

**Town of Chester
Board of Selectmen Meeting
Thursday, August 6th, 2009
Municipal Complex
Approved 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
Geoff Barnett, Cemetery Trustee
Peter Broom
Phil Cassista
Steve Child, Cemetery Trustee
Barbara Dolloff
Diane Gorrow, Town Counsel
Midge Gould
Dave Hoffman
Tom Malley, Building Inspector
Patricia Martin, Administrative Assistant
Steve Moltenbrey, Recreation Coordinator/Maintenance Supervisor
Michael Oleson, Road Agent
Matt Rittenhouse, Tri-Town Times
Harry Roberts
Carolyn Scott
Leroy Scott
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*

There were neither additions nor deletions.

1.5 *Public Comment*

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

II Public Hearing

2.1 *Edwards Mill Road - Signage Change*

Selectman Castricone moved that the Public Hearing on Edwards Mill Road be opened at 7:02pm; Selectman Landau seconded the motion. The vote was four in favour with Chairman Hassam absent; so moved.

Road Agent Michael Oleson explained the situation as it stands. Engineering of Edwards Mill Road has determined it to be a hazard, and money for repairs was requested at the 2009 Town Meeting. The two warrant articles addressing this road work did not pass, and it was possible that the road would need to be closed. Road Agent Oleson has come up with another solution; however; the installation of metal guardrails (driven directly into the pavement) along the most troublesome area narrowing the road, with stop signs at each end and signage indicating that a single lane road is ahead. There is sufficient sight distance that this solution will work. The Police and Fire departments have been consulted, and are in favour of this solution. ~\$4,300 was encumbered from last year’s budget to perform this work and will cover the cost of purchasing the guardrails and paying for a police detail. Signage will be created in-house. This solution will stay in place until the Town appropriates funds to fix the road properly.

Selectman Brown asked if Road Agent Oleson had requested state bridge help; he has not, as it is a culvert issue rather than a bridge issue and should not qualify. Also, the State currently plans to fund the repair of Fremont Road Bridge and he does not want to jeopardize that work.

Selectman Landau asked Road Agent Oleson if he had plans in hand to repair Edwards Mill Road properly when funds are made available, as the Federal Stimulus Package monies tend to go to “plan-ready” projects. Road Agent Oleson stated that he does, and indicated that East Derry Road is also plan-ready and was bypassed recently.

Dave Hoffman stood and was recognized. He thanked Road Agent Oleson and the Board of Selectmen, especially Selectman Castricone, for their time and attention to this issue.

No other members of the public wished to be heard at this time. The Public Hearing will remain open for one hour. Any member of the public wishing to be heard should speak up freely.

III Appointments

3.1 *Michael Oleson - Plow Contracts*

Road Agent Oleson remained at the meeting table to discuss plow contracts with the Board. He and Vice-Chairman Cannon have been working together; they propose that the base rate remains the same, and that any fuel adjustment is set after September 30th. Vice-Chairman Cannon gave an explanation of the process used to set fuel rates. Inflation is flat and fuel prices are way down from last year; he believes it unlikely that any fuel surcharge will be needed, unless prices rise astronomically.

Selectman Brown stated that in his opinion, the base rate was too high. He stated that the State pays less than Chester does and that surrounding town rates should be solicited and compared to set a new base rate. Vice-Chairman Cannon stated that it was difficult to compare rates from surrounding towns, as they all have different guaranteed hours, some supply equipment and some do not, etc. He reiterated that fuel adjustment will be revisited after September 30th. Road Agent Oleson has been in contact with the contractors who plowed for the Town last year, and they are all willing to return.

Road Agent Oleson departed the meeting table at 7:19pm, but will remain in the room until the Public Hearing is closed.

3.2 *Phil Cassista - Conservation Commission Member Appointment*

Vice-Chairman Cannon had received a letter from the Conservation Commission, asking that the Board appoint Phil Cassista to fill one of the two open member positions on the Conservation Commission. Mr. Cassista stated that he has lived in Chester for a year now; he was formerly an alternate member of the Conservation Commission in Hudson.

