

1 **TOWN OF CHESTER**
2 **August 7, 2024, Minutes**

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4 **Board Members Present:** Lee Gustafson, Arne Jonynas, Tim Roper, and Peter Hudkins at Town
5 Hall. Absent: Arianna Knapp.

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

9
10 **Visitors Present:** Jeff Holden, Cathy Hasbrouck, Mike Myers, Preston Bristow, Barry Fowler,
11 Shawn Cunningham of The Chester Telegraph, Cheryl LeClair, Mike LeClair, Red McAllister,
12 Karen McAllister, at Town Hall; and Samantha Snow, Matt Gorsky, Charlie, and Hugh Quinn via
13 Zoom.

14
15 **WATER COMMISSIONERS' MEETING**

16
17 **Call to Order**

18
19 Chair Arne Jonynas called the meeting to order at 6:31 p.m. and asked that everyone sign the
20 attendance sheet.

21
22 **Agenda Item 1, Citizens' Comments**

23
24 There were none.

25
26 **Agenda Item 2, Set Water and Sewer Rates**

27
28 Julie said there had been several years that rates weren't increased and they've been playing catch
29 up. This time around, the water base rate is increasing by \$3.00 and water consumption by \$0.25
30 and sewer base rate by \$2.00 and for sewer consumption there is no increase scheduled for this
31 time. Arne asked if the goal had been reached. In February 2025, they will re-evaluate and at that
32 point, they feel they will be where they should be. Tim confirmed they were quarterly fees and not
33 monthly fees. Arne entertained a motion to increase the water and sewer rates as stated, and Lee
34 moved, and Tim seconded the motion. The motion passed unanimously.

35
36 **Agenda Item 3, Purchase of Water Meters**

37
38 At the last meeting, a presentation was given regarding new meters. The town is looking to replace
39 the current meters as the old ones will become obsolete in 7 or 8 months. Jeff Holden said it just
40 wasn't practical to try to maintain a system that won't be working soon, so they are trying to be
41 proactive. The total price was \$106,500 plus a \$600 per month cellular fee which was \$1.00 per
42 user. Arne asked Jeff if he wanted to add anything. Jeff had spoken with the CEO of Stiles and
43 confirmed the cost would be maintained for 3 years. When it goes up, it would be about 1 cent.
44 Amie will be able to do everything from her desk. Arne asked if the cellular fee was locked into
45 one carrier or was part of the package. Jeff said it was the carrier the town deals with and they
46 tested where all the units are, and the weakest one was 2 bars. Arne said cell service was pretty

1 good in the village. Lee confirmed with Jeff that in addition to the \$106,500 was the \$600 paid to
2 the cell service provider. Arne said they would pass that cost to the consumer and there were other
3 options that could be done with that service. Lee recalled the presentation and asked if the \$96,000
4 was just for the equipment and Jeff agreed. The savings to town based on not needing someone to
5 read the meters covered the offset, because currently, if everything went right, Jeff could do them
6 in 4 hours quarterly. Jeff then gives it to Amie, and she downloads the information and does all
7 the bills. Jeff said the other advantage was commercial use could be billed monthly. Arne asked if
8 there were any other questions or concerns and there were none. Arne entertained a motion to
9 purchase the new meters for \$106,500 plus a \$600 per month cellular fee that would be passed
10 onto the users at a \$1.00 per month fee. Tim moved and Lee seconded the motion. The motion
11 carried unanimously. Julie thanked the board.

12 13 **Agenda Item 4, Adjourn**

14
15 Lee moved and Tim seconded a motion to adjourn, and the motion was carried unanimously. The
16 meeting adjourned at approximately 6:43 p.m.

17 18 **SELECTBOARD MEETING**

19 20 **Call to Order**

21
22 Chair Arne Jonynas called the meeting to order at approximately 6:43 p.m.

23 24 **Agenda Item 1, Additions or Deletions to the Agenda**

25
26 There were no changes to the agenda.

