TOWN OF CHESHIRE

80 CHURCH STREET | CHESHIRE, MASSACHUSETTS 01225
PHONE (413) 743-1690 | FAX (413) 743-0389

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OFFICE OF THE BOARD OF SELECTMEN

Meeting Minutes – September 14, 2021

Pursuant to a notice duly filed with the Town Clerk, a meeting of the Board of Selectmen was held in person at 191 Church St (Cheshire Elementary School) on Tuesday September 14, 2021, at 6:30 PM.

Members Present: Michelle Francesconi, Chair
Jason Levesque, Clerk
Mark Biagini
Ray Killeen
Shawn McGrath

Others Present: Jennifer Morse, Town Administrator; Liseann Karandisecky; John Tremblay (remote); Karen Kruszyna (remote); Becky Herzog; IBerkshires; Robin Wadsworth, Assessors Administrator; Nancy Delorey, Board of Assessors; Barbara Astorino, Board of Assessors; Peter Traub, Planning Board; Francis Griswold, Planning Board; Aaron Singer, Planning Board; E. Richard Scholz, Planning Board, Carole Hilderbrand, Planning Board Clerk; Tom Matuszko, Berkshire Regional Planning Commission.

Summary of Votes Taken:

- Voted 5-0 to maintain a single tax rate for Fiscal Year 2022
- Voted 5-0 to offer the Plumbing/Gas Inspector position to Michael Biros
- Voted 5-0 to adjourn the meeting at 8:50 p.m.

M. Francesconi called the meeting to order at 6:30 p.m.

1. Tax Classification Hearing – Board of Assessors

Robin Wadsworth, Assessors Administrator; Nancy Delorey, Board of Assessors; and Barbara Astorino, Board of Assessors joined the board for the FY22 Tax Classification Hearing. Ms. Wadsworth publicly thanked the Town Administrator for her support in providing documentation stating that she is a "pleasure to work with". Ms. Wadsworth noted that the overall increase to values is 5% based on 2020 sales. New Growth figures were reviewed, and the board was cautioned that the supply of building materials may slow the growth making for an interesting few years. The single-family house value for FY22 is $234,666. There was discussion on personal property accounts, chapter land and the new Department of Revenue account representative. The board was advised that the excess capacity is $42,704.

A motion was made by J. Levesque and seconded by S McGrath to maintain a single tax rate for Fiscal Year 2022.
Roll Call Vote: J. Levesque – Yes; S. McGrath – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 5-0

The Board of Assessors left the meeting at 6:48 p.m.

Unanticipated Business

M. Francesconi shared that she had been contacted by a concerned tenant about the transfer of ownership of the Pine Valley Mobile Home Park to Kodiak Property Management. They are renaming the property Berkshire Village. The tenant was able to find contact information which was provided to the chair. Only some residents received the communication and tenants are concerned about new rent policies and ongoing maintenance concerns especially the roads as winter approaches and the plow company will not service the roads in the current condition. M. Francesconi suggested a Rental Control Board meeting soon to address concerns of the town and residence.

J. Morse presented the completed Chapter 90 reimbursement paperwork completed by Highway Superintendent Robert Navin for signature.

Jack Guerney from IBerkshires asked the board to disclose the estimated tax rate. After discussion it was decided to hold the estimated tax rate until the DOR certifies the rate, the reason for this was to avoid any confusion for taxpayers since this has been an issue in the past.

2. Planning Board Joint Meeting

Peter Traub, Aaron Singer, E. Richard Scholtz and Francis Griswold joined the board with Tom Matuszko to discuss the Best Practices awarded grant. P. Traub read the email from the Planning Board dated September 1, 2021. There was discussion on each of the items that will be included in the bylaw review. The proposed topics include.

