 Sterling 6-wheel dump truck with plow, wing plow and sander
2015 Freightliner 6-wheel dump truck with a plow, wing plow and sander
2012 Ford F-550 dump truck with a 9' plow and sander
2019 Ford F-550 dump truck with a 9' plow and sander
2000 Komatsu WB 140 backhoe
2018 15" woodchipper
2019 asphalt hot box
- Facilities:** 3,840 sq. ft. equipment garage with sand & salt sheds on Town Dump Road
1,400 sq. ft. office & garage on Chester Street
- Employees:** There are two full-time and two part-time town employees who work on transportation infrastructure under supervision of the Road Agent. The Road Agent also works on maintenance and construction jobs and supervises contractors and consultants retained by the town to perform maintenance, repair, engineering, and construction.

Requirements to Maintain and Improve Transportation Infrastructure

Routine Maintenance:

- Maintain regular roadside mowing program for town rights-of-way
- Maintain intersection lines-of-sight by clearing back brush & other obstacles
- Clear downed trees

Asphalt Road Maintenance, Repair, and Reconstruction:

- Maintain regular program of hot-patching potholes
- Maintain regular program of crack-sealing
- Maintain regular program of monitoring and refreshing gravel shoulders
- Develop & monitor schedule for repaving of wearing courses
- Develop & monitor schedule for complete reclamation and repaving projects
- Plan and schedule repaving & reconstruction projects in Capital Improvement Plan
- Supervise and monitor contracted engineering, permitting, and work on maintenance, repair, and reconstruction projects
- Monitor & coordinate posting of roads during spring thaws (mud season)

Gravel Road Maintenance:

- Maintain annual fall program of leaf blowing, refreshing by adding gravel, grading and roll-compacting
- Monitor for additional maintenance actions during periods of heavy rains and freeze/thaw (mud) season

Drainage Infrastructure Maintenance:

- Maintain functionality by keeping ditches and culverts free of silt, debris, and beaver dams
- Keep catch basins free of silt and vegetation
- Monitor catch basin berms and outlet structures for erosion issues
- Supervise beaver trapping and culling program
- Plan and schedule major bridge and culvert replacement projects in Capital Improvement Plan

Winter Maintenance:

- Coordinate schedule of plowing, salting, and sanding
- Monitor culverts subject to ice dams

Emergency Services:

- Ensure 24/7 response capability for weather-related and other emergency events (standby ability to remove downed trees, fill washouts, unblock or replace collapsed culverts, etc.)
- Coordinate “emergency access issue” responses encountered by Fire, EMS, and Police

Communications:

- Maintain 24/7 communication with School, Fire, Police and Town Administrator regarding safety issues related to snow, icing, flooding, and other events affecting road safety
- Monitor Town system for public “Requests-for-Action”
- Evaluate and schedule responses to public “Requests-for-Action”
- Attend quarterly Highway Safety Committee meetings, monthly Department Heads meetings, and other meetings as requested

Governance of the Supervisor of Roads

The enabling state statute for electing or appointing Highway or Road Agents is RSA 231:62:

Section 231:62

231:62 Highway Agents. – Unless the town votes to establish a board of public works commissioners under RSA 38-C to perform the duties of highway agents, at the annual meeting, or less often if a town has so provided pursuant to RSA 231:62-a or 231:62-b, each town shall elect by ballot, or by major vote authorize the selectmen to appoint, one or more highway agents, who, under the direction of the selectmen, shall have charge of the construction, maintenance, and repair of all town highways and bridges and the maintenance and repair of all sidewalks within the town, except as provided in the laws pertaining to state aid for highways and bridges and town road and bridge aid, and shall have authority to employ the necessary men and equipment, and purchase timber, planks, and other material for construction and repair of such highways and bridges; and they may remove gravel, rocks, or other materials from one part of the town to another, doing no damage to adjoining land, for the purpose of grading or otherwise repairing the same. A vote authorizing appointment of highway agents shall continue in effect until changed by major vote at an annual or special meeting.

Source. 1893, 29:3. 1895, 111:1. 1913, 14:1. 1915, 171:1. 1917, 49:1. 1923, 3:1. PL 80:9, 16. 1929, 126:1. 1931, 95:1. RL 96:9, 16. 1945, 188:1, part 16:6. RSA 245:6. 1981, 87:1. 1983, 164:1.

- The statute permits a town to either elect a highway/road agent or authorize the selectmen to appoint a highway/road agent. It requires a majority vote of the town to change from an elected to an appointed position or vice versa.
- Whether elected or appointed, the individual serves “under the direction of the selectmen.” The Board of Selectmen direct and have final responsibility and accountability for the maintenance and construction of transportation infrastructure and the expenditure of funds for that purpose.

