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**TOWN OF CHESTER
SELECT BOARD MEETING
December 4, 2024 Minutes**

Board Members Present: Lee Gustafson, Arne Jonynas, Tim Roper, and Peter Hudkins at Town Hall; and Arianna Knapp via Zoom.

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

Visitors Present: Lauren Fierman, Daryll Kale, Shawn Cunningham of The Chester Telegraph, Frank Bidwell, Kevin Longo, Kirby Putnam, and Logan Nicoll at Town Hall; and SAPA TV, Matthew Gorsky, and Evan Parks via Zoom.

Call to Order

Chair Arne Jonynas called the meeting to order at 6:30 with the Pledge of Allegiance, welcomed everyone, and asked them to sign the attendance sheet.

Agenda Item 1, Additions or Deletions to the Agenda

There were none.

Agenda Item 2 Approval of Minutes from the Selectboard Meeting dated November 20, 2024

Lee moved and Tim seconded a motion to approve the November 20, 2024, minutes. Lee noted page 2, line 46 the Cavendish Snow Ladies should read Cavendish Snow Fleas. On page 5, line 28, the third word should be “to” and not “so”. The motion carried and minutes were approved, as amended.

Agenda Item 3, Citizen’s Comments

There were none.

Agenda Item 4, Old Business

Report by Town Manager:

Solar Field

Julie said they had met and would update the board in executive session.

Water Meters

They were discussed at the last meeting and Jeff Holden will provide an update at the December 18th meeting.

1 (Arianna Knapp joined the meeting via Zoom.)
2

3 **Agenda Item 5, SS4A (Vision Zero) Resolution; Mount Ascutney Regional Commission**
4

5 Logan Nicoll from MARC was present to give insight into the resolution. Arne said monies would
6 be available through a transportation bill and a resolution would need to be adopted to benefit.
7 Logan has been working under a grant that MARC received from the U.S. Department of
8 Transportation to write a safety action plan for strategies to get to zero deaths for pedestrians,
9 cyclists, and motor vehicle users of roadways. MARC's Transportation Advisory Commission, of
10 which Peter is a member, helped write the resolution. It was adopted by the MARC Board of
11 Commissioners. Logan changed the language in the resolution to apply to Chester. All of MARC's
12 towns need to adopt the resolution setting a goal of zero deaths by 2040. It would open \$1 billion
13 in grants through the Infrastructure Investment and Jobs Act that could be applied for in
14 implementing the projects. They are conducting an online survey and encourage public input. Peter
15 gave information to Preston to give to the Planning Board. The map allows for input about the
16 safety of public roads providing them with data to include in the grant so they can be fixed. It came
17 about because the road foreman in Weathersfield saw the opportunity to install guardrail and wants
18 funding for it. MARC sees it as an opportunity for bike lanes and other facilities. Logan asked
19 them to adopt the resolution, as presented. Ludlow, Andover, and MARC have all adopted it thus
20 far. All towns must opt in. Arne asked if \$1 billion was national or Vermont only and Logan said
21 it was national. Peter said they had worked on it for a while and thought it was good, and the data
22 is current and easy to follow. Peter said it was only counting accidents reported by the police and
23 noted there were incidents that people don't report, such as slide-offs, and that was the data needed.
24 Lee said there was no guarantee they would receive grant money and wondered what roads it could
25 be applied to. Logan said it had to show up in the data safety plan and that's why the public data
26 was needed. Julie said if a Class 3 road showed up in the plan, it would be eligible. Logan said
27 they should weigh things on a case-by-case basis before applying for grants. Lee wondered what
28 strings were attached and what they would give up. Logan thought it was a 10% to 20% match and
29 there could be extra hoops to jump through. Peter noted they weren't required to apply for the
30 grants but by doing this, they could but weren't committing to anything. Logan agreed. Tim asked
31 if each project would require a separate grant application and Logan thought they would unless
32 the projects were similar. Tim asked if Regional Planning would submit applications, or if towns
33 would and Logan thought MARC would at least offer technical assistance. Peter said
34 Weathersfield was looking to fix a particular dangerous road. Peter thought Chester could benefit
35 several of its roads. Arne confirmed with Logan that the survey would allow them to input where
36 dangerous areas were, especially unreported ones, and that it was currently online. Logan said it
37 was on MARC's website. Things like unreported slide-offs were something they hoped to capture.
38 Lee asked who had ultimate control over the projects. Julie said they don't have to apply for them,
39 but MARC would help. Logan confirmed the town would apply for the grants for roads the town
40 chose. Lee wondered who would make the grant decisions and Julie said it would work like any
41 other grant applied for. The resolution would simply give them access to a potential pool of funds
42 not available to just anyone. Julie said a lot of their grants are federal dollars. Logan said it was
43 worth noting they were the first district in the state going through the program writing a safety
44 action, so they were trailblazers. The grant applications are expected to be available in the Spring.
45 Anyone can input the data in the survey. Arne noted the public would have an input on where the
46 money would be spent and identify issues, they may not be aware of. Lee wondered if the survey

