

Town of Chester Selectmen/Water Commissioners/Zoning Board of Appeals Meeting Minutes for April 22, 2019

Barbara opened the meeting at 6:00pm, the Select Board recorded the meeting.

Attending: Select Board members Barbara Huntoon & John Baldasaro, Town Administrator Kathe Warden and various members of the public. Warrants were signed.

New Business

*Discussion with Preston Webb about Campbell Rd – Preston Webb said that he and his wife had property along Campbell Rd. He had contacted a surveyor to measure out the length of the road that was accepted and had it pinned, he then had the Town DPW superintendent, at that time, come out and measured the road and the Superintendent agreed that was the correct location. Preston said over the years even though he had been promised the road would be maintained it hadn't. He brought in gravel to make it passable. He would like the town to maintain the ditches so that when it rains, the gravel won't wash away. He brought pictures that were reviewed by Barbara and John. John agreed that this spring, he would come out and have the ditches cleaned out and put down some more gravel in the area that Preston currently maintains.

*Gene Watters proclamation – Barbara said that Bob Daley had given Barbara proclamation he wanted to get signed and stamped by the Town Clerk to honor Gene on his 90th birthday. Barbara said that she read the proclamation at Gene's birthday party, but John didn't have a chance to sign it. Bob Daley wanted the Town Seal placed on it, unfortunately the Town Clerk couldn't stamp the proclamation, due to State protocol. When Barbara had spoken to the Town Clerk about this, the thought was to put a policy together for requesting proclamations from the Select Board and use the White House requirements as a starting point. Barbara read the proclamation and John signed it. John and Barbara both thanked Gene for his service to the town and the community. Bob Daley thanked Kathe, John and Barbara for helping with this.

Old Business

*Frost Farm – receiving of Request for Information for Marijuana Cultivation Establishment – Kathe provided both Barbara and John with the Frost Farm Request for Information packet that had been sent by Ryan Ferriter for a cultivation facility on Abbott Hill Rd. John wants to review the information and is concerned about a cultivation site in the middle of the woods. John doesn't want to be the guinea pig for outdoor growth facilities and concerns about security. Barbara doesn't feel comfortable with this type of facility and doesn't want the Town to be a guinea pig for this type of facility. Barbara wants an enclosed facility for marijuana cultivation. John wants an extensive review of production, security and isn't comfortable with the idea at this time but will review it. Barbara would like discretion of all cannabis businesses and will review out of respect. Kathe said she can put this on the agenda under old business in two weeks. John would like the Planning Commission to review this also. Lyle Snide said a seasonal grow facility would have limited productivity, and that it can't be visible from a public place. It still needs to have a fence around it with security and needs to be publicly acceptable.

Departments and Committee updates

*Planning Board – Lyle Snide – discuss revised Marijuana bylaw and discuss revisions to Special Permit Form – Lyle presented the following changes.

Revised Adult use marijuana bylaw, changes were based on comments made at the public hearing.

1. Changed 'Final' to 'Provisional Marijuana Establishment License'.

Reason: a final license is only issued after the building of the establishment has been completed and inspected- application for the building permit should occur once a provisional license is approved.

2. Added a requirement that outdoor cultivation will not be visible from abutting AR zone parcels.

Reason: since outdoor cultivation cannot be visible from public places per state regulations and given the security requirements for cultivation (fencing, lighting, etc.), this was added to maintain the rural character of the abutting AR zone parcels.

3. Clarified zoning requirements by stating marijuana establishments may share building space with residential units in the 'B' and 'COD' zones, but not in the 'I' and 'AR' zones.

Reason: unlike medical marijuana, state regulations contain no restrictions regarding adult use marijuana establishments and residential property or residential units. The added statement on specific town zoning requirements conforms to the existing town zoning bylaw; 'B' and 'COD' zones are mixed use, whereas 'I' and 'AR' are not.

Updated special permit application form and ZBA appeal/variance application form:

1. The current form is outdated; it is based on the ZBA also being responsible as the Special Permit Granting Authority (SPGA). Currently, these responsibilities are separated with the Planning Board assigned as the SPGA and the ZBA responsible for appeals and zoning variance requests.

2. The two proposed application forms reflect the separation of these responsibilities and provide submission requirements tailored to the particular type of request.

3. The application form(s) is not included as part of the town bylaw. The bylaw only states the form is available from the Town Clerk upon request. This means that changes can be made to the form without getting approval at a town meeting.

