

1 **TOWN OF CHESTER**
2 **SELECTBOARD MEETING**
3 **April 6, 2022, Draft Minutes**

4 **Board Members Present:** Arne Jonynas, Ben Whalen, and Lee Gustafson at Town Hall; and Leigh
5 Dakin via Zoom.

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

7 **Visitors Present:** Bill Lindsay at Town Hall; and Douglas Curtis, Robert Nied, Scott Blair, Linda
8 Diak, Joy Slaughter, Hugh Quinn, Reisa Alexander, Barre Pinske, Chester Telegraph, and SAPA
9 TV via Zoom.

10 **Call to Order**

11 Arne Jonynas called the meeting to order at 6:30 p.m. with the pledge of allegiance. He welcomed
12 everyone to the meeting.

13
14 **Agenda Item 1, Approve minutes from the March 16, 2022, Meeting**

15 Lee moved and Ben seconded to approve the March 16th minutes. There were no changes or
16 corrections. The motion passed unanimously.

17 **Agenda Item 2, Citizens Comments/Answers from Previous Meeting**

18 Arne asked for comments and there were none.

19 **Agenda Item 3, Old Business**

20 Report given by the Town Manager:

21 Solar Farm

22 Lee and Julie had a telephone conversation with the former selectboard chair in Hinesburg
23 regarding the solar farm their community had purchased to learn about the process. She formulated
24 questions which she emailed to Green Lantern Solar and was awaiting their response. She planned
25 to follow up by the end of the week. She hoped to get information regarding the output, warranty,
26 and similar information. Once received, they will analyze and come back to the board and discuss
27 whether they want to exercise their right to purchase. If exercised, it starts the process of obtaining
28 a property appraisal. Once the amount has been determined, they have 30 days to back out of the
29 right to purchase. They would do an analysis first and see what the cost savings were before
30 presenting it to the board. Arne asked when the anniversary date was for the option to purchase.
31 Julie thought it was either August 22nd or 27th. They need to exercise the right 120 days before that
32 date, so it was approaching. Julie's goal was to have an analysis to know their expenses and
33 revenue. She asked what appraisal firms will do this and what the average cost is. Arne thought
34 there was a lot to it.

35 Lee said the solar field is much larger than he had thought. It is 500 kilowatts and is producing a
36 lot more power than he had envisioned which meant there is a lot more power available for use.
37 Julie will find out how much power they are using with all their meters and where it would fall in
38 the amount of power it's generating. Arne said it would be a big decision but in the long run, if
39 things worked out, it could be a positive thing for the town as far as the cost of energy goes.

40 Lee tells his customers that there are only two parts associated with the solar: the solar panels

1 which are the generation part and are warranted for 25 years; and the inverter, which is the
2 Achilles heel of the system. He said this was already built and fenced in and the only thing they
3 had to do was mow occasionally or put a bunch of sheep in there. He thought it would be interesting
4 to see how the numbers played out as far as what it generates and how much of the cost is covered.
5 Arne wondered how much of the 500-kw field the town would use. Currently there are number of
6 people involved in the contract and Julie had asked for a copy of those contracts.

7 ARPA

8 Julie wanted a community session where there was a blank slate, and they could brainstorm.
9 Department heads have lists of things that need to be done, but it would be a good way for the
10 community to have input. She was considering an open forum in person and via Zoom on Monday,
11 May 9th at 6:00 p.m. with refreshments. There would be no limitations on ideas and some would
12 be too expensive, but it would be a good opportunity to hear what people say given it is taxpayer
13 money. It would be nice to do things that would reach the larger population of Chester. Leigh
14 thought it was a great idea. Arne said the more input from the public, the better. As they go forward
15 and make decisions, Arne said they would make sure the public was aware they would be making
16 decisions regarding ARPA funds and keep their input coming through the whole process as they
17 go along.

18 Little League Fields

19 Chester resident and a mother of young children, Rebecca Haas, started a GoFundMe for the Little
20 League fields and raised \$1,500. Erskine's gave the town all the grass seed at cost. Volunteers
21 raked the fields, started the seeding, and it was a great community effort to get it done. Julie loved
22 stuff like that. Arne said they only started the GoFundMe campaign a short time ago. Kids were
23 also involved in helping with the fields.

