

Town of Chester
Board of Selectmen/Water Commissioners/Board of Appeals
Minutes of 7/23/18

1. Chairman Huntoon opened the meeting at 6:00 p.m.
2. Minutes of 7/9/18 and 7/16 were reviewed. The minutes of 7/16 were signed. The minutes of 7/9 were reviewed and returned to Carlino for minor corrections and will be signed at the next meeting.
3. Warrants and documents were signed.
4. Administrator Carlino presented the board with a list of end-of-year transfers that needed to be made to bring FY 2018 to a close. After some discussion John B. moved to accept as presented, Rene 2nd. Unanimous.
5. Irene Shedd was present to talk about the situation with her home. Also present were two members of the Board of Health (BOH) and their Housing Agent, Calvin XXXXX, as well as Tax Collector Mary Ann Pease. Barbara explained, that in her opinion, some of Irene's issues are between the Board of Health and the Board of Assessors, and the Board of Selectmen (BOS) cannot do anything about the Court Judgement from Land Court. That said, the BOS agreed Irene is responsible for the amount of tax ordered by the Court Judgement to be paid by the date the Court determined.

Much discussion was held between Irene and the Board of Health about the process that was followed regarding Irene's home. Calvin explained that yes, while Irene was served a "condemnation order" for her home, she was not served a "vacate" notice, primarily because she is trying to clean up and repair the problems at her home. The BOH will work with Irene and stay all orders if she continues to work with them. Calvin stated that it is a complicated and confusing process and suggested they monitor the progress and see what happens. He explained that right now the biggest issue is with the roof; without fixing it Irene won't be able to repair the inside. John B asked about the inspection items. Irene said some were wrong and not true. At that point Building Inspector, Art Lawler was asked to come up to the meeting. While waiting for BI discussion continued. Irene has issues with her attorney and doesn't feel the attorney represented her well. Barbara stated this is an issue Irene needs to take up with her attorney. John B. stated that if the biggest issue is with the roof, possibly PVPC could loan a lesser amount to repair that. He stated that PVPC was waiting for direction from the Board of Selectmen. When the Building Inspector arrived, the BOS asked him had he done an inspection at the house. He said yes but was unable to go inside due to mold (or something that he had a physical reaction to) but said he would make an appointment to come back again with a mask. From the outside he said the building appeared structurally sound. He stated the problem is he can't issue a building permit unless the taxes are paid to the town. Barbara explained again to Irene where we are at:

taxes owed need to be paid per the Court Order. Once Irene has paid the taxes, the Board of Selectmen will recommend to PVPC to make the loan for repairs. Rene questioned if asking for only some of the loan, would this change the time table. No clear answer. Mary Ann asked John B. if he had contacted James Mazik from PVPC since town should confirm PVPC's intentions. Town will reach out to PVPC to confirm. Irene asked, "Who is over the Board of Health?" and Rene replied that would be the State Board of Health. Irene stated she felt that she had been treated unfairly and has had many problems with the BOH. The BOS said she could contact the State BOH regarding that as they (the BOS) have no control over elected positions.

Barbara then summarized the steps Irene needs to take to move forward: #1. Pay the amount of taxes on the date determined by the Court Order; #2. Work with PVPC to see if they will give her a grant to at least get her roof repaired; #3. Continue to work with the BOH and Building Inspector to bring her house up to code. All who were involved and present agreed. At that point Mary Ann spoke up and offered an idea: if Irene could come up with approximately \$3,300 by August 31, instead of the Court Judgement of \$5,000+, then Irene could do the "Senior Work Off Program" for three years, earning \$750 a year, which could be applied to her tax debt. Irene agreed. Mary Ann said the Board of Selectmen could have town counsel write up something regarding this agreement, outlining how it would work, as well as including some sort of recourse in case Irene should not complete her end of the program. Pat to pursue with town counsel. There was some discussion of what the Assessors can and can't do regarding assessments of homes. Irene continued to express her feelings about issues with her situation; Barbara suggested they move on as the Board had provided Irene an avenue to resolve the issues with her home and there was nothing more to be done, and the remaining agenda for the night required attention.

