



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

Monday, December 5th, 2022

Open Meeting: This meeting is held in the Chester Town Hall auditorium.

Selectmen John Baldasaro, Jason Fogue, and Andy Sutton were present. Town staff present included Town Administrator Don Humason, Administrative Assistant Jill Strong, Town Clerk Terry Donovan, and Tax Collector Mary Ann Pease. CMELD Manager Jill Moretz was present with the incoming manager Diane Hall as well as Electric Light Commissioners Deryck Savoy and Terry Murphy. Water Commissioners Bob Daley and Lyle Snide were present along with Elizabeth, Liz, Massa, and Nick Chiusano from the Board of Health, and Jessica Sakaske from the Rec Committee. Andy Myers from the Energy Committee was present with Library Trustee Jane Sutton, and Planning Board member Richard Holzman. Per the agenda Martha Clark from Gateway was with us as well as a few residents participating remotely.

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

- **Zoning Board of Appeals: Discuss and vote on variance requested for 36 Sylvester Hamilton Rd.:**

This portion of the meeting was a continuation of the Zoning Board meeting that was held on Monday, October 31st. This meeting was to hear the variance requested by Kayoung Park for the property at 36 Sylvester Hamilton Road. At this meeting the Zoning and Selectboard took the information under advisement to discuss and vote on at a later date. John asked Jason as the Building Inspector what his thoughts were. Jason stated that after the initial meeting he believed the applicant who would like to build a seasonal two cabin mini campground actually should not be called a "campground" the variance requested should be to build multiple dwelling units on the property. John commented that was a valid consideration, his concern was the testimony from residents at the initial meeting regarding road conditions, trespassing on property, and supervision of the guests. John also suggested that they recommend the Planning Board work on the bylaws to include language about campgrounds, they could check with the surrounding towns as to what they have in place. Andy agreed stating that we need to have some regulations in place as currently there is nothing that has any restrictions on opening or running a business like this in town. John agreed and stated that he did not think that the town was ready for this as of now.

Jason made the motion to deny the variance as requested for the property of 36 Sylvester Hamilton Road, Andy seconded, all voted Aye.

- **Water Commissioners report on grant award and report on Water Treatment Operator program with introduction to Martha Clark of Gateway:**

Bob wanted to make a slight adjustment in their announcement as there is something that the chair Lyle wanted to address. Lyle stated that Chester received a treatment violation from DEP regarding chlorine. He stated that a lot of different things had to happen to cause the chlorine pipe to clog which was the reason for the problem, as well as the meters being clogged. He explained that this was a violation of DEP standards however the water has always been safe to drink. They have been working on replacing the piping and the meters are working properly again. There will be a notice mailed to residents and Lyle stated that there has been no penalty. He discussed that the equipment is at least thirty years old and buying new is expensive. John asked if as of now the problem has been corrected, Lyle answered yes that it was. Jason asked if they knew of the time frame that there was a problem, Lyle answered it was indetermined but looked like the last three months.

Bob then went on to discuss the Water Operator training program that will start with Gateway, he introduced us to Martha Clark who is the Program and Communications Coordinator for the school and is devoted to building the Vocational program. Martha stated that she was really excited about this program and explained a little about it. The Water Commissioners came to her in the spring to discuss the Water Operator position and upon her research realized that it was not just us that was looking to fill this position, but this was a job being sought to be filled all over. The information has gone out to the current seniors and there are six students who now have a path thanks to this program. The students took a tour of the water treatment plant both in Chester and Blandford with the Water Commissioners. They are now looking at how to get the students who are interested certified, she discussed that STCC offers classes as well as American Water Works. This will get students prepared to take their T1, for treatment, and D1, for distribution, exams. The school has also received a grant for sixty thousand dollars which will allow this to be a paid internship, Martha explained that the towns who hire the students as interns will pay them and then be reimbursed by the school through this grant. John asked if the internship would be credited toward the hours needed to get their license, Martha answered that had not been clarified but hoped so as they will have one hundred internship hours before graduation. John thanked her and the Commissioners stating that he felt this would be a very successful program. Rich asked if there would be other internships. Martha answered that the grant for internships is for STEM, Science Technology Engineering Mathematics, and anything that would fall into that category would be considered.