Selectman Landau moved to appoint Mr. Cassista as a member of the Conservation Commission; Selectman Castricone seconded the motion. The vote was four in favour with Chairman Hassam absent; so moved.

Mr. Cassista will contact Town Clerk Barbara Gagnon to be sworn in. He departed the meeting at 7:23pm.

3.3 *Cemetery Trustees - Replacement Hire*

Geoff Barnett and Steve Child appeared before the Board with Harry Roberts, a gentleman who they have hired to replace Darren, who has moved on to another position.

Selectman Landau moved that Mr. Roberts be hired as a part-time Cemetery worker; Selectman Brown seconded the motion. The vote was four in favour with Chairman Hassam absent; so moved.

The Trustees also wished to discuss some budget issues. They are concerned about ~\$5,835 in funds that they had requested be rolled over from last year’s budget in order to trim trees. They are under the impression that only \$2,957.01 of the available \$5,835 was actually rolled. They are

also concerned that FEMA closed its work in Chester without their knowing, and not all monies expended had been charged yet. For example, FEMA was not notified that cemetery clean-up work was done by workers that were not full-time employees, and therefore all of their work should be considered for reimbursement, not just “overtime”. (Vice-Chairman Cannon suggested that a letter be written to FEMA, asking for adjudication.) Mr. Barnett is concerned that the Town will never see the 12.5% state reimbursement. He has also been requesting that a budget line be set up for perpetual care, and that a \$500 Cemetery Maintenance Fund gift from last year be accounted for. Apparently perpetual care expenses were handled incorrectly in previous years. They reported that Finance Director Sherwood called both DRA and LGC, who were of no help.

Vice-Chairman Cannon stated that an analysis needed to be performed in order to locate any questioned funds. Selectman Landau stated that he had spoken with John at the Auditors and that the books were not yet closed, and monies could be moved out. Vice-Chairman Cannon asked Selectman Landau and Mr. Barnett to meet with Finance Director Sherwood to solve these issues.

Mr. Barnett, Mr. Child, and Mr. Roberts departed the meeting at 7:42pm.

2.1 Edwards Mill Road - Signage Change Public Hearing Revisited

At 8:04, Vice-Chairman Cannon again asked for input on the Edwards Mill Road Public Hearing, but there was none.

Selectman Landau moved that the Public Hearing on Edwards Mill be closed at 8:04pm; Selectman Castricone seconded the motion. The vote was four in favour with Chairman Hassam absent; so moved.

Selectman Brown moved to authorize Road Agent Oleson to complete the Edwards Mill Road work as described; Selectman Landau seconded the motion. Selectman Castricone asked Road Agent Oleson to confirm that the work could be done within the set budget; he did so. The vote was four in favour with Chairman Hassam absent; so moved.

3.4 Diane Gorrow - Town Counsel Consultation

The Board went into a non-meeting with Town Counsel Diane Gorrow. The meeting room was closed at 8:08pm.

The meeting room was reopened at 8:44pm.

Selectman Castricone moved to accept Docket #08-E-0415 Settlement Proposal for Approval; Selectman Landau seconded the motion. The vote was three in favour with Selectman Brown opposed and Chairman Hassam absent; so moved. Vice-Chairman Cannon signed the proposal. Attorney Gorrow departed the meeting at 8:46pm.

IV Meeting Business

4.1 Approval of Minutes

July 16th, 2009: Selectman Landau wished it to be clarified that as he was absent from the meeting, the report that he was dissatisfied with the attorney had been reported by Finance Director Sherwood, not by himself. He also wished it to be clarified that the matter at hand had to do with conservation.

Selectman Castricone moved to accept the minutes as amended; Selectman Brown seconded the motion. The vote was three in favour with Selectman Landau abstaining due to absence from the meeting; so moved.

4.2 Roundtable

Vice-Chairman Cannon

- Nothing to report.

Selectman Brown

- Nothing to report.