1. Adding a zoning overlay district for properties around the lake and in town. This was Zoning Board of Appeals requested to make the offsets less restrictive as most properties are nonconforming, they may look at R1 as well.
2. Allow accessory dwellings or in-law apartments- P. Traub mentioned that these types of dwelling currently exist.
3. Allow small houses - Adjustments may need to be made to lot sizes, A. Singer suggested that the board will need to work with the Building Inspector to review building codes.
4. Revisit the areas encompassed by the Residential and Agricultural-Residential districts – J. Levesque discussed creating a whole new rural residential area.
5. Determine if there should be provisions to provide good aesthetics to frontages – P. Traub noted this was to address abandoned cars and junk in front of homes. There was discussion about revisions to the current general bylaw regarding junk vehicles. When asked for examples P. Traub noted that his neighborhood was an example. There was discussion about enforcement of such situations and the desire to have new businesses fit with the aesthetics that the town is looking for.
6. Elderly House - There was discussion about the possibility of using the school for housing, it was noted that there are One Stop Grant Programs that could address the studies for a change in use of the school property.

There was discussion on reviewing the marijuana bylaw and a possible motocross and finding other grant opportunities for BRPC support. Also, discussion on the timeframe of two years for a finalized report to the department of revenue showing the final product of the funding.

M. Francesconi spoke about better communication between the two boards moving forward. J. Morse will reach out to get clarification on the grant list of projects and if it can be altered. J. Levesque noted that if the

Planning Board wants to review and propose changes to the marijuana bylaw that it should be unanimous before going to town meeting for a vote.

3. Plumbing/Gas Inspector Interviews

Michael Lahey of Adams joined the board at 7:35 p.m. and answered a series of questions posed by the board members. Michael Biros or Cheshire joined the board at 7:50 p.m. and answered the same series of questions. Jason Dion of Dalton joined the board at 8:05 p.m. for the final interview with the same series of questions.

There was discussion by the board at the conclusion of the last interview regarding the applicants' qualifications and availability.

A motion was made by S. McGrath and seconded by M. Biagini to offer the position to Michael Biros.

Roll Call Vote: J. Levesque – Yes; S. McGrath – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes

Unanticipated Business

Public Document Request - M. Francesconi stated that she would like to submit a Public Records Request to the Hoosac Lake District on behalf of the Board of Selectmen for all documents pertaining to the Lake and communication with Solitude Lake Management. M. Francesconi further stated that she was dismayed to learn that Peter Traub had deleted all emails prior to July 5, 2021, regarding Solitude Lake Management, especially after all the conversations about emails being public record, she said that she is dismayed by the lack of transparency. M. Francesconi was also made aware that Mr. Traub had contacted town counsel regarding the Solitude Lake Management contract with questions, M. Francesconi reminded everyone that all requests to speak to Town Counsel need to be authorized by the Board of Selectmen Chair or the Town Administrator since it is a Board of Selectmen budgeted item.

M. Biagini repeated his concerns from a prior meeting that the Town should be represented regarding the next contract for de-weeding and lake management services. There was further discussion about the need for a true understanding of what the HLD, Town and State are all responsible for.

Board of Health Update – M. Francesconi read the Board of Health update into the record.

M. Francesconi said that she had attended the last Board of Health meeting as a private citizen noting that the Board of Health has not been posting agendas for their meetings since May in violation of the Open Meeting Law. She further stated that she stands for the right of the community members regarding their decisions to vaccinate and wear face coverings.

4. Adjournment - A motion was made by M. Biagini and seconded by J. Levesque to adjourn the meeting at 8:50 p.m.

Roll Call Vote – All members yes – motion carried.

Respectfully Submitted,
Jennifer Morse
Town Administrator
September 20, 2021

Document List

1. Agenda September 14, 2021
2. Tax Classification Hearing Documents
3. Planning Board discussion topics

4. Plumbing/Gas Job Description
5. Plumbing/Gas Interview questions
6. Plumbing/Gas Applicant resumes/applications
7. Board of Health updated dated September 14, 2021
8. Thank you letter from the Cheshire Community Assoc. dated September 10, 2021

Approved: 9/21/21

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OFFICE OF THE BOARD OF SELECTMEN

Joint Meeting Agenda – September 14, 2021
BOARD OF SELECTMEN
BOARD OF ASSESSORS – 6:30 P.M.
PLANNING BOARD – 7:00 P.M.

