



**Chesterfield Select Board Minutes  
Monday, March 27, 2023 at 3:00 p.m.  
Town Office Building - 422 Main Road**

The Select Board meeting was called to order at 3:00 p.m. by Mr. Fuller.

**Select Board Members Present:** Trish Colson-Montgomery and Don Willard

**Select Board Members Participating Remotely:** Roger Fuller

**Town Administrator Present:** Brenda Lessard

**Public Officials Present:** Matt Smith, Highway Superintendent; Megan Shiels-Willard, Recreation Committee

**Public Officials Present Via ZOOM:** Dee Cinner, Cemetery Commission; Ricki Chick, Cemetery Superintendent

**General Public Present:** Alia Woofenden, Worthington; Kim Rida, Goshen; Kim Messeck, Huntington; Ashley Tompkins, Worthington; Sierra Bottum, Worthington; Steve & Buddy Estelle, Goshen Cub Scout Leader; Jessica & Corbin Liimatainen; Jordan & Garrett Bak

**Recorder of Minutes:** Brenda Lessard

On July 16, 2022, Governor Baker signed into law an Act Relative to Extending Certain State of Emergency Accommodations, which, among other things, extends the expiration of the provisions pertaining to the Open Meeting Law to March 31, 2023. Specifically, this extension allows public bodies to continue holding meetings remotely without a quorum of the public body physically present at a meeting location, and to provide "adequate, alternative" access to remote meetings. The Act does not make any new changes to the Open Meeting Law other than extending the expiration date of the temporary provisions regarding remote meetings from July 15, 2022, to March 31, 2023

This meeting was conducted with ZOOM access for the public.

**3:00 PM: Matt Smith, Highway Superintendent, School Zone and Report:**

**School Zone:**

Matt Smith attended to report on a grant that the Highway Department received from MassDOT (Massachusetts Department of Transportation) for two School Zone Speed signs. One of the requirements is establishing a school zone for posting the signs and providing the designation to MassDOT of the zone. The Select Board reviewed the plan provided by Mr. Smith and had a very brief discussion. Ms. Colson-Montgomery made a motion, seconded by Mr. Willard and unanimously voted to establish a school zone for NHRES (New Hingham Regional Elementary School) as delineated by the plan done by Mr. Smith.

**Highway Superintendent Monthly Report:**

Mr. Smith and Mr. Fuller reported that Chief Hewes is okay with installing an above ground fuel storage tank.

Mr. Smith reported that he will be putting out an advertisement for another worker for the highway department.

Mr. Fuller asked Mr. Smith to speak with Chappelle Engineering to move them along in getting to the 75% design phase for the North Road/Damon Pond Road highway project.

**Minutes:**

Ms. Colson-Montgomery made a motion, seconded by Mr. Willard to approve the Minutes of 3/13/2023 as amended. The motion was unanimously voted.

**Warrants:**

The Select Board signed the W23-20, WP23-20, and WBB23-20 warrants.

**Additions to Agenda:****Finance Committee Meeting:**

Ms. Colson-Montgomery reported she had attended the Finance Committee meeting on 3/22/23. The Finance Committee has decided to do a COLA (Cost of Living Adjustment) to the wage lines this year instead of wage adjustments based on the Wage and Compensation plan. They had met with Sue Labrie who had suggested eliminating the outliers from the data. The Finance Committee would like to hire a HR Consultant to do the data update. The Select Board do not agree with that. They know that Ms. Labrie had worked with the HR Consultant and knows how to collect the data. Mr. Fuller likes Ms. Labrie's suggestion to remove the outliers which skews the data. The Select Board acknowledges that the same towns were not used in this data collection and that also changed the data but felt the towns Ms. Labrie used were more relevant than the ones Don Jacobs used. Highway workers are more in demand at the present time so those wages are up compared to some positions like Town Clerk. The data is market driven and wage study data shows the impact of the market. Mr. Fuller suggests that the Finance Committee and Select Board come to an agreement on the Towns to do data collection from before the data is updated again. The Select Board will agree to the 5% COLA this year. The Personnel Policy will need to be revised to reflect the start dates of the wage and compensation adjustments.

