

**Town of Chesterfield  
Board of Selectmen  
MINUTES  
JANUARY 9, 2019**

**CALL TO ORDER**

Chairman Jon McKeon called the meeting to order at 6:00 p.m. Also in attendance were Norman VanCor and Jeanny Aldrich.

**PUBLIC COMMENT**

**OLD BUSINESS**

Former Town Office Plans

McKeon noted that he will be meeting with Jeff Scott and DA Brothers to go through the former town office building to look at Structural, Electrical and Mechanical items to be addressed and will hopefully have another entity interested in the building soon.

Progress on erosion issue on town owned beaches

VanCor noted that he announced the conditional award of the bid for the drainage erosion remediation at the two town beach areas to Pat Rawson Construction. VanCor noted that he also notified Daniels Construction that they did not win the bid. VanCor noted that he planned on meeting with Lyle Hoag, but they were unable to meet up today. VanCor noted he will meet with them on Friday to go over the contract. Permit application for Wares Grove should be ready to submit to DES next week.

Article 21 - Painting and Maintenance Historical Society

McKeon noted that he will be asking DA Brothers if they are interested in this project.

CMP - To do list

McKeon noted that there are items in the CMP ~~for~~ that are designated for the Town Hall and the Annex, and those items will need to be moved up to this year for expenditure so that the money can be used to supplement the proposed Town Hall project.

Budgets

*Misc Health Agencies*

The board reviewed the rules set forth in the Warrant Article from Town Meeting 1997. The list of required information is as follows: Non-Profit status, Public welfare to the Community, Specific service to the Citizens of the community, need for financial support, Cost associated with delivery of services. It was noted that the board previously indicated that Groundworks and the Community Volunteer Transportation groups did not meet the criteria and would not be receiving the requested amount this year. It was noted that the Visiting Nurse and Hospice have an office in the Annex and pay rent to the Town, but have not provided all of the required

information. VanCor noted that if the agencies do not provide the required information, they should get a letter stating they will not be receiving the requested money and why. The board reviewed the list of agencies and the list of items they have provided to the town.

VanCor noted that there are people in Town that are asking for assistance with taxes and such and if the agencies are not assisting Chesterfield Residents, or not providing the required information, they should not be receiving money from the Town of Chesterfield. McKeon noted that the core group of agencies asking for money has been there for 10-15 years and the residents that attend Town Meeting do not have any issues with the list. McKeon noted that the residents want to give the money to the agencies. McKeon noted that the Town as a whole has never had an issue with the proposed amount of money going to the miscellaneous health agencies. McKeon noted that the Selectboard does have a responsibility to follow the warrant article.

The board would like to remove Groundworks, Community Volunteer Transportation, The Visiting Nurse and Hospice and the Keene Senior Center from the list as they have not provided the necessary information. Thompson will send a letter to the four agencies notifying them that they will not be receiving money from the Town of Chesterfield and the list of requirements for next year.

*Jon McKeon moved to approve the Miscellaneous Health Agencies as amended (excluding Groundworks, Community Volunteer Transportation, and Keene Senior Center). The motion was seconded by Jeanny Aldrich and passed unanimously by roll call vote.*

#### *Warrant Articles Needed*

The board reviewed the list of warrant articles for 2019. Thompson will add the summer concert series, computer IT upgrade, discontinuance of the old Rt 9 roadway and Clerkworks to the list. The board will review the list again next week. Thompson will get a list of what the cost was last year to the current proposed cost of this year for comparison.

#### Assessing Software3

A representative from Clerkworks will be at the Town Offices tomorrow January 10, 2019 at 1:30 PM to go over the options for their software. Aldrich will be in attendance by phone.

#### Committee/Commission/Boards - Appointed

The board reviewed the updated list of boards/commissions.  
The board will reappoint Kristin McKeon to the Zoning Board of Adjustment.  
The board will ask Bruce Jacobs to be a full member of the Conservation Commission.

#### **GUESTS**

##### **6:00 PM DA Brothers**

Present: Dan Lang, President of DA Brothers, Buddy Champney Vice-President of DA Brothers and Jay Barrett from Barrett Architecture.

McKeon noted that the meeting was scheduled to make sure everything will be ready for the Public Budget hearing on February 2, 2019. McKeon noted that a letter of intent was sent out, but the Town did not hear back. Lang noted that the only issue they have with the letter of intent

was the portion that states they can be thrown off the job at any time without notice. McKeon noted that he will take a look at that and get back to them.

McKeon noted that he inserted items into the contract as directed by the Town Attorney.