24 Arne asked if there was anything else and there was not.

25 **Agenda Item 4, Sign Andover Contract**

26 Arne said the Andover board had returned the contract signed. Lee asked what the schedule was
27 for re-evaluating it. Julie said they would start in October and by mid-November, it would give
28 them a good idea of where they were at. Arne said that was an important part of the contract and
29 it was Heather who had wanted the right to review it yearly included in the agreement. If any
30 changes were needed, they would do it in conjunction with Andover. Julie said they needed to be
31 very transparent. There were no major capital purchases for fire or ambulance. Lee made a motion
32 for Arne Jonynas, Selectboard Chair, to sign the agreement with Andover regarding the emergency
33 services, fire, and ambulance. Leigh seconded it. A vote was taken, and the motion passed
34 unanimously. Arne signed the agreement.

35 Community Breakfasts

36 The community breakfasts would be held the first Sunday of the month, and not Saturdays, June
37 through September from 7:30 a.m. to 10 a.m. beginning on June 5th. Advertisements with
38 information concerning the breakfasts would be circulating in the future. Arne said it was a nice
39 way to get people involved.

40 **Agenda Item 5, Cannabis Discussion**

41 Arne said there would be discussion on the cannabis vote and how it affects the town and the local
42 Cannabis Control Commission. Julie attended a discussion via Zoom that Regional Planning held

1 for municipalities that had opted in. Unfortunately, Chester was the only town represented there.
2 There were people from several organizations throughout the state and some are better connected
3 to the state Cannabis Control Board. There wasn't much accomplished other than a group that will
4 meet monthly. Their goal is to relay information between the Cannabis Control Board and
5 municipalities who have opted in. Hugh Quinn, Julie, and Preston Bristow were there from
6 Chester. The ordinance discussion came up and whether to do it through public nuisance, as an
7 adult business. People are doing their own research and would come back to the group next month.
8 Julie would stay a part of it and gather any information she could.

9 Lee said it was unfortunate Chester was the only municipality represented as it would have been
10 interesting to hear if other municipalities have had permit requests. He wanted to know how to
11 deal with the aspect of a permit and when how to deal with the situation from a Cannabis Control
12 Commission standpoint. Julie wasn't sure they would get a whole lot of answers. The CCB isn't
13 understanding why municipalities are confused. They feel their document is clear. She thought
14 they needed to hear from municipalities with questions letting them know it wasn't clear. There
15 were questions whether the guidance was the rule or a recommendation. She took it as their
16 interpretation of the law. She wouldn't recommend venturing away from it as it was dangerous
17 territory. She would stay involved as they were another contact and resource.

18 Arne thought the local commission rules were spelled out for them and he thought the state did
19 that on purpose to keep it limited to what they are permitted to do. He wondered, as a local
20 commission, were the rules and regulations or ordinances something they wanted to enforce or
21 adopt to regulate the cannabis in town or were they just going to let it go with the state as it is.
22 How far did they want to go?

23 Leigh said it was her understanding the committee was coming out with more structured thoughts
24 and parameters. She thought if Julie had reached out to VLCT, it would be good to hear from them.
25 Leigh asked if they only had one chance to form the committee. Arne said they had formed it. Julie
26 said they formed it at the last meeting. Leigh didn't realize that. Julie needed clarity if they were
27 going to get into public nuisance, that was a Selectboard ordinance. Julie asked if while they were
28 having discussions about what it was going to be, were they acting as a Selectboard, or a Cannabis
29 Control Commission? There was a line there and she needed clarity between the two roles,
30 especially since it was the same board serving with two different hats. Shawn Cunningham emailed
31 her and said they were having a cannabis discussion and it wasn't part of the Cannabis Control
32 Commission. He was right but she didn't know which hats they were wearing. If they were talking
33 about ordinances, that was the Selectboard and not the committee.