In-person
The Green Room at 191 Church Street (former Cheshire Elementary School)
Enter Building at West Ramp Entrance

6:30 p.m. Open Meeting – Introductions - Pledge of Allegiance

1. ***Board of Assessors – Tax Classification Hearing – 6:30 p.m.***
2. ***Planning Board – Discussion regarding changes to the Protective and Planning Zoning Bylaws – 7:00 p.m.***
3. ***Plumbing and Gas Inspector Interviews***
   a. ***Michael Lahey – 7:30 p.m.***
   b. ***Mike Biros – 7:50 p.m.***
   c. ***Jason Dion – 8:10 p.m.***
4. ***Announcements from Board members***
5. ***Any other business not reasonably anticipated 48 hours prior to the meeting.***
6. ***Adjournment***
7. ***Next Meeting: September 21, 2021***

Meetings are being held in-person at 191 Church Street (former Cheshire Elementary School)

If technical Issues occur – DRAFT minutes and meeting documents will be posted to the website the next day.

https://global.gotomeeting.com/install/572029061

You can also dial in using your phone.

United States: +1(646) 749-3335

Access Code: 572-029-061

Submitted by: Jennifer Morse – Town Administrator 9/9/2021 @ 8:40 a.m.

POSTED IN ACCORDANCE WITH THE PROVISIONS OF MGL 30A §§18-25.

Tax Classification Hearing

MassDOR - Massachusetts Department of Revenue
Division of Local Services
What If ... Scenario Worksheet for FY 2022
Cheshire - 058

CLASS	VALUE	%	
			R & O
Residential	312,983,186	88.2358	**%**
Open Space	0	0.0000	88.2358
Commercial	22,509,129	6.3458	
Industrial	2,030,890	0.5725	**C I P %**
Personal Property	17,188,882	4.8459	11.7642
Total	354,712,087	100.0000	

ENTER A LEVY
(ESTIMATED IF NECESSARY)

Levy	4,526,126
Single Tax Rate	12.76

ENTER CIP SHIFT RANGE

Shift Range	1.00	1.50
Shift Increment %		10.00
Max Shift Allowed		1.50

Note: This table should be used for planning purposes only.
Actual calculations may differ slightly due to rounding.
For actual calculations, complete Recap

Share Percentages

CIP Shift	Res Factor	Res SP	OS SP	Comm SP	Ind SP	PP SP	Total SP
1.0000	1.0000	88.2358	0.0000	6.3458	0.5725	4.8459	100.0000
1.1000	0.9867	87.0594	0.0000	6.9804	0.6298	5.3305	100.0000
1.2000	0.9733	85.8830	0.0000	7.6150	0.6870	5.8151	100.0000
1.3000	0.9600	84.7066	0.0000	8.2495	0.7443	6.2997	100.0000
1.4000	0.9467	83.5301	0.0000	8.8841	0.8015	6.7843	100.0000
1.5000	0.9333	82.3537	0.0000	9.5187	0.8588	7.2689	100.0000

Levy Amounts

Res LA	OS LA	Comm LA	Ind LA	PP LA	Total LA
3,993,663		287,219	25,912	219,332	4,526,126
3,940,417		315,941	28,503	241,265	4,526,126
3,887,171		344,663	31,094	263,198	4,526,126
3,833,925		373,385	33,686	285,131	4,526,127
3,780,679		402,106	36,277	307,064	4,526,127
3,727,433		430,828	38,868	328,997	4,526,127

Esimated Tax Rates

Res ET	OS ET	Comm ET	Ind ET	PP ET	
12.76	0.00	12.76	12.76	12.76	Single Tax Rate
12.59	0.00	14.04	14.03	14.04	
12.42	0.00	15.31	15.31	15.31	
12.25	0.00	16.59	16.59	16.59	
12.08	0.00	17.86	17.86	17.86	
11.91	0.00	19.14	19.14	19.14	Maximum split

Maximum Split:
Res rate would decrease by only eighty-five cents
CIP rate would increase $7.23

Adopting a Residential Exemption or a Senior Means-Tested Exemption increases the residential tax rate. The amount of the tax levy paid by the residential class remains the same, but because of the exempted residential valuation, the levy is distributed over less assessed value. NOTE: Check for compliance with Chapter 59 Section 5C.