1 would take into consideration the time of year incidents happen. Logan said with the current data,
2 winter conditions causing death and serious injuries weren't as high as he expected but input as to
3 why they were happening was allowed in the survey. The resolution was in the final form if they
4 chose to adopt it.

5
6 Arne entertained a motion to accept the Zero Vision Resolution for the Town of Chester. Tim
7 moved and Peter seconded the motion. Arne said the Resolution would be in the minutes so people
8 could see the details on it. The motion carried unanimously. (The Zero Vision Resolution for the
9 Town of Chester is attached hereto.)

10
11 Logan said it had been around at least three years and understood it was the second round of
12 money, and said he was in a group with others who have the grants and are managing them. The
13 board thanked Logan for his presentation.

14 15 **Agenda Item 6, Highway Access Permit; 116 Main Street**

16
17 Arne said the request was made by Kevin Longo for a driveway cut to 116 Main Street and he was
18 there to present his case. Arne noted it was usually a decision made by the Road Commissioner
19 but because there was some controversy surrounding it and the history, it was decided to come
20 straight to the Select Board. Mr. Longo presented the board with some additional information to
21 supplement what was included in their packet. Longo said they are trying to obtain a permit and
22 had used an attorney. Having a building in the center of town, he appreciated everything the town
23 did to make Chester accessible and beautify it. Longo said he represented Longo Properties who
24 owns the Henry Office Building at 116 Main Street. The property houses a CPA, attorney,
25 architect, and financial advisor, and Longo felt it is one of Chester's most historical and charming
26 buildings. Their vision is to preserve its historic character while enhancing its utility and beauty,
27 as they have done to their historic home in Massachusetts. They aim to continue contributing
28 positively to Chester, but their ability has been hindered due to being denied reliable access to the
29 property for parking, entry, and exit. He read a statement about the shared easement accessing his
30 property and why they want a private driveway. Their vehicles are plowed in and if they plow
31 themselves, they are threatened with the easement being revoked and the police being called. There
32 have been verbal confrontations between clients of the building, dangerous situations, and it has
33 escalated with some requiring police intervention. They have commercial tenants, and the situation
34 is making running the building untenable. They are seeking a permit to construct a driveway to
35 provide independent access to their property which will cost around \$40,000. Without the
36 driveway, the situation will continue to deteriorate. The project does not involve a change of use.
37 Longo thought the neighboring property's use changed going from a retail store to having up to
38 18 sheds on the property and 5th wheel trucks and trailers going through there regularly. Longo
39 provided pictures to the board and stated that it created a dangerous situation for children and other
40 pedestrians. He said it was a hazard to the public roadway and their driveway. Henry Building's
41 normal hours are 9 to 5 Monday through Friday. Creating a parking lot behind the building would
42 make a safer environment for visitors. Because the sheds were moving in and out of the
43 neighboring business, they have increased traffic flow substantially. Drainage is a concern, so they
44 are using crushed stone with a drainage channel that will manage the water better than it is being
45 managed currently. Many children traversed the area, and the current situation was dangerous.
46 Longo said they are looking to mimic the library's driveway which is across the street from the

