



**Chesterfield Select Board Minutes
Monday, September 11, 2023 at 3:00 p.m.
Town Office Building - 422 Main Road**

Mr. Fuller called the Select Board meeting to order at 3:00 p.m.

Select Board Members Present: Roger Fuller, Trish Colson-Montgomery and Don Willard III

Select Board Members Participating Remotely:

Town Administrator Present via ZOOM: Brenda Lessard

Public Officials Present: Matt Smith, Highway Superintendent; John Follet, Conservation Commission; Larry Holmberg, EMD (Emergency Management Director)

Public Officials Present via ZOOM:

General Public Present: Bea von Hagke, Denise LeDuc and Marjorie Liscombe, Hilltown Community Development Corp. (HCDC), Skip Valencik

General Public Present via ZOOM:

Recorder of Minutes: Brenda Lessard

On March 29, 2023, Governor Healey signed into law a supplemental budget bill, which, among other things, extends the temporary provisions pertaining to the Open Meeting Law to March 31, 2025. Specifically, this further 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 language does not make any substantive changes to the Open Meeting Law other than extending the expiration date of the temporary provisions regarding remote meetings from March 31, 2023 to March 31, 2025.

This meeting was conducted with ZOOM access for the public.

3:15 P.M.: Matt Smith, Highway Monthly Report:

Highway New Employee & Benefits:

Mr. Smith reported that he has hired a new employee, Travis Wolf. His first day was September 11. He reported that other towns are paying more than Chesterfield and contributing more towards insurance costs. He would like to see the town pay a higher percentage of the costs than the current 60%. The Select Board pointed out that the town pays the same percentage as the school pays for insurance for its employees. Mr. Smith opined that the State and many town highway departments are looking for employees. He hopes that the current employees stay and

are not tempted to take a job with a neighboring town that may pay more per hour or pays a higher percentage towards health insurance.

Foreman Wage Line in Budget:

Mr. Smith reported that he needs to combine his employee wages line and the foreman wage line to pay for the employees. The foreman wage line was separated out last year in the annual budget when the Highway Department had a foreman. Mr. Smith is not ready to make one of his employees a foreman yet as they do not have enough experience yet. He is not sure that he can pay one of the employees out of the foreman wage line. The Town Accountant will be asked the best way to proceed. The Foreman Wages line may need to be transferred to the Highway Wages line. A transfer request would need to come from Mr. Smith.

Surplus Equipment:

Mr. Smith reported that he has some equipment that he would like to have the Select Board declare as surplus. He will make a list and submit it to the Select Board.

Repair of Fisk Meadow Bridge:

Mr. Smith reported that the engineering costs to repair the Fisk Meadow Bridge will be about \$10,000. The Select Board asked about a Small Bridge Grant. Mr. Smith would like to not use that type of funding. It was suggested that Lindsay Sabadosa be contacted. Mr. Fuller opined Chapter 90 funds could be used.

Fuel Storage Tank:

Mr. Smith reported that he had met with the Fire Chief regarding the placement of a new above ground fuel tank. The current tank is underground and due to its age, it could be a potential hazard. Money was allocated at Town Meeting to replace the tank with an above ground tank. The Fire Chief and Mr. Smith are not in agreement of where the tank should be located. Mr. Fuller opined that a meeting should be set up with Mr. Smith, Chief Hewes and Mr. Fuller to discuss the issue of the location of the tank.

North Road/Damon Pond Road Project:

Mr. Smith and Mr. Fuller reported that the cost for the Change Order for Chappelle regarding the layout of the two roads will be \$13,500. There will be some monuments that will need to be installed. The Town will then need to have a Special Town Meeting to get the road layouts accepted to move the project along. There was a discussion of what type of monuments should be installed.

Dam at Damon Pond

Mr. Fuller reported the grant that the Town had applied for on behalf of the Damon Pond Association was denied. The grant was to assist the association with repairing and rebuilding the dam on Damon Pond Road.

