

TOWN OF CHESTER  
SELECT BOARD  
September 2, 2020  
Meeting Minutes

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

VISITORS: SAPATV; George J. Leggace; Gary King; Jessica Frasca; Sharon Huntley;  
Tim Roper; Jim Carroll; Galaxy A10E

***Meeting was held via Zoom and at the Town Hall.***

1. APPROVE MINUTES FROM THE AUGUST 5, 2020 AND AUGUST 19, 2020 SELECT BOARD MEETING

A motion was made by Lee Gustafson to approve the Minutes of the August 5, 2020 Select Board meeting as written. Seconded by Leigh Dakin. The motion passed.

A motion was made by Lee Gustafson to approve the Minutes of the August 19, 2020 Select Board meeting as written. Seconded by Leigh Dakin. The motion passed.

2. CITIZEN COMMENTS/ANSWERS FROM PREVIOUS MEETING

Gary King gave the Select Board an update on the upcoming Disc Golf Tournament to be held in Chester on September 26 and 27, 2020. The tournament is restricted to Vermont residents only, or people from out of state that have passed a COVID test. The organization has traveled all over Vermont holding tournaments at different courses throughout the state. This will be the first time the tournament is held in Chester because the course is now an 18-hole course. The course is well maintained. Matt McCarthy painted the shed at the top of the hill and some flowers have been planted there as well. Kirby Putnam and the town crew removed some brush that was cluttering up the area.

There will be 90 or more people in town for the tournament. Gary King would like a porta potty at the Pinnacle and to use the pavilion for registration. He has been telling the players about sleeping accommodations and places to go in Chester to eat. This event will bring people to town that will help support the community. Julie Hance will work on a welcome packet for the players that will include things from local businesses. Gary King will contact the Journal if needed to advertise the event. He would like a bulletin board at the Pinnacle during the

tournament with information from local restaurants and places to stay or camp. He feels he has enough volunteers to help keep the event organized. The only concern he has is parking and traffic in the area during the tournament. At some point, he would like to do an intro course for people that are not sure how to play. He would also like to see the schools get involved and teach students how to play.

3. ENTERTAINMENT PERMITS FOR P&J'S COUNTRY KITCHEN AND HERITAGE DELI

P&J's Country Kitchen requested to have live bands. Jessica Frasca is asking to expand the permit from an earlier meeting opening it up to more dates. The neighbors support the idea. They count heads and have customers wear masks during the events. The Select Board signed the permit.

The Heritage Deli asked for a permit for outdoor family movie night, and music with beer and wine tastings on Friday and Saturday evenings. These events will happen occasionally and will be weather dependent. The Select Board signed the permit.

4. RUCK UP COIN DROP

George J. Leggace approached the Select Board for approval of a coin drop to raise money for Ruck Up. The coin drop will be located between Mountain View and Marshall Road on September 19, 2020 with a rain date of September 20, 2020. Ruck Up is a nonprofit organization that helps Veteran's with many different needs. They work with Veteran's in a 100-mile radius around the Keene area with drug and alcohol addiction, mental health issues, homelessness, and more. Due to COVID and the closure of fairs in the area the organization has not been able to fundraise like normal. They have held coin drops in surrounding towns to help make up for lost revenue. Ruck Up has insurance in place covering them for the coin drop. The State has given them permission to hold the coin drop in the suggested area on the proposed dates.

Arne Jonynas thanked him for his service. The Select Board has turned down other local organizations in the past and discussed a coin drop policy. However, the policy has not been created yet. Julie Hance stated she had some comments from residents that did not want coin drops to be allowed in Chester at all. Jeff Holden pointed out the speed limit change near the high school allows for a safe place to hold the coin drop. He would like the coin drop to be approved and feels the procedures Ruck up plans to follow are adequate. Lee Gustafson is in favor of the coin drop due to the circumstances that surround the organizations lost revenue from COVID. Police Chief Rick Cloud will have to approve and sign the application.

The Select Board will create a coin drop policy. Heather Chase would like to limit the number of coin drops per year and focus on local organizations first. Leigh Dakin would like to have an activities policy covering coin drops, and other events in town. The policy would be created so Julie Hance as Town Manager can make the decision without bringing it to the board.

Leigh Dakin asked George J. Leggace what Ruck Up stands for. He explained the backpack, known as a ruck sack, soldiers carry weighs 80 pounds. When a soldier is seated on the ground with the pack on, it is tough for them to stand up. A buddy will help that soldier off the ground giving them a hand, which is known as ruck up.

A motion was made by Jeff Holden to allow Ruck Up to hold a coin drop on September 19, 2020 with a rain date of September 20, 2020 between Mountain View and Marshall Road. Seconded by Lee Gustafson. The motion passed.

5. CONFLICT OF INTEREST-

Town Attorney Jim Carroll attended the Select Board Meeting to discuss conflicts of interest. The town adopted a Conflict of Interest Policy in 2016, which follows state guidelines. The voters can adopt a policy at Town Meeting if one does not already exist. Conflict of Interest within a municipality is governed by state statute. A Conflict of Interest Policy is for elected and appointed officials only, not hired employees. Hired town employees are expected to follow an Ethical Conduct Policy.

Some functions of a Select Board are to make decisions about budgets and create policies; while the administrative duties fall on the Town Manager, Julie Hance. Jim Carroll feels Chester has done a great job avoiding conflicts of interest and making sure there is due process. When a situation arises, certain steps should be followed.

If a problem arises, all facts submitted to the Select Board should be considered before final judgement is made. The situation should never be discussed with the public, and information should not come from outside sources. The board should only know the details of the problem when presented to them by the persons involved. Select Board members should direct all public comments and issues to the Town Manager. Ex parte communication between board members or the public is not allowed. The town could be sued if due process is not followed. In certain situations, two lawyers may be needed to address an issue. One lawyer would gather the information and the other would represent the town in court.

If someone on the Select Board involved in the process will gain from the outcome, that person should recuse themselves. This includes matters that involve relatives, or financial or personal gain. The board member should recuse themselves if unsure and do it on the record. The recused should remove themselves from their chair and sit in the audience. Other Select Board members are not authorized to recuse other members. The individual should make the decision based on the factors of the case. The Select Board can make note and put it on record if they feel someone should recuse themselves from a situation.

The board can enter Deliberative Session after all evidence has been presented allowing for discussion of the matter. Deliberative Sessions are not public meetings and do not need to be Noticed. All Select Board members should be made aware of the session. These sessions are not recorded, but the hearing should be. The board can make the final decision in deliberative session or when they come out. Each matter should be handled with its own Deliberative Session.

Discussions in Deliberative Session are not always private. The opposing lawyer in a lawsuit can ask what was discussed at the session through the discovery process of the investigation. Having a lawyer present during the Deliberative Session would protect discussions that took place through attorney/client privilege.

#### 6. NEW BUSINESS/NEXT AGENDA

Discussion of a Coin Drop Policy, and an Ethical Policy. A letter was received about speeding and large trucks crossing Church Street. Leigh Dakin would like a sign for “No Thru Trucks” to be placed on Church Street. Jeff Holden stated he believes there is one on Main Street already. People are still speeding because they think the cops cannot pull them over due to COVID. Julie Hance would like to give incentives to attract part time officers to run radar. The portable radar sign should be placed on Andover Road. The Scoping Study for a bridge on 103 North will be presented at the next meeting.

#### 7. ADJOURN

A motion was made by Lee Gustafson to adjourn. Seconded by Jeff Holden. The meeting adjourned at 8:15 p.m.

Amie O’Brien  
Secretary of the Select Board

Lee Gustafson  
Clerk of the Select Board