

TOWN OF CHESTER
BOARD OF SELECTMEN

June 3, 2020
Select Board Meeting Minutes

PRESENT: Arne Jonynas; Heather Chase; Lee Gustafson; Leigh Dakin; Jeff Holden; Julie Hance; Amie O'Brien

VISITORS: SAPA TV; Nikki Geannelis; Scott Blair; Peter Hudkins; Karen Ericson; Shawn Cunningham; Sharon Huntley; Frank Kelley; Jeanie Wade; Adam Woodell; Jakob Parent; Jeff Hance; Susan (last name unknown); Zachary Smith; Tim Roper

Meeting was held via Zoom.

1. APPROVE MINUTES

A motion was made by Lee Gustafson to approve the minutes of the May 20, 2020 Select Board meeting as written. Seconded by Jeff Holden. The motion passed.

2. CITIZEN COMMENTS/ANSWERS FROM PREVIOUS MEETING

Frank Kelley spoke to the Select Board about the Conservation Committee and the Green Up Committee being involved with cleanup on Green up day. He explained Green Up Day's 50-year anniversary was this year and, though it was postponed to the end of May, he felt things went well. He recognized the families that have been around since the beginning including Jeff Holden's family, the Huffer family, the Delany's, and Peter Hudkin's family. Jeff Holden spoke up and said the roadsides look much better than they used to. Frank Kelley thanked the Whiting Library, Chester Hardware and Town Hall for distributing bags. He also thanked the crew at the town garage for their help with Green Up Day. He stated there were a lot of different types of items such as propane tanks. Arne Joynynas thanked Frank Kelley and said the bugs were vicious this year and would like Green Up Day to stay at the beginning of May.

Jeff Holden asked the Select Board their thoughts on holding the fireworks at the American Legion this year due to the concerns over COVID-19. The event would be held on July 3, 2020 with the approval of the Select Board. Lee Gustafson said it was ok with him. Heather Chase voiced her concern over people following COVID-19 guidelines such as 25 people per group and social distancing, but she did not see a problem with it. Jeff Holden said it would be up to the people attending the fireworks and their personal preference if they social distanced. They do not have to be next to each other because there is lots of room to spread out in the parking lot and field. Arne Jonynas agrees and says to go with it if people space themselves out. Jeff Holden stated that the legion will follow the state guidelines. The Select Board approved.

3. OLD BUSINESS/LAST MEETING

Emergency Services Building: Bids for the construction portion are due back to the Town Hall June 3, 2020. The package sent out due back June 8, 2020 included a landscaping bid for the plan Scott Wunderle presented to the Select Board previously. Russell Construction has been asked to present the bids separately for each flower bed, which will help determine the way in which they should be planted, or if at all. The bid will also include a cost for flower bed preparation only with no planting.

Library: Julie Hance met with Robert Neid, Ed Grossman and Lyza Gardner from the library. The decision was made to have Julie Hance speak with Jim Carroll to determine what the town and library can do in terms of employees, and management. The discussion will continue after Jim Carroll gives his advice. Heather Chase will be a part of the discussion next time.

Academy Building Plaster Repair: Julie Hance and John Wright went up to the attic of the Academy Building to assess the damage. John Wright determined the damage was caused by a leak in the roof, which has been repaired, but the plaster is still in good condition. This will allow the repairs to the ceiling to be done hopefully this summer/fall. Julie Hance spoke with Meg Campbell from Preservation Trust about the quote given by Rory Brennan of \$47,000. She agrees that the amount is excessive and has suggested two other names of plasterers to obtain quotes. She has said if all quotes come in excessive, the town can apply for an easement.

Yosemite Firehouse: Julie Hance would like to hold off on some of the repairs to the Yosemite Firehouse but would like to move forward with the roof repairs this summer. Doocee Roofing's estimate came in just under \$7,000 last year and they are willing to honor this amount for this year. The amount budgeted for Historical Facility Maintenance is \$30,000. Depending on the cost of the Academy building ceiling repair, this money could be used for that. Julie Hance will continue the discussion with Keefe & Wesner about costs for straightening the building for next year.