27 28 **Agenda Item 2, Approve Minutes from the July 3, 2024, Selectboard Meeting**

29
30 Lee moved and Tim seconded a motion to approve the July 3, 2024, Selectboard meeting minutes.
31 There were no changes, and the minutes were approved, as written.

32 33 **Agenda Item 3, Citizens' Comments/Answers from Previous Meeting**

34
35 There were none.

36 37 **Agenda Item 4, Old Business**

38
39 Report given by the Town Manager, Julie Hance:

40 41 Wayfinding Signs

42 The bases have been installed and posts and signs will be installed in the next few weeks.

43 44 Housing Commission

45 Joel Feinberg, who was appointed, is stepping down as he is unable to be in town enough and there
46 is a lot of hands-on work they do with maps around the table and it's difficult for him to participate.

1 He will probably be a consultant if they ever need his input and is happy to be involved that way.
2 They will advertise for a new member for the Housing Commission and hope to have a new
3 appointment in September. Tim said that was too bad and Julie said she planned to use Joel as a
4 resource because he has a wealth of knowledge.

5
6 Solar Field

7 Jim and Julie were scheduled to meet on Friday, but Jim has been sick so they will talk over the
8 phone on Friday. They are finally able to access the suite of documents with passwords and Julie
9 hoped something would come to the board for the next meeting in executive session for discussion
10 about negotiations.

11
12 Bailey Hill Road

13 Jim and Julie have a meeting with Peter and will go over with Jim how he would like to proceed
14 and will report back to the board with information.

15
16 National Night Out

17 It was amazing and the biggest attendance they ever had. They filled all the parking lots and all
18 the way down Lovers Lane and the clinic parking lot across the street. Everyone enjoyed it and
19 Julie gave a big shoutout to the Public Safety Department and Alicia who coordinated all of it. It
20 was a huge event, and everyone enjoyed it. Julie thanked the department. DHART landed on the
21 baseball field and small groups were allowed to go into the helicopter. They had it at the Pinnacle
22 so they would be able to have the pool and more space and games.

23
24 Arne wanted to add something regarding Bailey Hill Road and the number of hours Peter had been
25 putting into it and saving the town some serious money as far as research and couldn't imagine
26 what it would have cost the town. Peter is very thorough and precise, and it will help the town
27 when they discuss the issue.

28
29 **Agenda Item 5, Appoint Local Cannabis Control Board Member, Barry Fowler**

30
31 This position had formerly been held by Reisa Alexander and Arne thanked her for her time. Barry
32 Fowler told the board why he was interested. He lives on Route 10 in Chester. At one point, he
33 was elected the thankless job of lister. He's wanted to get involved with the town and when he saw
34 the opportunity for the Cannabis Commission, he thought it would be an opportunity to get
35 restarted. Barry's history with cannabis was he grew up in the '70s. He looked forward to serving
36 the town and the commission. Arne thanked him for volunteering and stepping forward. Julie said
37 it would be a 3-year term and expire in March 2027. Tim moved and Lee seconded the motion to
38 appoint Barry Fowler to the open position on the Cannabis Control Commission. The motion
39 carried unanimously. Barry Fowler thanked them.

40
41 **Agenda Item 6, Julian Quarry Violations**

42
43 Julie said the request was permission. Preston said there was a Notice of Violation he drafted in
44 February, and it was appealed through the environmental court and there was a stipulation
45 generated and signed by all parties and Julian would not contest the appeal and most valuable was
46 the hammering was stopped. There are other activities occurring including traffic between the two

1 quarries. The North Quarry doesn't have any activity but they're still moving materials. The one
2 thing Preston is asking for enforcement on is two structure violations, a house in floodplain and a
3 shed built out of container boxes that doesn't meet setbacks and they have not complied with the
4 requirements to go before the DRB to get the setbacks. Preston said they consulted the town
5 attorney, Jim Carroll, every step along the way and structure violations are much clearer to enforce
6 than use violations. Jim's legal phrase was the use violations are taken under advisement which
7 was a way to say they are not sure they can win yet and didn't want to spend the taxpayers' dollars
8 but would be under advisement it may be added to the case. Julie said they would come back to it
9 as evidence presented itself. Arne said they were looking for permission from the Selectboard.
10 Preston said he can write the notice of violation but only the board can authorize spending of
11 money for Jim Carroll to go after them. The request would be to simply remove them but whether
12 Jim would allow them to try to comply, Preston wasn't sure, given their track record. Arne said
13 they were past point of negotiating and needed to enforce whatever they can.
14

