



TOWN OF CHESTER BOARD OF SELECTMEN
ZONING BOARD OF APPEALS
15 MIDDLEFIELD RD
CHESTER MA 01011

Monday, September 20th, 2021

Open Meeting – This meeting is held in the Chester Town Hall auditorium with a virtual option.

Selectmen John Baldasaro, Richard Holzman, and Jason Fergie present. Town Hall staff present included Town Administrator Kathe Warden, Administrative Assistant Jill Strong, Tax Collector Mary Ann Pease, and Assessor's Clerk Laura Lafreniere was participating remotely. Highway Foreman Carl Baldasaro was present, Elizabeth (Liz) Massa from the Board of Health, and Andy Myers from the Finance Committee were participating remotely. There were a few residents participating remotely as well as in person. Per the agenda Harald Scheid from RRG and Scott Flebotte from MEMA were also participating remotely.

John was detained so Rich opened the meeting at 6:00 PM, warrants and minutes were signed.

- **Continued discussion with RRG Associates Harald Scheid.** Harald was participating with us remotely, there was sound, but we could not see him through video. Last Monday at the Select Board meeting we had also met remotely with Harald and had a discussion on some of the duties that are being performed by the Assessor's Clerk Laura. She as well as the Select Board agreed that some of these should be completed by RRG. Jason opened the discussion asked if Harald had spoken with Laura to discuss the duties for each party to complete. Harald stated that he had not yet spoken with Laura but had sent to her as well as Kathe to distribute to the Select Board a copy of what they had as a list of responsibilities for RRG. Laura had not had a chance to view the document completely and this evening was also the first time that the Select Board had seen it. Jason asked if Harald could speak to the differences in what RRG had as responsibilities in the agreement vs. what they are doing now. Harald stated that he did not believe there were any real differences. Larua commented that in the document it was listed that RRG would be handling annual abatements. This would include handling the abatement inspections, data corrections, as well as generating abatement response letters. In that particular section it also stated that RRG would have the responsibility of responding to taxpayer phone and email inquiries. The clerical responsibilities that would be Laura's would include logging abatements, mailing responses, and redirecting taxpayer inquiries. Laura stated that she has been doing all of the work on abatements including logging, figuring out the new values and the refund, she also issues the certificates and mails the denials to any applicants. Harald commented that she must have worked that out with Jeff another associate from RRG as certain

responsibilities always vary from town to town. Laura stated that she did not mind doing this however Jason and Rich both agreed that if these things are in the contract with RRG for them to complete that they should indeed be doing them. Andy commented that Laura has a number of questions, and it may be helpful if either Harald or Jeff came to Chester to have a work session with Laura. The three-year contract with RRG is coming up for renewal and it would be good to go over things, Laura agreed. Harald stated that he would be fine coming to Chester after tax season after setting the tax rate has been completed. Laura and Andy both were ok with that, Andy asked regarding home inspections in the contract it is listed that they will be done periodically and asked if they were indeed being completed. Harald stated that he would have to check as they have been discussing a better process to do this. There had been a discussion to do a few properties per year but now they are looking into doing a comprehensive assessment of the whole town during a re-eval year. He commented that 2019 was the last re-eval year so the next would be 2024 which they are advocating for a complete review of all of the data. John stated that he did not think that we should wait until 2024 due to the fact that when it was completed in 2019 there were several mistakes. John commented that RRG had been hired for this task because they understood that they could guarantee their work. Harald stated that he understood they had outlined a good path for moving forward, and he would talk with his group to discuss moving Chester to the next round of reviews. Jason asked if they were periodically looking at the MLS for properties, he had looked at twelve properties that have been sold at a very different amount than what we have as an assessed value. He stated that he had looked back eighteen months and there had been no adjustments made to any of those properties. Rich stated that he believed that there should be a plan with benchmarks and deadlines in place for the full reappraisal of all homes with no excuses as to why this has not been achieved. Harald stated that he would work to make this happen. Kathe asked if they would like to touch base with him again the Select Board stated that they would, Kathe asked if the Select Board meeting on November 1st would be a good opportunity. The Select Board and Harald agreed on that date. Mary Ann asked about a tax classification hearing date, Harald answered that it would be late October early November. Jason gave the deadline of November 1st which Harald agreed should be ok. Jason and John both stated that October 31st was the deadline for the Accountant, so he is also under pressure to get things completed. Kathe stated that she would send an email to our Accountant Eric Kinsherf to let him know when we plan to have the tax classification hearing.

