TOWN OF CHESHIRE

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

WWW.CHESHIRE-MA.GOV

OFFICE OF THE BOARD OF SELECTMEN

Meeting Minutes – January 24, 2023

Pursuant to a notice duly filed with the Town Clerk, a meeting of the Board of Selectmen was held in person at 191 Church Street (Cheshire Elementary School) on Tuesday January 24, 2023, at 6:30 PM

Members Present: Michelle Francesconi, Chair
Shawn McGrath, Vice Chair
Jason Levesque
Ron DeAngelis
Ray Killeen

Others Present: Jennifer Morse, Town Administrator; Corey McGrath, Facilities Manager; Lynn Melchiori; Peter Traub; Ron Charbonneau; IBerkshires.

Summary of Votes:

- Vote to opt out of Early Voting for May 1, 2023 Annual Town Election 5-0
- Vote to approve the consent agenda except for the January 11, 2023 Minutes 5-0
- Vote to approve the Minutes of January 11, 2024 4-0-1
- Vote to approve Cemetery Groundskeeper seasonal positions 5-0
- Vote to approve Special Town Meeting date of March 6, 2023 5-0
- Vote to approve EDM Proposal for Former Elementary School Change of Use 5-0
- Vote to approve Water Department Generator Contract 5-0
- Vote to adjourn at 7:18 p.m. 5-0

M. Francesconi opened the meeting at 6:30 p.m.

Town Clerk – Annual Town Election Early Voting opt Out.

An informational packet provided by the Town Clerk was reviewed by the board. The Town Clerk is requesting that the Board of Selectmen "opt out" of early voting by mail and in person for the Annual Town Election on May 1, 2023. Any subsequent Special Town Elections would need to be voted separately; this is in accordance with the Vote Act of 2022. S. McGrath verified that absentee voting will still be an available option.

A motion was made by M. Francesconi and seconded by R. Killeen to opt Out of Early Voting for the May 1, 2023 Annual Town Election

Roll Call Vote: R. DeAngelis – Yes, R. Killeen- Yes, S. McGrath- Yes, J. Levesque – Yes, M. Francesconi – Yes
Motion Carries: 5-0

Provided in the packet was the Annual Town Election information and list of election workers. Discussion regarding Massachusetts General Law Chapter 54, Section 12 and the discussion from late last fall about appointing election workers according to law. The Town Administrator will request that the Town Clerk provide the board with party affiliations and ask the Town Clerk to join the board at a future meeting.

Consent Agenda

Minutes January 11, 2023, January 17, 2023
Recreation Committee Appointments – Tim Garner, Corey McGrath, Christopher Garner
Municipal Hearings Officer Appointment – Jennifer Morse
Chapter 90 Request - $356,950 Spring Paving Projects

A motion was made by M. Francesconi and seconded by J. Levesque to approve the Consent Agenda except for the minutes of January 11, 2023, as J. Levesque was not present.
Roll Call Vote: R. DeAngelis – Yes, R. Killeen- Yes, S. McGrath- Yes, J. Levesque – Yes, M. Francesconi – Yes
Motion Carries: 5-0

A motion was made by M. Francesconi and seconded by S. McGrath to approve the meeting minutes of January 11, 2023.
Roll Call Vote: R. DeAngelis – Yes, R. Killeen- Yes, S. McGrath- Yes, J. Levesque – Abstain, M. Francesconi – Yes
Motion Carries: 4-0-1

Board of Selectmen Discussion/Decision Items

a. Cemetery Laborer & Foreman Job Descriptions

Draft job descriptions were reviewed, and the Town Administrator explained that to apply for seasonal positions with the state the job descriptions must be approved. She also reviewed the seasonal positions and the requirement that the town monitor the positions closely to ensure no more than twenty weeks worked. The Cemetery would have two dedicated workers (one foreman, one groundskeeper) that work May - October Laborer - Discussion on changing the title to Groundskeeper which would allow for flexibility in allowing the employee to work within the Highway Department as well. There was also discussion regarding youth workers and the Town Administrator mentioned the upcoming Hoosac Valley event and will contact McCann as well. Foreman - Discussion on the Foreman reporting to the Cemetery Commission this year, this can be changed if there are organizational changes in the future. The Town Administrator will update the job descriptions and send them to the Water Commissioners for input again. Additional discussion on how many seasonal positions to hire and it was determined at least two possibly four, that will be discussed at a future meeting.