4:00 P.M.: Hilltown Community Development Corporation (HCDC):

The HCDC had requested to come in for several items they wanted to discuss with the Select Board. Ms. LeDuc reported that there may be a payoff coming in regards to the subordination that the Select Board denied at their last meeting.

CDBG Grant:

Ms Colson-Montgomery noted that she had received an email regarding the CDBG grant that if anymore documents come in, they should get forwarded to the HCDC for review first. It was noted that the email went to Ms Colson-Montgomery and not the Town Administrator or the HCDC.

Accelerated Deferred Payment Loan:

Ms von Hagke asked to come in to speak to the Select Board about an existing option for the Housing Rehab Program. There has always been an option to use an Accelerated Deferred Payment option that the HCDC has not used. They have seen some seniors choose not to use the program due to the length of the loan and preferring not to leave that lien on their property for fifteen years. Ms Von Hagke would like to see the Town create a policy that allows for seniors over a certain age to use the Housing Rehab Program using the Accelerated DPL (Deferred Payment Loan). This option would decrease the burden at a quicker rate at the beginning of the loan. A model of the proposed acceleration was viewed. All other program users would use the typical 15-year forgiveness DPL which is equal amounts forgiven each year over the fifteen years. There was a discussion of what age to use and whether this should be extended to a handicapped person, veterans, surviving spouse of veterans or legally blind individuals. The Select Board decided that they would like to have the policy be written to include Seniors age 70 and older and Veterans and their surviving spouse. Ms von Hagke will rewrite the policy and submit it for signing at a future Select Board meeting.

Anti-Speculation and Recapture Plan:

The HCDC reported on the recapture plan. There are some items that were suggested to be added to the plan. For example, if a couple lives on a property that has utilized a housing rehab loan, and is only owned by one of the parties, the HCDC would like to roll the housing rehab loan to the next person who inherits the property but they would still be income eligible. After some discussion, it was decided to leave the Recapture Plan as it was.

Subordination Policy:

The policy is being reworked. There are two items that the Select Board needed to weigh in on. One of those items asked how much, if any cash out (home equity) will be allowed, and for what purposes (i.e. pay medical bills, school tuition, home improvements, etc.). It was requested the Select Board decide if any items would be allowed without their consent. The Select Board would like to keep the policy on a case by case basis. They would like to be able to weigh in on each request. The next issue was an appeal process for any person who is denied their subordination request. The recommendation is to allow the homeowner to submit more detailed written documentation or information as stipulated by the Select Board to the Hilltown CDC and they will then submit the extra documentation to the Select Board for review and a final decision or request for additional information. The Select Board is in agreement with the recommendation.

Housing Rehab Policies:

Ms Liscombe submitted three policies for the Housing Rehab Program. It was noted the the DHCD (Department of Community Housing) is now EOHLC (Executive Office of Housing and Livable Communities).

6 Month Window Between Income Verification and Contract Signing:

The first policy is a 6-Month Window Between Income Verification and Contract Signing. Sometimes the income verification can take longer than six months. Per the Program Representative, the six month window is a best practice benchmark not a strict requirement. The HCDC has been strict about restarting the income verification process if the process went past the six month window. The HCDC would like to change the policy to say, In consideration of the allowable time for verification, it is now the policy of this agency going forward that, on occasion, a delay of four to six weeks, between income verification and contract signing is allowable. The HCDC will still try to stay within the six months. The Select Board agreed and signed the policy. Mr. Willard made a motion, seconded by Ms Colson-Montgomery and unanimously voted to sign and approve the policy. Mr. Fuller signed the policy.

Project Caps:

The next policy is a Project Caps Policy. This policy would allow the Project Cap Waiver Authorization to stay in effect until further notice rather than reviewed by the Select Board on a yearly basis. These are the caps for housing rehab projects. The reasoning is that if DHCD is agreeable to the caps in place, the requirement to come before the Select Board would be eliminated. Ms Colson-Montgomery made a motion, seconded by Mr. Willard and unanimously voted to sign and approve the policy. Mr. Fuller signed the policy.