McKeon noted he will send those changes out to everyone. Lang noted once they receive the contract, they will send it out to their attorney for review. McKeon noted that he has not had time to look over the schedule that was sent out previously. Champney noted that the schedule is done to the best of his ability noting that he took into consideration the use of subcontractors and also for any rain that occurs during that time. Champney noted that a lot of activity will be dependent on good weather. VanCor noted that a schedule is needed to inform the public and to allow the Town to rent the Town Hall. Champney noted that in order to preserve the floors in the Town Hall, they will be putting down protection. Champney noted that if the Town Hall is rented during construction, the protection will need to be removed and put back. Champney noted that he does not see the Hall being able to be rented during construction.

Barrett noted that the plans he has tonight are preliminary and an attempt to get something down on paper that meets the objectives of the Town and also the building and fire codes. Barrett gave the board a memo outlining the goals and objectives and building codes and requirements. Barrett noted that the goal as he understands it is to remove the existing annex and make the historic building handicap accessible, design a new social hall with the capacity of 75 seated people and design a new kitchen area, all while being respectful of the historic building. Barrett noted it is his understanding the budget is approximately \$450,000.00. Barrett stated that the building is lovely and the removal of the annex will not damage the building.

Barrett noted that the biggest thing is the building and fire codes, which drive the design of the new building. Barrett noted that the classification of the building will dictate the occupancy load and the plumbing fixtures. McKeon noted that the social hall should be 25 seated people. Barrett noted that he was under the impression that it was 75, and that would change the size of the proposed addition. Barrett noted that the net foot area drives the occupant load and that the Town Hall main area would be 228 standing people and 58 on the stage. McKeon noted that the town hall is posted for a maximum of 120. Barrett noted that the code states 1 person is 5 square feet standing, 1 person per 7 square feet in chairs and, 15 square foot per person (table and chairs). McKeon noted that the Fire Department will currently not allow more than 120 people in the building. Barrett noted that the Fire Chief is charged with enforcing State Fire Code which has the same occupant codes as the building codes. McKeon noted he will address this with the Fire Chief.

Barrett noted that because they are proposing changes to the building, the State code dictates that the building becomes compliant and therefore it will need to be brought up to current code. Barrett stated that includes the stage. Barrett noted that the stage will need to be handicap accessible. Barrett stated that a lift would work in the building, and has been included in the plans. Barrett noted that the lift would be outside of the price range, but the Town could add it in the future.

Barrett showed the plans to the board noting that he believed the room needed to accommodate 75 seated people, so it is larger than the board intended. Barrett noted that he designed the building so that either of the sections could be closed off to the other section and still have access to the restrooms and the utility closet. Barrett provided the board with copies of the plan as well as an existing conditions plan and will email them to the board electronically. Barrett noted that he will think about how best to scale it down to seat 25 people and get a sketch out to the board by Monday. The board needs to look at the kitchen and decide if they want a commercial kitchen or a residential kitchen. Barrett noted that if there will be grease laden vapors, a hood will be required. McKeon noted that a hood will be needed. Champney noted that in looking at the proposed plan, it appears to be pushed back toward the cemetery too far and will need to be pulled forward. Lang noted that he will not have questions until the plan is narrowed down further. The board will see DA Brothers again on January 23, 2019 at 6:00 PM.

## **7:30 PM Brad Roscoe – Broadband**

Roscoe handed out a summary of the information he collected regarding broadband coverage in Chesterfield. Roscoe noted he is still missing the amount each company would be contributing to their proposed project. Roscoe noted that he feels this information is important to know how much the company is willing to invest. Roscoe noted that the bigger projects include more of the town. Roscoe noted he will be meeting with the Economic Development Committee to get their input. Roscoe noted that the provider will charge a Town Service Charge and that charge will be given back to the Town. Roscoe noted it is usually around \$10.00 - \$15.00. It was noted that it will take 15-18 months to roll out any of the proposals and therefore it would be about 2 years before the Town saw any revenue from the service charge. Roscoe noted he is looking at a Northern Borders Region Grant and checking to see if the Town qualifies for a grant of 25% of the needed funding. Thompson will schedule Roscoe for the meeting Wednesday January 16, 2019.

## **NEW BUSINESS**

### Review Letter from City of Keene Fire Department

Board reviewed the letter from Keene Fire Department

### Care facility for Workers comp incidents

McKeon noted that as of now, the Town does not direct an employee who gets hurt on the job the particular facility for medical attention. McKeon noted the Town does have the ability to direct an employee to a specific facility. McKeon noted that going forward, employees should be directed to one of the urgent care centers. McKeon noted there is one off the roundabout in Brattleboro and one off the roundabout in Keene. McKeon noted that the urgent care facilities provide good care at a cheaper price than an emergency room. Aldrich noted that an incident report needs to be done for all accidents and that needs to come up in their yearly review. McKeon noted that the Town needs to be looking at any and all points that caused any accident. This information will be brought to the Joint Loss Safety Committee for consideration in adding to the handbook for direction to process. It was noted any severe injury requiring an ambulance will not be included for the use of the urgent care centers.

