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TOWN OF CHESTER
SELECTBOARD MEETING
April 5, 2023, Minutes

15 **Board Members Present:** Arne Jonynas, Lee Gustafson, Peter Hudkins, and Arianna Knapp at
16 Town Hall; and Heather Chase via Zoom.

17 **Staff Present:** Julie Hance, Town Manager, at Town Hall; and Susan Bailey, Recording Secretary,
18 via Zoom.

19 **Visitors Present:** (See attached sign-in sheet) at Town Hall; and Diane, Scott Blair, Tim Roper,
20 Joy Slaughter, Commissioner Emily Hawes, Ginger Roper, Eustace & Carol, Ralph Alanga, Steve
21 Mancuso, Teresa, Matthew Gorsky, Carrie Roy King, Lori Quinn, Hugh Quinn, and SAPA TV via
22 Zoom.

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Call to Order

Chair Arne Jonynas called the meeting to order at 6:30 p.m. with the pledge of allegiance. He welcomed everyone and asked that they sign the sign-in sheet.

Agenda Item 1, Approve minutes from the March 22, 2023, Selectboard Meeting

Lee made a motion and Peter seconded it to approve the March 22, 2023, minutes. Lee noted on page 1, line 19 the first word on that line should be omitted; on page 4, line 13, the word hydro should be hydraulic. The minutes were approved as amended.

Agenda Item 2, Citizens' Comments/Answers from Previous Meeting

Gerry Gleason followed up on his concern from the March 1st meeting regarding hazardous waste moving through town by rail. He said they were going to identify the material traveling through town, if possible, and follow up with the state on inspections performed in town on the rails and look for the reports and any corrective actions involved. Lastly, he said they would pursue any reports concerning the East Palestine incident and anything that was learned and could be a takeaway from that. Arne said they had some communications with the railroad and the State, and some items were answered, including the condition of the rails, their inspection, and reports that were available. Arne said regarding the cargo they carry, they're not allowed to disclose it because of competition. Arne didn't understand how that worked but that was the comment they made regarding cargo. They stated all the agencies in town and the area that are trained for hazmat spills, railroad incidents, and any type of disaster or accident that may happen. Gerry didn't think they would get too far with them regarding the release of information. Gerry thought they could review the reports and address anything needing correction. Gerry suggested the town could push back to make sure those items are addressed. Gerry also thought it would be worthwhile to pursue anything learned from the East Palestine incident given how close Chester's railroad is to the river and well. Arne suggested the emails could be shared but Julie noted they were verbal conversations. Julie said the fire chief had requested copies of the inspections and hadn't received them yet, but she would ask him to follow up. Heather suggested having it as an agenda item for the next meeting. Heather had forwarded emails to Arne and Julie asked to receive copies of them. Gerry asked if they could be included in the minutes that are published. Heather said she hadn't found out anything about the Ohio incident but did learn about what Vermont does. Heather was happy to

1 follow up on anything they requested. Heather would share it with Julie and said it was an oversight
2 for not including her when she sent them to Arne. Arne thought it was worthwhile to follow up.

3 4 **Agenda Item 3, Old Business**

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6 Report given by the Town Manager:

7 8 Solar Field

9 Julie heard back from Greenbacker. She and Lee were supposed to meet with them on Friday
10 morning, but Greenbacker cancelled so they will meet on Tuesday, April 11th. She anticipated
11 having a good update for the board at the April 19th meeting.

12 13 Quarry

14 Preston wrote a draft determination of local zoning which matched the Jurisdictional Opinion.
15 Before the document goes public, Julie and Preston will meet with the town attorney on Tuesday
16 and will have a discussion on the town's role and next steps. As soon as she gets the okay, she will
17 provide the board with a copy of the determination.

18 19 Community Garden

20 Julie and Arne met with the members and emailed the board the latest version of the Memorandum
21 of Understanding. There was a good discussion and they had reached a point of agreement, and
22 she expected the Memorandum to be signed soon.

23 24 Community Advisory Committee

25 They will hold their first meeting on April 18th at 7:00 p.m. at the Public Safety Building. It is open
26 to the public.

27 28 Cannabis

29 They have received their first two notifications: a Manufacturing, Tier 2 Cannabis permit; and a
30 Mixed Cultivation, Tier 2 permit. They were issued to Fern Gully Farm on Route 11 East. No
31 action was needed from the Selectboard and was for informational purposes only. Julie believed
32 retail would be coming but it had not reached the town yet. Arne asked about the tiers. Arianna
33 said Tier 2 is the smaller tier and in most states, people grow 10,000 square feet of plant and here
34 it's 1,000 square feet. She said even Vermont's highest tier is lower than many states lowest tier.
35 Tier 2 conceptually would be smaller growing space than Town Hall's auditorium. Arianna said
36 mixed cultivator allows for plants to be grown inside and outside but limits the overall quantity
37 since they can do both. Arianna suggested thinking of it as a new small business in Chester.

38 39 **Agenda Item 4, Discussion with Neighbors of West Chester/Potash Brook Road area**

40 Arne said there was concern over incidents going on there and concern for the safety of the
41 community and neighborhood and how everyone is affected including the person involved.

42 Sean Snyder of Potash Brook Road said his home has been broken into multiple times, vandalized,
43 and things stolen and missing. He has a no-trespass order on the person and has gotten him on
44 camera stealing his equipment. The person has mental health issues. They would like him to get
45 the help he needs. His children won't go outside and don't feel safe. The person needs help, and

1 they are pushing for mental reform in the state. He viewed him as a threat.

2 Tim Roper said the person is expanding the area he terrorizes, and people are afraid. He walked
3 into Tim's home at 4:35 in the morning with him inside the door. Tim was able to command him
4 to leave. There is a consensus in the neighborhood that they want to be safe but would like Mr.
5 Griffin to get the care he needs. Tim said he's diagnosed with schizophrenia and lives alone in
6 questionable housing. Tim thought the system meant well and wanted to help Mr. Griffin. The
7 ideal would be someone with mental health issues to live independently but when on his own, he
8 doesn't take his medication and resorts to criminal and threatening behavior. Tim has been in touch
9 with the prosecutor's office, and they are hoping it will lead to long-term residential care. Tim
10 thought he would walk into the wrong home and be harmed. Tim thought Chester Police had done
11 all they could.