**Police Department Data for Billing for Outside Detail:**

Ms. Colson-Montgomery noted that Chief Malouin did not have paperwork going back prior to starting keeping the data in DTS. Ms. Colson-Montgomery noted that the Chief can go back into the old warrants as a copy of the data prior to 2019 would be included with the old payroll warrants.

**Police Bridge Academy:**

Ms. Colson-Montgomery noted that when Chief Malouin was in at the last meeting, he only reported two part-time officers would be going to the Bridge Academy. Chesterfield has three part-time officers that need to attend. It was clarified that Officer Wallace will be attending through Williamsburg and the cost for her to go to the Bridge Academy will be paid by Williamsburg.

**NHRES Septic Repair Bill:**

Ms. Colson-Montgomery reported she had spoken with Dawn Scaparotti, Goshen's Finance Committee Chair, regarding the conversation with Jessie McMillan about the septic repair. Both Goshen and Chesterfield are in agreement that the bill for Roberts Construction for \$22,276 was what Mr. McMillan had asked the towns to cover. He had noted that the other charges would be paid by the school. Ms. Colson-Montgomery also noted that the rolling average was incorrect for Chesterfield and Goshen's portion and that Goshen was in agreement on that. Ms. Colson-Montgomery made a motion, seconded by Mr. Willard and unanimously voted to pay Chesterfield's share of the \$22,276 as calculated with the correct rolling average. This will be an article on the ATM (Annual Town Meeting) warrant.

**Annual Town Election Warrant:**

Ms. Colson-Montgomery made a motion, seconded by Mr. Willard to sign the Annual Town Election warrant as provided by the Town Clerk. The motion was unanimously voted.

**KP Law Increase in Hourly Charge:**

Ms. Lessard reported that a letter was received by KPLaw notifying the town that the hourly rate for Town Counsel would be going from \$215/hr. to \$225/hr. for FY24.

**3:30 PM: Dee Cinner and Ricki Chick: Cemetery Commission Articles for ATM Warrant:**

**Vets' Memorial Park:**

Ms Cinner submitted an article for Vets' Park for the warrant for Annual Town Meeting. Ms Cinner reported that she will need money to buy flowers for Vets Park as the money in the article will not be available before July 1st. There was a discussion of trying to get plants donated but Ms Cinner noted that she needs flowers that need minimal maintenance. Mr. Fuller asked if monetary donations could be sought to help purchase the flowers. Ms Cinner reported that she has no donors to contact. Mr. Fuller stated that he would donate up to \$200 to Ms Cinner for the flowers. She can buy them and seek reimbursement from him or she can see him when he returns at the end of April and he will give her the donation.

**Cemetery Articles for Annual Town Meeting:**

Ms Cinner then went over the articles she had submitted for the Annual Town Meeting warrant for FY24.

**Mapping Software:**

Mr. Fuller asked if she had looked into any grants to assist in the work that needs to be done at the cemeteries. Ms Cinner noted that most of the grants are for historical restoration and the items she needs money for do not fall under the guidelines to apply to Massachusetts Historic Commission for grants. Mr. Fuller asked about the software she is requesting. The money would cover the software and data entry into the program.

Allfunerals.com is the company Ms Cinner and Ms Chick are dealing with. She heard about the company from the Cemetery Commissioner in Windsor. It is a cloud based software that uses gps coordinates to map the plots at Ireland Street Cemetery, Center Cemetery and Mount Cemetery using a drone. Western MA Drone Service may be available to do drone service. That cost would be approximately \$500. Ms Chick noted they have a volunteer to help with the project who has a drone so they can save the \$500 by using the volunteer. The cost to do the data entry would be \$1,500 for the first year and the software is \$1,500 based on what Windsor pays. Ms Cinner noted that the cost

per grave is \$1.50 per grave. The drone aerial photos would log the gps coordinates and those coordinates would lay out the plots at the cemetery. Ms Colson-Montgomery noted that the cost is \$1,500 for the first year but asked what the successive year's costs would be. If the data is stored in the cloud, there must be a cost for storage and management of the data in the cloud. Ms Cinner noted that the Cemetery Commission could download the data and store it themselves. Ms Colson-Montgomery would like to see those ongoing costs for storage management. Ms Colson-Montgomery opined the information given is much too vague. There is no back-up to the costs she is submitting. Ms Chick reported the information gathered would be accurate within 3" of the measurements from the gps coordinates.