McKeon noted that Convenient MD will not charge a patient that does not have insurance more than \$150.00 when being treated there. McKeon noted that this information should be sent out to the Town so that residents are aware of the ability to receive medical care at a reduced price. McKeon will put wording together for inclusion in the Chesterfield Happenings Email.

### Building inspector/Code enforcement officer position

The position has been posted with the NH Building Inspectors Association and at NHTI in Concord. Thompson noted that the applications are still coming in slowly. McKeon asked Thompson to post the position again. This will be on the agenda for January 16, 2019.

### BOS Secretary arrival

McKeon noted that the Board of Selectmen secretary will be closing on her house on February 4, 2019 and will begin work on February 5, 2019. The board has decided to waive the requirement of a physical for her, but will conduct a background check.

### Establish/Reestablish old business list

McKeon noted that there is an old format that the board used to use for old business. McKeon will send the form out to Thompson for discussion at the next meeting.

### Transfer Station stickers

VanCor noted he was down there last Saturday and it seemed to be going well. McKeon noted he spoke with Chris Lord and he indicated there were a few people that were obstinate, but it seemed to be going well.

### North Shore Roof

VanCor noted that that roof for N. Shore Beach is part of the encumbered funds that will be carried over and he would like to put off scheduling the replacement of the roof in order to avoid the cost of snow removal. McKeon noted that the Town will not be responsible for the cost associated with the removal of snow. McKeon noted that he will sign the contract and Thompson will send it out with a note that the Town has no intention of plowing snow or shoveling roofs. VanCor noted that he was under the impression from talking to Craig Finnell that the Town would be plowing. It was noted that although Lord is in charge of buildings, this predates him. VanCor will mention this to Lord.

### Conservation Commission – Authority, Purpose and Duties

The board reviewed a copy of the Authority, Purpose and Duties of the Conservation Commission. VanCor asked if the commission adopted the rules or if the Selectmen adopted them for the Commission. McKeon noted that Commissions have the authority to adopt their own rules of procedure, but the duties and purpose are the Selectmen's responsibility. The board will review the document and talk about it again next week.

### Tax abatement request

The board received an abatement request from Hornbeck at 376 Old Chesterfield Road. The abatement request is based on the level of internet coverage at her house. She is looking to reduce her assessment from \$214,000 to \$207,774.00, a 3% decrease.

*Jon McKeon moved to deny the abatement request for 376 Old Chesterfield road based on the assessors input stating that the level of internet does not affect existing properties in a negative fashion. The motion was seconded by Norm VanCor and passed by roll call vote. (Yes: McKeon & VanCor) (No: Aldrich)*

## **OTHER BUSINESS**

Senator Kahn and Commissioner Mollica will be at the board meeting next week to talk about the expansion of the building at the State Liquor Store. Aldrich will notify the EDC in case they would like to attend.

McKeon noted that the budget committee meeting went well last night. McKeon noted there were few questions.

Aldrich noted that the Zoning Board was bothered by the decision on Xpress Natural Gas. Aldrich noted that the Board expressed the fact that Rattigan told them to define the terminal.

McKeon noted that the decision only contains information that supports the decision. Aldrich asked why no one was sent to court to listen to the decision when it came down. VanCor noted that other than personnel interest there would be no need for someone to go listen to the decision. VanCor asked if Xpress was now going to the Planning Board for a change in use. McKeon noted that due to the decision from the Court, the only reason they would need to go before the Planning Board would be if the intensity changed. McKeon noted that the Planning or Zoning board would need to look at what has been previously established as volume on the site and what the use is now and if that is different than what was previously approved. McKeon noted it is hard to get a historical account of the volume without a use intensity statement. McKeon noted that someone would have to do some research.

McKeon noted that the Planning Board has voted to move forward with a public hearing on a definition of a truck and freight terminal.

Aldrich noted that the ZBA is requesting definition for all nouns in the regulations. McKeon noted that should be a joint effort between the two Boards. McKeon noted it is too late in the year to accomplish that task but it could be tackled next year.

Aldrich noted that the ZBA wants to separate the equitable waiver form from the application and have it available only when requested. McKeon noted that all information should be included in the application packet when someone requests an application.