- **Carl Baldasaro Highway Foreman – update on roads.** Rich opened the discussion with Carl stating that John had recused himself. John commented that he does not have to recuse himself in regards to operations only in things relating to Carl's employment. Carl had a copy of a document listing things that have and are to be completed by the Highway Department. Jason asked if Carl could start a working document which was discussed last week. This would have things listed that are to be completed that we could post to the town website for residents to view. Carl asked how detailed it should be, Rich answered that it should be an overview with a general timeframe of the expectation when things would be completed. Rich pointed out that a few things that should be addressed are mowing, tree removal, as well as fixing road signs that have fallen or are leaning over. Jason asked Carl if the preparatory work that is currently being done is normal winter prep or is anything related to the rainstorms. Carl stated that it is mostly normal prep work however there are areas such as Skyline Trail that sustained damage during

the storms which needs to be repaired in order to plow correctly and safely. Things are being done in the order of importance as well as what we can afford and have time to accomplish. Jason asked what trucks we had available for plowing this winter. Carl answered that there are two F550's with ten-foot plows, there are the two larger trucks the International is problematic but can still be used, also the new pickup has a v-plow. Jason asked about the contracting budget that Carl said had been exhausted due to the storm damage. Carl answered that contracting things during the winter came out of the snow budget which would be different than the regular contracting budget and they should have no issue if we did need to contract out work. Carl stated that in preparing for winter he had looked into the needed materials and placed an order for 200 tons of salt as well as 2000 gallons of liquid deicer. By ordering the salt ahead of time he was able to save \$2,210.00.

Rich asked Carl what could be fixed with the budget he has available. Carl explained that without the budget for gravel or asphalt he was unable to do pothole repair as well as the repairs which gravel is needed on Crane Road, Maynard Hill, Abbott Hill, and Round Hill Road. Rich asked in waiting for the availability of funds what do they have for other activities that can be done. Carl explained that with the materials on hand they were able to fix most of Maynard Hill Road, but otherwise they focus on necessary day to day operations such as clearing ditches and culverts as well as fixing equipment. Carl stated that they have had some issue fixing equipment due to the lack of availability of certain parts. The Freightliner needed a fuel filter which they had to wait two weeks for. The Highway Department has been working on grading they completed Smith Road, lower Maynard Hill, and plan to move now to Abbott Hill. The roadside mower is currently broken, and they are aware that Prospect Street needs to be mowed but the roadsides are covered with poison ivy and did not want the guys working in that and would be waiting to have the mower functioning. Jason asked if the mower was used more by the Highway Department or by CMELD. Carl answered that it was equally used by both departments, the issue with the mower now is that there is a piston problem and in need of a rim. With the problem of availability of parts there has been a few weeks of downtime which he agreed was a long time for them and inhibits getting quite a bit of work done. Rich stated that he understood that and appreciated that they accomplished a lot but as the Highway Department is the second largest budget in town there should be open communication with the residents to provide clarity of the work being done.

Rich mentioned again about some "shaky" signs, Carl commented that currently there are more important things to address than signage. At a previous meeting Maynard Hill was described as hazardous which made it a priority. Carl mentioned that the seven signs that are on Johnson Hill that need to be fixed were temporary signs that were not meant to be left they were put up when there had been a detour. He agreed that they should be straightened but because the base should be fixed to have it properly done as a permanent sign it is not a five second fix if they stopped as they were driving around the town.

Jason asked Carl about the Chapter 90 paperwork that needed to be submitted. Carl stated that he had been unaware of the deadline of September 30th until recently and that he had asked the Accountant who also had not given him the date things were due. Kathe stated that we were still waiting for two checks for details to clear, the others for any large amount had already cleared. Jason commented that Carl having an Administrative Assistant which was previously discussed would be helpful and would allow him to focus on day-to-day duties rather

than paperwork. Kathy Engwer commented that when submitting paperwork, the two details were not active on the vendor list, so it had to wait until all of the information was gathered.

John commented on the discussion stating that there are always a list of issues and things to do within the Highway Department such as signage or a tree that needs to come down. Things need to be done in order of priority all other things are accomplished when there is available time. Rich commented that safety is always his number one concern whether it be signage, trees needing to be cut, or larger road damage.

Before moving on Bob asked Carl if he had any information about the water leak that has been on Maple Street. Bob stated that currently the water has dried up and has been for over a week, but he wanted to know if Mass Rural Water had a chance to come out with Bernie to look at it. Carl knew the initial appointment with them had been cancelled because it should have been done on the day of the hurricane, but he was unsure if it had been rescheduled and completed.