A motion was made by S. McGrath and seconded by M. Francesconi to transition to two – four seasonal Groundskeeper positions.
Roll Call Vote: R. DeAngelis – Yes, R. Killeen- Yes, S. McGrath- Yes, J. Levesque – Yes, M. Francesconi – Yes
Motion Carries: 5-0

Town Administrator Updates

a. Special Town Meeting Date – March 6, 2023

The Town Clerk and Moderator are both agreeable to a March 6, 2023, Special Town Meeting date to address the Sandmill Bridge layout and the Lead Service Line inventory and replacement plan. The Town

Administrator noted that she had sent a request to counsel for language for the Sandmill Bridge layout article.

A motion was made by M. Francesconi and seconded by R. DeAngelis to hold a Special Town Meeting on Monday March 6, 2023
Roll Call Vote: R. DeAngelis – Yes, R. Killeen- Yes, S. McGrath- Yes, J. Levesque – Yes, M. Francesconi – Yes
Motion Carries: 5-0

b. EDM – Elementary School Change of Use Proposal
The proposal was reviewed by the board, EDM will be on site tomorrow Wednesday January 25, 2023, to begin the study.

A motion was made by S. McGrath and seconded by R. Killeen to move forward with the EDM proposal for the Elementary School Change of Use
Roll Call Vote: R. DeAngelis – Yes, R. Killeen- Yes, S. McGrath- Yes, J. Levesque – Yes, M. Francesconi – Yes
Motion Carries: 5-0

c. Budget Preparation
The first joint meeting with the Finance Committee is at the end of February. Boards/Committee/Department budgets are coming in and the FY24 preliminary budget will be sent to the board by February 14th. After it is initially reviewed budget hearings will be set up.

d. BRPC – Assessment and Procurement
The Town Administrator shared an email regarding the Assessment and information regarding the Procurement Program. Further she shared that the Capital Budget information was provided today however it has not been reviewed.

e. Water Department Generator (received 1/23/23)
The Town Administrator shared that the Generator at the Pumphouse recently had work done as it was not working properly. The contract has expired, and the Water Commissioners are recommending that the new one be signed. The contract is for two years at $950 per year.

A motion was made by R. DeAngelis and seconded by R. Killeen to sign the Generator service contract for the Water Department Pumphouse
Roll Call Vote: R. DeAngelis – Yes, R. Killeen- Yes, S. McGrath- Yes, J. Levesque – Yes, M. Francesconi – Yes
Motion Carries: 5-0

Announcements from Board Members

S. McGrath inquired about the letter in the packet from Eric Whitney regarding the sale of the trailers at HD Reynolds. The Town Administrator will get clarification from the Building Commissioner/zoning Enforcement Officer regarding permitting and process.

M. Francesconi mentioned that the Memorial Day Parade committee had their first meeting. They will be requesting essays from children (discussion on offering gift certificates), looking for businesses to participate. There was discussion about the parade route, and it was suggested that the lineup be on Railroad Street with bikes meeting at the Post Office (if allowed). S. McGrath suggested reaching out to youth sports teams.

M. Francesconi also mentioned the Father-Daughter dance scheduled for Friday February 17, 2023, from 6:30 – 8:30 p.m. at the Former Cheshire Elementary School. Tickets are available at the Cheshire Library and Cheshire Police Station. This event is sponsored by the Recreation Committee.

Public Comment

None

Adjournment

A motion was made by M Francesconi and seconded by J. Levesque to adjourn the meeting at 7:18 p.m.
Roll Call Vote: R. DeAngelis – Yes, R. Killeen – Yes, S. McGrath – Yes, M. Francesconi- Yes
Motion Carries: 4-0

Respectfully submitted,
Jennifer Morse
January 26, 2023

Document List

1. Agenda – 1/24/2023
2. Town Clerk opt Out Information
3. Town Clerk Annual Town Election Information
4. Election Workers
5. Minutes – January 11, 2023
6. Minutes – January 17, 2023
7. Chapter 90 Request – Spring Paving Projects
8. Draft Cemetery Foreman Job Description
9. Draft Cemetery Laborer Job Description
10. EDM Proposal – School Use
11. Email BRPC regarding Assessment Fee
12. Letter HD Reynolds regarding Sale of Utility Trailers
13. Letter from Zoning Enforcement Officer regarding proposed bylaw changes
14. Water Department Bi-Weekly Report
15. Council on Aging Monthly Report
16. Highway Department Bi-Weekly Report

