

1 **TOWN OF Chester**
2 **SELECT BOARD**

3 **July 7, 2021 Draft Minutes**

4 **Board Members Present:** Arne Jonynas, Jeff Holden, and Lee Gustafson at Town Hall. Heather
5 Chase via Zoom.

6 **Staff Present:** Julie Hance, Town Manager; and Susan Bailey, Secretary

7 **Citizens Present:** Karen Ericson, Asah Cramer, Melody Reed, Joy Slaughter, and “Carol’s
8 ipad” via Zoom. Tim Roper, Robert Neid, Cheryl Joy Lipton, Kaitlynn (last name not known),
9 and Sean Cunningham at Town Hall

10 **Call to Order**

11 Arne Jonynas welcomed everyone and called the meeting to order at 6:00 p.m. with the pledge
12 of allegiance.

13 **Agenda Item 1, Review minutes from June 15, 2021 meeting**

14 A motion to review the minutes was made by Lee Gustafson and seconded by Jeff Holden. There
15 were no changes or corrections to the minutes. All members were in agreement and the motion
16 was approved unanimously.

17 **Agenda Item 2, Citizen Comments**

18 Arne Jonynas asked for citizen comments on issues not on the agenda and there were none.

19 **Agenda Item 3, Old Business**

20 Julie Hance said the repairs have been completed and the pool will open tomorrow for the
21 summer. She said the security cameras caught other offenders but not the one(s) who damaged
22 the pool. The cost of the repairs was in the \$3,000 range and will be submitted to insurance. The
23 cameras identified people dumping kitty litter in the garbage cans and another gentlemen
24 dumping household garbage and some Route 11 project workers dumped a load of pavement all
25 over the Pinnacle lawn which they were able to identify who it was and rectify it, so the cameras
26 have proven useful.

27 Julie said there were plumbing issues and will replace the plumbing in the pit in the fall when the
28 pool is closed. She said plumbing around the deck was replaced when the liner was installed
29 years ago but the pit plumbing is old and needs to be replaced and will be a fall project. Arne
30 Jonynas thanked Jeff Holden for getting the pool ready.

31 Julie said they originally wanted new town signage installed this year but a program is opening
32 up that would pay for construction and installation which would save Chester a significant
33 amount of money. It was decided it best to hold off until next year when there is funding. Julie
34 explained that \$5 million had been allocated by the state for municipalities who are either village
35 center or downtown designated and have received a Better Connections grant. She said that grant
36 is what funded the town’s Master Plan. Julie said the Way Finding package is a direct initiative
37 from the Master Plan. Chester has done the Master Plan, the Way Finding plan and now the
38 installation and she expects that Chester will be funded, which would be a \$100,000 package
39 with a minimal match, which is 10% at this point. When the town gateway signs are included it
40 would cost around \$200,000. If they could get everything installed for \$20,000 with the grant, it

1 would be the best way to go. The grant will open up this fall.

2 The trail on Brookside is done. Permitting has been approved for the bridge which construction
3 is expected to begin in August. They are eradicating the barberry along the trail. Frank and Amy
4 from the Slippery Slope Goat Farm will come the week of July 19th and be there for six days.
5 The goats will be fenced in and will be moved to a new location every day to chew down the
6 barberry. It was agreed that it is a better alternative than spraying with chemicals. It will take a
7 couple years to complete. It is ideal to do before it flowers. Julie said it would be a great little
8 story for a small town. Arne Jonynas said they are looking for volunteers to walk the goats, bring
9 them in, and get them water. The town will help with getting a water trough there and bringing
10 the water in. Arne said the trail is walkable and provides beautiful views of the village. Lee
11 Gustafson asked if that included the second 30 acre parcel and Arne replied that it did. Arne said
12 there is a farm on the backside and other neighbors and was a very cool trail. He added it is easy
13 to get to and will be accessible for the first part of the trail, once the bridge is in, and will also be
14 handicap accessible for the first part of the trail and will get them across the creek and into the
15 woods into some nice spots. Heather Chase added she wanted to say how exciting it has
16 happened and loved hearing about the goats. Julie added the grant budget included \$2,000 for
17 pesticide but the town will just spend the money on 6 or 7 days of 18 goats.