### **Other Articles:**

Mr. Fuller asked if she had looked into any grants to assist in the work that needs to be done at the cemeteries. Ms Cinner noted that most of the grants are for historical restoration and the items she needs money for do not fall under the guidelines to apply to Massachusetts Historic Commission for grants. Mr. Fuller and Ms Colson-Montgomery noted that all the articles should have gone through the Cemetery Commission. Mr. Fuller asked if the commission had met to discuss the costs for the work? Ms Colson-Montgomery noted there was no meeting as she had been attending the posted meetings. Ms Cinner reported that she had emailed the other members the information and asked for feedback. She received no feedback from the other members. Mr. Fuller asked Ms Cinner to call a meeting of the Cemetery Commission to discuss the projects and vote on the costs for each project. These discussions need to happen in an open meeting and not through email. Mr. Willard agreed. The Cemetery Commission should discuss whether all the work needs to be done this upcoming year. The Commission should set up a Capital Plan of work that needs to get done and a timeline for each. Ms Cinner asked if she could review the whole list of the work to see if the Select Board had any questions. Ms Colson-Montgomery requested that the articles be split into six separate articles. Mr. Fuller opined that splitting them up would allow a voter to possibly accept one article but reject another. Mr. Willard noted that the Cemetery Commission has received quite a bit of money over the last ten years to do projects and the town has been generous. He opined that \$44,400 is too much money to ask for in one year. He opined that the work should be spread out and that all the work should be looked at to see what is critical to get done now and what could be put off. Ms Cinner opined that all the work is critical. Ms Colson-Montgomery noted that the stone wall at the rear of Ireland Street Cemetery is for the rear boundary line and that plots could be sold in the new part before laying out the rear boundary line with a stone wall. Mr. Fuller opined that two corner markers could be installed and a string run between them to establish the rear line to lay out plots. Ms Cinner disagreed as she wants the boundary lines permanently marked first. She noted a physical boundary needs to be established. Ms Colson-Montgomery noted that \$22,500 is a lot to spend on work that is not critical. Ms Cinner reported that the cost will go up if the work is put off. Ms Cinner opined that the articles for software, parking at Center Cemetery, Board of Health approval of extension and surveying and placing row markers at Ireland Street Cemetery and the rebuild of the Mount Cemetery stone wall are critical. She noted that the Mount Cemetery stone wall is a safety issue. Ms Colson-Montgomery is okay with approving all the critical articles but wants to see more information and data on cemetery software. Ms Cinner noted that the stone wall at the Ireland Street Cemetery

pricing came from Goshen Stone and she had talked with Ron Loven and highway about assisting with the build and fill needed. Mr. Fuller was finished discussing the articles. He requested that Ms Cinner have a Cemetery Commission meeting with Ms Colson-Montgomery attending as liaison, and getting the data to back up her numbers and bring that back to the Select Board.

### **Reports:**

**Dunham Building:** There is still an interest to use the building for some type of use. Mr. Fuller would like to get an assessment of the building if the town would possibly sell the building. Use of the building will be discussed at the next meeting.

**Public Shade Tree Hearing:** Ms Colson-Montgomery reported that she and Mr. Willard had attended the meeting as residents. The hearing was well attended with 28 people in attendance. There were concerns about the trees along North Road. The hearing was continued to a date certain of April 3<sup>rd</sup> with a walk at 3:00 p.m. to view the trees between 5 and 31 North Road with the continuation of the public hearing immediately following the walk at approximately 4:00 p.m.