VanCor noted that the rules of procedure indicate some motions need to be made at the beginning of each year.

*Jon McKeon moved that the Town of Chesterfield adopt RSA 31:104, 31:105 and 31:106 to provide immunity and indemnify all Selectmen, other elected officials, employees, agents as well as appointed officials that serve on committees and boards within the Town of Chesterfield; specifically covering immunity from civil liability for discretionary acts, according to RSA 31:104, indemnification or cost of defense of civil suits, according to RSA 31:105 and indemnification for civil rights claims, according to RSA 31:106. The motion was seconded by Norm VanCor and passed unanimously by roll call vote.*

*Jon McKeon moved to have the Board of Selectmen Chair sign ancillary documents as agent to expend as a result of Board of Selectmen prior approval of the documents. The motion was seconded by Norm VanCor and passed unanimously by roll call vote.*

*Jon McKeon moved to have the Board of Selectmen Chair complete the Board's section of the Annual Report. The motion was seconded by Norm VanCor and passed unanimously by roll call vote.*

*Jon McKeon moved to have the Board of Selectmen Chair complete tax deed waivers. The motion was seconded by Jeanny Aldrich and passed unanimously by roll call vote.*

*Jon McKeon moved to adopt the Board of Selectmen Rules of Procedures. The motion was seconded by Jeanny Aldrich and passed unanimously by roll call vote.*

*Jon McKeon moved to have the Board of Selectmen adopt the Administrative Code (which includes the Investment and Fund Balance Policies). The motion was seconded by Norm VanCor and passed unanimously by roll call vote.*

*Jon McKeon moved to have the Board of Selectmen sign payment plans for deedable properties. The motion was seconded by Jeanny Aldrich and passed unanimously by roll call vote.*

Thompson noted that the dedication for the Town Report needs to be completed soon. Thompson noted that the Board needs to pick someone and have something written along with a picture.

Thompson noted that the Before School Care Program should be reimbursing the Town for payroll. Thompson noted that Sam Hill had indicated that the program was self sufficient, however the Town does cover the payroll. McKeon noted that it can be done and needs clarification.

Thompson noted that Aldrich had come into the office to assist in facilitating email going to Thompson's personal cell phone. Thompson noted she would like some clarity about the expectations of answering emails during scheduled time off and is not comfortable having work emails on her cell phone. Aldrich noted she had Thompson take the lap top home so that she has a way to correspond while at home. McKeon noted that if there was an emergency, then email is not the way to communicate outside of office hours. McKeon noted that he did mention Thompson having access to email from home, but it was more directed toward a sick or a snow day. Email has been set up on the lap top for Thompson and she will have access from home if needed.

McKeon noted that audit control of the internal controls of the basic financial statements should be reviewed by the Board of Selectmen.

## **ACCEPTANCE OF MINUTES**

*Jon McKeon moved to accept the minutes from January 2, 2019 as amended. The motion was seconded by Norm VanCor and passed unanimously.*

*Jon McKeon moved to accept the non-public minutes from January 2, 2019 as amended. The motion was seconded by Norm VanCor and passed unanimously.*

*Jon McKeon moved to accept the minutes from December 19, 2018 as amended. The motion was seconded by Norm VanCor and passed unanimously.*

## **LEGAL**

### **PUBLIC COMMENT**

### **NON-PUBLIC**

*Jon McKeon moved to go into non-public session per RSA 91-A: 3, II (a) The motion was seconded by Norm VanCor and passed unanimously by roll call vote.*

*Jon McKeon moved to come out of Non-Public session. The motion was seconded by Norm VanCor and passed unanimously by roll call vote.*

*Jon McKeon moved to go into non-public session per RSA 91-A: 3, II (a) The motion was seconded by Norm VanCor and passed unanimously by roll call vote.*

*Jon McKeon moved to come out of Non-Public session. The motion was seconded by Norm VanCor and passed unanimously by roll call vote.*


Jon McKeon moved to seal the minutes from Non-Public number 1 on January 9, 2019. The motion was seconded by Jeanny Aldrich and passed unanimously by roll call vote.

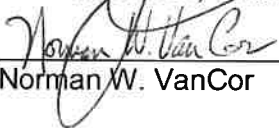
Jon McKeon moved to adjourn at 11:00 PM. The motion was seconded by Jeanny Aldrich and passed unanimously.

Respectfully submitted,

Tricia Lachenal  
Interim Secretary to the Selectboard

Approved by:

  
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Jon P. McKeon, Chairman

  
\_\_\_\_\_  
Norman W. VanCor

\_\_\_\_\_  
Jeanny Aldrich

  
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Date

  
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Date

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