



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

Monday, December 6th, 2021

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

Select Board members John Baldasaro, Richard Holzman, and Jason Forgue present. Town Hall staff present included Town Administrator Kathe Warden, Administrative Assistant Jill Strong, Tax Collector Mary Ann Pease, and Town Clerk Terry Donovan. Water Commissioner Bob Daly was present with Finance Committee member Andy Myers and a few Chester residents. Per the agenda Town Accountant Eric Kinsherf was present virtually as well as Nick Chiusano from the Board of Health and some Chester residents.

John called the meeting to order at 6:00 PM, warrants, minutes and all correspondence was signed.

- **Discussion with Eric Kinsherf to review the tax rate recap and all documentation of estimated local receipts on page 3.**

At the start of the meeting Eric had not yet joined us so we moved to the next item on the agenda.

- **Discussion and possible vote to appoint Barbara Huntoon as Moderator.**

John had a letter of interest for the position of Moderator from former Select Board member Barbara Huntoon which he read aloud.

Jason made the motion to appoint Barbara Huntoon as town Moderator, Rich 2nd, all voted Aye.

- **Annual Liquor License Renewals**

- Chester Village Market – Package Store/All Alcohol & Common Victuallers
- Chester Common Table LLC – Restaurant/All Alcohol & Common Victuallers
- Classic Pizza – Restaurant/All Alcohol & Common Victuallers
- Carm's Restaurant LLC – Restaurant/Malt & Wine & Common Victuallers

The Select Board all viewed the license renewals for the businesses in question. Rich made the motion to approve the liquor license renewals for the Chester Village Market, Chester Common Table, Classic Pizza, and Carm's Restaurant, Jason 2nd, all voted Aye.

Jason stated that there was no certificate of occupancy in the paperwork, which Kathe explained was not common practice to request that documentation during this license renewal. Jason stated that he would reach out as he did not have one on file as the building inspector.

- **Update on Gateway Regional School agreement for the member towns.**

Jason asked for this to be put on the agenda so that as a member of the School Committee he could update everyone on the process. He stated that currently the School Committee is at a stand still regarding the alternative assessment method. He explained that Russell and Montgomery are willing to do the alternative assessment if we could change the way it is calculated so that it works more to their favor. Jason stated that he is not comfortable and refuses to sign the regional agreement without the alternative assessment.

John discovered that there were issues with the GoToMeeting platform and no one participating could hear us. Kathe dialed into the meeting using her phone and we were able to continue virtually that way.

John commented that he agreed with Jason and stated that we have gone back and forth long enough and it's time to get it done right. Andy stated that although he was in favor of the alternative assessment, he did not believe it would ever pass as it has to be passed by all six towns. He discussed how Chester had established an education stabilization fund which he thought most towns should look at. Jason commented that he wanted to see the towns work together. There have been three alternative formulas created and hoped that the towns could come to an agreement. Jason brought up that a provision had been presented that would allow for two School Committee members instead of three. He stated that this would not be a bad proposal as currently our third member of the School Committee is absent.

- **Discussion and possible vote to appoint Mary Ann Pease as Assistant Treasurer.**

Kathe explained that this had already been discussed at a past meeting, but that Mary Ann was never formally voted as Assistant once Sara Hunter took over as Treasurer. This needed to be documented in the minutes so that it could be official for all town accounts.

Jason made the motion to appoint Mary Ann Pease as Assistant Treasurer, Rich 2nd, all voted Aye.