12 Arne noted Sue Graff of the Agency of Human Services was present and listening, and
13 Commissioner Emily Hawes of the Department of the Department of Mental Health was online
14 listening.

15 Patricia Snyder, Sean Snyder's mother, said Sean's boys were afraid to play in the field and he
16 couldn't sell or rent his home. Sean lost big money because the man came out and made a scene
17 when Sean was showing the home. They want him to get the help he needs. She hoped something
18 could be done.

19 Commissioner Hawes greatly appreciated folks sharing their experiences. She said they can't talk
20 specifically about the case, and she was happy to continue listening but would also be happy to
21 talk about legislative priorities they have for communities and more specifically for those stuck
22 navigating the mental health and criminal justice systems. Arne said what was happening at the
23 legislative tier was discouraging for him and the folks in the room because the problem was
24 immediate and that was happening in the future. He appreciated she was there listening but felt the
25 people deserved some kind of help. Arne also wanted help for this person. The community was
26 welcoming and reached out to the person, drove him into town and helped with bills so it wasn't
27 like they didn't care about him. The people did their best and now it seemed like the system isn't
28 providing help for the community or the person with the issues. Arne couldn't imagine living in
29 an area like that. Arne hoped those in authority could make something happen.

30 Mary Jane Miles lives on Potash Brook Road. She said one evening he ran out in front of her on
31 the road screaming and yelling and she almost hit him with her car. The police spent two hours
32 looking for him and could not find him. Her son witnessed him naked at his mailbox on the coldest
33 day in January. She understood it was not illegal to leave your house naked, but it wasn't what she
34 wanted her teenage children to see. She now locks her door and has cameras. Another person in
35 the neighborhood has a restraining order. She doesn't want this guy walking into her house at
36 night. It's not that he doesn't understand right from wrong. When he doesn't show up to court, he
37 contacts the Police Department and tells them to come get him because he's expecting a bench
38 warrant. She works as a nurse in behavioral health in Rutland and it was absolute lawlessness. She
39 said the care in the state is atrocious. From her perspective, she's fearful. She lives at the end of a
40 dirt road and must tell her kids to lock their door at night. She also worries about the person's
41 welfare. Mary Jane has neighbors who walk down the road, and she worries about them. She also
42 worries about the subject's welfare and thought one day he may go into a situation where he
43 doesn't make it out. Sixteen of the neighbors came to meet with Julie and Chief Tom Williams
44 and she didn't think that would happen in many towns. The subject's house is deplorable, and he

1 has garbage that flows into the brook. His next-door neighbor, Sean Snyder, has had to deal with
2 this for years. She wondered who would buy a house where a guy comes out screaming that he's
3 the devil.

4 Tim Roper hoped that since the letters from the neighbors were part of the packet that others
5 involved in looking at policy would read those letters because they tell a true story of the issues
6 and the attitude of the neighbors.

7 Gladys Collins of Potash Brook Road wondered if they could read some of the letters from those
8 not in attendance. She thought Darryl Marten and Carol Theodore had compelling letters. Gladys
9 wondered if there was anything the Selectboard could do to put pressure on the system. Arne didn't
10 know the answer but thought they didn't have much say in the manner as far as mental health goes.
11 Julie thought it was where Commissioner Hawes and Sue Graff would have some input.

12 Arianna asked who Tim spoke with in White River Junction. Tim said he spoke with the State's
13 Attorney's Office, a victim advocate, as well as the state prosecutor who has handled Mr. Griffin's
14 criminal cases.

15 Julie said when she and Chief Williams met with the residents of Potash, they sent them addresses
16 and emails of agencies they could reach out to. The State Attorney's Office was one of the
17 agencies. Julie said they had also reached out to them and thought it helped in getting the
18 incompetency hearing and having him transitioned to a place where he could get some assistance,
19 but they know after a matter of time, he will pass a competency test and be released. With the
20 community speaking up, progress was made. It connected the town to the Commissioner of Mental
21 Health and how they advocate for it. Heather said Senator Clarkson and she have been trying to do
22 background research because they have received many phone calls and letters. The Commissioner
23 was present in response to that, and she thought it would be good to hear from her.

24 Arne read a letter from Carol Theodore to the Windsor County State Attorney's Office, Attorney
25 Goodenough, which is attached to the minutes.

26 Arne read a letter from Darryl and Kathy Jo Martens to the Honorable Charity R. Clark, Attorney
27 General of Vermont, which is attached to the minutes.

28 Arne thought it was powerful hearing from those involved. He thought there should be something
29 in the system to make it work. He said healthcare in the country was in shambles whether it was
30 healthcare or mental healthcare. Arne noted it wasn't to point the blame at anyone and the agencies
31 were doing their best, but the country had serious issues with healthcare and mental healthcare.

32 Commissioner Hawes thought it was impactful to hear the experiences of everyone involved. She
33 understood the goal was to try to solve something today but agreed the system needs drastic
34 changes. She couldn't speak specifically about this case but heard frustration about competency
35 when there was interaction with someone with a presumed mental illness and the criminal justice
36 system. She said they are trying to change how they approach competency and sanity. There are
37 two bills currently pending in the legislature on the House side. One they have been working on
38 with their state's attorney in the Attorney General's Office related to a forensic facility. Another
39 bill directly related to competency and sanity with a longer goal of looking at restoration to
40 competency program. She said from a treatment perspective, it is required to serve folks in the
41 least restrictive setting clinically. That is where they find their biggest challenge when there are
42 different views around what is least restrictive. She said there are views from neighbors and the
43 treatment lens of professionals working directly with an individual and then an availability of

1 resources, and there is also the individual's choice whether to participate. From a DMH lens, they
2 are working to close those gaps, so folks are comfortable in their homes both from a neighborhood
3 perspective and someone experiencing mental illness because they know mental wellness is a part
4 of all of us and Ashley could very well be any of our brothers, family members, or friends. She
5 appreciated his neighbors wanted him to get the help he needs and working to create a system to
6 provide that for all community members. The Commissioner said from a competency standpoint,
7 Vermont orders more competency evaluations than almost any other state. It was an interesting
8 approach they've taken to try to steer folks out of the criminal justice system. The other side of
9 that is making sure they understand folks can understand court. She said there were other initiatives
10 that could impact communities positively that were related to mobile crisis outreach versus people
11 needing to go to emergency departments as well as diverting them away from emergency
12 departments by engaging in alternatives for folks experiencing a psychiatric crisis.