**Back-ups to the Server:** The Tax Collector was concerned about back-ups to the server. Mr. Fuller and Ms Lessard had a conference call with Craig Slozak about this and he was supposed to be back in touch with Mr. Fuller. Mr. Fuller reported that he has not heard back from Entre yet but did put a call in prior to the meeting to see if he could talk to them during the meeting. Mr. Slozak did call back during the meeting and the Select Board discussed some items with him. Mr. Slozak reported that the data is being backed up. There was an issue with the Tax Collector's data location but that has been corrected. They will send a screen shot to the Tax Collector showing her that the data is on the server. There is an issue with Cybersecurity which needs to be addressed. There is a process to ensure the data is being backed up. Entre will send Ms Lessard an email with the information to send to the departments to ensure their data is being backed up with minimal effort on their part. The emails will need to sit on a cloud based server. John Drake, who is the account manager, will address this with Ms Lessard to get the email back-up done. Any back-up now is done through Google workspace. Dylan Blanchard, from Entre. will contact Ms Lessard on Wednesday to address the back-ups and a quarterly review will be done with Mr. Drake and Ms Lessard. Mr. Fuller or any of the Select Board are welcome to attend the Teams meeting. The issues that need to be addressed are email back-up, process of data back-up, datto x 2 and the Treasurer's computer as that is located at her home.

### **Town Administrator Report:**

#### **COA:**

Heating oil was delivered at 8:05 a.m. to the COA by Mirabito. The furnace is working fine. No explanation from Mirabito on why such low amount of oil in the deliveries had been being made

#### **STM (Special Town Meeting):**

Furnace is working, water is on and Town Hall is ready for the STM on Thursday, March 30 at 6:00 pm.

#### **Tree Removal Bid List:**

Lewis Tree Service asked to be added to the Town's tree removal bid list.

**Meeting with Jim McGovern:**

Mr. Willard and Ms Lessard attended the meeting at the Community Center on March 16<sup>th</sup>. The discussion was varied. This was only a meeting with town boards, committees, etc. Attending the chilly meeting was Larry Cervelli, Lee Manchester, Jan Gibeau, Dee Cinner, Lorrie Childs, Dave Christopolis, Don and I. Rep. McGovern was there with his aide, Kolby, who runs the Northampton office.

**Fire Chief Truck Bids:**

IFB's were sent to eleven dealerships including the state list. Bids are due April 10<sup>th</sup>.

**Phones:**

There was an issue with the phones at the Town Office after a weird power outage that occurred on Friday, March 17<sup>th</sup>. Ms. Lessard noted late that afternoon that the cordless phones were all out. The only phone that was working in the building was the desk phone in the Select Board office. Phone messages were still coming through via email though. Ms. Lessard reached out to Entre, TPX and Rich Carnell to have them assist on what was wrong. Ms. Lessard received an answer from TPX early Monday morning on how to reset the phones but the reset process did not work. No complaints were received from other town buildings about their phones. Entre agreed to come on site on Tuesday, March 21<sup>st</sup> and assess the issue. It was determined, after a telephone conference with TPX, that the phones were not receiving the IP address and therefore could not connect to the internet to operate. The wiring was checked by Entre and other laptops could find the IP address from the wiring that was connected to the phones. TPX agreed to send new replacement phones. Ms. Lessard asked for them to be expedited and they were received early Wednesday morning. Ms. Lessard got them all connected and running. The other phones were sent back to TPX.

**Pipes under Police Department Floor:**

Jamrog has repaired the leak under the floor. They suggested running a dehumidifier to dry the area.

**Annual Town Meeting Warrant:**

The draft was reviewed. Some numbers still need to be put into the warrant. The Capital Plan approval article needs to be added. Ms. Colson-Montgomery would like to add their vote on the articles in the warrant. The warrant will have a final review and be signed at the next Select Board meeting.

A Cub Scout Troop came in to attend the meeting at this time. They are working on a Leadership badge.

