



**Chesterfield Select Board Minutes
Tuesday, January 16, 2024 at 4:00 p.m.
Town Office Building - 422 Main Road**

Mr. Fuller called the Select Board meeting to order at 4:06 p.m.

Select Board Members Present: Trish Colson-Montgomery, and Don Willard III

Select Board Members Participating Remotely: Roger Fuller

Town Administrator Present via ZOOM: Brenda Lessard

Public Officials Present: Larry Holmberg, EMD (Emergency Management Director); Dee Cinner, Cemetery Commission; Matt Smith, Highway Superintendent; Mike Malouin, Police Chief

Public Officials Present via ZOOM: Sandra Wickland, Town Clerk

General Public Present: Jeff Manley, Tom Boyle, Joe Gazillo, Sarah Prince, Jennifer Peotter, Alex Lapinski, Robert Aller, Greg Meister, Emily Holmberg, Amy Gavalis, Eileen McGowan, Don Vonner from Verizon.

General Public Present via ZOOM: Sarah Hamilton; Kessie Warlow-Harry; Bill Tirrell, Chappelle Engineering

Recorder of Minutes: Brenda Lessard

On March 29, 2023, Governor Healey signed into law a supplemental budget bill, which, among other things, extends the temporary provisions pertaining to the Open Meeting Law to March 31, 2025. Specifically, this further extension allows public bodies to continue holding meetings remotely without a quorum of the public body physically present at a meeting location, and to provide "adequate, alternative" access to remote meetings. The language does not make any substantive changes to the Open Meeting Law other than extending the expiration date of the temporary provisions regarding remote meetings from March 31, 2023 to March 31, 2025.

This meeting was conducted with ZOOM access for the public.

Warrants:

Mr. Willard and Ms Colson-Montgomery reviewed and signed the warrants W24-15, WP24-15, and WBB24-15.

Minutes:

Ms Colson-Montgomery made a motion, seconded by Mr. Willard, and unanimously voted to accept the Minutes of 01/02/2024 as amended.

Reports:**Edwards Museum Updates:**

Mr. Willard had spoken with Kent Hicks about some issues that Mr. Willard observed at the Edwards Museum. Mr. Hicks agreed with Mr. Willard about the issues and Mr. Hicks will have his crew fix those items in the spring. This will include the repair, filling in and painting of some of the window sills. The Board agreed the retainage could be released since Mr. Hicks has stated he would come fix those items himself. The screw holes on the shutters will also be filled and painted.

Dunham Building:

Mr. Fuller reported that he has not had the building appraised yet.

Don Emerson Road Complaint:

A complaint had been received regarding water overflow at 51 Don Emerson Road. Matt Smith, Highway Superintendent, investigated and determined that the water is coming from Sugar Hill Road. He explained to the homeowner that the work on Damon Pond Road will fix the water issue. The homeowner is satisfied with the response.

Drainage Issues on Bissell Road:

A complaint had been received from a resident living at 121 Bissell Road in Goshen regarding road drainage runoff that is causing her driveway to washout. Matt Smith determined that the water is coming from an adjacent private property. He moved several rocks that may help the situation but not solve the problem. .

MIIA Revaluations of Town Buildings for Insurance:

A response came in from MIIA that the revaluations will remain the same. Mr. Fuller would like to meet with Mick Garrold from MIIA again to discuss.

MVP (Municipal Vulnerability Preparedness) Executive Committee Updates:

Ms Colson-Montgomery reported that the MVP has been meeting several times a week. She has a meeting in Northampton on January 17. The kick-off event will be on 2/24 from 1pm to 4 pm. It will be at the Community Center and will feature crafts for the kids, a bonfire, food, sleigh or hay rides. This event is still in the planning stages. Brochures will be put in with the mailing of the annual street listing. There was discussion of some old wood in the barn at 6 North Road that could be used for the bonfire. Mr. Willard will go look in the barn to see if there is suitable wood that could be used. Some of the wood may be trim boards. Tighe and Bond will be starting an evaluation of the Town properties soon. Ms Colson-Montgomery will be speaking with Dave Christopolis.

Cemetery Commission Updates:

Ms Colson-Montgomery reported that Ms Cinner had meeting guidelines that the public could not speak at the meetings. Ms Colson-Montgomery opined that dialog is good and that allowing

the public to speak is preferred as then the public feels their opinion has been heard. The Cemetery Commission did not act to adopt the guidelines but will take it up at a future meeting.

Recreation Committee Updates:

Mr. Willard reported that noodle size and basketball has begun. Cheerleading is very popular and they had to turn some kids away. There are currently 25 kids signed up for the cheerleading.

School Updates:

Mr. Willard reported that no meeting has been scheduled yet for the FY25 budgets. There will be an agency hired to close out the FY23 books. The Business Manager and the Superintendent are both leaving at the end of the school year. A superintendent search will begin soon. There will be an All District meeting on February 1.