Bob then informed us of another grant received by the school which will allow the wrap around program at the school to be offered free of charge. Martha stated that this was correct in addition to summer program grants that were received. Martha elaborated that one grant would be for two hundred ten thousand dollars for five years and another for eighty thousand would allow them to offer the wrap around program to both Chester and Littleville Elementary schools for free. Jason commented that Gateway now offers preschool, wrap around, and summer programs all for free, not a common thing to have available to the community. John thanked Martha for joining us stating that we were happy to have this partnership.

- **Town Clerk discussion of election law changes:**

Terry opened the discussion and explained that as of the Vote Act of 2022 all elections including local town elections are required to offer a vote by mail option unless they opt out which would require them to host a hearing at least forty-five days prior to each election with a public roll call vote. Jason

asked if she had an estimate of the cost of vote by mail. Terry stated that was not figured out yet, but it takes about seven minutes to take care of each ballot as well as the eighty-four cents to mail them out. John stated that he had no problem with this and as long as they were reminded when necessary, the hearing could be held on the same night as the closest Selectboard meeting. The other Board members agreed and had no issue with opting out of vote by mail for local elections.

- **CMELD discussion of report given by Energy Committee at Special Town Meeting:**

Before moving into a discussion CMELD Manager Jill Moretz introduced us to who will be the new manager when she retires at the end of the year, Diane Hall. Deryck then opened the discussion stating that they would like to go over the report that was given by the Energy Committee at the Special Town Meeting last week. Deryck stated that as a Commissioner for CMELD he was a little disappointed to have not seen any of the information presented as it has created some problems. They have dealt with many issues over the past few years regarding solar and would like to safeguard themselves from misinformation being spread to the residents. He went on to say that he believed the Energy Committee should be working collaboratively with CMELD and the Commissioners to ensure this. John stated that was the plan and the Board has not given any direction to the Energy Committee other than to gather information. The report presented at the Special Town Meeting was the first report heard since the committee was formed after the Annual Town Meeting. Andy Myers also commented that himself as well as the other members of the Energy Committee welcomed CMELD's participation, and the Committee wants to present accurate facts as well. Deryck stated that the information presented about metering he thought was misleading for the surrounding towns as Huntington and Becket are shown as having a much cheaper rate, but their energy deal is very complicated and thought that there could have been more language discussing this. Jason asked Deryck if in the future they were to hold a hearing for the Energy Committee regarding CMELD and its future if he would attend, Deryck answered yes.

John stated that he was glad to hear that CMELD and the Commissioners want to be involved they went on to discuss solar options in Chester and if CMELD had any thoughts on metering to encourage solar. Deryck answered yes and that they were talking with consultants and an agreement has been drawn up for the Commissioners to review. Deryck stated that they wanted to encourage solar, and he has a system himself that he installed almost fifteen years ago. Andy explained that one thing that the Energy Committee is looking at is administering green grants and ways to expand our green energy. The Board thanked everyone for joining us and was looking forward to further discussion, they also welcomed Diane to Chester.

- **Discussion with Tax Collector Mary Ann Pease:**

Mary Ann assisted in putting together the Warrant for the Special Town Meeting as well as gathering invoices to be listed on the Warrant as bills to be paid from the previous fiscal year. The Board asked her to figure out the number of hours she spent doing this so she could be compensated. Mary Ann has put together the amount of time worked on this, and she estimated twenty hours and asked what account this should be paid from. John answered as she did most of the work on invoices for the Highway Department it would come from the Highway salary account. John asked if all the invoices have now been corrected, Mary Ann answered yes with the exception of a Comcast bill they are waiting for.

Jason then discussed some issues with the Accounting office regarding a remittance that he submitted for mulch purchased for the Haunted trail at Emery field for Halloween. Don commented that there was an issue with a bill from Lee Hardware as well. John stated that he appreciated their diligence about things but to continue moving smoothly things needed to loosen up, Jason agreed stating he has

concerns about their process. Mary Ann commented that Andy Myers was keeping a list of things to discuss at the next Finance Team meeting, and this should be part of that.

Before moving on Jason discussed an issue with the Highway Department regarding hours for the Administrative Assistant which Jason said that he would communicate this with Kathy. John stated that hours worked should be within normal business hours so communication to a vendor is possible when necessary. Andy Sutton asked what the number of hours for this position should be, Jason answered that when the position was created at the request of the Foreman it was listed for only two to three hours, John agreed stating that the position should be four hours max.