18 Julie announced the hiring of Wayne Wickens, for the water wastewater division and that he has
19 already proven to be a valuable asset. She said he is wastewater certified and will get his water
20 certification. He is also a licensed electrician. Wayne was one of the electricians who worked on
21 the sewer upgrade in 2002. Jeff Holden said they decided to change the GFI at pool after Wayne
22 looked at the electrical panel. Jeff said Wayne has connections with a place in Rutland and they
23 would get an account there so anytime they need something he can get it. Wayne will install
24 lights in the hallway and has already assessed the treatment plant and will change fixtures that
25 need to be changed which will save on electricity. Jeff added that Wayne was really happy with
26 the facilities when he arrived and Wayne was surprised with how well maintained they were.

27 Julie said the 2020 audit has been completed and if anyone would like to look at it, she can email
28 it. She said there were no significant findings and the results were good as was expected.

29 Julie gave an update on zoning and said the Planning Commission had nominated a sub-
30 committee to work with Jason and Preston. They are working on a plan to bring the bylaws to the
31 Select Board in the near future. Jeff added the planning commission had asked him to speak with
32 the committee regarding water and wastewater and he was glad they had done that. Arne said he
33 was all about small businesses coming in here but wasn't sure if Chester could handle another
34 business like Drew's. He said they have been a big asset, but currently the utilities were not
35 capable of handling another business that size. He said there were several commercial lots in
36 town that would be a good fit for smaller businesses. Jeff said if they get the upgrades put in,
37 they will have more breathing room.

38 Arne asked if Heather Chase or Lee Gustafson had anything to add and they did not.

39 **Agenda Item 4, Community Greenhouse – Letter of Intent**

40 Arne Jonynas announced the Chester Community Greenhouse folks were present to help them
41 through the project and with discussion. He said it was Cheryl Joy, Kaitlyn, Tim Roper, and
42 Robert Nied. A lot of legalese was put in the letter to protect the town as they go forward. The
43 main objective of the letter was to give a document to the greenhouse group to help them seek

1 out grants. Arne asked for comments or questions from the Select Board. There was discussion
2 about the number of potential sites mentioned in the letter and they wanted to make it clear they
3 were just covering the two town sites. Julie proposed clarifying it to say it had been narrowed
4 down to two sites. Lee suggested they insert town-owned project sites to clarify it. Jeff said he
5 didn't think it would hurt to say seven sites were considered. Cheryl Joy suggested a clarification
6 that the other five sites were disqualified for various reasons and Julie agreed.

7 Arne referenced one of the anticipated conditions in the letter and said it was the town's
8 responsibility to host the public forum and the greenhouse committee would participate. Arne
9 said they would be involved in the process but to satisfy the board's due diligence as far as
10 informing the public and holding a forum and the greenhouse group could participate with
11 information.

12 Arne opened the floor to the Chester Greenhouse and Gardening Committee for their thoughts.
13 Cheryl Joy Lipton said she thought it was wonderful and thanked them all. There was discussion
14 about raising funds for ongoing maintenance, renovation, etc. and they would raise money as
15 they went along.

16 It was discussed that the cost of decommissioning, if necessary, would be reserved in escrow.
17 Cheryl Joy offered that the greenhouse itself was valuable and would pay for anyone that wanted
18 it. She said the cost of taking down one in Walpole was about \$20,000 and the greenhouse would
19 be worth far more than that. She said they would also have insurance. Arne said the board's
20 objective was to make sure the town was protected no matter what happened and to make sure
21 the group had a document to serve their needs to solicit grants and donations, capital funds and
22 whatever else they needed.

23 Arne said he expected the next thing to happen once they cleared up with that was the public
24 forum to involve the citizens in any decisions made and to get their input. Arne said after the
25 forum, they would be heading towards a choice between the two sites. Julie said at that point,
26 they would draft a lease and then the town would hold a 1061 hearing notifying the property
27 owners in Chester. It would require a 30-day notice and at the end of the 30 days, the Select
28 Board could sign a lease. Arne told the group they have accomplished a lot in the year and
29 generated enthusiasm in town and had done a fantastic job. Arne said they can go forward with it
30 and have a motion. Julie said she would draft it the next day and send it around for the board
31 members to review.