Selectman Castricone

- He handed out a proposal for Earned Time, which would apply to all full-time employees, including Police and Fire departments, and replace the current vacation/sick time/bereavement/military/jury duty/etc. leave. This would take effect as of July 1st, 2009. Cash buyouts for unused time would not be available until after July 1st, 2010. The Board should read over this proposal and be prepared to discuss it at the next meeting. They will then meet with the Budget Committee and Department Heads.
- He has one Hiring issue for non-public.

Selectman Landau

- He had spoken with John from the Auditors about the conservation issue discussed at last week’s meeting. To clarify, the attorney’s opinion was that the Board could handle the fund transfer at the end of the fiscal year. John stated that the funds had been transferred, as they had been for the past two years, but the Conservation Commission currently has yet to see a deposit slip. Vice-Chairman Cannon asked if there was ever a vote by the legislative body approving this process. Selectman Landau stated that per the laws in place when the Conservation Commission was established (1975-1976), there was no need for a separate vote - the creation of the Conservation Commission also created the fund. The law has been adjusted subsequently to increase control over separate funds. The Board should vote on this issue to approve its continuation. Vice-Chairman Cannon asked Administrative Assistant Patricia Martin to arrange for Finance Director Sherwood, Treasurer Don Parnell, and the head of the Conservation Commission to attend a meeting as soon as possible to discuss this issue.
- He distributed pictures of the new Waste Oil building at the Transfer Station, the majority of which was paid for the two grants. He also read two thank-you letters that were drafted to citizens who had assisted with the building; one to Bryan Remillard, who donated granite steps; and one to Wayne Towle, who donated lumber.
- He spoke with Grace Levergood about the Wason Pond Dam. She has requested that an 18”

high wall of sandbags approximately 100’ - 150’ long be erected at the left side of the dam by August 31st. There should be a 10’ section in a different colour that can be breached if necessary. The water needs to be below the crest by November 30th.

- Eight contractors purchased plans for the dam repair at ~\$50 each; four submitted bids. As the work was not funded at Town Meeting, he would like to repay the bidders for the plans they purchased. Selectman Landau moved to reimburse the bidders the monies they paid for the plans; Selectman Brown seconded the motion. The vote was four in favour with Chairman Hassam absent; so moved.
- He has called our Representatives about the dam program currently in front of Congress, and received positive feedback. This program has failed thrice due to lack of time.
- He has received a Pole License Petition from PSNH to relocate a pole at 259 Fremont Road. The Board needed to sign this petition, as it was use of Town property.
- He has a Welfare issue for non-public session.

4.3 *Public Comment*

As no members of the Public wished to speak, Public Comment was closed at 9:02pm.

4.4 *Non-Public Session*

Vice-Chairman Cannon moved that the Board go into non-public session with Recreation Coordinator/Maintenance Supervisor Moltenbrey and Peter Broom under RSA 91-A:3 II (b), Hiring; Selectman Castricone seconded the motion. The vote was four in favor with Chairman Hassam absent; so moved.

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

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

The public portion of the meeting was adjourned at 9:03pm; the Board will come out of non-public session to seal the minutes and adjourn the meeting. The meeting room was closed at 9:03pm.

The meeting room was re-opened at 10:07pm.

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 Recreation Coordinator/Maintenance Supervisor Moltenbrey and Peter Broom be sealed for ninety days; Selectman Castricone seconded the motion. The vote was four in favor with Chairman Hassam absent; so moved.

Selectman Brown moved to hire Peter Broom at \$13/hour for the vacant part-time maintenance position, up to 30 hours a week, with no benefits. Selectman Castricone seconded the motion. The vote was four in favour with Chairman Hassam absent; so moved.

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

Selectman Castricone moved to extend the Building Inspector’s contract until December 31st, 2009, at the current terms and conditions; Selectman Brown seconded the motion. The vote was four in favour with Chairman Hassam absent; so moved.

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

4.5 *Adjournment*

The meeting was adjourned at 10:10pm.

Respectfully Submitted,

Debra H. Doda