- **MVP Grant discussion:**

Don discussed the MVP grant for dirt road resiliency that we are part of with Middlefield and Blandford, they had a meeting last week to discuss the process. Andy Sutton sat in on the meeting and he explained that currently they are putting a committee together to be part of the grant and a liaison is needed for Chester which included a stipend. Andy discussed the grant which he explained would be to put a report together about our dirt roads, but no part of the grant was to make improvements. John explained that what this project will do is to organize projects in need and have them shovel ready. He told Andy that since he was already participating in the grant if he was interested in the liaison position, he was fine with that. Andy answered that he was unsure if he wanted to take this on as it is a lot of work, we do not need this right away he expected in January we will need to put this in place. They stated that the next meeting will be held in Blandford with they thought a virtual option.

- **Options for old Elementary School:**

Andy Sutton discussed that he and Don had met with Dave Christopolis from Hilltown CDC about 10 Middlefield Road, the old Chester Elementary School to discuss options for the building. Dave will be helping us with a grant application to get things started. Andy explained that the first steps will be to put together an Architectural Committee and hold a hearing regarding what the citizens would like to see happen with the property. This will be followed by a feasibility and cost study to determine what grants we can and would need to apply for. John asked if they knew an amount for the grant, Andy answered no it seemed that there were several competitive grants and will know more after the initial application. There is one application and a lot of options, and they will tell us what we can and should apply for. Bob stated that he was thrilled that the Board was taking the first step and asked if all the asbestos in the building had been remediated, Andy answered no that it had not. Nick stated that when he was in the building working on the water leak, he knew there was some covering pipes most within the walls, Andy stated he was correct it was on the furnace as well.

- **Highway Department salary discussion:**

At the last meeting the rate for a fully licensed Highway laborer was decided at \$23.33 per hour. Jason stated that with the current licenses every employee will get a pay cut, they all have their CDL just not the hoisters license. Andy stated that those who do not have it have an application in and are waiting on test dates. Deryck commented that the state is very slow right now and knew that there was only one testing site in the state. Andy commented that he felt right now was not a wise choice to do their pay, John agreed and thought they should present them with a time frame to have this completed by. Andy then asked if the change in pay sheets had already been completed, Jill answered it had not after the Finance Meeting a few weeks ago Sara explained certain forms that needed to be filled out that we did not have. Jill stated that she would reach out to Sara and take care of that this week. John stated that all employees will have thirty days to apply and have in the system that they are waiting for a test date, or their pay rate will be lowered.

- **Tax Rate approved by MA DOR:**

We have been notified that the tax rate presented to us has been accepted by MA DOR, John stated that the approved rate is 17.83 per thousand. Jason asked what the impact would be on an average tax bill. Andy Myers stated that it would depend, but assessment rates were up twelve percent, and the tax bill is down about seven percent or 1.35 per thousand.

- **Town Administrator:**

Don informed us that several properties were going to Housing Court this week including the property that had an unfortunate fire in October. It was suggested by the Board of Health to request a court order to tear down and clean up this area. Jason stated that he agreed as much as he had a concern about losing housing stock in town it should not be left the way it is. Jason went on to state that he received a permit to tear down the house in question on Emery Street already. Liz stated that the court order would not be just to tear down it would be to clean up everything and allow a lien to be placed on the property for the cost. She stated that they have done a lot of work on these properties and that they should not stop now. The Board was ok with moving on this in Housing Court and requesting a Court Order to tear down and clean the properties in question.

Don then discussed a tree that had come down over the weekend behind the Town Hall that fell on the porch of a property on Baker Avenue. He has already contacted Tom Mullen as well as MIIA about the claim but suggested contacting our tree person to determine if we can remove a few of them along the back parking lot. This is the third time a tree has come down on this particular property alone and Don thought we could avoid further problems by cutting some trees. John agreed stating that they should reach out to Tim.

When Energia was in the Town Hall installing insulation, they discovered a few wet spots from the roof and was looking for suggestions for Contractors to reach out to so that we can look for quotes for a repair. John stated that the roof was not that old, and that Don should reach out to Kathe Warden to see if she remembered who did the work so that we could see if anything was under warranty. Nick commented that he would send an email with some suggestions as well.

Don stated that he was informed by Dave Pierce that we needed a new US flag and Mass state flag for the Town Hall as they are torn. Don stated that he had a few US flags and would like to donate one. He also has put together a letter thanking Representative Natalie Blais for her work in Chester for the Board to sign as well as invited her to the Selectboard meeting on December 19th.