15 Julie said they would need a motion to give them the authority to retain Jim. Lee asked about the
16 cost and Julie said it would depend on how far Julian wants to challenge. Julie doubted it would
17 cost less than \$2,000. There was a stipulation, they agreed, and didn't comply, and Julie thought
18 they would be setting a bigger statement not to act when there was a stipulated agreement. Lee
19 wondered if they could receive financial relief from Julian for violating the agreement. Having
20 worked with Jim for years, Julie expected he would try to claim legal fees as an allowance. Tim
21 wondered if they could stipulate that, and Julie wasn't positive in an environmental court case. Lee
22 moved to approve the memorandum from Preston and authorize the request for legal fees and Tim
23 seconded the motion. The motion carried unanimously. Arne knew there were folks in attendance
24 because of the issue and afforded them the opportunity to speak.
25

26 Mike Myers of Gassetts heard Preston talking about one of several that he plans to enforce. Mike
27 said they spent thousands of dollars to get the six stipulations enforced. They've spent time and
28 effort to document and hire attorneys and one was removal of undocumented buildings on
29 properties in flood zones and he couldn't imagine why there hadn't been enforcement even before
30 now. Julian's reputation speaks for itself, and they should all be familiar with it. He wondered
31 where it would end. One of the stipulations was they wouldn't truck material from one quarry to
32 another and no enforcement was being done by the town or state. They have videos and
33 documentation and have spent money enforcing. They've been dealing with it for 4 or 5 years and
34 no municipality or DRB would have put up with it for the length of time they had. This is so much
35 farther beyond what Mike O'Neil did for the town and O'Neil was a blessing and these people are
36 a curse and were making a mockery out of the rules and regulations. They were still trucking
37 sludge, and he wondered where the sludge was going. For the last 3 or 5 years, it's been going into
38 Dean Brook. He hoped the people in charge of the town would understand what they've been going
39 through for the last 4 or 5 years. One of the rules says operations close at 5 pm and they don't stop
40 at 5. It was still going on at 5:30 or 6 pm. They can't afford to give them one inch because they
41 take a mile and always have, and he didn't see any reason why they wouldn't. He has dealt with
42 them for too long and they need to do something about it. The State of Vermont and Town of
43 Chester need to enforce the laws. Arne said it was extremely tough when someone disregards the
44 law and does whatever the hell they want and he wished there was a magic bullet, but it was tough
45 to deal with people who have total disregard for the law. And the town needed to do everything by
46 law to deal with this.

1 **Agenda Item 7, Errors and Omission; Assessors**

2
3 Julie said each was different and after the Grand List is set, any time the listers make an adjustment,
4 it requires errors and omission. This was the process after the Grand List had been set and they
5 could vote on them as a group. Arne asked if there were any questions. Tim said the 7th one in the
6 packet the value hadn't changed so he wasn't sure why it was included. Cathy Hasbrouck said it
7 turned out several years ago when a different person owned the property, they had rented part of
8 it and they stopped renting it and when they got a call, Cathy looked, and it was important to
9 remove the apartment as it is no longer used in that capacity. Peter thanked Cathy and knew she
10 was thorough. Arne entertained a motion to approve the group of errors and omissions presented
11 at the August 7th meeting. Lee moved and Tim seconded the motion. It passed unanimously.
12