1 building. Roadway safety is an issue, and they want to support that. He saw it as a long-term benefit
2 for the town and noted that easements create headaches. As you enter the town and approach Dollar
3 General, it says the state highway ends and at Lovers Lane, it says the state highway begins, so the
4 road in between was a connector. Longo said although they've hired an attorney, it's not to
5 intimidate but this is important to them, and they want to bring peace to the area.

6
7 Arne thanked Longo for his presentation. Arne asked Kirby Putnam of the Highway Department
8 if he wanted to speak. Kirby said the access points are close together and there was a lot of
9 congestion with the school, so he wasn't necessarily in favor of it but understood there was a lot
10 of conflict. Lee asked Longo what the rationale was for the harassment. Longo couldn't speak for
11 them but understood they were nearing retirement and wanted Longo to purchase the building for
12 \$500,000 and would make their lives miserable until they do. Longo said they're not interested,
13 especially for that price. Tim said there was 12 ½ feet between Longo's property and the
14 neighboring house but the property lines aren't always exact on the overhead images. Lauren
15 Fierman, who lives in the neighboring house at 102 Main Street, said her house was built in the
16 mid-1800s when there weren't setback requirements, and they were right on the property line. Tim
17 said the property line wasn't accurate on the image which didn't surprise him. Longo said they had
18 a survey. Tim questioned how wide it was, and Longo said their plan was to have it close to the
19 building with rocks to delineate and appreciated and understood the concern. Arne said they have
20 buildings touching each other which is why zoning laws have tried to address that, and setbacks
21 are talked about, and it was difficult to decide because of the impact on neighbors. Arne was leery
22 about deciding tonight given there were letters from lawyers, and they needed to protect the town
23 from liability. Arne thought Longo was being honest but noted there are always two sides to a
24 story. Peter noted there was a standard and they refer to the highway specifications and Julie said
25 as most towns in Vermont do. Longo what they wanted was consistent with probably 80% of the
26 properties in the connector area and they weren't looking to overturn a decision because one hadn't
27 been made. The police department deals with traffic flow and accidents and sits in front of their
28 building often looking for speed violators. Longo had an email from the Police Chief and didn't
29 think they felt it would negatively impact the situation. Peter said the driveway standard in Chester
30 was 12 feet wide and said they refer to the state standard. Julie added that most towns in Vermont
31 do. Peter said the library has a shared driveway and they make it work but could relate to the
32 difficulty of getting along with a neighbor and it was important to learn to deal with it. Lee asked
33 if the 12-foot standard would allow the proposed driveway to work. Longo shared plans drawn up
34 by an architect with the board.

35
36 Arne offered Lauren an opportunity to speak. Lauren was completely sympathetic to the issue he
37 faced, and she observed the issues he referenced, the increased traffic, the noise, and heard all the
38 shouting. In her mind, her kitchen and dining room windows look out onto green space between
39 the two buildings. Her concern is drainage, and uncertainty, as she is not an engineer and would
40 want assurances that she wouldn't end up with more water in the basement. She is also concerned
41 with snow plowing against her basement windows. She said if there were 10 more feet, she and
42 her husband wouldn't be concerned. She said Longo was a good neighbor but wondered what
43 would happen if he sold it and wanted assurances that her property wouldn't be damaged. Longo
44 thought reassurances were reasonable and fair and didn't want to create those scenarios for
45 someone else and could make those commitments, including plowing. Lee questioned if the access
46 through the neighbor's driveway was by an easement, and it was. Lee didn't think they could