CLASSIFICATION OPTIONS

RESIDENTIAL/SENIOR MEANS TESTED EXEMPTION

Res # of Eligible Parcels		0.000000
Res Parcel Count		0
Res Exemption %		0.0000
Res Value Exemptwed		0
Senior # Eligble Parcels		0
Senior Value Exempted		0
Total Res Value Net of Exemption	312,983,186.00	

Adopting a small commercial exemption increases the commercial & Industrial tax rate. The amount of the tax levy paid by the commercial & Industrial classes remains the same, but because of the exempted commercial valuation, the levy is distributed over less assessed value. Additionally, the Small Commercial Exemption will increase the Commercial & Industrial tax rates but will not change the Personal Property tax rate.

SMALL COMMERCIAL EXEMPTION

# of Eligible Parcels	0
Total Value of Eligible Parcels	0
Comm Exemption %	0.0000
Total C & I Value Net of Exemption	24,540,019

September 14, 2021

TO: Select Board

FROM: Board of Assessors

RE: Tax Classification Hearing

The following is a breakdown of Commercial, Industrial & Personal Property parcel count

Commercial properties (does not include mixed use): 30

Industrial properties (does not include mixed use): 14

All full Chapter 61, 61A & 61B properties (does not include mixed use): 54

Mixed Use (parcels whose total value is a combination of Residential, Commercial or Industrial value): 52

Personal Property (includes Second Home values): 36

Planning Board Discussion

Planning Board Discussion

Below are the topics the Planning Board wishes to discuss per the email from Peter Traub.

a. Add a zoning overlay district for properties around the lake and in town. (Grant Funded)

b. Change the marijuana by law to include a larger buffer between the plants and any area used by people and add restrictions on odor control.

c. Allow accessory dwellings or in-law apartments. (Grant Funded)

d. Allow small houses. (Grant Funded)

e. Revisit the areas encompassed by the Residential and the Agricultural -Residential districts. (Grant Funded)

f. Determine what restrictions should be placed on motor cross or similar events.

g. Determine if there should be provisions to provide good aesthetics to frontages. (Grant Funded)

The Best Practices Grant for $15,000 is for the following.

Zoning Bylaw Review including

1. Adding a zoning overlay district for the properties around the Hoosac Lake
2. Allow accessory dwelling or in-law apartments
3. Small Houses
4. Revising the areas encompassed by the Residential and Agricultural Districts
5. Determine if there should be provisions to provide good aesthetics to frontage
6. Elderly Housing

The intent of the grant is opportunities for diverse stakeholders in economic development and proactively address obstacles to housing accessibility and affordability as well as job creation.

Unanticipated Business

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OFFICE OF THE BOARD OF HEALTH

September 14, 2021

A brief report from the Board of Health Office:

Currently the Board of Health is holding regular office hours on Monday nights from 6:00-8:00pm. Although sales have begun to slow down, we are continuing to sell Transfer Station permits and bag tags. We are still out in the field every week helping conduct and witness Title V inspections and perc tests for new construction and septic system upgrades. We continue to stay up to date with current COVID-19 case counts as well as regulations as they pertain to us in Cheshire.

As you may know, the Federal Government issued new mandates last week forcing vaccines on federal employees and employers that have over 100 employees. Here in Cheshire we have a couple of businesses that may fall into that 100+ employees category. I have reached out to other local boards of health for clarification on our role in monitoring employee vaccine statuses and/or test-out options.

Currently in Cheshire we have a total of eleven active COVID-19 cases. Five of which are isolated to two separate same-house exposure clusters. The other six cases are all in separate households. As more COVID-19 guidelines and updates come our way, we will continue to do our best to process them and get them out to public and hopefully continue to maintain our low case count and healthy community.

Respectfully submitted,

The Board of Health

Christopher Garner

Michael Kruszyna

Brian Trudeau

CHESHIRE COMMUNITY ASSOCIATION
Making Community the Foundation of our Future
P.O. Box 335 • Cheshire • Massacchusetts • 01225

September 10, 2021

Town of Cheshire
Board of Selectmen
80 Church St.
PO Box 647
Cheshire, MA 01225

The Cheshire Community Association would like to thank you for your generous support of our milestone 10th Town Block Party. It was another successful event with a large crowd of happy people enjoying great music, food and fellowship.

We admire your willingness to help make these gatherings fun for all, and will keep you informed of opportunities as we plan additional community events going forward.

With appreciation,

John Tremblay
President
Cheshire Community Association