13 Mary Jane Miles agreed that ERs were not set up to house these patients for long periods. She said
14 they were closing inpatient beds and understood there was a crisis in psychiatric supports, but they
15 need to get the people out of the ER because they sit there and rot in a room that's closed and don't
16 receive treatment or support because emergency rooms aren't equipped to support these people in
17 that environment. She had read Brattleboro Retreat was closing units. She understood these people
18 had rights, but she felt there needed to be some middle ground. Having worked in an ER with a
19 patient who runs out the door and they call the police and hope they bring them back, but they
20 cannot hold them there because they're involuntary. She said that did not happen when she worked
21 in a Boston Hospital. As a nurse, she wasn't the only nurse who had this discussion. She said it
22 was a terrible place to put someone in crisis and they get zero support, but they are closing inpatient
23 beds. The Commissioner said Brattleboro Retreat was not closing beds but had doubled their
24 capacity in the past year and wanted to make sure people were aware of that. Retreat was moving
25 in a positive direction.

26 Jim Collins has lived in the community for over 50 years. He thanked the Selectboard for being
27 supportive and wanted to thank the police for the great job they had done. His son wanted to take
28 him golfing in Savannah, but he almost didn't go because he didn't want to leave his wife alone
29 on Potash Brook Road. The police chief voluntarily patrolled by his house while he was away so
30 that his wife felt safe. He said the people on Potash Brook Road have come together because they
31 love living in Chester. He didn't think that would happen in a lot of communities and appreciated
32 the Selectboard listening to them.

33 Tim Roper thanked Commissioner Hawes for spending her evening listening to them. He asked if
34 least restrictive was a state statute. The Commissioner said it was and that least restrictive was a
35 clinical determination about what someone's treatment needs are and if they require a locked door.
36 Their goal is for folks to live independently in the community. She said if the patient is before the
37 court and receiving services under a court order, all the parties in the action work together to
38 determine what is least restrictive for someone to receive care. She said they have had good
39 conversations with the State's Attorney's Office and that's why there was pending legislation to
40 support it. Tim asked if the legislation addressed the chronic ongoing issues. Tim asked if
41 legislation was the only way to address it. The Commissioner didn't think legislation was the only
42 way but all the other Maslow's hierarchy of needs issues too, such as good housing, money, food
43 access, healthcare, and other things. It was a more complex issue than the 2 legislative bills
44 pending. If someone needs support for substance use, it's voluntary participation. She thought
45 there were complexities related to substance use and crime.

1 Heather thought it was great to talk about legislation and what can be done in the future but in this
2 situation, there was an individual that was very vulnerable and a neighborhood on edge. It wasn't
3 a good situation and she wondered what else they could do and how they could get the subject the
4 healthcare needed and protect the community. The Commissioner said a community member could
5 complete a request for an emergency exam. She said if they don't need hospital level of care, the
6 options are different. They could call HCRS or 988, the National Crisis Line, answered by people
7 in Vermont who can work to get the necessary resources to the individual.

8 Lee appreciated the Commissioner offering her insight into how the department works. He was
9 concerned about the term, substance use. He wondered at what point do the rights of the public
10 outweigh those of the individual. He said the town didn't have the resources nor the state, or the
11 state didn't have the guts to deal with it. The appearance was she was kicking the can into someone
12 else's playground. He was frustrated hearing people concerned about their safety but not hearing
13 any solutions. He recognized it was a situation that had broader underlying issues related to the
14 breakdown of families, communities, or high tax burdens in the state. He didn't know if the person
15 had family in the area and if so, they may be the ones who should take care of him. Or maybe they
16 moved out of state because they couldn't afford to live here and that should be addressed. The
17 Commissioner said she was present to hear those things. She said 988 was a national number and
18 worked like 911 but was picked up by a Vermont person. She wasn't trying to kick the can, but it
19 was the reality of the current statutes that there wasn't involuntary substance treatment for folks
20 who need it. From a mental health perspective, there was a path for someone to receive involuntary
21 treatment. The local designated agency has a crisis team to respond when needed.

22 Ginger Roper felt the living conditions weren't livable when the state releases someone from care
23 and wondered what was their responsibility as a community to care for them if they can't take care
24 of themselves, such as lack of plumbing and filth. She asked if they should contact Adult Protective
25 Services or 988. Commissioner Hawes was curious who determines that a home is unlivable. It
26 wouldn't be a clinical team. She said many members of the community are living in deplorable
27 conditions who may or may not have a mental health or substance use. There is poverty here. From
28 a building perspective, she wasn't sure who made the determination that a home was unlivable.

29 Sue Graff, Field Services Director of the Agency of Human Services for Windsor and Windham
30 Counties, thanked the board for inviting her. The way they do community mental health in
31 Vermont is through designated agencies. She provided information to Julie with her contact
32 information and the district directors. She was struck by the compassion in the room to understand
33 the individual circumstance. She knew they wouldn't solve the problem tonight but said she was
34 a resource for the community. If the person was age 60 or older, the Area Agency on Aging played
35 a role. Sue said the Department of Health with the Division of Substance Use Programs and the
36 Department of Corrections are both part of the Human Services Agency. It is a huge agency and
37 includes Health Access, Department of Mental Health, Department for Children and Families and
38 all its divisions. Her role is to be out in the community and understand what is going on. She
39 appreciated Commissioner Hawes being there. Sue wanted to be there as a local face that they
40 could call and interact with. She would follow up based on what she heard at this meeting and
41 provide resources and connection beyond the meeting. She wanted to offer it.