32 Arne asked if there were any other comments. Robert Nied thanked the board. Cheryl Joy said
33 they were looking for a 200-year lease and there was laughter. Arne said it provided economic
34 development for the town, getting people together, sustainable food, education – it covered
35 everything. Cheryl Joy said it would be a destination and a historic greenhouse and people would
36 be drawn to see it. Robert Nied said when they spoke with the USDA they expressed it could be
37 a model for all of Vermont and other communities as well.

38 Arne asked for a motion to approve the letter of intent with a minor change or two and to
39 authorize the Select Board Chair to sign it. Heather Chase made a motion and Jeff Holden
40 seconded it. Arne said before it was signed they would make sure everyone had a copy of it. The
41 motion was approved unanimously.

42 **Agenda Item 5, Police Department Review; Process & Timeline**

43 Julie discussed the timeline she had been working on, which included things she has been

1 considering and goals for review with improvements to the police department. Julie said when
2 she was appointed as Town Manager she wanted to go department by department, having
3 worked for the town a number of years as well as with the department heads, to improve things
4 that could be done better. They started with the ambulance service and had an assessment done
5 which resulted in changes and improvement taking place in that department. She said the next
6 step was the police department because the chief would retire within the next two years. She said
7 there were also some department heads who would be retiring in the next five to seven years. She
8 would like their input before they're gone. Julie added that given what is currently happening in
9 the world, it was a good time to do this. She said it wasn't to find fault, but to learn how things
10 can be done better. She said body cams and potentially police oversight committees were coming
11 and they now review policies and procedures annually and is there staff to do that. She suggested
12 a deep dive be taken to look at things like a resource officer, community policing and what it
13 would mean for Chester. She said ambulance, police, and fire departments require someone with
14 expertise to assess them. Attracting and retaining police officers is a concern. There is a lack of
15 people going into the police field and many are leaving. This will cause a crunch and Chester
16 needs to look at how to attract officers here. She said going from a 30 to 20-year retirement plan
17 is a worker's comp safety matter that is being reviewed statewide because of the psychological
18 wear and tear for police officers. She said the department heads are doing their assessments but
19 for police and ambulance it requires somebody from the outside because she lacks the expertise.
20 Lee thanked Julie for her efforts.

21 Arne said it was always a good idea to do some self-reflection when it came to town services and
22 felt it would be a valuable tool. Julie said Rick Cloud is working with Amy O'Brien on getting
23 those changes in and updated. There is now a plan in place including twelve policies that are
24 supposed to be reviewed and updated annually and each month a policy is reviewed. There is a
25 process now in Chester to file a complaint that doesn't rise to a criminal level. If it is a complaint
26 against an officer, there is a form online that can be completed and submitted. It goes to both the
27 Police Chief and the Town Manger.

28 Julie said the next step was to review and monitor internal operations. It has been ongoing and
29 the purchase of the fourth vehicle that was recently approved helped tremendously. They are
30 looking for more training opportunities for officer improvement. Considering they are required
31 to know a great deal of information, on-going training helps them be successful and do their jobs
32 well. She said Adam Woodell would be attending a week-long leadership training in Essex.
33 There are a lot of changes coming to the police academy and a new director. She said the new
34 academy director has talked about the changes she is proposing. She has spoken with Rick who
35 indicated officers coming out of the academy feel a little more equipped to be an officer in 2021.
36 Upgrading the retirement program is on the agenda and they have a great health insurance
37 package. Julie hoped to present the sick time conversion program this fall with revisions to the
38 personnel policy. In early 2022 they will need to include in the budget hiring a firm to conduct
39 an assessment of the police department. Julie said it wasn't just to find all the things they are
40 doing wrong but also identifying what is being done well. She wants the officers to be involved
41 and have input of what they would like to see improved. There was an assessment done in 2013
42 and policing has changed significantly in 8 years. The assessment was done for a very specific
43 purpose of getting an additional officer. Although there are things to be taken from it, the
44 assessment should be pretty robust and not to achieve one specific goal but to look at the whole
45 department. The next step would include implementing the recommendations and then
46 developing a community policing plan. Rick has some great ideas about what it could look like

1 for Chester. Julie said current staffing isn't sufficient for their needs and that is where the
2 assessment will help.

3 Julie said Shawn and Rick both had the same idea of holding a citizens police academy and there
4 are towns across the U.S. that do this. She has done some research on it and was impressed and
5 believed it was a great tool to inform those interested in what a police department does. Julie said
6 they would make it regional because it would be too small for just Chester. Springfield and
7 Bellows Falls have considered it. They have mentioned it to some people from the state who
8 thought it would be a good tool. She expects the plan to morph over time and to take time.