34 Lee said that was the confusing part. Their role as Selectboard versus the Liquor Control Board,
35 he didn't see a line between them. People come to them for a liquor license, and they sign it or do
36 whatever they do. He asked if it would be the same with cannabis where someone has a permit
37 that needs to be renewed every year or they want their approval. He thought he saw the necessity
38 of setting up a local Cannabis Control Commission, but he wasn't sure what the role was yet. They
39 just set it up because they thought it was a good idea. Julie thought so too.

40 Leigh said it was framed that normally it would be members of the Selectboard but could also
41 include others who may have an interest and don't have to be members of the Selectboard. She's
42 had people reach out to her who may be interested in serving on the commission. The State hadn't
43 been clear on the parameters. She asked if there was a limit on which they can form a commission?
44 Arne said they had formed it but weren't sure of their powers or authority and that's what they

1 were trying to figure out. Julie asked whose hat it was, and she didn't have clarity. Leigh hoped
2 the commission could clarify what the local board could do.

3 Lee thought the line was the Cannabis Control Commission was the group that reviews permits
4 and looks at applications and then presents them to the Selectboard and whether the Selectboard
5 had final authority. He thought that was where it went. They have the authority to put in ordinances
6 to regulate the nuisance aspect of it or the accessibility aspect of it.

7 Arne said there are questions that need answers about the relationship between the Commission
8 and the Selectboard. Is it advisory and they advise the Selectboard and the Selectboard acts? Are
9 citizens the advisory ones and they advise the Selectboard who acts? Some are related to zoning.
10 Parts of it talk about adult-oriented and age-oriented businesses that are in zoning regulations. He
11 wasn't sure how it all went together.

12 Lee felt they were being pushed significantly to make decisions. They could get a permit
13 application next week and then where would they be? Julie asked if the public nuisance ordinance
14 was anything the board was interested in and did, did they want information on it, and was it a
15 discussion they wanted to have as a Selectboard.

16 It was noted that Preston has done significant research regarding public nuisance ordinances and
17 Julie was happy to share it. Lee thought they needed to look at all options, whatever might enable
18 them, as a town, to deal with it responsibly and in a way the voters wanted to see.

19 Ben said the information doesn't mean they're creating ordinances but gives them more
20 information to work with. Arne agreed. Julie said she would get the information for them.

21 Barre Pinske thought it was interesting the people of the town voted for it, and he thought there
22 should be diversity on the commission. He didn't think having the Selectboard be the commission
23 was in the best interest of the town. It would be nice to have people on the Commission who were
24 pushing for it. The vote was to allow it in Chester and if those people aren't represented on the
25 Commission, he thought the board was standing in the way of that. Arne said they had put out a
26 statement asking for people who were interested in joining the Commission and he thought they
27 had two responses. It was another option they were pursuing. They word is out there to the public
28 if someone is interested, they're welcome. Arne wondered if you could have a Commission of
29 Selectboard members and community members and Julie said they could. Arne thought the
30 committee may be comprised of Selectboard members and community members who would have
31 the discussions and then come back to the Selectboard. He said they were just trying to determine
32 the path they would take.

33 Ben thought the consensus of the board was the voters spoke about it on election day and their
34 responsibility as a Selectboard was to make sure it was done responsibly and safely. He agreed the
35 makeup of the commission should be more than just the Selectboard but to establish it and set up
36 the ground rules and framework of what the group is responsible for is what they are trying to
37 achieve.

38 Barre thought it was great and he didn't want to pick on Lee, but Lee's dialog seemed to be how
39 can we do something to be able to not have this happen, but that wasn't what the people voted for.
40 That didn't mean Lee didn't have the right to push that agenda if it was his agenda, but there should
41 be equally powerful voices on the board to balance it out, especially since that's what the vote was.
42 He said he didn't have a horse in the race but wanted to see it be fair and balanced. He thanked the
43 board for letting him speak.

1 Leigh said the local commission was still developing the parameters to be followed. If it was not
2 decided tonight, it was not the end of it. They are still receiving information. Arne thanked Leigh.