Jeffrey Barn: Jeff Holden and Kirby Putnam are working on a plan to begin cleaning up the Jeffrey Barn site. This cleanup will be ongoing throughout the summer. Lee Gustafson was asked by someone if people were going in the building. Julie Hance stated there is no way for people to get in and signs will go up soon stating "Do Not Enter. Lee Gustafson asked if the roofing panel had been replaced, it looks like it had. Jeff Holden said a piece was put back in place but was not done by town employees.

4. COVID-19 UPDATE

There have not been many changes to the Governor's orders concerning COVID-19 lately. The Local restaurants have opened for outside dining and are taking reservations. The Recreation Department can now do small clinics with 5 or 6 kids requiring masks. The pool is going to be opened with a max of 25 people allowed at one time. A plan is being worked on for the June 17, 2020 Select Board meeting with the hopes of opening June 19, 2020. The swim lesson piece will need to be considered.

5. PINNACLE PARKING

Nikki Geannelis and Domenica Coger, abutters to the Pinnacle, contacted Julie Hance with concerns over noise and lights coming from the Pinnacle. The basketball courts and disc golf course are being used more frequently and the noise from music and conversation and lights from cars are causing an issue for the abutters. The screening that was installed 2 years ago is not effective enough and they would like plantings that provide more of a natural wall with minimal maintenance.

Parking in this area has become an issue as well. Julie Hance met with Matt McCarthy, Kirby Putnam, and Jeff Sheldon at the Pinnacle to discuss a way to help the situation. They all agreed to put the chain across the fence stopping cars from being able to park in the area surrounding the basketball court and ice-skating rink temporarily. To resolve this issue, the decision was made to install a gate just before the warming shed allowing people to park while limiting their access beyond the rink. The cost for this is \$800 and will come from the Facilities Budget of Recreation. The Highway Department will create a parking lot with 3 spaces to the right between the rink and guardrail and 5 spaces to the left of the entrance. A wood sign will be placed in the area identifying the rules of the Pinnacle including items such as noise, parking, foul language, etc. Topsoil from the pit will be used to improve the grassed areas around the Pinnacle for aesthetics.

Included in next years budget will be the removal and relocation of the ornate trees and shrubs planted 2 years ago, and hemlock trees to be planted in their place near both abutters' properties. This will be accomplished by the Highway Department with the help of Scott Wunderle and should not be a substantial amount of money. Both abutters understand that this will take time allowing the trees to grow to provide a sufficient screen but are happy with the process.

Leigh Dakin asked about a noise ordinance and the time of closure for the area. Julie Hance stated there was none, but Police Chief Rick Cloud will enforce the disturbing the peace ordinance and has suggested closing the Pinnacle at dark.

Heather Chase pointed out when the town took over the land at Rainbow Rock and the Pinnacle the Select Board discussed having an ordinance for the use of these facilities. They decided to not do anything unless there was a problem. She feels an ordinance should be created now since there have been problems lately. Nikki Geannelis said there have been problems like drug deals and other nuisances for 27 years. There have been people out there that afternoon playing unpleasant rap music with foul language. Also, there is always an issue with garbage. She asked where the garbage cans are. Matt McCarthy will put them out.

Heather Chase feels that these issues should be addressed asap keeping the area suitable for families, even without an ordinance. Arne Jonynas stated that Julie Hance and town are working towards a solution. Creating ordinances now instead of waiting for problems to arise seems more logical. Nikki Geannelis would like there to be no music allowed at the Pinnacle. Julie Hance said she would like to continue to allow

music, but the volume should be kept at a reasonable level. Nikki Geannelis asked how the music volume will be enforced and monitored. She also stated the police sit at the clinic when they should be parking closer to the Pinnacle. Julie Hance said she is working with Rick Cloud on that. She will ask him to attend the next Select Board meeting to address these concerns.

6. USE OF COBLEIGH FIELD JEANNIE WADE

Jeanie Wade has worked on a documentary the last two years featuring people from Chester and the surrounding area for community building purposes. She canceled her request to use Cobleigh Field and the adjacent parking areas on July 4, 2020 from 8 p.m. to 10 p.m. to show the documentary. Instead, she will premiere the documentary from her property on the Green. The show would happen sometime in the middle of July at night. She will play the documentary two nights, one night for the people in the documentary by invitation and the second night for anyone that would like to see it. She spoke to the neighbors and plans to speak to them again when the time comes. She plans to follow all COVID-19 guidelines and set times and rules during the premier. Arne Jonynas would like Jeanie Wade to address all questions and concerns to Julie Hance if any arise.