- **Discussion with MEMA representative Scott Flebotte on storm remediation of roads and FEMA application.** Scott could not be with us in person he had a meeting in Framingham so Kathe called him when we were ready to start so that he could be on speaker phone. John started the discussion asking Scott if he knew where things stood with the FEMA declaration and what could be done as of now. Scott stated that in filing the declaration it gives us the ability to move money within our budget as well as qualifies us to apply for low interest long term business loans. John asked if we could repair any of the damage before we receive the declaration. Scott answered yes once the preliminary damage assessment has been filed which we are doing now it can still take a while before we receive any money, he approximated twenty-four to thirty-six months. Until then any repairs completed, we need to take a lot of pictures and keep a detailed record of the amount of money spent. Any repairs now should only bring the roads back to pre-storm condition. John asked if the town does not have budget to do any of the work now, if that is when we should look into the small business loans and if so when we are reimbursed would that also cover any interest created from the loan. Scott answered yes, the money can be used to pay off the loan and he would check on the interest. John asked if he knew if Chapter 90 money could be used, we had been told that there could be no submissions for Chapter money for roads that were submitted to FEMA. Scott stated that he did not know if that was factual, and he would check on that tomorrow and should have the information to Kathe this week. Scott stated that this week on Wednesday the 22nd FEMA and MEMA would be back to view all of the twenty-three sites that have been submitted. If FEMA rejects or denies our submission he suggested going to our legislature for assistance. John thanked Scott for supporting us as well as making himself available to us to answer questions.

Before moving on John asked Carl what was available from Chapter 90 funds, Carl answered that there was approximately \$236,000.00. Carl's concern right now was two spots that were damaged on Skyline Trail one of which there is a steel plate covering a portion of the road that he stressed can not be kept there throughout the winter. John commented that repairing those two pieces would cost approximately \$60,000.00 and we would need a small paver. Carl mentioned that we could contact White Wolf, but John stated that we needed to ensure that they were Chapter 90 approved. Rich asked Carl how much he believed could be completed. Carl stated that an optimistic view is that we receive the money from FEMA, and everything can be repaired, the realistic view is that Skyline, Crane Road, Abbott Hill and Round

Hill could be done. Rich asked about a new culvert on Abbott Hill which Carl stated that we could not accomplish that alone as it would be extremely expensive. Kathe agreed stating that due to the stream, we would need to contact Mass Fish and Wildlife before starting that project. John also agreed stating that Abbott Hill should be done through a remediation grant. John commented that due to the amount of time that has already passed since we filed paperwork with FEMA, he would be surprised if we do indeed receive the declaration. We need to be prepared at the possibility that we would need to come up with all of the funds to do the necessary repairs.

- **Discussion of letter from Comcast representative Eileen Leahy about using ARPA funds to connect anyone without access to broadband.** Kathe was asked by Eileen if we would be interested in having her come out to discuss options with connecting anyone who does not currently have access to broadband. Jason stated that if she wants to come that is fine, but John also commented that he did not believe that there were any sections in town that were still unable to connect.
- **Discussion and vote to accept the resignation of Angelique Toroni as COA Director.** Rich read the resignation from Angelique aloud. Angelique has resigned as COA Director as well as Librarian her last day will be Wednesday, September 29th. In her letter of resignation, she stated that in her opinion no one should be in the library while it is in such a hazardous state. Jason stated that he had spoke to Angelique to see if she would reconsider but she would not. He commented that this was unfortunate, but he understood her frustrations. Jason made the motion to accept Angelique's resignation as COA Director and Librarian, John 2nd, all voted Aye.

Before moving on Bob commented that the position of COA Director we should post as soon as possible. He suggested the Country Journal as well as the state COA website which is free of charge. He stated that he believed there was an urgency to fill the position as we have programs such as the foot clinic and the premade lunches. He asked if there were people interested in volunteering if Angelique would be willing to train people. Jason stated that the foot clinic already has a schedule and there would be no issue with the continued use of his Building Inspector office. He would also contact the Director of Highland Valley Elder Services.

