

**Town of Chester
Board of Selectmen Meeting
Thursday, August 13th, 2009
Municipal Complex
Draft Minutes**

I Preliminaries

1.1 Call to Order

Vice-Chairman Cannon called this meeting of the Town of Chester Board of Selectmen to order at 7:00pm.

1.2 Roll Call

Selectmen present:

Robert Brown
Jack Cannon
Joe Castricone
Stephen Landau

Selectmen absent:

James Hassam

Members of the Public present, at various times:

Rich Antoine, Fire Chief
Sandy Clark
Barbara Dolloff, Welfare Officer
Midge Gould, Welfare Officer
Tom Malley, Building Inspector
Chuck Myette, Conservation Commission
Don Parnell, Treasurer
Matt Rittenhouse, Tri-Town Times
Carolyn Scott
Leroy Scott
Angela Sherwood, Finance Director
Stephen Tunberg, Emergency Management
And other persons unknown to the Recording Secretary

1.3 Pledge of Allegiance

Vice-Chairman Cannon led the attendees in the Pledge of Allegiance.

1.4 Additions and Deletions

One non-public session was added to do with a Welfare issue.

1.5 *Public Comment*

As no members of the Public wished to speak, the Board closed Public Comment at 7:01pm.

II Appointments

2.1 *Chuck Myette & Don Parnell - Conservation Commission Rollover of Funds*

Mr. Myette and Mr. Parnell appeared before the Board to discuss the ongoing situation with the Conservation Commission funds. To recap, since the Conservation Commission was established in the late 1970's, any funds remaining in their budget at the end of the fiscal year were rolled over into a passbook account (which later on became a Citizens Bank account, in order to earn interest) in order that they could be used after the end of the fiscal year. This was done according to the ordinances in place at the time of the Commission's establishment. Later on, these particular ordinances changed, but the practice had continued up until 2004, when it apparently ceased.

Mr. Parnell, as Treasurer, does not believe that he himself has the authority to resume this practice, but that he is willing to do whatever is legal, appropriate, and voted on by the Board of Selectmen. He stated that most Towns who use this practice have a recurring Warrant Article to authorize it.

Finance Director Sherwood stated that she had spoken with LGC, DRA, and Town Counsel Gordon Graham, who provided boilerplate non-lapsing Warrant Article wording that could be used at next Town Meeting to resume the practice. However, any funds that were not encumbered at the end of the previous fiscal year are lost. Out of the \$6,003 remaining in the Conservation budget at the end of the Fiscal Year, \$3,000 was encumbered. Mr. Myette asked if she had researched a similar situation for the Recreation Department - she has, but they had used a Warrant Article in their situation. Vice-Chairman Cannon asked that any situation to do with Recreation be discussed at a different time.

Selectman Landau asked why the practice, which had been ongoing since ~1979, had been discontinued at all. According to Town Counsel Graham, although ordinances had changed in the 1980s, if the practice had already been in place, there was no need to change it. Vice-Chairman Cannon stated that he agreed with Town Counsel Graham's opinion on the matter.

It was suggested that the Board insert Town Counsel Graham's suggested Warrant Article at next year's Town Meeting, amending it to include the \$3,003 in Conservation Funds that were lost when not encumbered this past June 30th. Mr. Parnell asked if the Board should research back to 2004, to recover all potential lost funds; this was decided against.

Selectman Brown moved that the Board of Selectmen, at the 2010 Town Meeting, bring forward the Warrant Article as suggested in Town Counsel Gordon Graham's recent letter, to wit: "Shall the Town vote pursuant to RSA 36-A: 5 I the Conservation Commission has the authority to transfer any balance remaining at the year-end of any funds appropriated to the Conservation Commission to the Conservation Fund in the hands of the Municipal Treasurer (RSA 41:29)?"

Selectman Landau seconded the motion. The vote was four in favour with Chairman Hassam absent; so moved.

Mr. Myette and Mr. Parnell departed the meeting at 7:31pm.

2.2 *Stephen Tunberg - Emergency Management*

Mr. Tunberg appeared before the Board to discuss the Emergency Management department. He has attended training sessions on how to improve emergency services and discussed ideas such as providing meals, hot showers, improved communications, and pet care. He would like to approach Chester Academy to designate them as an emergency shelter, as the Multi-Purpose Room is not yet ready for that purpose; the Board agreed. He will report back.

Mr. Tunberg departed the meeting at 7:34pm.

2.3 *Barbara Dolloff & Midge Gould - Welfare Issue*

Selectman Landau moved that the Board go into non-public session with Welfare Officers Barbara Dolloff and Midge Gould under RSA 91-A:3 II (c), Reputation; Selectman Castricone seconded the motion. The vote was four in favor with Chairman Hassam absent; so moved. The meeting room was closed at 7:35pm.

The meeting room was re-opened at 7:56pm.

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

Selectman Castricone moved that the minutes to the non-public session be sealed indefinitely; Selectman Landau seconded the motion. The vote was four in favor with Chairman Hassam absent; so moved.