Chesterfield CDBG Housing Rehab Program Equity Waiver:

Some applicants to the Housing Rehab program has insufficient equity in their property to cover the cost of repairs proposed under the Housing Rehab program. In the past, the HCDC came before the Select Board yearly to discuss insufficient equity. This policy would streamline the process and allow continuing the policy until further notice. The Select Board would like to allow the policy to remain in effect until further notice but any equity waivers would come before the Select Board for approval. Ms Colson-Montgomery made a motion, seconded by Mr. Willard and unanimously voted to allow the policy to remain in effect until further notice and Housing Rehabilitation assistance should not be granted without prior Select Board approval to any applicant. This will be decided on a case by case basis.

Surveying at Russell Park:

Larry Holmberg reported that he has flagged the south side of Russell Park to the tennis courts. He needs another body to set stakes along the line if the Select Board requests that. He had installed stakes when he had last surveyed the property but the stakes that had been put in either were removed or rotted. Mr. Holmberg requested that Mr. Willard assist him in putting in the stakes.

5:00: Skip Valencik: Right of First Refusal (ROFR) Public Hearing:

The Public Hearing was opened at 5:00 p.m. Mr. Valencik had notified the Town Administrator of his intent to remove some Chapter 61B land out of Chapter so he could sell a building lot known as Lot 4. Mr. Fuller reported that he had heard back from the Planning Board Chair, George Sturtevant, that he has researched that there is no requirement for the Planning Board to give an opinion on the matter of ROFR. Mr. Sturtevant noted that the Planning Board had reviewed and signed the ANR (Approval Not Required) for Mr. Valencik and no objections were opined at that meeting.

John Follet, Conservation Commission Chair was in attendance. He reported that there is no critical habitat nor any wetlands on that lot and the Conservation Commission has no objections to Mr. Valencik selling the property. There was a discussion inquiring if this parcel was a part of a larger parcel that was in Chapter. It was included in the parcel in Chapter. Mr. Valencik stated that Lot 2 will also be removed from Chapter but he is not doing anything with that parcel at this time. Ms Colson-Montgomery made a motion, seconded by Mr. Willard and unanimously voted that the Select Board waives their Right of First Refusal on the lot known as Lot 4 on Bissell Road. Mr. Valencik paid his roll back taxes and showed the receipt to the Board.

Warrants:

The Select Board reviewed and signed the W24-06, WP24-06, WBB24-06 and WPD24-06 warrants. There was an inquiry about Google Play. It was also noted that the internet at the Dunham building is active. The Select Board would like to turn off that service. Ms. Lessard will reach out to Justin West, MLP Manager to request the internet service be turned off. The Town is billed for that service through the MLP.

Additions to Agenda:

Hilltown Junior Olympics:

Mr. Willard reported that the Hilltown Junior Olympics will be held on Sunday, September 17. They will be setting up at Tilton Field in Goshen on Saturday, September 16.

Attorney General Office (AGO) Response to Cannabis Bylaw:

The Select Board are in receipt of the AGO approval. The AGO approved the Cannabis bylaw but required two items wording to be changed to stay within the state's guidelines. There were numerous suggestions by the AGO to amend certain portions of the bylaw as those areas of the bylaw could be challenged. The AGO response was sent to the Planning Board.