- **Discussion and possible vote to approve Mary Ann Pease a stipend for extra treasurer duties.**

Mary Ann put together a proposal explaining duties she has completed that are beyond the duties of her position. In her proposal she listed all things that she has completed between July 1st and November 24th and requested at the rate of \$15.00 per hour to be paid for the 31.15 hours of extra work she has completed totaling \$467.25. Jason asked if these tasks are things that should be performed by Sara, Kathe answered yes, and that Mary Ann had taken this on to allow Sara to get caught up on the backlog of work, but that Sara would be taking this over soon. John asked where this would be funded from which Kathe answered that we could do a reserve fund transfer or go to Special Town Meeting. Jason stated that we signed a contract with someone for tasks to be performed and if they are not the stipend should be paid from the salary account. Mary Ann commented that it could be paid from her expense account, John commented that he had no problem paying her but agreed with Jason that we should discuss it being paid from the Treasurer's salary.

Rich made the motion to approve Mary Ann Pease be paid a stipend of \$467.25 for duties performed outside her position, Jason 2nd, all voted Aye.

- **Highway Foreman update:**

Carl was not present as he was in class for his CDL license. Jason commented that we need to begin to utilize the posting on the town website that we have discussed. Bob asked

about the open position that was posted for the Highway Department on the town website for a laborer and asked if we were down a person. John answered that it is good to build a list for back up Jason adding that we should always be prepared. John commented that this time of the year it is important for the Highway Department to communicate what is going on and where they are. Kathe agreed commenting that she had spoken with the Highway Department about someone who was on vacation last week and explained that time off requests need to be included with payroll for auditing purposes. Rich stated that he believed that over time should also be subject to approval if it includes tasks that should have been completed in the regular work week. John said doing that is difficult because we can not have people unauthorized to plow snow because it needs approval. Rich stated that approval should be required if it was not an emergency. Jason stated that we needed to have Carl present at the Select Board meeting next week.

- **Discussion with Eric Kinshurf to review the tax rate recap and all documentation of estimated local receipts on page 3.**

Once Eric joined us, we began a discussion about local receipts from the tax recap. Jason asked why there was a drop for estimated receipts for water and about the large jump for miscellaneous non-recurring. Eric explained that estimates were close to the actual and were working to make this passable for DOR. The miscellaneous accounted for the Gateway Building Project. Eric stated that if we wanted to raise the amount for water that we could, the total listed for estimated receipts for the water charges for 2022 is \$91,852.00 he stated that we could make it \$100,000.00 if we chose. Kathe pointed out an issue with figures for the cell tower rental costs. She stated that last year we were paid \$20,000.00 as a sign on bonus for one of the towers but that payment should not be included in rental fees it should be under miscellaneous non-recurring as we will not receive this payment again. Bob asked about why water would be dropped which Kathe explained estimated receipts could not be factored higher than previous years as it would not be accepted by DOR. With the changes that were discussed Eric calculated the tax rate to be \$19.18. John thanked Eric for the work done by his team stating that it was great to look at all this information. Eric thanked the Select Board for their patience and at the Select Board meeting last week we will be discussing free cash.

- **Town Administrator update:**

- *Meeting with NEIT:* Kathe discussed that she and Jill had met last week with Northeast IT to discuss our contract. She stated that everything went well and explained that one of the things that was discussed was that our sonic wall will need to be renewed in May which they estimated to cost between \$1,500.00 - \$2,000.00 to upgrade. Kathe asked about using ARPA funds for this expense.

- *Chester Theatre:* Kathe spoke with Daniel Kramer from the Chester Theatre last week who informed her that their plan was to return performances to Chester for this coming year. They have been discussing bathroom renovations in the Town Hall. Currently they are looking into renovating the men's room on the lower level. The renovations would include an upgrade on the bathroom fixtures, they plan to keep the mop sink that is in that bathroom. Jason commented that we should run this idea by Nick Chiusano as the plumbing inspector to determine if anything would need to be brought to code. Nick was participating remotely and stated that he would take a look the next time he was in the Town Hall.