9 Arne said he thinks they are heading in the right direction and where they want to go to get input
10 from the stakeholders: the citizens and the police department about where they want to go. He
11 said Chester is a small town with a small police department and they share some issues that are
12 common with bigger police departments. He said state regulations are changing rapidly and they
13 need to stay ahead of it. Jeff said that wasn't possible. Julie said Rick is involved with the Police
14 Chiefs Association so he is informed about a lot and her membership with the VLCT Board of
15 Directors and being on the Law Enforcement Advisory Sub-Committee for VLCT she is
16 involved and has direct points of contact. Trevor Whipple also has a seat at the table in those
17 discussions. Jeff said the biggest challenge for law enforcement is manpower. He felt it was no
18 longer attractive to become a police officer due to the bodily and personal risks. He said training
19 was great but required coverage on the street. Jeff said they are losing manpower faster than they
20 can acquire it. Jeff said the community police academy is a great idea and would serve as
21 recruitment and awareness. He said a lot of people didn't understand what the job took. Julie said
22 the police academy would be for the officers and to educate the community.

23 Heather thought the document was good and fluid and a live document that would be updated
24 and suggested it be updated quarterly or bi-annually. She felt they had a plan to move forward
25 and thanked Julie.

26 Arne read a letter from a citizen, Leslie Thorsen, who could not attend the meeting but wanted
27 her letter read. The letter offered her input on the citizen oversight committee for the Chester
28 Police Department. It included 8 bullet points which addressed several concerns she had about
29 the police department. The letter mentioned Officer Frank and a history of use of force. Jeff
30 Holden objected to Frank's name being mentioned. He also objected to Thorsen writing the letter
31 because nobody was there to defend themselves against her accusations. He discussed being
32 under investigation for 14 months and how he had to remain silent during the investigation while
33 Thorsen was allowed to make comments at public meetings.

34 Arne said if he had read the letter ahead of time, he would have noticed Thorsen's note not to
35 read the comment about Officer Frank and he apologized. Julie said the letter was just emailed
36 this afternoon. Jeff said they are unable to retain police officers because they don't have an
37 opportunity to defend themselves. Heather suggested that maybe they should not discuss it
38 because it wasn't on the agenda. Jeff continued to talk about the investigation that concerned him
39 and became more upset. Arne told Jeff he had to permit citizens comments no matter his opinion.
40 Jeff continued to vehemently express his dissatisfaction. Arne said if he read the letter before the
41 meeting, he would have stopped at item number 7 because she did not ask him to read that aloud.
42 Heather said they do have to read things from citizens but it doesn't mean they agree with
43 everything they say. Jeff said names should not be used when there is an ongoing investigation.
44 Lee said the comments were on the record and suggested that they move on.

1 Julie read item number 8 regarding holding cells. Jeff, having calmed down, said there was a lot
2 of misinformation in her letter. Julie said it was the precise reason for an assessment and why
3 they need someone qualified from outside of the community trained in that area. She told Jeff he
4 was correct that there was a lot of misinformation. Julie said she wants the assessment to cover
5 more than what was done in 2013 and has talked with Trevor Whipple about it.

6 Lee told Julie her approach is good and that Jeff raised a great point about allegations made and
7 when the record is finalized it is never mentioned. Lee suggested the results of an investigation
8 should be printed upon completion.

9 Arne said when a citizen comes before the board, whether or not they agree, they have to listen
10 and that is how it works in a democracy. Jeff said when there is an ongoing investigation that
11 person shouldn't have the right to put their side out there constantly. Arne said anything that
12 comes out is all public knowledge and is on the website.