4:58 PM: Pole Hearing Damon Pond Road and Indian Hollow Road:

Verizon and Eversource had submitted two plans for a pole hearing. One was for a relocation of a pole on Damon Pond Road and the other was for some new poles to be installed on Indian Hollow Road. The Select Board reviewed the plans. The Highway Superintendent had no issues with the pole placements. Sarah Prince from Indian Hollow Road asked about the placement of the poles on her street. It was noted the poles have already been installed and were not by her home. Ms Colson-Montgomery made a motion, seconded by Mr. Willard and unanimously voted to accept the two plans for the new and relocated poles. The Select Board signed the paperwork to be filed with the Town Clerk.

5:08 PM: Public Meeting for North Road and Damon Pond Road ROW (Right of Way) Layout:

This public meeting is a requirement of accepting the ROW Layout, which will be voted on at the Special Town Meeting on January 25. The layout of North Road had been previously accepted by the County and was less of an issue than Damon Pond Road but it was decided that the Town accept the ROW layouts together to simplify the process. The future road project involving the reconstruction of North and Damon Pond Roads, to be done by Mass DOT (Department of Transportation), needs to have a Town accepted ROW, and this has triggered the process of having said acceptance accomplished with this hearing as part of that process.

Bill Tirrell, from Chappelle Engineering, spoke of the process of getting the plans drawn. He noted there were several areas on Damon Pond Road that needed monuments (iron rods) installed, which he has done. The monuments (iron rods) that were set are on Damon Pond Road. Mr. Tirrell set a couple of points and established a ROW based on review of deeds, maps, past actions of the town and the existing road.

There were residents at this meeting expressing their concerns about the ROW layout plans. One of the complaints was the width of the Town's ROW layout, which is 66 feet. This width is pre-existing going back to the 1790 County Road layout. It was explained that ROW's are established for maintenance purposes, like tree trimming, work on utility poles, and installation of signs. Although the County's ROW is 66 feet, the roadbed is set within that ROW with the width of the actual road being only 25-26 feet.

Another resident voiced concern about the existing handicap parking at the church. It was noted that the Town has no intention of "taking" the handicapped parking spaces from the church. They do fall within

the ROW, but the road is not being widened at that point, and work will not encroach on the handicapped spots.

Jen Peotter stated her husband worked for the HCOG (Hampshire Council of Governments) and when the HCOG dissolved, the county roads were then transferred to the State and after legislation, transferred to the towns.

Ms Colson-Montgomery noted that the Town accepted the highway project in 2018 when at the May Annual Town Meeting it was voted to approve the funding for the engineering for the road project. There was lively discussion about the upcoming road project.

Discussion continued which included not widening the road, not straightening the road, and not cutting of trees. It was noted that Mass DOT held a public meeting in 2022 for the 25% design. There is no requirement for Mass DOT to hold another design meeting. Some residents asked to see the 75% design plans but the final plans have not been submitted to the Town yet. The Highway Superintendent has seen them. He noted that he has requested that the roads be a uniform 26 feet wide rather than the 32 feet that was proposed by MassDOT. MassDOT accepted his request. The roads will be the same width as Smith Road.

Mr. Fuller asked those present to keep focused on the layout of the ROW. This meeting was not to discuss the road project. This acceptance of the ROW layout is needed for the road project to move forward.

Sarah Hamilton who was attending via ZOOM posted a comment. She stated the Town should see the 75% design before voting on this at the Special Town Meeting on January 25. She also opined that the roads should be narrower than 26 feet and was worried about acquisition costs for the permanent and temporary easements that will be required. Mr. Fuller said that he would contact the State to see what could be done about a public meeting regarding the 75% plans.

Another resident expressed concern about litter on the sides of the road.

Mr. Willard made a motion, seconded by Ms Colson-Montgomery and unanimously voted to sign the Order of Layout and accept the plans as submitted by Chappelle. A final version of the plans will be printed to include the engineering seal and the date of the Special Town Meeting on the plans and will be filed with the Town Clerk along with the signed Order of Layout as required.

Town Administrator Report:

Municipal:

Ms Lessard reached out to Thomas Mann. He gave dates he would pick up the generator but he did not show up. Ms Lessard will reach out to him again.

Center Cemetery Access Road Agreement:

Ms Wyman called Ms Lessard with a few concerns. She asked about plowing, which the Town will not be doing. She also expressed concern that the agreement would create an entailment on her deed if the agreement is filed with the Registry of Deeds. She opined this might scare off potential buyers in the future. The Town may be able to have an agreement with Ms Wyman and

Ms Gage that is just on file in the Town. Mr. Fuller reported he is willing to talk with Ms Wyman if needed.

Historical Commission Letter:

Ms Lessard sent a letter to the Historical Commission acknowledging their letter along with a response from the Select Board.

