



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

**Monday, March 14<sup>th</sup>, 2022**

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 Fogue were present. Town Hall staff present included Town Administrator Kathe Warden, Administrative Assistant Jill Strong, Tax Collector Mary Ann Pease, and COA Director Ann Daley. Chester Blandford Police Chief Tammy Weidhaas was present as well as Finance Committee member Andy Myers, and Water Commissioner Bob Daley. Elizabeth, Liz, Massa, and Nicholas Chiusano from the Board of Health were participating remotely as well as a few Chester residents both present and remote. Per the agenda Gateway Superintendent Kristen Smidy was present.

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

- **Gateway Superintendent Kristen Smidy – update:**

John thanked Kristen for being with us and she thanked the Select Board for the opportunity to join them. Kristen began the discussion explaining that she has been evaluating the space being used in all of the school buildings. Currently in the Chester Elementary School all but one of the rooms are used which is a space for storage as well as the Gator Grins program. However, she did feel that they could reevaluate how some of the rooms are used. She discussed that there has been huge success with the expanded preschool programs and has thought to expand further by offering a full day as well as half days at both the Chester and Littleville Elementary School locations. She explained that enrollment in the preschool has gone from thirty-five to sixty-five students since the program was expanded. She is hoping this will attract and retain students to the district.

Kristen invited everyone to participate in the budget meeting, which is tomorrow evening, people can attend in person or via zoom. As well as the expanded preschool they are also looking at adding new programs to retain students while keeping everything fiscally responsible. Currently they have a program that focuses on vision impaired students with a braille specialist at the school. She explained that not a lot of other districts offer this and has been attracting students and families to the district. They have been discussing instead of offering this as a school choice option treating it as a paid tuition with the cost approximately forty to sixty thousand. They have also been expanding the vocational programs and Kristen is hoping to change the position of the Communications Director to become a Vocational

Coordinator. Another idea that has been discussed is a therapy dog program which she stated in speaking with the Elementary School students everyone seemed very interested in.

Kristen stated that today was the first day that students were not required to wear masks and stated that it was wonderful to see everyone's smiling faces. John asked her about enrollment throughout the school. Kristen answered that it was down to last year, but it was the numbers that were anticipated. She believed that there still were some parents choosing to home school because of the pandemic. The total estimates she had were 734 students in the district, with 103 at Chester Elementary, 320 at Littleville, the rest split between the High School and Middle School.

Kristen discussed that the Principal for Littleville Elementary would be leaving them for a new position. After discussing the position with the outgoing Principal as well as the teachers she would like to change the position so the Principal is not split between both Elementary schools. Teachers explained that at points they were unsure who to go to if the Principal was not around. John asked overall how she was feeling being new to the district. Kristen answered that the Covid-19 pandemic has been a challenge but so far, she loves it. John commended her for building a healthy relationship with the towns and the Select Board. Kristen commented that it has been helpful to have Jason apart of the School Committee as well to keep her in the loop of things going on within the towns stating that everything is connected. Rich thanked her for supporting Chester on Track which would be taking place again this year.

Kristen went on to discuss that there has been an increase in the education budget from the state, the budget has had a nine percent increase across the board. However, Kristen explained that smaller communities with a declining enrollment like ours did not get the same increase. The increase in our budget from the state was only point four percent. She stated that Senator Hinds and Representative Blais were aware that this is a problem but there is an urgency in our voices being heard. The state also explained that they would not fully fund transportation because it would ensure that bids were not competitive, Kristen stated that she did not understand this because we only ever have one bid. Jason stated that they had just received the new bid and currently only has a one percent increase, John stated that with the price of fuel we should lock that in now.

Before moving on Kathe asked Kristen if there was a senior internship program. Kristen answered no but that was something that she would also like to pursue. Kathe commented that if this were to be created, she would be interested in having an intern work at the Town Hall. Ann thanked Kristen for building the relationship with the COA and looked forward to the programs that they could create. John thanked Kristen again for meeting with the Select Board.