42 Arianna asked if Sue or someone at HCRS had a file on this person and who in attendance could
43 initiate the opening of a file and if the letters submitted and minutes from the meeting could be
44 part of the file. Sue said the judicial system was not part of the agency so when people were
45 involved in the criminal justice system, those were case files she was not privy to. In terms of

1 HCRS, they would have client and case files that are not available to the public but would welcome
2 input of the information Arianna referenced. Arianna asked who in the room she could
3 communicate with. Sue said anyone could call her and she could receive the information and make
4 sure it got to the individual working on the respective case. Sue would be the person they could
5 contact but it didn't mean she would be the point of contact on that case forever. Arianna saw that
6 as a good start. Commissioner Hawes added that folks were always welcome to reach out to the
7 Department of Mental Health. They have a care management team that covers the entire state. That
8 team also answers community calls. The Department can't respond but they were welcome to send
9 their letters to them. The Commissioner also suggested they send their letters to HCRS who can't
10 respond but if they had a file on them, it's likely that their letters would be put someplace where
11 the treatment providers had access. The Commissioner has seen it happen and it's been successful.
12 The provider will tell them that they can't confirm or deny they are working with an individual.
13 Sue said 211 is a statewide referral resource that anyone can call for community, health, and human
14 resources and services. Julie said she would send a compilation of all the letters to Sue and HCRS.

15 Cathy Hasbrouck doesn't live near the subject person but was hearing when the person is in crisis
16 and upsetting his neighbors the police are called. She hears there is support available in the mental
17 health community, and there's 988, a crisis number. She asked if there was supposed to be a
18 connection between the police and the crisis number, because it felt like she was hearing there was
19 a crisis, the police are called, and it stops there. Cathy thought there was no way for this person to
20 get any help with their mental or physical problems. She wondered if there was a gap and if she
21 was understanding it correctly. Sue said there was communication. She said if the police are called,
22 public safety intervention is done. If it's mental health related, there's communication to HCRS.
23 She said some police departments have police social workers and if it's identified and the situation
24 isn't criminal but mental health, then yes, there's communication. She couldn't vouch that it
25 worked 100% but that was the intention. The Commissioner thought it wasn't consistent statewide
26 communication wise, but some relationships were strong, and some had room for improvement.
27 The Commissioner suggested the town may want to start and find funding for a social worker
28 embedded in the police department. Julie noted that the board was not aware, but talks had started
29 with her, and the public safety department and information would be coming their way. Sue noted
30 that living conditions fell under the Town Health Safety Officer. Sue said if someone's home
31 wasn't habitable, like no running water, or animal hoarding, those were the avenues to go through.

32 Arne thanked everyone for attending and speaking their minds. He thanked the Commissioner and
33 Director for attending. Arne thought it was important for them to hear what was happening in their
34 community. Arne understood that freedoms and liberties were important, and they prided
35 themselves in Vermont for it but sometimes the rights of the citizens should outweigh the rights
36 of one person. Arne was glad everyone had a place to voice their opinions and share their stories.
37 He hoped a couple of months from now there would be a positive outcome.

38 Peter grew up here and was now part of the government and found it upsetting because it was a
39 problem that had been going on for more than 10 years and recycles itself. He apologized and as
40 Lee said, they were kicking the can down the road. He was uncomfortable with that and wanted to
41 see them figure something out. He understood the person's problem but wanted to apologize for
42 what it does to the rest of them.

43 Eustace & Carol said they were in regular contact with the victim's advocate because he had come
44 into their home. They talk on a regular basis because they are worried about when he gets released.
45 He has a hospitalization hearing next week and wanted to know how they could insure all the

1 information gets to the hearing. Julie said she would send everything to Sue, and the Commissioner
2 and Sue would make sure it got to where it needed to go.

3 (Brief Recess 8:17 – 8:23)

4 **Agenda Item 5, Review Conflict of Interest Policy**

5 Arne asked if anyone had questions. The VLCT had recommended back in 2015 or 2016 that they
6 have a conflict-of-interest policy. A lot of it had recommendations but not many teeth. Arne said
7 it involved Peter with his membership of the Planning Commission and the policy stated it was
8 not allowed. He wondered what Peter's take was and what his action was going to be.

9 Peter said one of the issues he ran on for the board was lack of communication. He said of the
10 people who signed the policy and the people on the board, none had been on the Planning
11 Commission or Development Review Board. The Selectboard is not communicating with any of
12 the other boards. He said it had been an ongoing problem for at least the past 8 years. In the last
13 year, it had kind of turned around because Peter made the effort. Peter said when they do zoning
14 regulations, it's not required to put them by the DRB but his personal policy is it needs to be there.
15 Peter said he had to honor the conflict policy but thought it broke communication down and didn't
16 work well in working with the other boards. The people who implemented the policy had not
17 served on the other boards, so they didn't understand the communication. Peter understood it was
18 the town's policy but didn't agree with it. He could go to any of the town Planning Commission
19 meetings and just not have a vote if he resigned from the Planning Commission and noted they
20 don't vote on much. The biggest problem the policy creates is lack of communication between the
21 boards and thought it would always be a problem unless they wanted to solve it. Peter would
22 submit his letter of resignation from the Planning Commission to Julie the next day, but it wouldn't
23 solve the problem of the lack of communication between those boards. Peter said he had heard
24 from Arne and Lee, and he didn't think Arne understood the amount of work the Planning Board
25 does to put things together and how much effort it takes.