1 restrict access and Longo pointed out that they could block the driveway with big trucks and restrict
2 access. Lee thought if they did, Longo would have legal recourse, but it wouldn't be instant and
3 could take up to 6 months and in the meantime, their tenants would be unable to park. Lee
4 understood and felt sorry for Longo but wondered how the board could accommodate his request.
5 Longo would rather put the money into the building than a driveway but didn't see that as a viable
6 option. Tim said the right-of-way looked to be 15 feet and wondered if he could put the parking
7 lot in the back and access it from the right-of-way. Longo had considered it but didn't see any
8 solution that involved working with them. Tim wondered what the language in the deed describing
9 the right-of-way said and if it was enforceable. Tim wasn't litigious but wondered if there was an
10 instrument of law to hold the neighbor accountable and keep the right-of-way clear to access a
11 parking lot behind the building. Longo said it wouldn't be effective because it would require
12 enforcement. It was urgent because things were escalating. Longo has a no-trespass order on his
13 neighbor, as does the school because of an issue that happened there. Longo spent \$8,000 on
14 cameras because of what happened, and they have exhausted their options. Longo said he has the
15 width to install a 12-foot driveway, a solution regarding water management, and he would like to
16 add a fence to create a boundary and privacy. They would make sure they have green grass and
17 want it to enhance the property. Longo said the town is aware of the risk in the current environment
18 and he is just trying to mitigate that risk.

19
20 Lee said it was a viable business in Chester that has longevity and issues associated with it but
21 thought as a town, they needed to make sure it stayed a viable business. Chester needs as many
22 operating businesses as possible. Lee didn't think they would decide tonight, but they needed to
23 think outside the box and appreciate a long-term business. Arne sympathized with having to live
24 with a neighbor they didn't get along with and wished Longo had taken the issue farther with the
25 courts than just a restraining order. Arne wondered, as a town, if they were opening themselves up
26 no matter what the decision was and noted it was a shitty situation having to live like that given
27 the volatility. Arne said they could let him have his curb cut but it was still a state highway with
28 strong suggestions they must follow. Lee wondered who plowed and Longo said the neighbor at
29 issue did and billed them for it and that he could plow them in because he's doing the plowing.
30 Frank Bidwell questioned whether he could sell sheds if he didn't go through Zoning or the
31 Planning Commission. Julie and Arne have spoken with Preston Bristow about the sheds and the
32 property is permitted for retail and the zoning regulations don't differentiate between inside or
33 outside sales just as retail on the premises. Julie will speak with Preston about the excessive truck
34 traffic which may be able to be addressed. Longo agreed with Arne about trading one set of
35 challenges with one neighbor for another neighbor but said they can do things to mitigate the effort
36 so they don't have problems and can provide a copy of the plan. Longo felt the easement was
37 poorly done and said if tenants leave, the opportunity to replace them may not be good. There was
38 physical access, but they were also deterred by their neighbor's antics. Arne suggested Longo start
39 with a parking lot and use the right-of-way and come back to them if things don't work out because
40 a parking lot was still needed. Arne questioned if Longo would give up the easement if he had a
41 new driveway installed and Longo said he would need to follow up with his attorney and decide
42 and would do what was necessary to satisfy the needs of the situation. Although Longo uses an
43 attorney to give him the guidance to go down the right path, he didn't feel his attorney needed to
44 attend the meeting.

45
46 Arne wanted direction from the board. Lee recommended allowing the curb cut because it would

1 solve the problems and keep a valuable business operating for a long period of time. Tim
2 empathized with all of it. For safety, Tim said the state guidelines were for traffic and pedestrian
3 safety and many kids walk to school and it would create another place for cars to come and go.
4 Tim thought they should give it some more consideration and see what they could come up with.
5 Peter's biggest concern was the standards set, and the drawing showed the backyard completely
6 paved out and graveled when only 5 parking spaces were needed. That didn't make sense to Peter.
7 Peter suggested hiring someone to plow, but noted he was also concerned with the drainage, and
8 he was a flat no. Arne asked Arianna, but she did not respond, and he noted she was working on a
9 big project and may not be available. Arne said he would be more comfortable speaking with the
10 town attorney. Lee recommended an attorney review the easement and indicate whether it was
11 enforceable. Tim agreed with Peter that Longo should hire a plow person and Longo replied that
12 the easement contained language that the neighbor controls plowing, so it would be an additional
13 expense. Arne said the whole thing was a mess. Julie suggested Longo start with the attorney who
14 represented him at the real estate closing when he purchased the property. Julie would send the
15 materials to their solicitor, Jim, for review.