HCDC (Hilltown Community Development Corp.) and Septic Betterment:

Ms Lessard sent an email to Dave Christopolis and Bea von Hagke regarding the possibility of the HCDC managing the septic betterment program and advertising it. Mr. Christopolis responded he would draw up a plan and respond back. The past policies need to be researched.

Special Town Meeting Warrant:

The warrant has been posted and copies have been sent to Finance Committee, the Town Clerk and the Moderator. The Finance Committee plans to meet prior to the special town meeting to discuss the financial articles.

Cordless Phones at Town Office:

All the cordless phones in the Town Office went down on January 7 but were not discovered as being down until January 8. Ms Lessard has been in touch with TPX who did some troubleshooting but was unable to communicate with the phones. They sent replacement phones as they did in May 2023 but five out of seven new phones keep cycling. Ms Lessard has reached out to TPX again to have them see why they keep cycling. Entre came on Saturday, January 13 and the technician said the base is not communicating with the phone. Ms Lessard relayed that information to TPX.

Police Vest Account:

Janice Boucher notified Ms Lessard that the Police Vest Account has a deficit balance of \$1,900 that goes back to FY20. Ms Boucher stated she had spoken with the Police Chief but it looks like the former Chief did not follow through with getting the reimbursement. Ms Boucher reported that this would need to be covered at Town Meeting. If the Town does not, the DOR (Department of Revenue) may require the Town to raise it on their FY25 recap.

Donation from Florence Savings Bank:

The Town has received a \$500 donation from Florence Savings Bank for the Community Cupboard. The donation will be placed in the COA donation line as they managed those donations.

Town Office Basement Flooding:

The basement had 4" of standing water after the rainstorms this week. Ron Loven came and got the additional sump pump running, as the single sump pump cannot keep up. The second one cannot be left running as it pumps the water into the driveway, which then freezes. Ms Lessard contacted Matt McColgan to see if anything could be done. There is water running in along the pipe that comes in from the well and there is a large crack in the walkout wall on the east side of the building. Water just pours in. Mr. McColgan will apply epoxy to the wall, around the well

pipe, to at least slow the water coming in. He noted this is only putting a bandaid on a bigger problem.

Zoom Issues:

While Entre was here on Saturday, January 13, Ms Lessard reported to the technician about the problems the Select Board has been having with ZOOM meetings. There are delays and unstable internet connection issues. The technician did some speed tests on several devices in the Select Board office and found that the download speeds are not where they should be and are erratic. He noted the instability is creating an issue and that may be what is causing the freezing and delay with ZOOM. He suggested reaching out to the MLP and Whip City. Mr. Fuller would like a meeting set up with the MLP, Entre, WGE (Westfield Gas & Electric), and the Town to discuss the issues and how to get it corrected. Ms Lessard will work on getting a meeting set up.

Accounting Contract:

Ms Lessard reported that the Outsourced Accounting Contract expires in June 2024. A discussion needs to happen with Eric Kinshurf regarding the budget, renewing the contract, and possibly extending it to a three-year contract. The Select Board agrees that they are happy with Kinshurf and the job they are doing for the Town.

Landscape Contract:

Ms Lessard reported that the landscape contract ended on January 1. A new RFP needs to go out. Ms Lessard will send the last RFP to the board members to review and see if any changes need to be made other than the dates. Ms Lessard will review whom the RFP's were sent to in the past.

6:45 P.M.: Police Chief, Mike Malouin:

The Police Chief reported that he had received a reimbursable grant for radios for \$23,000 from the Edward Byrne Memorial Justice Assistance grant program. This will purchase two new Motorola radios. The radios the department currently has will not be supported in the near future. Chief Malouin also reported that he had gotten quotes on new furniture for the police office. The old desk had been discarded. He would like to purchase two L shaped desks, a table, three desk chairs, three task chairs and three chairs for a sitting area for residents who come into the office. The prices he had varied but the Select Board and he agreed that Conklin was the best choice as they provided set-up of the furniture. There is a two-week delivery time. Chief Malouin will get the furniture ordered. He would also like to purchase a partition for the room to allow privacy in the rear of the office. The pricing on the partition was expensive. Mr. Fuller suggested having Vee Builders come and give a price to build a 12 foot by 8-foot wall that is six to eight feet high. Chief Malouin will get a price. The furniture and the wall will be paid for out of the Major Repair budget line.

Animal Inspector/Animal Control Officer (ACO) Appointment:

Ms Colson-Montgomery made a motion, seconded by Mr. Willard and unanimously voted to appoint Kelli Wainscott as Animal Inspector and ACO.

Signatory for FRCOG (Franklin Region Council of Governments):

Ms Colson-Montgomery made a motion, seconded by Mr. Willard and unanimously voted and have Roger Fuller be the signatory for the Highway Material bids and contracts. The bidding fees for the highway materials will be \$3,250.

Adjourn:

Ms Colson-Montgomery made a motion, seconded by Mr. Willard and unanimously voted to adjourn the meeting at 8:40 p.m.