26 Arianna thought the policy covered serving on multiple boards and when an issue comes to anyone
27 in government office, they must recuse themselves. Arianna was curious if there was an appetite
28 for including on a future agenda a Selectboard representative assigned to the Planning Commission
29 and another representative assigned to the DRB. They don't necessarily attend or vote but they
30 agree to read all the minutes, attend some meetings, be aware, and report back to the Selectboard.
31 She wondered if there was a world where they want it in silos for one reason but keep an open path
32 between the 3 entities. Arianna said she had been on the board for one month and had not been on
33 the other boards but believed the goal was that it not become a group of three or four people that
34 are in power over all ordinance related bodies in the community. If the goal is not to have a small
35 group take responsibility for all three, perhaps there was room for language for one person to serve
36 on Planning and Select but never more than two. She wondered if they wanted to look at Venn
37 Diagrams to create a collaborative workflow for all three of the groups. Peter said they used to
38 have a DRB member that was also on the Planning Board, and this would eliminate that too. Arne
39 said a lot of things were different at the time and he was involved in the policy when it was made.
40 Arne said he took offense to the fact that Peter didn't think he realized all the hard work because
41 he did, and Peter wasn't the only one who could solve all the world's problems. Arne also didn't
42 think there was a lack of communication between the boards who did a fine job of relaying
43 information, and he pointed out that board members can attend any meeting they want and
44 participate. Arne said the policy was put in place to avoid a conflict of interest. If someone is on

1 the Selectboard and the Planning Commission, they have less power because they can't vote on
2 anything that comes before the Selectboard from the Planning Commission. That would leave the
3 board with only four voting members so two members could sink anything that came along, and it
4 would not require a majority which is not fair to the Selectboard and Planning Commission. Arne
5 thought Peter needed a little humility. Arne appreciated Peter was well versed and had experience
6 and knowledge on the Planning Commission which would be helpful on the Selectboard. Arne
7 said they could discuss the policy again and change it to allow members to be on both boards but
8 it was clear in the policy that they would allow Planning Commission members to be on the DRB
9 if they had to but there were plenty of citizens interested in serving in town government and they
10 should be welcomed.

11 Lee had asked for a history because he didn't understand what was behind it. It seemed to him
12 there was an undercurrent that wasn't relayed completely in the minutes. He wondered what the
13 rationale for the policy was. Julie had no recollection of the discussion which she thought was
14 concerning. Heather remembered it well. It was one of the first things that happened and took them
15 over a year and there was a lot of debate. At the time, historically, there were a lot of people on
16 multiple boards. At the time, Arne and Heather were agreeable but John DeBenedetti felt strongly
17 that he didn't want people on the Selectboard and the other major boards in town. They all agreed.
18 At one point, people weren't participating but now they are. There was an issue where Tom Bok
19 was on both the Planning and Select Boards for multiple years and terms, so when the Planning
20 Board came, he would recuse himself as Arne had pointed out. Heather thought they could re-
21 evaluate when needed. A lot of people are participating which is good. A year or so ago they
22 decided they were going to have a meeting where all the boards got together. Heather said she also
23 took some offense that she doesn't understand the work it takes. She has gone to the DRB as an
24 individual and has attended some Planning Board meetings and knew there was a lot of work.

25 Lee read a section of minutes from November 2, 2016; it was a comment Shawn Cunningham
26 made. "Shawn stated up until very recently there has been dual membership and wondered why
27 the change. He stated that he feels that the perception is the board is intentionally not allowing
28 dual membership to prevent an applicant from being on the Planning Commission." Lee thought
29 he had read somewhere else that someone said they reached their objective. Lee asked if someone
30 was targeted for the change. He wasn't seeing a potential issue or a huge conflict with someone on
31 both boards other than having to recuse themselves from a vote. Tim Roper said that was a big
32 deal. Lee agreed that was a concern but said unless the Planning Commission was acting in a way
33 and wasn't telling them and it was a huge surprise, it wasn't a big concern to him. Heather said
34 they should probably rehash it, but if they were going to change it now to allow someone to be on
35 both boards, that would be like spot zoning, where they have a situation and change the policy to
36 reflect what they have in the moment. Heather thought that was not a good policy. Arne didn't
37 recall anything specific as to why they changed it. He thought if anything, it was Tom Bok who
38 was on two boards and thought they should do better. Arne pointed out that Peter could still attend
39 the meetings. Heather said there would also be conflict of interest when appointing people to the
40 Planning board. Peter noted they will have two appointments and if he resigns, a third. Peter said
41 he had never heard from the Selectboard on the Planning Commission. Peter said if Arne was
42 going to talk down to him, to talk with reality. Peter said he would resign, and the policy stood but
43 they need to be listening to what's happening with the boards and how they were interacting.
44 Heather said with respect to being involved and knowing what was happening, the other side is
45 appointing people to do a job and delegate and if there are issues and concerns, to be open to
46 hearing from them. Heather said they delegate that responsibility with appointments.

1 Lee not only wanted to talk about duplicative appointments but to understand the conflict-of-
2 interest policy as it relates to individuals. Lee knew in the past, issues had arisen, and votes had
3 happened where he thought someone should have recused themselves and didn't. Lee understood
4 there were no teeth but thought they should be transparent. His company bid to do the EV charging
5 station, and was the low bid, but he declined the contract because he knew it would be seen as a
6 conflict. If he has a direct or indirect personal or financial interest, he needs to be willing to recuse
7 himself or be totally objective. That was his concern for bringing the policy up and what it meant
8 for each of the members. Arne said they all have areas they want to champion. Arne said the money
9 part was obvious and easy and that they all wanted the town to prosper. Heather thought the intent
10 wasn't to prevent anyone from having a conflict because they're in a small town but if there was
11 a perceived conflict, to publicly state that it existed so it could be discussed and that was part of
12 the reason for the policy to have transparency. Peter said he ran on the Housing Committee and
13 communication between Planning, the Selectboard, and the Housing Committee and he clearly
14 stated his conflicts. Peter told Arne he tried to save the world in his 20s and that he is cursed with
15 a developer's brain and sees pathways to solve a problem and that's what he wanted to do. Peter
16 said nobody brought the policy up when he ran and if they had, he likely would not have run for
17 Selectboard. Lee said had no idea they even had the policy. Heather thought they were reviewing
18 it when they signed their oaths. Peter said when he signed his oath, it didn't say he was supporting
19 the Constitution of the United States. He was the third one who signed it and Deb had to fix it and
20 Deb didn't know about the conflict at that time. Heather asked Peter which board he preferred to
21 be on. Arne added Peter had a lot to offer the board, but his style grated on him, and Peter said it
22 went both ways. Peter said the goal was to build housing and the path was communication. The
23 board he would be on is to get some housing in town because that would keep it alive. Peter said
24 he has gone back and forth on the decision more times than they could imagine. Peter pointed out
25 saying which board he would prefer to be on doesn't make the path work.