- **Discussion about trees on Maple St.:**

Rich opened the discussion stating that he had asked for this to be placed on the agenda. On Maple Street there are a few trees one in particular that is dead and Rich feels is a danger to public health and safety. Rich contacted Town Counsel Tom Mullen who wrote him back in an email that stated the town was not precluded from taking action if this was a danger to power lines and a transformer. Rich stated that trees were a problem all over town and that we were behind many other towns in the process of taking care of this, but the time has come to take action. John stated yes, the town was not precluded however the tree in question is on private property, so the town is not required. This could open to the town to problems if they take care of this one and say no to another tree that residents would like addressed. Rich stated

cutting any tree on the roadsides is cutting on private property, considering frontage there are telephone poles and street signs placed on private property using a pole that was placed on his property as an example. John stated no this is not done on private property where Rich lives in particular the town owns sixteen and a half feet from the center of the road to each side and the town does not maintain anything outside of this boundary. However, they would have to check with the Highway Department and Chapter 90 paperwork because the town property owned on each road is measured differently.

Rich stated that in the opinion of the town attorney it is in the towns best interest to remove the tree if they indeed have the owner's consent in the interest of preserving town lines, he had spoken with someone who stated they could remove the tree for \$1,000.00. John commented that Tom also stated it is not recommended to use town funds on private property and that the Select Board cannot force CMELD to do this. John stated that he sympathized with the situation and that the owner could not afford to take care of the tree on their own but doing this is opening a door that they can not afford to open. Jason stated that he agreed with John it was an unfortunate location but because CMELD did not feel it was the danger that Rich suggested they could not pursue this. John stated that he was trying to be practical, and it came down to funds and that there are multiple trees that are on town property in the same state or worse that have yet to be taken care of.

Bob stated that he was happy to see this on the agenda and the reason he thought this had come up was the success on Skyline Trail and Abbott Hill and that citizens were pleased with the progress. He suggested re-establishing a tree warden and prioritizing one or two trees that were considered a danger per year. John commented that we have a tree warden which is our Highway Foreman Carl Baldasaro and there are trees set to be taken care of, the issue is that it is not on town property. Andy commented that considering this is on private property there should be some responsibility of the homeowner to deal with this and stated he was sympathetic that the person could not afford to do this but there were other ways to pursue this. He suggested something could be done with PVPC or an account created to help people in need in these particular circumstances. John agreed and stated that if there was a way that we could do that he would be in favor. Jason commented that the homeowner should pursue speaking with their insurance company and that there is no town bylaw that requires the tree to be removed by the town or the homeowner. Rich stated that we needed to find out the boundaries to ensure that we do in fact not have ownership. John said that Carl has stated that we do not but that he should talk with him about this.

Mary Ann commented that she knew the tree in question, and it was unfortunate that the homeowner can not afford to take care of it themselves and suggested that since Rich had a cost estimate of \$1,000.00 that a GoFundMe account could be created and many neighbors including herself could be interested in chipping in to help take care of this. John commented that this was a great idea. Rich commented that he felt it was the responsibility of CMELD to take care of the tree and Eversource is required through their rules and regulations to keep wires clear. Mary Ann stated that she understood but we are looking at this with laymen eyes where CMELD and the Highway Department are looking at it with knowledge of how and when something is created a danger. Rich stated that he would start up a GoFundMe account and donate the first five hundred dollars.

- **Discussion and possible vote to accept the mileage rate established by the IRS of .585 for 2022 and to accept the mileage rate established yearly by the IRS.**

Kathe stated that this was requested to be done by the accountant and if we vote to add the established rate yearly, we do not have to vote on this every year.

Jason made the motion to accept the mileage rate of .585 for 2022 and the yearly rate established by the IRS, Rich seconded, all voted Aye.