13 **Agenda Item 8, Quarterly Financial Reports**

14
15 Julie said they were right where they should be, which was always positive. The third quarter
16 would show the tax revenue but as of right now they were 13% revenue and expense and where
17 they should be. The sewer reports looked a little wonky and it had to do with enterprise funds and
18 grants because grant expenses hadn't been reimbursed yet. Arne asked if they were close on cash
19 flow. Julie said they were, and the TAN note is not due until December. They are tight on cashflow
20 because FEMA reimbursement isn't what was anticipated. They are fine because tax revenue is
21 coming in. At a previous meeting, Julie mentioned FEMA has come out with a new rule that if the
22 town had to borrow to cover its cash flow, the interest would be an allowed expense to FEMA so
23 at a 5% interest rate of the current expense note it would be a wonderful submission and they will
24 do that. Julie would not be surprised if in December they extended the expense note. Total flood
25 costs are about \$2.5 million and so far, they've reimbursed about \$400,000. It is an arduous process
26 this year. During Irene, they were reimbursed in 6 to 8 months. We are now more than a year out
27 and Chester is not alone. They have added all kinds of layers and review for each project. Julie
28 heard today from FEMA that they want the project managers to get projects obligated. All of
29 Chester's have been submitted. Julie said they would see if they received a large influx of money
30 in the next two months as they would like to get them paid out this year. Flooding expenses do not
31 show in the general budget. It wasn't a question of whether it would get reimbursed because it
32 would, but timing was less than desirable.
33

34 Peter wanted to thank Public Safety because last year the ambulance was all over the place and
35 now it was running nicely and smoothly. Julie noted the new ambulance should arrive mid-
36 September and they can begin the transfer service.
37

38 Arne asked if anyone had any questions or concerns and there were none.
39

40 **Agenda Item 9, Catering Permit; WI Foster**

41
42 It is for a one-day event on Main Street. Arne entertained a motion to approve the DLL application
43 46814 request to cater permit of WI Foster for an event at 639 Main St Chester, Vermont on
44 September 21, 2024. Tim moved Lee seconded the motion which carried unanimously.
45
46

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

- 2
- 3 • Solar field.
 - 4 • In September, Julie anticipated the Planning Commission would give the board their
5 changes from the hearing.
 - 6 • Housing Commission
 - 7 • Tim was getting questions about the forestry grant. Julie said the town received a forestry
8 grant for around \$47,000 for some canopy work in the village which included removal of
9 a bunch of dead trees along Main Street and the Brookside Trail and various locations
10 around town and the trees have been removed. It included planting several new trees. In
11 2018, a canopy management plan was done through a grant, and this was the
12 implementation. They went out to bid and received one from Skyline who took an
13 inventory to see if they qualified for a spring planting for types of trees in certain areas.
14 Tim wondered if it made sense to set a time to get together. Julie was waiting for the study.
 - 15 • Julie was asked and it didn't need a vote but there was a proposal to have a debate held
16 September 8th on the Green for the House of Representatives position. The request was
17 whether they would be willing to close Common Street for an hour while it took place.
18 The proposal was to do it after businesses closed so the debate didn't interfere with
19 business. Julie wanted to make sure the board had no concerns and noted the Police
20 Department had no issues. It was a Sunday afternoon or evening. Julie would doublecheck
21 that it was after business hours. Arne asked who the organization was, and Julie said she
22 was contacted by the Republican Party. The debate would be between Heather Chase and
23 Tom Charlton who are running for the House. Julie would confirm with the businesses
24 that they are okay with closing the street.
- 25

26 Julie had nothing for a second meeting in August and wanted to know if they wanted one. They
27 decided not to meet unless something came up. Julie would hold the spot.

28

29 **Agenda Item 11, Executive Session: Personnel**

30

31 Lee moved to enter executive session about personnel and Tim seconded the motion. The motion
32 carried unanimously. The board went into executive session at 7:26 p.m.

33

34 (Executive Session)

35

36 A motion to exit executive session was made by Lee and seconded by Tim. The motion carried.
37 Executive session ended at 8:20 p.m.

38

39 **Agenda Item 12, Adjourn**

40

41 Lee moved to adjourn, and Tim seconded the motion. A vote was taken, and the motion passed,
42 and the meeting was adjourned at approximately 8:20 p.m.