26 Hugh Quinn understood the dilemma. The work the Planning Commission does must be approved
27 by the Selectboard and there's a hierarchy in the decision making where the Commission is
28 subservient to the Selectboard. Hugh thought one person on the two boards was a conflict. He
29 suggested that rather than say the member could not be on two boards, they could make it clear
30 the member couldn't vote because currently it was up to the member to recuse themselves, but that
31 takes the Selectboard vote from 5 to 4. He didn't know if it would be a problem but a suboptimal
32 situation. It was a strategy for a member to be on both boards. Lee asked Hugh, who could have
33 been in that same exact situation, what he would have done. Hugh was glad he wasn't because he
34 wanted to finish the work on the Planning Commission.

35 Cathy Hasbrouck, also on the Planning Commission, was speaking as someone who had done the
36 minutes for both the Commission and DRB for several years. If she wasn't actively participating,
37 she would have been an interested observer. She said when the Commission was working on the
38 bylaws from Brandy Saxton, it felt like a siloed undertaking. They weren't reaching out and talking
39 with others. When things blew up, she remembered people from the Selectboard saying they didn't
40 know what was going on. The ship righted itself, as she didn't think those bylaws would have been
41 helpful to Chester and now, they were moving in a different direction. It's good to have diversity
42 on boards and she understood how they would want 15 different people for 15 positions, but
43 diversity is complicated by the open meeting rule. You can't talk business with more than two
44 people on any board outside of a warned meeting making it harder for diverse people to come to
45 know each other and understand working styles in a couple hours every two weeks. Having been
46 a programmer in Hartford, she didn't have to work with a lot of people, which is a very different

1 way of working with people than from someone who has their own business. She's had to learn a
2 lot about working with different people and different styles. She hates that the open meeting law
3 limits people talking with one another and coming to ideas in a relaxed environment. She said if
4 they did not want to change the conflict policy, they could take one hour every three months and
5 get all 15 people together for a warned meeting with an agenda to chat. She thought if there had
6 been more communication before they went down the rabbit hole of the bylaws, it would have
7 saved a lot of heartache and would support one person from the Selectboard on the Planning
8 Commission. She recommended Planning Commission members attend DRB meetings but wasn't
9 sure DRB members needed to attend Planning meetings. She said it almost should be a requirement
10 that Planning members discuss bylaw changes with DRB members. Formalizing more
11 communication that happens between the three committees would help. Arne thought the
12 communication made sense and that he may have been lax about it because they had discussed
13 getting an update once or twice a year from the Planning Board or possibly joint meetings. Arne
14 still would not recommend having someone on both boards because of voting and trying to keep
15 the three branches of government separate. Arne did think they could do better with
16 communication. Arne didn't think they would address any change to the policy until there was a
17 shortage of people willing to be involved in town government. Currently that was not an issue.
18 Arne remembered the meeting Cathy referred to where the Planning Commission Chair went on
19 his own route and some people said he fell on his own sword to save the town. Arne thought the
20 lack of communication was his fault. Cathy suggested they have a formal meeting of the three
21 boards, as it may have good results and get a ball rolling that isn't moving now. Cathy thought
22 they also need to spend more time in meetings but could relate to it being too much sometimes.
23 Arne realized the commitment was a lot.

24 Tim Roper took exception to the premise that the Planning Commission was going down the wrong
25 path when that meeting took place and the report approved wasn't followed. Tim noted it was the
26 minority that felt that way and the solution they used to get around it. To him, one of the bottom
27 lines is the scenario was a 5-member Selectboard that would be a 4-member board if someone had
28 to recuse which wouldn't serve the town. Tim said Peter brings a lot of information and knowledge
29 to the Planning Commission and would be missed but thought they could get by.

30 Heather said they were supposed to be talking about the conflict-of-interest policy. She felt they
31 had veered off. Arne said it was related because it was part of the backstory.

32 Arne told Peter he had to make up his mind and Peter said he had already said he would give Julie
33 his resignation from the Planning Commission. Arne thanked him.

34 Shawn Cunningham wasn't going to comment about the minutes but suggested they go to the
35 November 9, 2016, edition of The Telegraph where they would find an article about it.

36 **Agenda Item 6, Annual Appointments**

37 See attached list.

38 Julie noted there was a change to the list. Peter Hudkins was listed as the appointment for the
39 Transportation Advisory Committee. Peter said he used to work for them as a bonded contractor.
40 Arne thanked him for volunteering. Arne said he had been doing it and it was a lot of work but
41 offered to be the alternate.

42 Lee moved and Heather seconded a motion to accept the appointment list as read. Arne noted that
43 the tree warden was more involved, and Arianna had stepped up for it. Arianna said she had already

1 signed up for a workshop at the Nature Museum in Grafton on incoming tree blight bugs. Julie
2 would provide her with the inventory that was done. A vote was taken, and the motion carried.

3 **Agenda Item 7, Whiting Library Trustee Appointment**

4 Matt Gorsky is the new Chairman of the Library Board of Trustees, and the board had an open
5 position and asked if Chris Burke could be appointed. Heather moved and Arianna seconded the
6 motion. Peter noted Chris was on the ballot but didn't have enough votes for the open position.
7 Peter was in favor of appointing him. A vote was taken, and the motion carried. Julie noted that
8 Chris was only appointed until the next election.