7. CAPITAL PLAN/DEBT SCHEDULE REVIEW

Julie Hance reviewed the Capital/Bond Plan and stated that the plan is no longer building capital, which is the main function of a Capital Plan. She also reviewed the Debt Repayment Schedule combining all items financed through Capital Equipment Loans and Bonds. This does not include any future purchases for 2021. Some items have been approved for purchase but have not been sent out to bid yet. This will be updated as the information is received.

Julie Hance explained next year she would like to start an Asset Management plan taking into consideration maintenance and building structures. She would like to show how to merge existing debt and create capital again. Tuesday, she shared this with the Department heads so that they can think about what they need in the future and curb expenses without causing a problem later. Julie Hance described how David Pisha proposed the Capital plan because of spikes in spending. The Capital Plan spreads anticipated expenses out over a certain number of years. There used to be \$330,000 put to the Capital Plan from the General Fund for things to be purchased from, leveling out the budget. This was effective at first but the need and request for purchases has exceeded the contribution being made. The town is now financing equipment instead of using the money from the Capital plan. Lee Gustafson asked how much would be needed to fund the Capital Plan, but Julie Hance was unsure at the moment. Heather Chase would like Ron Smith to address how much debt the town should take on, and help the board figure out the projections for the future. An Asset Management plan will help figure out what is coming and will identify expenses for the future. Jeff Holden said he saw a few things on the sheet that should not be included in the plan but should be included in individual budgets instead. Only larger scale items should be included in the plan.

8. LISTERS: CONTRACT WITH NEMRC

Wanda Purdy is retiring as a Lister for Chester and Valerie Pantorno will remain. Julie Hance negotiated a contract with NEMRC allowing the town to utilize their services. This will allow the town to not have to hire someone to fill Wanda Purdy's position. Experienced Listers are hard to find and requirements for the position have changed over the years. NEMRC will be utilized on an as needed basis helping with Grand List preparation, grievances, site visitations, and more. Valerie Pantorno will be available for the day to day duties. Other towns have switched to NEMRC for their Lister needs and have found the system to be effective and efficient. NEMRC completed the towns 2020 reappraisal and they are familiar with the Grand List. Things would be done remotely with visitations in the spring and fall. This would be a trial for the first year to figure out how many hours NEMRC will be needed. The fees include \$95 per hour and \$47.50 an hour for travel. Two employees, Nate and Al, come from Bellows Falls but most things will be done off site. Val works Monday - Wednesday 9 a.m. – 1 p.m. but is willing to increase if more hours are needed. NEMRC preformed the work on the town's 2020 reappraisal which has been paid for through a separate contract.

Peter Hudkins stated he would like the town to consider comparing different companies and not settle with NEMRC. He thinks it is unusual that there have not been any grievances yet. He has heard that if people complained about their assessment NEMRC dropped them by \$10,000. He had a Grievance hearing with NEMRC that he had to cancel due to a doctor's appointment. They did not settle on a different date for the hearing. He was also unhappy with NEMRC because he asked for information from them which he never received. A woman from NEMRC called him to tell him he could not go on to the Board of Civil Authority because he canceled his Grievance hearing. He says the contract price does not pay for good service, it only paid them to get the job done quick.

Arne Jonynas says he has heard the same thing from people in town that NEMRC lowered assessments by \$10-15,000. There was some confusion on whether Peter Hudkins would be able to move forward with his Grievance hearing. Julie Hance will check into that and make sure it is cleared up.

Heather Chase would like to wait on signing the contract with NEMRC until more information is available. The Select Board decided to not sign the contract until further review.

9. PROVISIONAL OUTSIDE CONSUMPTION PERMITS

The Provisional Outside Consumption permits were approved by the Select Board and will need to be signed by Deborah Aldrich, Town Clerk. Arne Jonynas asked if there are guidelines that the business will need to abide by. Julie Hance said yes, they are modifying their current permits to change where the area is located. The board asked if these will be temporary and Julie Hance explained this will be until the Governor puts things back to normal.