**6:00 PM: Alia Woofenden re: Complaint about Photographs during Recreation Events:**

Ms. Woofenden's husband had submitted a complaint about children being in photographs at recreational events. He was unable to attend but Ms. Woofenden asked to attend. Her children school choice in from Worthington to the NHRES (New Hingham Regional Elementary School). The Woofenden's have concerns that if students are in foster care or come from a protected home, putting their photos out on social media could be detrimental to that child. They would like to see a new form that allows families to opt out of photos. Mr. Willard, who is also on the Recreation Committee, noted that based on his professional opinion, the Town cannot guarantee that a child would not be photographed by another family and put out on social media. This information was obtained by the

previous Town Administrator, who had done legal research and had spoken with Town Counsel about the subject. For example a proud grandparent may take a photo of their grandchild and inadvertently put a photo of a child, who has opted out, on a social media post. He reported there have been very few complaints from the community members who participate in the programs offered. He noted that the recreation committee has received numerous complaints from the Woofendens regarding many items. He opined that the recreation committee has gone out of their way to address the complaints but the family is obviously not happy with the town's recreational policies. One of the items is organized sports at the elementary school. Mr. Willard reported that no elementary school in the area has an organized sports team. Those programs are run by recreation committees. He noted that NHRES does have enrichment programs that were pulled back with COVID protocols but that the activities are starting up again. As far as town teams, there are usually not enough children to fill a full team in the town and that is why some of the teams are joined with other surrounding towns. Mr. Willard reported that recreational programs are funded by the Town, It is not a regional recreational committee. His wife, Megan Shiels-Willard, who is also on the Recreation Committee, is tired of the harassment from the Woofendens. This complaint is just another on a long list of complaints. She opined that if they are unhappy, they could look to join a recreational group in another town. Mr. Willard reported that many of the coaches, who are volunteers, have also received complaints from the family. Ms. Thompkins and Ms. Bottum spoke in support of the recreation programs that are offered. They appreciate being able to participate in the Town's recreational programs and would like to continue to be able to participate. Ms. Colson-Montgomery noted that small towns need to work together to offer programs for the youth. The Town does not take photographs for commercial purposes. Mr. Willard noted that volunteers help to make the programs successful.

#### **Action Items:**

**Nomination of Animal Inspector:** Ms. Colson-Montgomery made a motion, seconded by Mr. Willard and unanimously voted to appoint Kelli Wainscott to be the Animal Inspector for Chesterfield.

#### **MVP Steering Committee Appointments:**

The Select Board would like to to create small committees to meet and have one member from each of the small committees to choose one member to serve on the MVP Steering Committee. They noted that Larry Cervelli and Joe Gazillo were already appointed as Co-chairs of the MVP Steering Committee. The Public Safety Building Committee is still an active committee and the Select Board would like them to start re-meeting. One member from each smaller committee would put nine members on the MVP Steering Committee.

#### **Appointments made (to serve until complete):**

##### **MVP Steering Committee (9):**

Joe Gazillo, Co-Chair (already appointed)

Larry Cervelli, Co-chair (already appointed)

David Christopolis

Trish Colson-Montgomery (as Select Board liaison)

##### **Environmental Science/Climate Change Committee:**

Larry Holmberg

Nancy Rich  
John Follet

**Communications/Public Engagement:**

Dave Christopolis  
Denise Cormier  
Denise LeDuc-(needs to be asked before being appointed)

**Generational Committee:**

Jennie Lamour-(needs to be asked)  
Don Willard  
James Kitchen-(needs to be asked)

**Town Office Municipal Building Committee (5):**

Sandra Wickland  
Roger Fuller  
Lenore Pittsinger (or Meg McWherter)  
Kent Hicks  
Jason Forgue

**Public Safety Building Committee (still an active committee) (7):**

Don Willard  
Mike Malouin (new member)  
Dave Hewes  
Winston Bancroft  
Larry Holmberg  
G. Gilman Smith  
Peter Banister

**WOLA and 6 North Road:**

Mr. Fuller would like to have WOLA finish up their job. WOLA needs to form an opinion that they would be willing to present to the public. Ms. Colson-Montgomery disagrees as she opined that the MVP Steering Committee needs to start their work. Mr. Fuller opined that the work WOLA has done needs to wrap up. Ms. Colson-Montgomery stated that information needs to be presented to the public first regarding the Davenport site. The Select Board will ask them to do so at the April 24<sup>th</sup> meeting to discuss them wrapping up their work.

**Meeting Adjourned:**

Ms. Colson-Montgomery made a motion, seconded by Ms. Willard and unanimously voted to adjourn the meeting at 6:53 p.m. The vote was unanimous.