9 **Agenda Item 8, Approve Liquor Licenses**

10 Dollar General – Second Class and Tobacco

11 Smitty's Chester Market - Second Class

12 Heritage Deli - First Class and Outside Consumption

13 American Legion – First and Third Classes and Outside Consumption

14 Meditrina Wine & Cheese – Second Class

15 Pizza Stone – First and Third Classes and Outside Consumption

16 Fullerton Inn – First and Third Classes and Outside Consumption

17 Lee moved and Arianna seconded a motion to approve them. Arianna asked if any were first time
18 applicants and they were not. The vote was taken, and the motion carried.

19 **Agenda Item 9, Entertainment Permit**

20 Pizza Stone, Heritage Deli & Bakery, American Legion, and The Fullerton Inn all applied for
21 entertainment permits. Julie noted that no motion or vote was necessary and only signatures by the
22 Board. They were all renewals. The Board signed them.

23 **Agenda Item 10, New Business/Next Agenda**

24 Lee asked if they would be discussing the Memorandum of Understanding for the Community
25 Garden at the next meeting. Julie said they could, but they had agreed to approve it. Lee said that
26 was fine. Arne wanted anyone with questions to let them know so they could discuss it, but it was
27 straightforward. Lee agreed. Arianna wanted the composition of the local cannabis commission on
28 a future agenda. Julie said it would include appointments to the Planning Commission and DRB,
29 a Solar Field update, and Standard Financial Plan they sign annually, Emergency Management
30 Plan, and the Local Cannabis Control. Heather will send Julie information on trains.

31 Julie said a Planning Commission bylaw update would come before the Board on May 3rd.

32 Arianna asked if the Emergency Plan includes rail safety and emergencies. Julie said it addresses
33 who the players are if there is a town emergency and identifies hazards in town. The rail system is
34 identified within that plan.

35 **Agenda Item 11, Adjourn**

36 Lee moved and Peter seconded a motion to adjourn the meeting. A vote was taken, and the meeting
37 was adjourned at 9:20 p.m.

4/5/23 Select board

Sign In - Please Print

ll

Cathy Hasbrouck

Patricia Snyder

DAVID MELENDY

Gerald Heuser

Terene Slivinsky
STEVE SLIVINSKY

Larry Semones

Ann Maud

Gladys Collins

Jim Collins

Phil Roberts

Mr. Kent

Bill Lindsay

Nancy Lindsay

Sue Corath

SHAWN CUNNINGHAM

Tom Williams

Mary Jane Miles

PHIL Anderson

SEAN SNYDER

Hugh Quinn

Dick Poston

Kathryn Poston

Oscar LANSAN

ERIN LANSAN

CAROL N THEODORE
Chalk Farm
698 Andover Road
Chester, Vermont 05143

Ward Goodenough
Windsor County State's Attorney's Office
5 South Main Street, suite 208
White River Junction, VT 05001

Re: Ashley Griffin, case # 23CH000339

Dear Attorney Goodenough:

When I called your office to find out why the captioned case did not appear on the March 28 docket I was shunted to Ali Moore's voicemail. I have yet to receive a return call. My home is one of those Ashley came into in the middle of the night earlier this month, unannounced and uninvited. My husband and I were fast asleep in our bedroom. When our grandson and his friend came into the house from the barn where they had been playing video games they heard a noise in the loft above our bedroom. Tucker turned on a flashlight to illuminate the dark room and saw a large, disheveled strange man at the top of the stairs. He screamed "run" to his friend and ran himself up another set of stairs to alert his sleeping father

The fact that my son Graham got Ashley to leave by calling 911 does not lessen the trauma of this incident. I know that my grandson will no longer feel comfortable inviting friends to visit and I am not sure when he will again feel safe to come to see me in Vermont. It is difficult to assess the impact on a sensitive teenage psyche, but I can say with certainty that it has made me quite uncomfortable while on my own property. I have been told that he likes to wander in the woods: more than half of my acreage is wooded. I am 80 years old and not strong. Must I lock every door each time I go out to the barn, garden shed or yard from now on? This certainly is not the Vermont we value.

Ashley has been a problem to folks living on the Potash Brook Road for some time now and his mental state seems to be deteriorating. No one wishes him ill but neither do we want to continue to live in apprehension of what the future might bring. He clearly needs to be and remain in a residential facility which can assure he is properly medicated and cared for.

Someone suggested that you might decline to prosecute because the judge would likely dismiss it anyway. As your mission is "to protect our communities and promote public safety" I would urge you to pursue this case vigorously and do all you can to shut the revolving door that has been this man's history. Our local police department is doing all it can to keep our community safe but needs cooperation from the judicial and legislative branches of our state government to do their part. Dealing with Mr. Griffin repeatedly stretches their resources and no doubt their patience, leaving them short handed to deal with other problems that might arise.

It is time to find the funds needed for Vermont's mental health needs!

Sincerely,

Carol Theodore

(802) 875-4120

Cc: Charity Clark, Attorney General
Ali Moore.
Representative Heather Chase
Senator Alison Clarkson

Daryl and Kathy Jo Martens
227 Christmas Tree Farm Rd.
Chester, VT 05143

March 25, 2023

The Honorable
Charity R. Clark
Attorney General of Vermont
109 State Street
Montpelier, VT 05609

Dear Attorney General Clark,

This letter is written with deep concern for the mental health of a neighbor, Ashley Griffin, and the neighborhood of Potash Brook Road which has been a victim of Ashley's criminal behavior. This letter is not being written as a target against the person of Ashley himself, but the mental illness that is plaguing his mind and body. For many of us in the neighborhood, our lives have changed drastically because of the fear of what Ashley might be capable of doing in the midst of his mental illness. Unfortunately, it has become necessary for our doors to be locked at all times, and to be aware of our surroundings every time we walk out the door, not knowing if Ashley may be roaming around our property at any time of the day or night. As of late, we have chosen not to bring our grandchildren to the house, not knowing if Ashley would appear in our yard, or at our door. They are too young to have this explained without frightening them, and do not understand our reluctance.