Selectman Castricone moved that the Town abate Building Permit 09-017 fee of \$592.74; Selectman Landau seconded the motion. The vote was four in favor with Chairman Hassam absent; so moved.

2.4 *Angela Sherwood - Finance Director*

Finance Director Sherwood appeared before the Board to discuss budget and financial issues.

- The Child Advocacy Center has requested the funds budgeted for them in the current Fiscal Year Budget. The Board had asked previously that they be notified when Outside Welfare requests come in. The Board approved the expenditure.
- Maintenance Supervisor Steve Moltenbrey had asked that the new Maintenance Man, Peter Broom, be put on all Town Charge Accounts. Finance Director Sherwood stated that she had no list of who was on what accounts, and will be researching. She will procure a list for the Board to review and either approve or disapprove each name. Disapproved names will be removed with

the Vendors.

- A Workers’ Compensation audit was performed today, and went well.
- She applied for, and received, a \$425 scholarship for a Conference taking place on September 14th - 16th, 2009; this scholarship covers Tuition and Room. She will only have to pay for Transportation.
- A Vendor performed tree work for the Cemetery Trustees, and billed them directly; while asking the Vendor to bill the Town instead, she discovered that they had not provided a W9 nor a Certificate of Insurance before commencing work. She is attempting to get these items now. Selectman Brown, as Cemetery Liaison, will speak with Cemetery Trustee Geoff Barnett about procuring these items before any work is done.

Finance Director Sherwood departed the meeting at 8:04pm.

III Meeting Business

3.1 Approval of Minutes

This subject was not addressed tonight.

3.2 Roundtable

Vice-Chairman Cannon

- He has an issue for non-public session under Reputation.

Selectman Brown

- Nothing to report.

Selectman Castricone

- He asked if the Board members had read his Earned Time documents; they are not ready to discuss this issue. A Public Hearing will need to be scheduled on this issue, as well. Selectman Castricone pointed out that as things currently stand, any hours bought out would be paid at the employee’s current pay rate, not at the pay rate s/he was at when the hours were earned. This could be an issue. They also need to discuss a policy of “use it or lose it”.
- He asked for the status of the boilers. Selectman Brown had been assigned to handle this situation, and will be procuring bids. He will consult with Maintenance Supervisor Steve Moltenbrey.

Selectman Landau

- LGC plans to host a Workplace Violence seminar in town on September 9th at 9am and September 26th at 10am. Both LGC and Risk Management would like it to be mandatory; however, the second session is on a Saturday, which would cause an issue. LGC will be asked about changing the second session to a weekday.
- He has spoken with Chairman Hassam about the generators; the Town currently has two bids that were received pre-Town Meeting. A third is needed, and the formal bid process must be followed. Selectman Brown has been assigned to handle this issue in Chairman

Hassam's absence.

- The Wason Pond Well paperwork was submitted to DES; minor changes were made. Administrative Assistant Pat Martin will solicit bids through the State. The site has been dowsed.
- The sandbags for the Wason Pond Dam discussed at last week's meeting will be filled with sand from the sand shed, and sand will be paid for from the Dam fund.
- The mowing contract has been okayed.
- Planning Coordinator Cynthia Robinson informed him that the Planning Board put the Wason Pond Dam on the CIP at last night's meeting. This is a good thing.
- The Board of Selectmen's office will be closed on the afternoons of Friday, August 14th, through Thursday, August 20th, 2009, due to Administrative Assistant Martin's vacation. Barbara Gould will be staffing the office in the mornings.
- He has two items for non-public session under Reputation - one with Fire Chief Antoine, and one on Abatement.

3.3 *Public Comment*

As no members of the Public wished to speak, Public Comment was closed at 8:17pm.

3.4 *Non-Public Session*

Selectman Landau moved that the Board go into non-public session under RSA 91-A:3 II (c), Reputation; Selectman Castricone seconded the motion. The vote was four in favor with Chairman Hassam absent; so moved.

The public portion of the meeting was adjourned at 8:17pm; the Board will come out of non-public session to seal the minutes and adjourn the meeting. The meeting room was closed at 8:18pm.

Fire Chief Antoine remained in the meeting room until 8:33pm. He then departed the meeting.

The meeting room was re-opened at 8:48pm.

Selectman Castricone moved that the Board come out of non-public session; Selectman Brown seconded the motion. The vote was four in favor with Chairman Hassam absent; so moved.

Selectman Landau moved that the minutes to the non-public session with Fire Chief Antoine be sealed for one year; Selectman Castricone seconded the motion. The vote was four in favor with Chairman Hassam absent; so moved.

Selectman Landau moved that the minutes to the non-public session on abatement be sealed indefinitely; Selectman Brown seconded the motion. The vote was four in favor with Chairman Hassam absent; so moved.

The minutes to the final non-public session will not be sealed.

3.5 *Adjournment*