6. Discussion was held regarding the burl that was cut off a tree on private property, allegedly by a Highway Department employee using Highway Dept. equipment during work time. Barbara stated since the information had come to her third-hand and previous discussion had not produced confirmation nor denial of the incident, she decided to speak directly to the neighbors who had allegedly witnessed the incident. Those citizens confirmed they heard the noise of a chain saw, investigated, saw the cut burl in the back of the town truck, and witnessed the town employee drive away with it. The citizens (a couple) took photos at the scene and went to the Highway Dept. garage to inquire about what went on. The citizen stated no one was at the garage, but the burl was sitting on the floor, so the wife took photos of that as well. The wife stated she then went to Town Hall and discussed it "with Ro" who said she would "pass the information on". Barbara was distressed that the BOS not only didn't get this information "passed on", but that when questioned the first time the issue was brought up, the Highway Administrator denied knowing anything about it. Pat apologized and said the incident had been reported to John Murray, Highway Super, that he had taken the steps to talk to the employee involved and "had written him up" and put the note in his file. Pat stated she did not think the incident was something that should be taken to the next level, as the Highway Superintendent's action was appropriate. Pat also stated upon retrospect, she knows it is a small town, and the Board should have been given "a heads up". John B. stated he was satisfied with the corrective action taken as that was how it should have been handled. The rest of the Board agree. That said, the BOS still wanted to know why when they asked about the incident a couple of weeks before, no one spoke up and in fact the Hwy Admin denied knowing anything. Pat responded that at they weren't sure of who it was,

and by the time they verified it, it was the next week, and then John's incident took place and it was forgotten about. Given issues of trust Barbara moved that the board accept the Highway Admin's resignation effective immediately, (rather than the end of July as stated in her resignation letter). Rene seconded. Unanimous.

7. Barbara asked about the time cards she had requested for John Murray. Pat stated she forgot but will have them next week.
8. At this time Barbara made a motion "Not to reappoint John Murray as Highway Superintendent" stating she felt it wasn't fair to the appointee nor the town to continue to leave the appointment up in the air. The motion was seconded by Rene, and Barbara asked, "All in favor?" At that point John B. initiated discussion stating perhaps the Board should wait until someone was hired. Pat spoke up and said John Murray had been calling in to check in with the Highway crew and had stopped into Town Hall to "sign things". John B expressed surprise that John M. was working at all since to the Board's knowledge, the Town had not received any sort of release from a physician clearing him to work. Pat confirmed we had not. Mary Ann asked if he was hired and would there be any backlash from workers comp? Barbara responded she had spoken with Town Counsel and confirmed the position is appointed and there is no collective bargaining or contract and John M. was appointed not hired...there is a difference. He would just not be reappointed. The Board will not address nor discuss any potential Workman's Comp claim. John B. wondered how we were going to operate? Currently Steve is on vacation, so Doug is alone with the summer help. Barbara stated, without a physician's release for John M. to come back to work, we do not currently have a Highway Superintendent anyway. She also stated the BOS would act as Highway Dept. Supers for the interim until a new one can be hired. Pat agreed she can be the contact on the East River Road project and any other highway issues and Rene stated that had already checked in with Lane to keep on top of the ERR project. He also stated East River Rd. needs to be mowed before the road work begins and suggested Pat give him cell numbers for both highway workers. Rene said we'll also need a culvert list and maybe Doug could mark those that were on the list for replacement. John Foley asked if Doug was going on vacation. Pat will check but doesn't think so since he's already been. At this time Barbara repeated her motion not to reappoint John Murray, Rene seconded. Unanimous.
9. Barbara read a resignation from COA Director Sue Kucharski who has resigned as of 8/31/18. The time commitment has become a problem for her, but she will be glad to assist her replacement with her/his orientation. John Foley said the COA Advisory Board is also interested in assisting with finding a suitable replacement, and the BOS welcomed their input. Pat to advertise position.
10. Pat provided a job description (given to her by Building Inspector Art Lawler) for an Assistant Building Inspector. The BOS found it to fit the needs of the that department and the town and asked Pat to advertise for an Assistant Building Inspector.
11. The Board signed two requests for Chapter 90 monies, one for Johnson Hill Rd., and one for line painting. Barbara, as Chairman of the Board, will sign as Highway Supervisor.