Silence Bonney Stone:

Dee Cinner had sent an email requesting the Select Board allow Ricki Chick to install the Silence Bonney stone or have it removed from Ms Chick's barn to store somewhere on Town property. The Select Board discussed the issue and will allow Ms Chick to install the stone as long as the work is within the amount in the budget line. Ms Colson-Montgomery made a call to Ms Cinner during the meeting to ask about a base. Ms Cinner reported the stone will not be on a base. Mr. Fuller and Mr. Willard opined that the stone should be on a base. The stone would be more stable. Ms Cinner stated the stone will be in the ground and allows the Cemetery Commission to move it if needed for equipment to get in the Cemetery. The stone is reported to be 6-7 feet tall and 4" thick. The tablet stone weighs approximately 400 pounds. Ms Cinner stated the stone would be installed approximately 3-4 feet into the ground.

Veteran's Park Supervisor:

Ms Cinner also reported that Amanda Pollock has not been responsive to her calls or emails. Ms Cinner reported that she cannot handle supervising the work by herself and suggested that Ed Severence take over as supervisor of the Vet Park. There are invasives taking over part of the beds at the park. The Select Board will speak with Mr. Severence to see if he is willing to take on the responsibility.

Damon Pond Association Grant:

Mr. Fuller reported that the Damon Pond Association's grant to replace the dam was denied.

Reports:**Edwards Museum Updates:**

Mr. Fuller reported that the building has been painted. There is a question whether the contract for the painting required one or two coats of paint. Mr. Hicks is still discussing the change order with Royal Renovations. It was also reported that no other invoices have come in. The shutters and lattice for the porch still need to be done.

MVP (Municipal Vulnerability Preparedness) Executive Committee:

Ms Colson-Montgomery reported that she attended a MVP meeting. They worked out some issues with the grant and the grant has been submitted with the changes. She reported there will be another meeting next week.

Audit:

The price of the audit went up to \$17,500. It was noted that the audit must be done every year due to the CDBG grant to the HCDC. Mr. Fuller would like to have a conversation with the HCDC to see if their contribution can increase. Ms Lessard will do a ten-year look back on the audit costs and the contributions made.

Town Administrator Report:**Tables for Town Hall:**

Mr. Willard has gone to Home Depot to check out the tables. He reported that they are good quality and very similar to the ones that are at the Community Center. The Select Board would like to purchase six of the 8 foot folding tables for Town Hall. Ms. Lessard will order the tables from Home Depot for delivery. They will be paid from the Select Board expense line.

Police Department Room:

Martin's Flooring came and looked at the Police Office floor. They would like the Town to hire a carpenter to level the floor. Ms. Lessard will try to get a carpenter to come and give a price. Bancroft Electric was asked to give a price on the electric work in the police office. The Town has two price proposals so far.

Veteran's Park Grounds Work:

Dee Cinner reported that Ms Pollock has not done any work at the park since the end of June. Ms Lessard has reached out to Ms Pollock and did not get a direct answer whether she will be doing more work. Ms Cinner sent an email stating she would like Ed Severence to take over Veteran's Park as it has become too much work for her. The Select Board spoke with Ed Severence and he is willing to

Request from Gigi Kaeser:

Gigi Kaeser along with Dee Cinner, Eileen McGowan and Doug Fraser are requesting to use the WCPO for a fall Sunday afternoon old photo display for the community. The Select Board opined that the Town Hall or the Community Center may be a better venue to hold this event.

Boundary at Russell Park:

Ms Lessard reached out to Larry Holmberg about flagging the South side boundary line at Russell Park. He said he was already aware of the request and would do the flagging.

Motion Light at Town Hall

The motion light has been repaired by Winston Bancroft.

Street Light in front of Town Office:

Ms Lessard has put in a repair request to Eversource for the street light in front of the Town Offices. It is not currently working.

Action Items:

Franklin Regional Transit Authority (FRTA):

Ms Gibeau has agreed to be appointed. Ms Colson-Montgomery made a motion, seconded by Mr. Willard and unanimously voted to appoint Ms Gibeau to be the FRTA Representative for a one year term.

Adjourn:

Ms Colson-Montgomery made a motion, seconded by Mr. Willard and unanimously voted to adjourn the meeting at 7:52 p.m.