Approved: February 7, 2023

TOWN OF CHESHIRE

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

WWW.CHESHIRE-MA.GOV

OFFICE OF THE BOARD OF SELECTMEN

Board of Selectmen

Meeting Agenda – January 24, 2023
6:30 PM

Cheshire Elementary School – Cafeteria

1. *Open Regular Meeting, Introductions, Pledge of Allegiance*
2. *Town Clerk – Annual Town Election Early Voting opt Out*
3. *Consent Agenda*

Minutes January 11, 2023, January 17, 2023
Recreation Committee Appointments – Tim Garner, Corey McGrath, Christopher Garner
Municipal Hearings Officer Appointment – Jennifer Morse
Chapter 90 Request - $356,950 Spring Paving Projects

4. *Board of Selectmen Discussion/Decision Items*
   - *A. Cemetery Laborer Job Description – Seasonal Employment*
5. *Town Administrator Updates*
   - ***a.*** *Special Town Meeting Date – March 6, 2022*
   - ***b.*** *EDM Proposal for Elementary School Change of Use*
   - ***c.*** *Budget Preparation*
   - ***d.*** *BRPC – Procurement Program – Assessment*
6. *Announcements from Board Members*
7. *Public Comment*
8. *Any other business not reasonably anticipated 48 hours prior to the meeting*

Submitted by: Jennifer Morse – Town Administrator Posted: 1/19/2023 @ Noon

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

DATE	ELECTION	EV BALLOTS MAILED	EV BALLOTS RETURNED	TOTAL VOTES CAST AT Polls	LOSS
21-Nov-20	Debt Exclusion	406	192	300	$184.04
21-Aug-21	Debt Exlucsion	192	12	151	$154.80
6-Sep-22	State Primary	323	223		$186.00
	Early Voting in Person 25 in 6 days			769	
8-Nov-22	State Election	485			
	Early Voting in Person 47 in 9 days			1368	
	Post Election Tabulation 11/15 3 EV ballots			1371	
	EV Ballots sent- Voted in Person 11				
	Non-returned Ev Ballots - 66				
	77 EV Ballots at 86Cents each - $66.22				$66.22

Early Voting by Mail or In Person is not cost effective for the Town.

Postage to send the ballots is incumbent on the Town/City. Return postage is paid by the Commonwealth for some elections
State and Federal Elections Early Voting by Mail or In Person will be mandated by the Commonwealth.
Absentee Voting is in place for any voters that can not vote at the Polls on Election Day. Absentee can be done through the mail or by appointment for in-person in office voting. Applications for Absentee Voting are available on the Town website and the Secretary of the Commonwealth's Elections website.

Therefore, I am requesting the Board of Selectmen to "opt out" of Early Voting by Mail or In Person for the Annual Town election on May 1, 2023. Any subsequesnt Special Town Elections would need to be voted separately.
In Accourdance with the Vote Act of 2022.

Respectfully submitted,
Christine B. Emerson

Christine Emerson

From: Rosenberry, William (SEC) <william.rosenberry@state.ma.us>
Sent: Wednesday, November 30, 2022 9:23 AM
To: All Clerks
Subject: Local Election update
Attachments: Planning for Town Elections FINAL.pdf

Goof morning,

I hope you have all been able to get some post-election R&R and had an enjoyable Thanksgiving. The 2022 State Election results go before the Governor and Council today for certification and we thank you for all your hard work.

We are getting numerous inquiries about local elections and thought it would be helpful to get some information out that might help answers some answer frequently asked questions.

Vote by Mail:

- Vote by Mail ***is required*** for all elections, including special elections and primaries unless the select board, board of selectmen, town council or city council votes to opt out at least 45 days prior to the election. A separate vote must be taken for each election they want to opt out of.
- The deadline to receive an application for mail-in ballot (EV or AV) is the ***5th business day prior to all elections.***
- The deadline for an in-person absentee ballot continues to be noon the day before the election.
- You are ***not*** required to send a Vote by Mail application to voters for local elections, except with acknowledgment notices as you have been doing. We will supply you with new Vote by Mail applications soon. You may include Vote by Mail applications with your census.
- The Secretary of the Commonwealth will continue to pay for return postage and provide AV8 envelopes. We will send out a Survey Monkey to order all envelope types.