- *Jan. 3rd meeting with Blandford SB and Chief Weidhaas:* On January 3rd the Select Board will meet in Blandford for the six-month review of the police agreement. Blandford also will provide us with a private space if we need to continue the meeting for Chester business.
- *Set date for Special Town Meeting:* Kathe explained that we need to schedule a Special Town Meeting to discuss invoices for last year to be paid as well as the Cruiser payment. Jason stated that we should wait until next week when we discuss free cash with Eric so we know we have numbers that we can also give to residents.
- *Acknowledgment that Friday Dec. 24th will be Christmas Observance, and Dec. 31st will be New Year observance for Town Employees.:* Kathe explained that with Christmas and New Year's Day falling on a Saturday they would be observed by town staff on the corresponding Friday's. She explained that in the event that someone works on the actual holiday it would not be for holiday pay. Kathe informed everyone that on Christmas Day and New Year's Day December 25th and January 1st the transfer station would be closed.
- *Discussion of Distributor Settlement for the Opioid Crisis:* Kathe has been in contact with Gillian Feiner who informed her that there are two statewide settlements with opiate distributor's and encouraged us to apply. She explained that she believed it would be to create an educational program similar to D.A.R.E. but would get further information. If the Select Board is comfortable Kathe stated that she would submit the application. The Select Board encouraged her to move forward.

Before moving on Kathe had a few more things to discuss. Today she took a tour of the Gateway schools starting at the Middle School and High School complex continuing to Littleville Elementary and finishing at Chester Elementary. She stated that the next tour they are giving is on Wednesday evening before the School Committee meeting. On January 18th the new preschool classes begin, there will be two half day and two full day classes. She also brought to the attention of the Select Board that the Assessor's Clerk Laura Lafreniere informed her of four parcels on North Chester Road that are marked as undevelopable but after she reviewed the information the road is not closed and should all be buildable lots. Laura stated that one of the parcels is owned by the town and if we are ok with changing the status of the lot it could be sold. Rich asked how large the lots were, Kathe was unsure. John stated that we should get the DOT information from the Highway Department on the road and measure the parcels for frontage, he believed it was still a town road and not closed.

- **Public Questions and Comments:**

John informed us that he had spoken with John Hultman from the Historical Society, about the old Chester Elementary School across from the Town Hall. John was able to enter the building to pick up a display case that was donated to the Historical Society. John stated that the building was in the process of being emptied and noticed no signs of water damage. Jill commented that when Kathe and herself had entered the building a few months ago they had gone into the basement cafeteria area and agreed they saw no sign of water damage.

Jason updated us on a few things the monitoring devices associated with the energy audit will be installed at the Town Hall and Fire Station next week on Wednesday the 15th. The company will be meeting Jason at 8:00 AM to get started. Jason verified with Kathe that the new accounts associated with the scholarships are all set, Kathe stated that they were and that he could speak with Sara for details. Jason updated us on the properties that he has been working with to correct code violations. The resident from Skyline Trail that was living on their property

in a trailer is closing on a home the 20th or 21st and will begin moving their things from the property. The resident who came to us from Round Hill Road has also moved the trailer from their property. He stated that things have been clearing up in housing court and hoped to be able to take action soon. Rich asked if the property on Emery Street would move to land court, Jason answered yes that he has had no response. He was informed by Nick that the mill on Middlefield Road has passed their perk test. Jason encouraged people to attend the first School Committee budget meeting on Wednesday. He stated that there is a ten-year capital plan which he believed was aggressive and includes a \$1.2 million roof on the main complex.

Jason stated that Chief Weidhaas had inquired previously about purchasing tasers for the officers. She had been looking at grants, but nothing applied to what she was looking for. She was given a quote which is good until December 31st and has given Blandford the information as well. Jason thought that we could use ARPA funds to make this purchase.

Terry asked Jason if the property owner from Skyline Trail is moving to a home in Chester, Jason answered that he was unsure. Terry asked as the Animal Control Officer as she has had previous interactions with the property. She informed us that she has been completing livestock visits downtown and a property has been a consistent issue and has seventeen ducks, four pigs, as well as multiple geese and chickens. She spoke to someone from the MSPCA, and they told her to pursue the issue as a zoning and Board of Health violation. Jason stated that he knew of the property and would follow up again.