16
17 Longo asked if they would let him know whether there was a decision or more information needed,
18 and Julie said it would begin with a discussion with the town's attorney, getting his guidance, and
19 discussing liability. Julie asked Longo to send her pictures of the property to help. Arne suggested
20 an agreement with the other neighbors that would be amicable. The Board said that would help
21 them a lot in their decision.

22
23 (5-minute recess.)

24
25 **Agenda Item 7, 2025 General Fund Budget; Highway**

26
27 Julie began the presentation with the cemetery budget noting the only increases were salary and
28 medical insurance and a tool that needed to be purchased for identifying markers.

29
30 The highway surplus deficit reflected in revenue was unknown until all expenses come in for 2024
31 and would be determined at the last minute. They would have a good idea by the end of the month.
32 They are anticipating savings in gravel and sand due primarily to debris removal from the river
33 during the storm. They removed gravel from the river and brought in a crusher paid through the
34 FEMA flood fund and are creating a stockpile in preparation for the need. Steve Vertefeuille is
35 concerned that there is no backup heating for the highway building. They burn wood so the heating
36 is pretty much free, but the boiler is old, and they would like a backup system. The budget includes
37 \$30,000 for a backup system. A trailer is needed for Highway and is reflected in the budget at
38 \$45,000. It could come out and go in capital but if they didn't have to finance them, that would be
39 great. Julie hoped they could take it from the savings in sand and gravel. Gravel is primarily used
40 during flood season and this year was over budget. They are anticipating the purchase of a new
41 grader, and it is under the capital plan. John Deere would cost \$388,000. Kirby is getting a quote
42 from CAT. The quote assumes their trade-in and some extended warranties. Arne said it's the type
43 of equipment that is difficult to maintain independently. The grader is 12 years old and has 11,300
44 hours on it, so it's time. 2025 is the year they can skip a dump truck so it may be a good year to
45 do the grader and there isn't much hitting the capital plan. The new grader will have a little more
46 horsepower. Peter thought it was a good time to buy construction equipment because John Deere

1 and CAT were laying off workers. Dump trucks are 18 months out, so if they want one in 2026, it
2 needs to be ordered now. Julie suggested ordering the truck and voting on it at Town Meeting in
3 March, so bond approval wouldn't be until 2026. They would not be obligated to get it if it failed.
4 Arianna thought another town would jump on purchasing the truck if they changed their minds.
5 Peter appreciated that Kirby was trying to stay within budget. With the gravel, Peter noted that the
6 river gravel was very porous. Kirby said there were probably 20,000 yards of it. Julie said they can
7 crush it down and get their sand. Peter thought if they ever wanted to expand the rec department,
8 they would need to fill the wet areas. Julie said the budget was up by \$70,000 but that was because
9 of the boiler and trailer so if they weren't in there, it was a neutral budget. Kirby said he and Steve
10 talked a while back and thought the boiler was a backup and Julie agreed. The boiler would be a
11 propane backup in case the wood furnace ever failed. It was noted a newer generation wood boiler
12 would be more efficient with less smoke and pollution. They thanked Kirby for his time and all he
13 does for the town.