Lyle felt the new forms people could go to the website and get them. John made a motion to accept the changes to the application forms and Barbara seconds the motion and all voted aye.

Kathe had a copy of a Town of Chester permit guidebook and she asked Lyle if the Planning Board had created it. Lyle said they hadn't but would look it over and see if it could be updated. John thought maybe Pioneer Valley Planning Commission had created it. Barbara said that the applications could be included when it was updated. John thanked Lyle for all his work on the bylaws and applications and Barbara appreciated the professionalism of it.

*Town Accountant Paula Beck & Town Treasurer Cheryl Provost – monthly update – Paula said the third quarter was a bit of learning curve and appreciated being able to attend the MASS Municipal Accounting and Auditors education in March. She is working on getting free cash certified. She has submitted it once and Matt Andreus of DOR sent it back with questions on nine different numbers. She has worked with him to get those corrected and is down to two do be corrected. Paula has been having issues with Tom Scanlon and getting back to her. She contacted some other accountants, and many had recommended Adelson Associates. She called and spoke with David Irwin and he suggested that Adelson do both FY18 and FY19 because they would need to verify FY18 numbers. The cost is \$17,000 per year. There is enough money to pay for one year's audit but not enough in next year's budget to cover the second year currently.

Paula brought up that Cheryl and she spend a good time of processing CMELD's bills and payrolls. The Town has over 20 billing accounts with CMELD for electricity and each department submits their own bill. Paula said this week there was a warrant for \$1.50 that had been split with CMELD. Barbara asked what it was for and John said it was for a monthly charge from Dig Safe. Paula said she and Kathe had worked on a creating one electric account that each bill would be taken out of so instead of 20 bills and 20 checks, there would be only one check cut and that check would be on time. Barbara wants to make sure all departments know what is being spent so no account runs short. Paula said she can email the departments of Paula said there were also numerous things like splitting of phone bills and dig safe bills that add a lot of time to being split. Paula said she and Kathe had talked about to make it easier and that Kathe had thought of asking them to pay a rent or billing them yearly for all these small bills so that warrants weren't being split anymore. Kathe said only the issue is that CMELD wants documentation of everything so that they are paying exactly what is owed. John wants to support what Paula and Kathe are trying to do to make it easier and wants them to handle it. They have his support. Barbara asked if they a comfortable in doing this. Kathe said once they have everything lined up, she and Paula can go to the CMELD Board and discuss it.

Paula asks if the Board still wants to have quarterly reports and Barbara said she does so that the Board can keep on top of things.

Cheryl said she didn't have the bank reconciliations up to date. She has been sick and was hoping to have them done by end of March but will have them done by the end of the month.

The tax titles are being worked on and she found a general ledger report. Mary Ann had verified the numbers on it, and everything is moving forward. John asks how close they are on balances and Cheryl said Paula was waiting on her. Paula said that she and Cheryl and reconciled cash for 6/30/2018 and had a difference of only \$14. John and Barbara thanks them both for working together and all their work they have done. Barbara asked how long it will take for free cash to be approved and Paula feels within a few days after submission, there aren't many towns left to be verified. Andy Meyers said while he understands the audit would be appropriate, he doesn't feel the town can afford it at this time. Barbara said because of the school budget there isn't the money to do both years. Bob Daley asked for clarification about what would need to be done for FY2018 if an audit wasn't done and Paula said the year ending numbers would need to be verified. Bob asked is there other auditors to be considered and Paula said there aren't many in the area. Paula heard complaints of the other auditors. John said with the cost of the school, for Paula to ask the auditor to give a new quote for a one-year audit.

Town Administrator update

* Vocational Student policy – discussion and possible vote to approve – Barbara read the policy “Effective April 22, 2019, the Town of Chester Select men have made policy that all students, that are residents of Chester, who are eligible to apply to Smith Vocational School, or Westfield Technical School, must apply no later than April 30,2019. Starting in 2020, all applications must be submitted by April 1 for the preceding year. Due to budget constraints there will no longer be mid-year transfers. “Barbara said that it is Westfield Academy and would like and or any other vocational school added. John said this policy is in place in other towns. John makes a motion to accept the policy, Barbara seconds the policy all vote aye.