Don reminded everyone that the Dan Kane singers Christmas concert will be held at the Town Hall on Sunday December 18th at 2:00 PM. He stated that they will have a bake sale as well as a can collection for the food pantry, Don thanked Jessica Sakaske for her work on the flyer. Jason stated that he knew he needed to get back to Ann regarding a number of people allowed for the event. He asked if we knew a normal attendance number for the theatre, John commented that it was hard to tell because they use the risers however, he knew we have had one hundred fifty people at an Annual Meeting before. Jason said one hundred twenty to one hundred fifty seemed reasonable and that a number would be posted for the event.

- **Public Comments or Questions:**

Jason discussed a landowner who had applied for a permit in July 2021 which was rejected for non-payment of taxes. They started work and then abandoned their project and are now requesting their money back. Jason stated that he invited them to attend the meeting to be heard however they were not in attendance. Andy asked if their taxes are now up to date, Jason did not believe so and stated that they requested that the fee be returned but applied to their past taxes. John asked how

much the fee was, Jason answered \$1,800.00. Jason stated that he thought this was an abandoned application and therefore any fees are forfeited. John agreed stating that they have never given a fee back before.

Andy Sutton informed us that the propane heater at the salt shed at the Highway garage is broken. George Propane was contacted and estimated \$1,300.00 to fix it or \$1,800.00 for a new one. They hoped that this could be paid for using WRAP funds. Also discussing propane Andy stated that we needed to get some bids for our propane supplier for the year. Jason also mentioned that we need to reach out to Roberts Energy to find what is left under our contract for oil so that we can do the same.

Andy Myers discussed the LRRP grant which provided sixty thousand dollars for improvements on twelve different locations in town. He stated the initial deadline to have everything completed was for December 1st but asked if Don could move the deadline back to March 1st as some things have taken longer than expected. Don said that he could and that we have already been receiving the documents submitted for the grant by many of the businesses who benefitted from this.

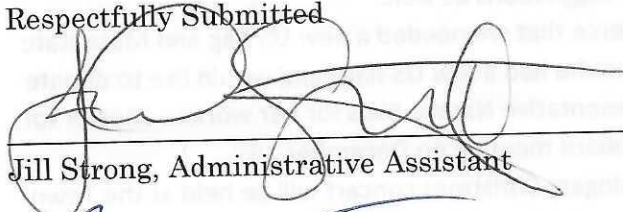
Bob mentioned that there will be an East/West rail meeting in Pittsfield on Friday December 9th and invited all to attend.

Terry informed us that King Information Systems will be in the Town Hall tomorrow to get a look at our documents that need to be sorted and digitalized. She was also able to use the Election money from a grant to purchase a ballot box. Andy Sutton asked if she has had any luck finding a new ACO vehicle, she answered that she has not.

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

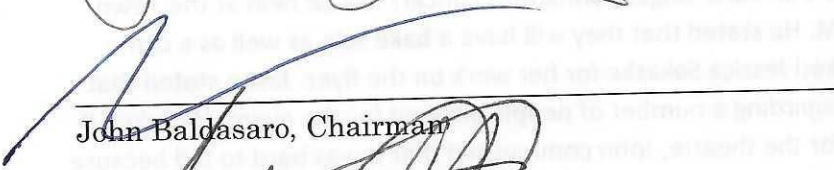
Meeting Adjourned: 8:16 PM

Respectfully Submitted



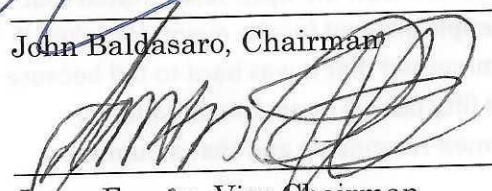
Jill Strong, Administrative Assistant

12/9/22
Date Signed



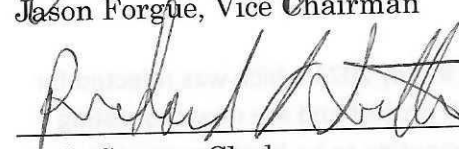
John Baldasaro, Chairman

12/19/22
Date Signed



Jason Forgue, Vice Chairman

1/20/23
Date Signed



Andy Sutton, Clerk

12/19/22
Date Signed