- **Discussion and vote to accept the resignation on Richard Small as Emergency Management Director.** Rich read aloud the letter of resignation from Richie Small as the Emergency Management Director. John stated that Richie had been doing this for a long time, but he knows that he is very busy and is spread thin. Rich asked what we needed to do to replace him, John stated that in this situation the Select Board could appoint someone and that he thought there was someone who was interested in the position. Jill spoke up stating that she was interested in the position, meeting with Scott Flebotte from MEMA during the road evaluations he had expressed to Jill that he thought that she would be good in the position. She stated that with his help and guidance she believed that she would have no issue being successful in the position. John stated that she should write her letter of interest and they could view it at the next Select Board meeting. Jason made the motion that we accept the resignation of Richard Small as Emergency Management Director, John 2nd, all voted Aye.

Town Administrator Update:

- **Continued discussion of the Theodore Steinhardt Scholarship.** Kathe stated that she could not find the original document that has the information for the scholarship when it was started. In her investigation she did find that it seemed it was always given to the Gateway graduating student with the highest GPA. The scholarship for this year was given to someone who is a graduate from Gateway but is currently in college. Kathe stated that she would notify the recipient that she would be unable to receive the scholarship and the money would stay in the account for this year.
- **Continued discussion of William Ivey Long project.** Kathe gave the Select Board a copy of an email from Town Council Tom Mullen that explained his thoughts on the current issue with retaining possession of the old Chester Elementary School across from the Town Hall. Kathe stated that she wanted them to discuss and vote on how we should proceed before she is on vacation next week. John stated that he thought this was ridiculous and his belief was that we should proceed with immediate foreclosure, Jason agreed. Kathe stated that she would turn everything over to the tax attorney. Rich stated that this should be a discussion to ensure that the property is not immediately sold. Mary Ann mentioned that it could not be sold with a lien on the property. Bob asked if the deed still had listed that the town has the right of first refusal, John answered yes that it was in the deed. Jason commented that the property currently has a value to us of the Town Hall septic system which is located there as well as the parking lot giving spaces for people coming to the Town Hall. He did not think that the town would ever have the funds to fix and restore the building. Rich asked Mary Ann if she knew how much was currently owed in taxes, she answered approximately \$120,000.00. John commented that Hilltown CDC may be interested in the building to put more housing as they have within the library building. Rich asked what happens to the contents of the building once it has been foreclosed on. John stated that the owner would lose all of the contents, the doors are locked, and everything inside would go to the town.
Jason made the motion to move forward with taking the property for tax title, John 2nd, all voted Aye.
- **Discussion and first review of Debit Card Policy and Procedure.** We have a debit card usage proposal from our Treasurer that can be used solely by permission of the Treasurer or the Town Administrator. Kathe provided the Select Board each with a copy laying out rules and regulations. Kathe asked the Select Board to please review it thoroughly to further discuss at the next Select Board meeting on October 4th.

Before moving to public comment Kathe had a few more things to discuss. She has received designation for the MVP grant from the state. She stated that she would email a copy to the Select Board and put together something for the website. Another thing that she mentioned is that she was looking into having guardrails installed in the back parking lot of the Town Hall. When she came in one day people who were at Town Hall for the foot clinic had parked in the back and five cars were over the pavement and into the grass. Kathe stated that she felt this was unsafe and would not take much to have an accident with someone going over the bank. She was requesting no more than \$3,000.00 to accomplish this and Carl told her that there were pieces of guard rail available from the Highway Department to lessen the cost. Jason asked what account this money would come from, Kathe answered that it would come from the Town Hall maintenance account.

Jason made the motion to move forward with putting guardrails in the parking lot behind the Town Hall, Rich 2nd, all voted Aye.

Kathe also let everyone know that she received the list from Town Clerk Terry Donovan of all short-term rentals. She asked Terry to also forward the list to Jason as the Building Inspector, Board of Health, as well as Richie Small as Fire Chief. Rich asked if this could also be sent to the Planning Board, Jason commented that he would send it along to them.

Kathe also discussed that she took note that along Route 20 any of our crosswalks are not marked other than the lines in the road. She reached out to get us signage but her and Jason agreed this should have been done a long time ago when we received the grant to open sidewalks. Another thing she brought to our attention that the company who does the inspection of the wood dump has changed hands. It is now Atlas Technical Consultants and instead of doing an annual report there would be a technical report. Kathe also asked in regard to the meeting with MEMA on Wednesday she asked the Select Board not to attend. She stated that she was not trying to keep anyone out of the loop but when there are so many people on the side of the roads where there is damage it is difficult to keep an eye on everyone as well as pay attention to the road for oncoming cars.