13 Lee requested the board move on.

14 Julie asked the board if they thought that was the direction she should be going in and they
15 agreed.

16 Arne asked for any other questions or comments and there were none.

17 **Agenda Item 6, Municipal Retirement Program for Police Department**

18 Julie said part of her long-range plan is changing the retirement program for police. All of
19 Chester employees are under Category B and are part of the Vermont Municipal Retirement
20 System. Police officers are permitted to be recategorized under category C or D. *Jeff Holden said*
21 *he would recuse himself from the discussion and left the meeting.*

22 She said most police departments in the state are under C which changes it from a 30-year
23 retirement to a 20-year retirement. It is a career that isn't meant to be a lifelong career due to the
24 physical and psychological stressors that come with the position. In order to change the category,
25 everything has to be given to VMERS (Vermont Municipal and Education Retirement System)
26 by September first. The change becomes effective July 1, 2022 and will change the rates for six
27 months. Effective July 1, 2022 the employer contribution rate for Group B is 6.5% and Group C
28 is 8.25%. In order to qualify for VMERS, an employee has to work 24 hours per week, only full-
29 time officers qualify. It was decided to hold off acting on the proposed change until the next
30 meeting when the cost was known and a full board was present.

31 **Agenda Item 7, Village Center Designation Renewal Application Approval**

32 Heather moved to have Julie submit the application and Lee seconded it. Heather said it has
33 opened doors and benefited the town long-term. There was discussion about where the village
34 center was on the map. There was discussion about possibly extending the village center down
35 Route 11 in the future. The motion passed unanimously. Julie said there has been talk about
36 designating the Stone Village as another village center in the future.

37 **Agenda Item 8, Set Tax Rate**

38 The municipal rate is down three-hundredths of a penny, from 8531 to 8500. The education rates
39 have increased. The residential education rate went from 1.3728 to 1.5041. The residential
40 education went from 1.5005 to 1.5986. Residential is a 13 cent increase and non-residential is
41 around a 9 cent increase. It was pointed out that none of the increase was municipal but all

1 educational and due to the education funding nightmare in the state of Vermont and the town
2 reassessed and is the first year Chester is seeing the full effect. The CLA was over at 120 and is
3 now closer to 100 so tax rates have increased. There was discussion about lack of control of the
4 tax rate and the Department of Education setting rates. Arne asked for a motion to adopt a non-
5 residential rate of 2.454 and a residential rate of 2.3595. Heather moved and Lee seconded.
6 There was no discussion. The motion passed unanimously.

7 **Agenda Item 9, Sign Bond Documents**

8 Julie gave details to the bond for \$250,000 which was for paving projects around town. Lee
9 moved and Arne seconded the motion to accept the resolution and certificate for a general
10 obligation bond for \$250,000. The motion was approved unanimously and Arne signed the
11 bonds.

12 Lee moved to authorize Arne to sign the loan agreement and Heather seconded. There was no
13 discussion and the motion passed unanimously. Arne signed the loan agreement.

14 Lee moved to approve the municipality tax certificate for \$250,000 and Heather seconded the
15 motion. It was approved unanimously.

16 Lee moved to approve the United States of America, State of Vermont, Town of Chester general
17 obligation bond and Heather seconded. There was no discussion and it was approved
18 unanimously.

19 **Agenda Item 10, Review List of Town Properties**

20 There was discussion about a list of 10 properties. Lee said some of the properties had a low
21 value. They discussed two Kingsbury Road properties and two on Route 11 that were part of a
22 buyout program as a result of flooding and are to be kept vacant of buildings per FEMA
23 regulations that the town is required to keep. They discussed other properties from the list that
24 are landlocked. Julie suggested if there were properties the board was interested in unloading that
25 they would need to research how they were acquired and if they are obligated to keep them. Lee
26 thought there were only 4 or 5 properties that would make sense to get rid of that he had scoped
27 out before the meeting. Julie stated she would have the properties researched.

28 Heather thanked Lee for spearheading the project. Arne asked if any other discussion on list of
29 town lands.

30 **Agenda Item 11, Errors and Omissions; Listers**

31 Julie said there were 5 errors and omissions statements dealing with current use stuff. Arne asked
32 for a motion. Heather moved, Lee seconded and the motion passed unanimously. Heather said
33 she would be in to sign.

34 **Agenda Item 12, Cemetery Deed**

35 Arne and Lee signed deed.

36 **Agenda Item 13, New Business/Next Agenda**

37 Arne asked if anything for future agenda items. The financial review and speed limits will be
38 coming up. Julie said she would send the data to the members. The retirement package would
39 also be on the next agenda. There were no other items.

40

Agenda Item 14, Adjourn

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2 Arne asked for a motion to adjourn. Lee made a motion to adjourn the meeting and Heather
3 seconded it and it was approved unanimously. The meeting was adjourned at 7:49 p.m.