A short history of our relationship with Ashley, which started over ten years ago, after he moved into the neighborhood:

At that time, I was a co-pastor at a church in Andover that Ashley began attending on occasion. I had reached out to him a few times just trying to get to know him

and he seemed at the time stable, yet I realized he was carrying a lot of baggage from the past. I quickly learned that Ashley is a very knowledgeable and intelligent individual, but I picked up that something wasn't quite right mentally. As the years passed, I helped Ashley with a loan of money to get his pickup fixed, which he paid back over a long period of time, and some house repairs and vehicle repairs that he could not do himself. He then called me asking for another loan for a car he wanted to purchase. I refused the request which, I believe, may have started his dislike for me. I think this was in August of 2018.

In September of 2018, after being out of contact with him for many months, he started demanding that the church owed him \$10,000, for which he said I was personally responsible, for some odd jobs he had done for one of the ladies of our church. I began to realize that Ashley was not mentally stable and needed help.

On September 17, 2018, Ashley showed up in our yard very angry and demanding the money. Fortunately, I was home alone, so there was no threat to my wife or daughter. I reassured him that we did not owe him any money and that the money would not be coming his way.

On September 18, 2018 I contacted Chester police and secured a "no trespass" order against Ashley to protect my family. To our knowledge he did not come on our property again during the terms of the notice given to him.

On November 14, 2018 I was in Dollar General in Chester, VT when Ashley approached me in the store demanding again the \$10,000 that he imagined I owed him, but it came with a death threat. I contacted Chester PD and met with Officer Andrew Brothers to talk about this threat. On November 22, 2018 Ashley left a very angry, foul-language message on my answering machine, again demanding the \$10,000 with more threats. This was the last contact with Ashley before he was taken into custody and sent to a mental hospital. Both I and a neighbor, Sean Snyder, who had encountered many issues with Ashley, were called to testify twice at hearings where Ashley was being held. I believe Ashley was treated for around three months before being released to his home. When

he was released from treatment he seemed to be more stable, taking care of his yard and waving back when we drove past.

We did not have contact with him again until 2022 (not sure of the exact date) when we saw him hitch hiking into Chester and gave him a ride. He was courteous, and we had a pleasant conversation.

It's been approximately five years since these unpleasant issues with Ashley, and here we are again with a man that is very mentally ill. We have been hearing of troubles plaguing the neighborhood lately, including break-ins and thefts that involved Ashley.

On February 10, 2023 my wife was driving home on Potash Brook Road just before 6:00 p.m. As she continued past the intersection with Farrar Road she encountered a man walking partially in the road, and was nearly positive that it was Ashley. (After seeing him walking on the road a few more times in the following weeks, she became sure that it was Ashley that night.) He was walking toward his home, in the dark, not far from our home. When she arrived home a few minutes later, she found our front storm door propped wide open with a shovel, and the front door wide open. (I had forgotten to lock it before I left the house a few hours earlier.) Chester PD was called. Officers were already on Potash Brook Rd. searching for Ashley because of another incident earlier that day. Detective Woodell cleared our house, and we found no evidence that anyone had actually entered our home, but obviously had wanted us to know that someone had been there. Later that evening, we noticed our large thermometer smashed on the deck and one of our snow shovels thrown out into the middle of the yard. Though we didn't actually see Ashley at our house, it seems quite likely that he was the one who had been there. Though the vandalism was minor, the attitude behind it was concerning.

With all this said, and the reoccurring issues with Ashley's mental health resulting in some criminal behavior over a period of many years, we feel it is time for some type of long term mental health care that would assure that he is taking his

medications to keep him stable. This would be for his health and benefit, as well as the safety and welfare of this neighborhood. Let's not wait until something bad happens to him, or to someone in our neighborhood. My wife and I have been praying for Ashley for a while, and I, personally, desire the best for Ashley so he can live a healthy and productive life.

Thank you for your prompt consideration of these very frustrating and serious issues concerning the mental illness of Ashley Griffin.

Sincerely,

Daryl & Kathy Jo Martens

2023 Appointment List

Position	Term Limit	Current Holder of Position:	Request for Appointment
Animal Control Officer	1 Year	Police Chief	Police Chief
Cemetery Sexton	1 Year	Jeffrey Sheldon	Ed Rushford
Connecticut River Authority	1 Year		
Senior Solutions	1 Year	Linda Stowell	Linda Stowell
Emergency Manager	1 Year	Town Manager	Town Manager
Fence Viewers	1 Year	Frank Balch	Frank Balch
		Jack Cable	Jack Cable
		Tony Weinberger	Derek Suursoo
First Constable	1 Year	Adam Woodell	Jeff Holden
Green Up Day Chairman	1 Year	Frank Kelley	Frank Kelley
Inspector of Lumber, Shingles and Wood	1 Year	Tony Weinberger	Derek Suursoo
Pound Keeper	1 Year	Police Chief	Police Chief
Regional Planning Representative	1 Year	Tom Bock	Julie Hance
RPC Alternate	1 Year	Derek Suursoo	Derek Suursoo
Road Commissioner	1 Year	Town Manager	Town Manager
Secretary to Selectmen	1 Year	Susan Bailey	Susan Bailey
Board of Wastewater Disposal	1 Year	Selectboard	Selectboard
Solid Waste District Rep	1 Year	Derek Suursoo	Derek Suursoo
Solid Waste District Rep Alternate	1 year	Alden Blodgett	
Town Service Officer	1 Year	Town Manager	Town Manager
Transportation Advisory Council	1 Year	Kirby Putnam	Peter Hudkins
Transportation Advisory Council Alternate		Arne Jonynas	Arne Jonynas
Tree Warden	1 Year	Joseph Epler	Arianna Knapp
Water Commissioners	1 Year	Board of Selectmen	Board of Selectment
Weigher of Coal	1 Year	Tony Weinberger	Derek Suursoo