Responsibilities and Qualifications of the Supervisor of Roads

The Supervisor of Roads is responsible for meeting the requirements to maintain and improve Chester's transportation infrastructure as described above.

The Supervisor should have knowledge of public engineering, construction management, contracting, public administration, and related fields based on higher education coursework or equivalent training. The individual should have a minimum of eight years of progressively responsible hands-on experience in roadway construction and maintenance, including monitoring and supervision of employees and contractors. Experience also should include successful contractor selection, contract negotiation, and achieving on budget and on time performance for multi-million-dollar contracted projects.

The Supervisor should have excellent communications and organization skills in building and leading teams, and establishing constructive relationships to coordinate across town departments, state government organizations, and contract and professional service providers. The individual should be able to read, interpret, and understand plans and blueprints, and have strong administrative and financial skills, including the use of software and communications applications for project and task management, planning, budgeting, compliance, and reporting.

The Supervisor should be able to effectively work alongside and manage personnel in the field and have physical attributes to perform the various tasks and jobs associated with the highway department, including operation of tools and equipment, heavy lifting, and negotiating stairs and uneven terrain. They should possess the experience and knowledge to maintain job-ready status for tools and vehicles.

The Supervisor will work with the Board of Selectmen to develop or amend policies and procedures for the maintenance and upkeep of the infrastructure of the town. The individual will plan, recommend, and budget for construction projects, equipment purchases, and capital improvements. The Supervisor will interface with the media, other governmental agencies, and the public, including responding promptly and professionally to resident complaints and requests for action. The individual will be responsible for making personnel recommendations to the Board, as well the training, evaluation, and supervision of personnel, and will ensure safe operations and the effective workflow of the department.

The Supervisor will provide or obtain engineering for construction and capital improvement projects, as well as prepare applications for and administer grants and loans. The individual will attend staff and committee meetings as required, including Selectmen's work sessions and meetings, to provide information and answers pertaining to highway department activities.

Actions Required for Approval

1. The Board of Selectman should prepare and approve a warrant article to replace the elected Road Agent with a Supervisor of Roads employed by the Town.

- a. The Working Group proposes this language:

Shall the Town rescind the action of the 1924 and 1992 Town Meetings to elect a road agent for a two-year term and authorize the Board of Selectmen to appoint a full-time road agent who will be the Supervisor of Roads. The term of the elected road agent will terminate at the 2023 Annual Town election.

2. The warrant article will require approval by the voters at Town Meeting on March 10th, 2022.

Questions and Answers

How would a Supervisor of Roads be chosen?

The town would advertise the position including a description of the Supervisor's responsibilities and desired qualifications for applicants. Applications would be reviewed by a selection committee designated by the Board of Selectmen. The selection committee could include Selectmen, other elected or appointed town officials, Chester residents, and subject matter experts such as the town engineer or a representative from the Southern New Hampshire Planning Commission. The selection committee would interview applicants deemed best qualified and recommend one or more of the interviewees to the Board of Selectmen. The Board of Selectmen may conduct additional interviews with the recommended candidates and will make the final decision and offer of employment. Professional and personal references for the selected candidate will be checked and the accuracy of information provided by the candidate will be confirmed prior to extending the offer of employment.

Why should we change from an elected Road Agent to an appointed Supervisor of Roads?

Chester has grown to over 5,300 residents and it is projected that the population will reach 7,300 in the next 18 years. Over the next seven to ten years, Chester will need to complete major rebuilding projects for over 30 roads, six major culverts, and two red-listed bridges at an estimated cost of more than \$16 million. Road infrastructure maintenance, repair, and construction represent the largest portion of town expenditures, including numerous major projects requiring professional planning and supervision over multiple years. The town requires a full-time professional responsible for the safety of our roads and cost-effective management of operations to support our growing transportation infrastructure. With an appointed Supervisor of Roads, the town can ensure the individual is qualified and can provide long-term continuity of service. This is the same approach Chester uses to employ professionals as its Chief of Police and Fire Chief. Elected Road Agents can change every two years, and no qualifications are required to run for Road Agent other than living in Chester.

Things seem to be going well as they stand. Is there a problem we don't know about?

There is no current problem. Chester has benefited from the long-term continuity having the same well-qualified Road Agent working effectively with the Board of Selectmen and other town officials and employees over the past 15 years. The town has kept up with growing demand for services, professionalized planning and operations, and improved cost-effectiveness and financial controls during this period. Changing to an appointed Supervisor of Roads will ensure this continuity and progress can continue. Our roads are a major responsibility. We have grown from 30 miles of roads to over 54 miles in the last two decades, with four more roads measuring almost 1.9 miles scheduled to be added this year. Currently approved but unbuilt subdivisions will continue to drive growth in the roads and the resources required to maintain them safely and professionally.