3 Robert Nied said to Lee Gustafson's point about there being urgency, there could, in fact, be an
4 application for a license soon. He thought one of the things the town could do was increase the
5 distance for the drug-free zone from 500 to 1,000 feet. He said that still needed to be clarified and
6 he wasn't sure the authority rested with the local cannabis board or with the Selectboard. He
7 thought that was an important piece of business to get done before the applications started to come
8 in. He couldn't imagine any reason not to increase it to 1,000 feet from a school. He wanted to see
9 that get clarified and for the local board to act on it as quickly as possible. He also agreed with
10 Barre's initial statement that there should be diversity on the local cannabis commission. He didn't
11 think the commission needed to be made up of only the Selectboard members and people who
12 supported the vote. He thought everyone in town had a right to a voice. Arne and Leigh thanked
13 him. Arne agreed with a lot of Robert Nied's statement and said it was a learning process for all.
14 He thought 1,000 feet was worth investigating. Others agreed. Lee asked Robert where he heard
15 that. He said when he started searching documents about the state cannabis control board and their
16 discussion, it was somewhere in the minutes. It was a blur at this point and was something that
17 should be clarified. He's heard it repeated by several people that there is the ability to extend it to
18 1,000 feet. He wasn't sure it was still in the law but if it was, it would be nice to act upon it.

19 Hugh Quinn wanted to add from everything he had heard so far in terms of what may be going on
20 with the Cannabis Control Commission and the Selectboard, is related to the fact the state says it's
21 so many feet from a school, but it may be possible for a local commission or Selectboard to create
22 some kind of an ordinance. And by the way, we don't want retail cannabis next door to a drug
23 rehab center because those folks are trying to figure out how to deal with their addiction. He
24 thought it would make sense to a lot of people, what the town has in place for a nuisance ordinance.
25 The nuisance ordinance doesn't get after what might come from a grower or cultivator in terms of
26 odor. He said a lot of nuisance ordinances or performance standards in bylaws could be a little
27 weak. Odor can constitute a nuisance so there could be some work that could be done there. If you
28 have a farm or a grower who is right next door to a property and everyone knows what cannabis
29 smells like, they may want to have some controls in place so the grower must figure out how to
30 implement mitigation techniques for the odor that will come from cultivating and growing. Arne
31 thanked Hugh. They have a lot of questions and concerns and not many answers, but this was the
32 start of the process and he hoped to get to some of the answers eventually.

33 Reisa Alexander asked how to express an interest in serving on the Cannabis Control Board. Julie
34 said she just needed to let her know she was interested, and Reisa said she was. Julie said the board
35 was trying to determine the responsibilities of the commission. She would keep Reisa in the loop
36 and add her name to the other two who were interested. Arne thought they should alter the structure
37 of the commission to include people from the public and possibly just 2 Selectboard members so
38 they wouldn't have to warn a meeting and they could have some representation from the
39 Selectboard and the town. Because the commission had already been established as the Selectboard,
40 Arne wondered how they could change it. Julie thought they could just make a motion to amend
41 the structure of the board. She thought they needed to decide how many members they wanted on
42 the board. Arne suggested waiting to see how many people responded and then they would decide.
43 Lee mentioned that someone had stated at the last meeting they wanted to see the schools
44 represented. Ben thought it should be a diverse group. He was trying to look up information on the
45 Massachusetts Cannabis Control Commission and asked if there were neighbors to the south they

1 could reach out to. Lee said the regulations Vermont adopted came from Massachusetts. Ben
2 thought it may be worth looking at some of those towns and if they had established local
3 commissions and what had worked. Arne had spoken with a gentleman outside of Northampton
4 who was on the government there and he was more than willing to share information. It would
5 give them another view of what is happening.

6 Linda Diak was concerned it was being overdone. Tonight, they approved or discussed liquor
7 permits for not only the sale of it or the inhouse consumption but also outdoor consumption of
8 alcohol. They weren't amending distances or having a wide variety of people on the board
9 governing the sale of alcohol which is far more prevalent and far more abused in our town. She
10 felt like because there was opposition from some members of the board and community, it was
11 being overdone. That was her observation.