14
15 (Arianna left the meeting.)
16

17 **Agenda Item 8, Request for Economic Development Funds**

18
19 Julie spoke with Steve Vertefeuille, and they already have three-phase electricity in the building
20 for the elevator and they wanted to bring it upstairs because it was more accessible power. It may
21 not be required for the heat pump systems, but Wayne wanted it available for any projects they
22 had upstairs. The grant should pay for most of it. Peter said it was a no-brainer because three-phase
23 was already there, and it was in-house. Lee still wasn't convinced anything upstairs required three-
24 phase electric. Tim agreed. Peter said they were bringing three more circuits upstairs. Julie said it
25 was explained to her, by Arianna, that they were bringing up more capacity. Arne said three-phase
26 was more efficient because some of the heat pumps would be less expensive to operate. Lee's
27 experience with three-phase was limited but based on what he knew, he didn't think the equipment
28 was cheap and to him, while the grant may pay for it, he wasn't sure they would ever use it and
29 wondered if it was worth doing. Phase one was the upgrade of the panel on the balcony and 16
30 outlets on the wall were \$17,000. Phase two was to install a panel box on the stage bringing the
31 three-phase up there was \$14,000. Three-phase would only be on the stage. Julie suggested they
32 approve the \$17,000 for phase one of the work and she could go back to Steve as they implement
33 energy improvements and if it's determined three-phase power is needed, the grant would pay for
34 it, and it wouldn't need to come from Economic Development Funds. Tim thought Lee had a good
35 point, but if they were operating heat pumps, three-phase would be necessary for savings to be
36 more efficient. Peter thought \$14,000 to have a viable theater in town was something they should
37 support, and it wasn't costing them anything to do that. It was a giant step forward.
38

39 Matt Gorsky noted he isn't an electrician but was an electronics technician of 30 years. He said it
40 would cost the town less to run if they had three-phase for anything with a high current draw. Matt
41 wanted to offer that for those who didn't know what three-phase did. They thanked Matt for his
42 input. Julie read Evan Parks' comments, who said it was important for sound and lighting. Arne
43 thought they should do both and Julie would get whatever funding she could get from the grant.
44

45 Arne entertained a motion to spend \$31,000 from the Chester Economic Development Fund for
46 the purpose of creating electrical at Town Hall. Tim moved and Peter seconded the motion, and

1 the motion carried unanimously.

2
3 **Agenda Item 9, New Business/Next Agenda**
4

5 The first meeting in January is January 1st. Julie didn't mind meeting but if they did not meet on
6 that date, an alternate was needed. Julie suggested the following Wednesday or later in the week.
7 Tim noted there were five Wednesdays in January. Tim asked if the 8th and 22nd would work and
8 Julie agreed. Peter wondered if they should have it on Thursday, January 2nd and then on the 15th.
9 They decided to meet on the 2nd and 15th.

10
11 Arne received an email about the state requiring them to appoint an ethics liaison. Julie will be
12 doing a training session with VLCT, who lobbied hard against it. The state is requiring
13 municipalities to have an Ethics Liaison between the municipality and the State Ethics Board for
14 anyone to file complaints against municipal officials for ethics violations. Lee wondered about the
15 cost and Julie didn't think there would be one unless there was a complaint and/or violations and
16 legal counsel was required. Arne noted the person to do it would be a volunteer or someone who
17 they appoint. Julie thought all municipal officials must receive ethics training annually. Julie
18 assumed the training would be at no cost at present.

19
20 **Agenda Item 10, Executive Session: Verizon Tower Lease Amendment**
21

22 Lee moved and Peter seconded the motion. A vote was taken, and the motion carried.

23
24 (Executive Session entered at 8:47 p.m.)
25

26 Lee moved and Tim seconded a motion to exit executive session. A vote was taken and the motion
27 carried.

28 (Executive Session exited at 8:56 p.m.)
29

30 **Agenda Item 11, Executive Session: Solar Field Purchase Negotiation**
31

32 Lee moved and Tim seconded a motion to enter executive session. A vote was taken and the motion
33 carried.

34 (Executive Session entered at 8:57 p.m.)
35

36 Lee moved and Tim seconded a motion to exit executive session. A vote was taken and the motion
37 carried.

38
39 (Executive session exited at 9:25 p.m.)
40

41 **Agenda Item 12, Adjourn**
42

43 Lee moved to adjourn, and Tim seconded the motion. The motion carried, and the meeting was
44 adjourned at 9:25 p.m.
45