How would a newly appointed person, possibly from out of town, get up to speed on Chester and its needs?

The Supervisor of Roads may be new to Chester but will have professional knowledge and experience in maintaining and safely operating the types of roads and related infrastructure we have. The Supervisor would be hired prior to the end of the current Road Agent's term, allowing time to consult with the Road Agent, and work with the selectmen and other town officials and employees to become familiar with the town's infrastructure and operations, as well as meet current contractors for construction, engineering, maintenance, snow plowing and other functions. The Board of Selectmen also can schedule events for the new Supervisor to meet and get acquainted with Chester residents.

Will going to an appointed position make the Supervisor of Roads less attuned to public needs than an elected Road Agent?

No, an appointed Supervisor of Roads will be a professional employee responsible to equally serve the needs of every person in Chester today and for the long-term, not an individual who runs for a two-year term of office. The Board of Selectmen would have immediate authority to respond to any concern or complaint regarding the Supervisor's performance in meeting the needs of the public. The Board of Selectmen also would have immediate authority to enforce compliance by the Supervisor with town and state policies, procedures, and regulations, including documentation, approval, and auditing of expenditures, as well as bidding and contract terms. In addition, as a town employee, the Supervisor could have no financial interest or conflict of interest with any contractor, consultant, or supplier for town infrastructure maintenance or construction operations and projects.

Does this mean a full-time salaried position as an additional town employee?

Yes. The Supervisor of Roads will be a full-time employee. Like the current Road Agent, the new person will be a working supervisor alongside highway department employees and contractors and also will be on-call 24 hours a day, seven days a week.

What will the Supervisor of Roads be paid?

The town expects the Supervisor will earn an annual compensation package including salary and benefits in the range of \$110,000 to \$120,000. The current Road Agent is paid a \$10,300 stipend and earns additional income through renting the town his labor and equipment from an established business.

How will an appointed Supervisor of Roads operate in relation to other town officials?

By statute (RSA 231:62), the Road Agent reports to the Board of Selectmen. The Supervisor of Roads also would report to the Board of Selectmen, however as an employee would not have a fixed term and would serve at their determination. The Supervisor's relationship to the police and fire departments and other town employees and organizations would not change and would remain a cooperative one.

How will this impact the overall highway budget?

The Supervisor of Roads will still prepare a highway budget request to meet anticipated requirements each year to safely maintain town roads and related infrastructure and submit it to both the Budget Committee and Selectmen. After review by both bodies, it will be accepted or amended and presented as part of the budget warrant article voted on at town meeting. It will remain the same process. In preparing the FY 2023-2024 budget, the Supervisor will work with the Selectmen, the Town Administrator, and others to plan for any changes in the mix of town employees and resources and contracted employees and resources used to conduct highway department operations. The financial impact of those changes will be reflected in the budget.

Is changing to a Supervisor of Roads important just to make sure we plow, patch, and pave our roads?

Plowing, patching, and paving roads is only part of the position's responsibilities. The Road Agent is also responsible for equipment maintenance and repair, contract hiring, negotiation, and supervision, clearing obstructions to visibility on roadways, clearing and maintenance of culverts and bridges, compliance with town, state and federal regulations and policies, and most importantly budgeting and planning for annual and multi-year operations and projects. Much of this vital work, may not generally be noticed by the public.

Give some examples of all this planning.

Over the past ten years, the town has implemented a comprehensive Capital Improvement Plan. It is a long-term plan looking out seven or more years. The largest portion of the plan is for roads and related infrastructure like culverts and bridges. There are over 40 individual projects in the plan for the next seven years, with total anticipated costs of over \$16 million. Many of the projects will cost over \$100,000 dollars and will take multiple years to plan, engineer, obtain approvals, and complete. The Supervisor of Roads is responsible to plan, schedule, and implement each of these projects.

Another example of planning is for winter maintenance. The Supervisor of Roads needs to estimate how much equipment and how many reliable drivers will be necessary to meet the town's needs each winter, as well as how much salt and sand must be purchased and stored. Compensation for plow drivers needs to be negotiated. Contract terms need to be approved. All drivers must be insured. Contracts must be signed. Chester competes with other communities to secure an adequate number of drivers. Procedures and communications must be put in place to call out and manage the drivers during each weather event, no matter what time of day or night. Coordination is required with weather stations and the state highway department. A well-qualified and organized professional is required to carry out all the technical details of planning and operations for these activities.