* Shared Vocational Transportation Services Municipal Agreement – discussion and possible vote to approve and sign – Kathe said both have a copy of the agreement if they both would sign one and it can be placed in the file. Kathe said she still hasn't heard from two of the towns and would update next week who will be participating.

*Hampshire County Group Insurance Trust – discussion and possible vote to approve signing contract for employee health insurance benefits – Kathe said that the Town was released from its agreement with Berkshire Health Group. The Hampshire County Group Trust has accepted the Town with a \$45,000 claim deposit that could be paid over 24 months. Barbara asked if there is a 1 and 1 level of coverage and Kathe said there was. Barbara signed the contract to join. Kathe said that the Town is on a probationary period for one year. Kathe said if in the future the Town could look towards MIIA if it was dropped from the Hampshire County Group.

*Lower Pioneer Valley Educational Collaborative – discussion and possible vote to join collaborative for procurement benefits – Kathe said that she had contact Paul Schroeder about joining. Barbara asked if there was any buy in for the year and Kathe said it was \$200.00. John makes a motion to join the collaborative and Barbara seconds the motion. All vote aye.

Kathe said Tech Roofing came to look at the roof, they will be back towards the end of the week to get on the roof but from what the contractor saw it maybe just the metal flashing is loose.

Kathe said on Friday she will have another meeting with Daniel and Tara from Chester Theatre to review the expectations now that Town Hall is open Thursdays and Fridays. Kathe just wants a follow up before the season begins.

Kathe said that Peter Stroganow had a report he wanted submitted to the Select Board of the recent visit from Larry Hanson of DEP. Peter outlined the issues of what was needed. John said he would talk to Peter and get the issues taken care of.

Highway – John said there would be street sweeping tomorrow. All the sidewalks have been cleared off last week. Fixing of potholes is ongoing. On Wednesday they will be fixing with hot patch on Middlefield Rd and Bromley Rd. John said they are starting to work on the dirt roads but due to the weather they are behind with it, Barbara asked about Hampden St, John said it looked like next week the paving will started. Barbara asked about the cemeteries if Donald would be mowing. John said he hadn't talked to him yet, but he would. Barbara said the cemeteries need cleaning up.

Citizens Comments

Diane (last name?) asked if a student that had received a scholarship in the past could they apply for it again. John said that they could apply for the Hamilton for any year, but not the Steinhard which is based on the GPA. Diane said she is on the Chester Alumni Scholarship committee and have had a parent ask about the scholarships and Diane wanted to know if there were applications at town hall she could hand out. Diane said that this parent said the school wasn't forth coming with the information. John asked Kathe to reach out to Gateway and find out the information and get a copy of the application.

Andy Myers said the economic development draft had been sent to Kathe to get out. He said that Darlene McVeigh and Josh Garcia worked on it with him. He wanted to make sure all the participating towns signed it before the next year. Andy said that Jeanne LeClair and he had come up with a list of major Chester projects to start working on. He said that he would like the Select Board to consider putting a Vision Committee together to work forward on these projects. John said there is a lot of interest in the hiking area. John would like to see some marketing putting out for that. Barbara asked if there was camping opening this year at the state forest. A woman (Have no idea her name) said that a meeting with Commissioner Roy of DCR and it wouldn't be opening this year. Commissioner Roy said there weren't enough campsites to make it worthwhile to open at this time. She said it was in excellent condition and the sites were large. There are hiking trails from the state forest and the Sanderson Falls park that connect to the campsite. Andy said on Wednesday night, Jeanne would be giving a class on how to run an Airbnb. Andy said the Chester Theatre was starting their 30th Anniversary with 4 plays plus a special program of a walking theatre to honor the history of Chester.

Bob Daley asked if there could be a discussion about the FY20 budget. John said we need to go forward with the Town's budget and then if the Gateway budget wasn't passed the school committee would have to go back and review the school budget.

Jason Forgue said opening day is on Saturday at 10:00am. Bob Brogha will be throwing out the opening pitch and Holyoke Auxiliary Color Guard will be there. Jason asked about the land across the street from the ball field. John said Kathy Engwer needs to bring a sale agreement and then it could go to Town meeting.

John made a motion to adjourn the meeting at 7:35pm Barbara seconds the motion all vote aye.

Respectfully submitted

Katherine Warden

Barbara Huntoon Chair

John Baldasaro Vice Chair

Vacancy – Clerk

Meeting Minutes for April 22, 2019 contain 6 pages