Andy stated that he had received a copy of the budget request and was surprised that the Finance Committee had seen no prior information on it. There were changes made making what he believed was extra burden in filling it out. He stated that it appears that the Select Board is trying to micromanage the Finance Committee. Kathe apologized stating that she thought because this was going to be a different way of filling this out it was sent to get people to think ahead. Jason commented that the form had been approved at a meeting last year and stated that Andy had decided as Finance Committee chair that it did not need to be used. Jason understood that it would be more difficult, but it is something that other communities use and is the proper way to do this moving forward. John commented that this was an opportunity to get feed back from everyone on the process and he had no intention of micromanaging the Finance Committee. John stated that he believed that they did a great job. Kathe stated that she knew it would be a challenge to have it completed which is frustrating. She explained the idea for the change is to have further department input. In other towns the departments present their budget to the Finance Committee as well as the Select Board so that everyone hears their needs. John commented that a follow up email should be sent asking for feedback.

Andy brought to our attention that he had received a letter from DOR regarding the excise tax for room rentals, Airbnb, they have listed a 6% tax and it was voted at a meeting to be 3%. Kathe stated that it may very well have been a typographical error but that she would look into it and find the meeting notes. Jason stated that this was a necessary step in a safety perspective to have this in place. Andy stated that we should revisit this in six months to a year to see if it is negatively impacting business.

Mary Ann informed us that the library has begun their work in the building. The interior has been painted with the exception of the wall that belongs the Hilltown CDC. The ceiling has been patched but still needs to be painted, the floor has been stripped and is being refinished. They have a rental POD holding their contents, books have been put into storage as well. Mary

Ann stated that the library has spent approximately \$12,000.00 on the building repairs and suggested staying in the building so they could benefit from the renovations. Mary Ann explained that the bylaw that would allow fines to be attached to tax bills has not been approved yet by the Attorney General. Terry stated that she will call the Attorney General's office tomorrow to see where the bylaw stands. Mary Ann stated that ARPA funds were received to assist in paying off liens for low-income residents such as electric and water bills.

Bob asked if there was any update on the parcels being sold to Mass Fish and Wildlife. Kathe did not but Andy informed us that it was in the hands of the attorney to get a clear title. He stated that Highlands Footpath would be covering the legal fees. Andy stated that he had reached out to Dave Pierce about including specific wording in the sale that would keep the Keystone Arch trail intact. Bob added that it was great news to hear that we would be hosting another Covid clinic at the Town Hall. He stated that the state dashboard has our vaccination rate which has been stagnant since June. Bob explained that the Water Commissioners had declined to sign the ACO that was received from DEP. The deadline for them to respond was today and Lyle had drafted a letter to be sent to them. He said that they had taken the first step and Housatonic testing has begun working at the water plant. They will be doing bi-weekly testing.

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

Meeting Adjourned 7:45 PM

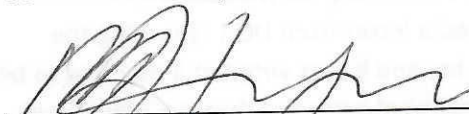
Respectfully Submitted


Jill Strong, Administrative Assistant

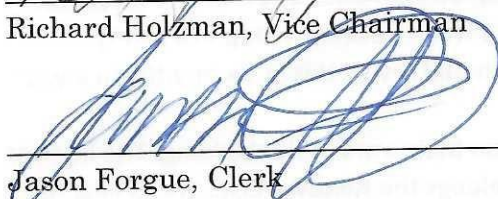
12/13/21
Date Signed

John Baldasaro, Chairman

12/13/21
Date Signed


Richard Holzman, Vice Chairman

12/13/21
Date Signed


Jason Fogue, Clerk

12/13/21
Date Signed