12 Steve Mancuso hoped they delegated authority to get it off the Selectboard's shoulders and get
13 those individuals who are concerned involved so they didn't have to personally deal with it. Arne
14 thanked Steve for his comment. Leigh thought part of the local commission was the Selectboard
15 or should be most of the members on the commission, if not the entire board as a unit. That's what
16 she had understood from previous meetings they had. The state has been slow getting out a
17 comprehensive complete overview of what a town commission would be. Arne agreed with her.
18 The makeup of the commission would be a decision of the board as to how many people there
19 would be on the board, how many Selectboard members and how many people from the
20 community. It would be something they would discuss and weigh in on at their next meeting.

21 Bill Lindsay had asked at a previous meeting what the legal liability would be for people serving
22 on the board. He addressed Lee's question that he had brought up and thought they needed to hear
23 from the Department of Education of the local school. They are already spending money on TV to
24 advertise the effect of cannabis on the young brain. He thought it was most important they hear
25 from their school districts and had heard nothing from them at all. They have never heard what
26 their education department thinks of cannabis, and it affects children the most. The state already
27 is spending your money advertising what it does to the brain. He thought the liability issue was a
28 big issue. As a committee member, he would want to know what his liability was if he set policy.
29 The members thanked him for speaking. Arne said one part that was included in the paperwork
30 from the state, a large chunk of the revenue, close to 10 million that went to prevention and
31 education. Out of the funds for the permits, the state realizes that education and prevention need
32 to be a huge part of it when it comes to children and kids. Bill thought they were spending a lot
33 before they had the revenue.

34 In relation to the seminar that only Chester attended, Scott Blair asked if there was a way to find
35 out why the surrounding towns, such as Springfield, Londonderry, Rockingham, and such were
36 not concerned about the same things that Chester's Selectboard was. He thought maybe they had
37 some answers that Chester was looking for or maybe they were not as concerned as Chester. He
38 asked where the information about expanding the school zone limitations from 500 to 1,000 feet
39 came from. Arne said it was something they would investigate. Arne said Mr. Nied saw it in some
40 literature handed out by the state and Arne remembered seeing something about it but couldn't
41 remember where. He said they would investigate what the authority was and if they were even
42 allowed to do something like that. Scott said it was obvious he was looking to open a shop and
43 finding a location in Chester in zoning, and he had spoken with Julie Hance, Preston Bristow, and
44 Cathy Hasbrouck, to try to find a place outside of 500 feet isn't easy and if raised to 1,000 would
45 be much harder. He said the idea of being able to open retail in most Chester districts wasn't true.

1 He asked them to realize they were making it more difficult to open a shop in town.

2 Sue Bailey said they should research the 1,000-foot distance and said she would write something
3 about it but that a lot of places were doing just the opposite. She said it was not proven the 500
4 feet protects children, even though that's what it implies. She said a lot of criminal justice
5 organizations had done studies that show the drug free zones target poverty and racial disparity
6 and given what happened last year with the police in Chester, that was probably a road they didn't
7 want to go down. Arne thanked Sue for her comment.

8 Arne asked if there were any more comments and there were none. He said they would be revisiting
9 the topic and hoped to have more answers by their next meeting and would discuss the makeup of
10 the commission and figure it out from there.

11 He thanked everyone for their comments and concerns and their interest in the topic and was sure
12 it would be with them for a while.

13 **Agenda Item 6, Police Union; Appoint SB Member (or 2) to work with Town Manager on**
14 **Negotiation**