12. Pat reported there were two applications for Highway Superintendent. The board asked that she set up interviews for next Monday, if possible.
13. Pat asked about the BOS going to a two-week meeting schedule since she is now without an assistant and finding it difficult to keep up with the minutes. Barbara suggested Pat check with PVPC for interim help until we get someone to fill the Assistant Admin position.
14. Rene reminded Pat to notify Lane Construction that all change orders need to be approved by the Board of Selectmen before they are acted upon.
15. John B. mentioned that Rep. Smitty Pignatelli had referred a potential cannabis business to Chester. The BOS will wait to hear from the person.

Citizens Comments

- Ron Ouimette asked if the board had discussed working on the handrails at the Old State Rd. culvert. They reported they had not. Rene said to hold off a week, then discuss. Ron asked if the Board wanted him to go ahead with repair of the other side of the culvert and estimated it would probably be half the price of the one he just completed. Rene made a motion to have Ron correct opposite side of culvert. John B. seconded. Unanimous.
- Ron presented the Board with a letter he wrote to give to the owner of the burl property. The Board did not feel the letter was relevant and gave it back to Ron.
- Wilma & John Foley informed the Board that the COA was “almost too successful”, creating a financial burden on the COA. Foot clinics are offered at which people pay \$15.00 and the COA supplements with \$15.00. There is such a demand that this is creating a problem with budgeting. Barbara wondered why the individual’s Medicare/insurance wasn’t paying the non-copay part of the cost and does not believe - based on her experience with arranging foot clinics with her previous employer - that the COA should be contributing anything to it. Pat suggested that COA Director Sue Kucharski was working on a solution for this and will talk with her about the Medicare/insurance suggestion. Finance Committee Member Andy Myers suggested a shared COA director might be an idea going forward.
- Andy Myers presented financial information regarding town valuations throughout the six Gateway town collaborative. Chester was the least valued town by a large percent. Andy is concerned about that. Board agreed and wonders why is Chester valued so low? Andy believes if the property values are raised, the tax rate will go down, keeping property taxes stable. Board suggested meeting with Board of Assessors. John Foley agreed with the Board’s need to meet with the Assessors, but said he thinks when other town boards attend BOS meeting, they do so at disadvantage since they “stand here with nothing” referring to any pertinent records, documents, etc. The BOS said they are willing to meet with Assessors at a time and place convenient for them and asked Pat to contact them to facilitate a meeting. There was discussion of the State’s “Pilot” program regarding state-owned land. Suggestion was made to have someone from the State come out to speak with BOS and Assessors regarding the value issue brought up here tonight. Rene felt they

had not properly assessed his property. Barbara expressed that she also believes the town is under-valued. Andy was instructed to speak with Zack Blake, of the Division of Local Services for direction.

- Andy also explained about looking into the Hampshire Council of Governments Health Trust program to lower Chester's Health Insurance. (Currently, Chester has seven employees who eligible and take advantage of the town's insurance coverage). Andy pointed out that Chester's insurance only offers "single" plan or "family" plan and Middlefield's offers "single", "family" and "employee plus one" which would save both the insured and the town money. Pat contacted Hampshire Council and received the information we needed to gather to send to them for deliberation as the town would have to be accepted into their program.
- Mary Ann asked if all the foot clinic people were from Chester and the response was no.
- John B. noted that there are grants available for many of the shared services we are looking at.

There being no further business, John B. made a motion to adjourn. Rene seconded. Unanimous to adjourn at 8:49 p.m.

Respectfully submitted,

Patricia Carlino
Town Administrator

Barbara Huntoon, Chairman

John Baldasaro, Vice Chairman

Rene Senecal, Clerk