Public Comments and Questions:

Jason let us know that the energy audit will be done at the Town Hall and the Fire Station. He stated that he would be happy to meet them at the Fire Station. He explained that they would be installing monitoring devices which provides a report card of usage for the building such as lights and if and what rooms they are left turned on. He stated that within ten business days they would get back to us with their report.

Jason also stated that he has received a lot of response regarding any of the violations and fines that he has been issuing. One of the properties which is on Prospect Street has asked for an exception for approval to have their power turned on. They would like this done so that they can begin to do the work necessary to bring the property out of disrepair. Jason stated that he thought this was a reasonable request and that the resident would receive no certificate of occupancy from himself or the Electrical Inspector Jon Vanheyngien until he met the requirements and paid all outstanding fees. Rich asked Mary Ann what her input was. Mary Ann stated that she agreed with Jason and that currently the property is bringing values down. Jason asked if she would do that, and he would let the attorney know. Another property which is located on Skyline Trail he spoke with, and they have asked for a variance. John asked about the property on Route 20 Jason stated that he has not had any results with them, but they are indeed still accruing fines. Mary Ann stated that she had spoken to that property owner who asked what would happen if they were to walk away from their house, which she strongly encouraged them not to do.

Jason also discussed issues with vandalism that have been happening down at the Emery Street ballfield. He believed that this should be handled appropriately but that he believed we should make an example out of someone and pursue stricter actions. He has photos of things that have been broken as well as photos of people who have been there and he has seen as actively trying to break things. The Recreation Committee is currently working on scheduling and planning for Halloween and putting on the Trunk-or-Treat event in the ballfield again this year. They are currently discussing whether to hold the event on Halloween which is on a Sunday this year or holding it on Saturday as they believed there would be a higher turnout. They are looking into putting on a haunted hayride as well.

Jason asked if we have been able to find the lease for the library in their current building to go over the discrepancies that they discovered. Kathe answered that she had not, but she would be speaking to Town Council Tom Mullen. Jason also let us know that a citizen reached out to him regarding issues with the roads. The woman asked if there was a way that we could contact the bus company in the event of a road closure. This will be discussed with Highway Foreman Carl Baldasaro.

Rich wanted to give praise and thank the Board of Health for their work as they had a surprise inspection from DEP. Liz stated that it was a third-party inspection but that everything had passed. There was one concern which had been brought up last year as well. The hopper that is on the compactor is old and is getting quite rusted. Liz commented that they would be looking for grant money to replace or fix it as it is currently not in their budget. She was told by the inspector that as they had stated that this was ok last year as well as this year that they would not pass it again until it is fixed. Liz stated that they also could look into it being repaired as they may be able to have portions welded.

Bob informed everything that they had their first Board of Water Commissioners meeting last week. At their meeting they first organized everyone's role as well as designated a Chair. They voted to gather more information about sending the readings to Housatonic Basin Sampling and Testing. Kathy Engwer had suggested another company out of New Jersey for our Scada testing. Jason stated that he had spoken to the Water Operator from Blandford Gordon Avery, and he uses Howard Environmental Services a testing lab out of Hatfield. Kathe commented that last week she had received a call from DEP asking about our testing results. Kathe spoke with our Water Operator Bernie St. Martin who told her that Howard Labs should have them as they were sent the direct tests. Kathe commented that the website that has all of the testing results was down last week and that could have been the issue with their availability.

Andy commented regarding Comcast visiting the town we should suggest looking at Kinnebrook Road for the Littleville Fair. He asked if we had any updates about the solar project, Jason answered that he had left messages, but he unfortunately had no new information. Andy asked if there was an alternative to Elm Electric for assisting with the completion of the project. Jason stated that he had reached out to another company but has not had any response.

Jason made the motion to adjourn, John 2nd, all voted Aye.

Meeting Adjourned 8:20 PM

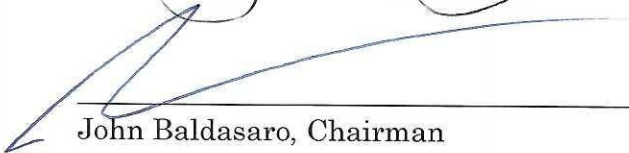
Respectfully Submitted



Jill Strong, Administrative Assistant

9/30/21

Date Signed



John Baldasaro, Chairman

10/4/21


Date Signed



Richard Holzman, Vice Chairman

10/4/21

Date Signed



Jason Forgue, Clerk

10/4/21

Date Signed