15 Arne announced the next item on the agenda was the newly formed police union. Because there
16 was a union, they would need to negotiate with the union regarding the contract. Julie said the first
17 meeting was set for the end of April and she would like not to be the only one negotiating. She
18 hoped to have 1 or 2 Selectboard members willing to work with her. The Chief would be involved
19 as well. Lee wanted to nominate Arne and Ben to fill the positions, if willing. Leigh had spoken
20 with Heather, and she would be willing to serve if they needed another person. Two people would
21 be easier because three changes the dynamics. Julie said Heather was willing to negotiate but was
22 fine if someone else was interested. Lee thought Arne would be good because he has police
23 experience and Ben brought a background that would also be helpful with those kinds of
24 discussions. Arne said Heather told him if nobody else does it, she would be willing to step up.
25 Julie said they were not appointing someone but volunteering, so a motion/vote wasn't necessary.
26 It would be 2 members helping in negotiating process. She would like someone other than her own
27 brain and perspective. Multiple perspectives would be helpful. She has never dealt with unions, so
28 this is all new territory for her. Arne stated he used to be a union steward. Arne and Ben would be
29 assisting Julie with negotiations.

30 The first meeting is at the end of April and would be held via Zoom. The union is currently drafting
31 a proposed agreement to start conversations. Julie will share with Arne and Ben when she has it.
32 Chester's legal counsel will also assist with negotiations.

33 **Agenda Item 7, Liquor Licenses/Entertainment Permits**

34 Liquor licenses are usually a formality. They do ask the questions, speak to the police chief, and
35 investigate it a little. If there are issues, they turn around and address them and don't sign the
36 paperwork. It is usually the case that it's a quick overview and a rubber stamp type thing, there is
37 a little more involved. It just hasn't come up often because it's a relatively quiet town. Lee said
38 they ask the police chief if there are issues with neighbors complaining about noise. To someone's
39 comment earlier, they aren't just rubber stamping and are doing due diligence to make sure people
40 are safe and protected.

41 First Class License: American Legion Post 67, Heritage Deli & Bakery, The Pizza Stone, and The
42 Fullerton Inn.

1 Second Class: Sandri Sunoco Stations and Meditrina Wine and Cheese
2 Third Class: American Legion Post 67, The Pizza Stone, and The Fullerton Inn.
3 Outside Consumption: American Legion Post 67, Heritage Deli & Bakery, The Pizza Stone, and
4 The Fullerton Inn.
5 Entertainment Permit: American Legion Post 67, Heritage Deli & Bakery, The Pizza Stone, and
6 The Fullerton Inn.
7 The members signed the above licenses.

8 **Agenda Item 8, New Business/Next Agenda**

9 Arne meant to ask under old business for an update on the Route 10 traffic issue. They had spoken
10 with the police about it and Arne asked if they would be conducting a traffic study. Julie said she
11 had reached out for crash data. Regional Planning sent her some preliminary information but would
12 be sending new numbers. There was no plan for straightening and redoing the road. It is only the
13 paving. Once they have the data, the board can have a discussion, but she didn't know what the
14 board could do with Route 10. The police are sitting out there more often in inconspicuous places.
15 A couple live out that way and were patrolling more frequently. She hoped that would help. Lee
16 asked if they were allowed to do a traffic count or speed study. Julie said they were allowed but
17 that the state had done one and she was just waiting for the data. Arne thought it would be
18 interesting to see the data.

19 He asked for future agenda items and ideas for new business.

20 Leigh said now that they think spring is here, they can start thinking about the dog exercise areas.
21 She has had lots of interest from people in town to have a place where their dogs can run safely
22 and play and be off a leash. Given the change in weather, she thought it may be time to consider
23 it. Julie knew there was a group of individuals working on a plan and would propose something.
24 They would make a formal presentation.

25 Financial review will be at the next meeting. Julie asked how they wanted her to break down
26 cannabis. Did they want a discussion about the commission and then the public nuisance? Arne
27 said to get the commission in place how it would be. The public nuisance would be a Selectboard
28 discussion. Julie said she would include them both on the agenda. Arne thought it was important
29 to get the makeup of the board.

30 Leigh said they had a horrendous mud season this year and she knew the town crew did an
31 incredible job and wondered if they could do something for them because they are incredible, and
32 they were fortunate to have them. Leigh wanted to say a big thank you. Julie said she had a pizza
33 party for them. Leigh thanked Julie.

34 **Agenda Item 9, Adjourn**

35 Lee moved and Leigh seconded to adjourn the meeting. The motion passed unanimously, and the
36 meeting was adjourned at 7:40 p.m.