- **COA presentation on Hampden County Sheriff Program:**

Ann began her discussion explaining the TRIAD program which was introduced to her by Chief Weidhaas. The program works with the Hampden County Sheriff's Office. Currently they are working on creating the program which will do wellness checks on any residents who may live alone, are elderly, or disabled. Another aspect of the program is to provide house numbers by the roadside to any that need them. Ann made the point that there are several houses with long driveways that the house and therefore the house number is not visible if it is not posted at the road. Ann would like to set up a date for residents who have questions to talk with Chief Weidhaas as well as the Sheriff's Department.

Ann thanked the Select Board for appointing her to this position and gave an update on the past few months. In the month of March so far alone there have been 426 grab and go meals created. Last month the COA also sponsored a family movie night at the Town Hall and even though we did have a storm that evening fourteen people attended, Ann stated that they planned to do this again. John thanked Ann stating that these were all good programs, Jason asked regarding the TRIAD program who pays for this service. Ann answered that this was all paid through the Sheriff's Department. John asked Chief Weidhaas if she was ok with moving forward on this program, she answered yes. Mary Ann commented that the information about the TRIAD program had already been posted on the Chester Community Forum Facebook page.

- **Middlefield Rd. Property:**

Before moving on John asked a resident to attend the meeting to discuss a problem he was having, this was not on the agenda. Resident Mike Morrissey owns property on Middlefield Rd. that he explained was a simple building 16x32 and had no kitchen or bathroom. Mike explained that he intended to be at the property on day trips and not stay over as he has a home in Springfield. Currently the building is powered by a generator which he stated that his neighbors have been extremely kind and stated that the sound of the generator does not bother them however he would like power hooked up to the building. He stated that he has been unsuccessful in acquiring a permit and getting electrical service connected by CMELD due to the fact that there is no septic or well on the property. Rich commented that this has been an issue that the town is dealing with and suggested that he come before the Planning Board as well as Board of Health to discuss the matter as the Select Board is not allowed to say yes or no. John stated that he disagreed, and the Planning Board has no authority to give or deny power to a resident. Rich went on to discuss the problem properties that they have been dealing with using a property on Round Hill Road as an example. Liz stated that this has been an issue, and this needed approval through the Board of Health following the Massachusetts Board of Health codes, she stated that she had no record of the property in question. Jason commented that power could not be connected, or a permit issued without meeting building codes however there is no town bylaw that exists that precludes having accessory buildings on your property with power. Mike clarified to Liz the property that they were discussing 298 Middlefield Road

and stated that he had contacted her in October and listed the number that he had spoke to her at.

Jason discussed that this was decided connecting power would be more strictly enforced when a property on Emery Street had a shed connected to power and someone was living in it. He explained we need to know why power is being connected and to what buildings. Liz went on to explain that you can not stay on a property without a well and septic more than a day due to sanitary codes. John stated that he was not in favor of telling people what they can and can not do on their property, the resident is explaining that he has no intention of staying on the property. Jason commented that we can not assume that someone is going to violate the law until they do. Liz stated that some of the properties that have been granted this are now abusing it, Nick commented that the Board of Health is simply enforcing the Title V code. Rich stated that as this is the first time, he is hearing about the situation it should be placed on the agenda for an upcoming meeting for further discussion. Jason commented that the Board of Health has said that you can spend one night on the property, and we cannot assume there is going to be a violation until there is one. John agreed commenting that he is not staying on the property currently so there is no code violation and therefore no restriction should be placed saying that he can not have power connected. John suggested that Mike reach out to the Electrical Inspector Jon VanHeynigen and explain the discussion that took place this evening and thanked him for his time and joining the meeting.

- **Town Administrator Update:**

Kathe opened her discussion explaining the culvert application program that she has been working on. She stated that the application is at least six pages and that to fill it out properly you need someone in conservation or an engineer. However, she received a call from Westfield Wild and Scenic over the weekend and they offered to do the first part of the application for us so that the next round of applications we will be construction ready.

Kathe received an email from the Longmeadow Select Board regarding the Hampden County Regional Retirement Board and money that apparently was mis-spent as identified in the 2014-2017 PERAC audit of the retirement board. They are contacting other communities that also are connected to this to inquire if they are interested in using an attorney to go after the money. She stated that this can be added to the next meeting's agenda to take a vote if the town would like to join.