- Pizza Stone

A motion made by Leigh Dakin to allow Deborah Aldrich to sign the Provisional Outside Consumption permit for Pizza Stone. Seconded by Lee Gustafson. The motion passed.

- MacLaomainn's

A motion made by Heather Chase to allow Deborah Aldrich to sign the Provisional Outside Consumption permit for Macloamainn's. Seconded by Lee Gustafson. The motion passed.

10. SIGN CEMETERY DEED

Selectboard members will need to stop and sign at the town office.

11. NEW BUSINESS/NEXT AGENDA

The Backhoe bids came in at \$109,900 which is \$47,000 less than budgeted. The loan for this will be ready for June 17 or July 1.

Arne Jonynas said he is unsure of what to do about what is happening in the country after the killing of George Floyd. He is unsure where to direct his concerns and would like to start a conversation with the Police Chief, Rick Cloud, with an Agenda item for an upcoming meeting to see where he stands. There is a protest scheduled for Saturday, June 6, 2020 from 1-4 and he would like people to show up with their support. Jeff Holden thinks this is a sad situation. He does not remember anything like this happening in the area before now. He feels everyone should be treated equal, but right now, people are being separated out by saying certain lives matter over others. He supports a peaceful protest and feels one person doing something bad does not make the whole group of people bad. Lee Gustafson says Chester should come together to support one another when we can during these times. Everyone should take personal responsibility and would like to focus on the positive things that have been happening. He thanked the Legion and Chester Helping Hands for all that they have done. He would like the country to be more like Chester. Heather Chase would like to have Rick Cloud speak and review the towns police policy at the next meeting.

Jeff Holden would like the Select Board to get back to regular meetings at the Town Hall. He feels the zoom meetings have some issues. Arne Jonynas would like to look into it and see if it's doable while following the guidelines for COVID-19. Leigh Dakin said she would not be able to come to the Town Hall due to family concerns and would still like to attend meetings through Zoom. Heather Chase agrees with Leigh Dakin and feels some people will not be comfortable attending meetings. Heather Chase has had to take on some serious protocols with her business and wants to be sure the town would be doing the same at the meetings.

Tim Roper would like someone from town government to speak at the demonstration Saturday, June 6, 2020. Arne Jonynas asked if someone would like to step up. Heather Chase said she is happy to help if Arne Jonynas would like her to. He said they would speak about it together at some point before Saturday.

12. EXECUTIVE SESSION: PENDING CIVIL LITIGATION

The Town of Chester was served a complaint from Lisa Kaiman about Thompson Road Bridge. The lawsuit is public record with docket number M20CV00156 from May 26, 2020.

A motion was made by Heather Chase to find that premature general public knowledge regarding pending litigation and the public disclosure of attorney/client communications with the Town's counsel concerning pending litigation, will necessarily involve communications of and relating to the relative merits of the Town's case, the premature disclosure of which could place the Town of Chester at a substantial disadvantage in any further activities or actions. Seconded by Lee Gustafson. The motion passed.

A motion was made by Lee Gustafson to enter executive session, pursuant to 1 V.S.A. §313(a)(1)(E) and (F), for the purposes of discussing pending litigation to which the public body is a party and for the purposes of discussing confidential attorney/client communications with the Town's counsel made for the purposes of providing professional legal services to the Board in the form of advice and discussions relating to the litigation. I further move that the Selectboard finds that the public disclosure of attorney/client communications will defeat the purpose for which the attorney/client privilege exists pursuant to V.R.E. 502, which is to foster a free and open exchange between an attorney and his or her client in connection with decisions which are made in the course of litigation. Seconded by Heather Chase. The motion passed.

The Select Board entered Executive Session at 7:51 p.m.

A motion was made by Lee Gustafson to end Executive Session. Seconded by Leigh Dakin. The motion passed. Executive Session ended at 8:25 p.m.

After Executive Session, Leigh Dakin stated the Chester Fall Festival has been canceled for 2020.

13. ADJOURN

A motion was made by Leigh Dakin to adjourn. Seconded by Lee Gustafson. The meeting adjourned at 8:27 p.m.

Amie O'Brien
Secretary of the Select Board

Lee Gustafson
Clerk of the Select Board