Kathe also received a quote from the Assessor's Clerk Laura Lafreniere for a new Assessing Service through Mayflower Valuation Ltd. which she provided to the Select Board. Kathe asked them to review the quote, and this could be discussed at the next meeting. She explained that she had ordered the new desktop computer for her office but was made aware that the Police Department also is in need of new computers. The ones in question are nine years old and there's as well as hers are the only ones that were not replaced in the last round of purchases which was done through a PVPC grant. She explained that the Police Department only needs the actual computer towers, and they could use old monitors. In addition, they would be purchasing two webcams one for Kathe and one for the Police Department for virtual meetings. Kathe explained the total for hers was \$1,600.00 but the total for everything would not be more than \$4,000.00 and would be pursing using ARPA funds for the purchase.

Jason made the motion to purchase updated computers for Kathe as well as the Police Department not to exceed the total of \$4,000.00 to be paid for through the ARPA funds, Rich seconded, all voted Aye.

Kathe stated that she hoped the issues with the resident from Smith Road would be resolved, she sent a second round of pictures to the Inspector General. Jason commented that he would be on site at the Smith Road property next month with a health agent. He thought they may need to get an administrative order, but they would be viewing the property.

Kathe went on to discuss that she would like to buy out the remaining oil as we can buy out what we have not used for the price we were locked in at which is \$1.80 per gallon and hoped we could make it through most of next year. John asked when bids would be due for next year, Kathe answered by June 15<sup>th</sup>. John recommended holding off as with the price of everything now is not the time to do it.

- **Public Questions and Comments:**

Jason had been working on setting up the scholarship accounts and received an email from Sara Hunter and Eric Kinsherf who told him that they did not believe the Select Board had the authority to work on behalf of the trust. They wanted to know where we intended to invest, and then we could get this ironed out. John stated that he was under the impression that the trust was administered by the Select Board. They could not have dissolved the original account if that was not the case.

Kathe explained that we needed to organize the date of the next meeting as CMELD wanted to meet with the Select Board. Jason stated that he would be unavailable next week so it was decided the next meeting would be on Monday, March 28<sup>th</sup>.

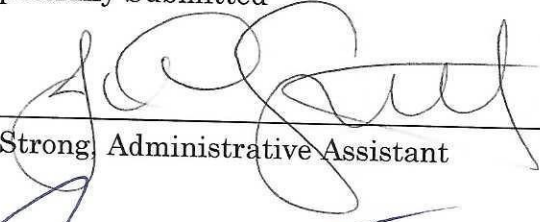
Rich announced that he would not be running for reelection this coming May. He stated that he would remain focused on ensuring that there is a rail stop created in Chester. He also looked forward to continuing as PVPC Commissioner, another goal he had was to achieve the repurpose of the old Elementary School at 10 Middlefield Road to its highest and best use. John commented that he had known Rich for a long time and although they do not always agree he respects his opinions. Andy thanked Dr. Holzman for his energy, everything he has done and stated that he will be missed. Bob also thanked Rich for everything he has done.

Andy discussed that the next three Saturday's the Finance Committee would be meeting to discuss budgets. The second Saturday would be the all-day meeting to meet with each Department. They also have a meeting scheduled for Thursday this week combined with Blandford to discuss the school as well as the Police Department budget. Jason asked when these meetings were announced, Terry stated that she had received notification and posted them last week. Mary Ann asked if these would be done virtually or in person, Andy answered that they would not be virtual they would be in person only.


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

**Meeting Adjourned 7:50 PM**

Respectfully Submitted

  
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Jill Strong, Administrative Assistant

3/23/22  
Date Signed

  
\_\_\_\_\_  
John Baldasaro, Chairman

3/28/22  
Date Signed

  
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Richard Holzman, Vice Chairman

3/28/22  
Date Signed

  
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Jason Fergie, Clerk

3/28/22  
Date Signed

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