In-Person Early Voting:

- In-person Early Voting ***is not required*** for local elections unless the select board, board of selectmen, town council or city council vote to opt in at least 5 days prior to the start of early voting upon recommendation from at least 50% of the registrars/election commissioners.
- If you opt in to in-person early voting, the period may begin not sooner than 17 days prior to the election and end not later than 2 business days before the election during normal business hours unless different hours are set as part of the vote to allow early in-person voting, including any weekend hours. For example, if you were having your election on Tuesday, May 9, the early voting period could start on Saturday, April 22 (the 17th day prior) and conclude on Friday, May 5 (the 2nd business day prior). However, the early voting period could be less if specified as part of the vote. Again, the vote to opt in for early voting in person must be made for each municipal election.

Voter Registration

- The deadline to register to vote is 5:00 P.M. on the 10th day before all elections and meetings. If the 10th day prior is Sunday or a holiday you would go back to the 11th or 12th or 13th day prior to the election. For Tuesday elections (or maybe moved deadlines due to holidays and Sundays) the voter registration deadline will be on a Saturday unless you have accepted M.G.L. Chapter 41, Section 110A. Accepted in 2016

Local Election Calendars

- We're happy to review your local election calendars. Please send your drafts for review and any questions to electioncalendars@sec.state.ma.us.
- Please also see the attached booklet, Planning for Town Elections which includes a sample local election calendar with references.

I hope this information is helpful. The "Votes Act", Chapter 92 of the Acts of 2022 may answer some of your specific questions https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter92.

Will Rosenberry
He/Him/His
Elections Services Manager
Elections Division
One Ashburton Place, Room 1705
Boston, Massachusetts 02108
617-727-2828
fax: 617-742-3238

Offices for 2023 Annual Town Election

One Selectmen for the term of three years

One Board of Assessors Member for a term of three years

One Board of Assessors Member for a term of one year

One Board of Health Member for a term of three years

One Cemetery Commissioner for a term of three years

One Cemetery Commissioner for a term of two years

One Water Commissioner for a term of three years

One Planning Board Member for a term of five years

One Hoosac Valley Regional School Committee Member from Cheshire for a term of three years

Two Hoosac Valley Regional School Committee Member from Adams for a term of three years each

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Nomination papers will be available at the Town Clerk's Office beginning February 1st, by appointment, please call (413-743-1690 ext. 22) to schedule an appointment to pick up papers.

Deadline to obtain nomination papers is Thursday, March 9th by 5:00 pm.

Deadline to file nomination papers is Monday, March 13th by 5:00 pm.

Deadline to withdraw nomination papers is Wednesday, March 29th by 5:00 pm. Withdrawal must be in writing.

Deadline to register to vote in Annual Town Election is Friday, April 21st by 5:00pm

The Commonwealth of Massachusetts
Town of Cheshire
Massachusetts

OFFICE OF THE
TOWN CLERK

80 Church Street
P.O. Box S
Cheshire, MA 01225
Tel. (413) 743-1690 x22
Fax (413) 743-0389
townclerk@cheshire-ma.gov

TOWN of CHESHIRE ELECTION CALENDAR FOR 2023

February 1st		Nomination Papers available at Town Clerk's Office by appointment
March 9th	5:00 PM	Deadline to obtain Nomination Papers
March 13th (49 days)	5:00 PM	Deadline for ALL candidates to submit Nomination Papers.
March 29th (33 days)	5:00 PM	Deadline to withdraw or object to Nomination Papers
April 21st (10 days)	9:00 AM to 5:00 PM	Last day to register to vote in the Cheshire Annual Election

MAY 1ST, 2023 CHESHIRE ANNUAL TOWN ELECTION

Polls open 9:00 AM to 7:00 PM

Cheshire Elementary School Caafeteria

The Commonwealth of Massachusetts
Town of Cheshire
Massachusetts

OFFICE OF THE
TOWN CLERK

80 Church Street
P.O. Box S
Cheshire, MA 01225
Tel. (413) 743-1690 x22
Fax (413) 743-0389
townclerk@cheshire-ma.gov

Poll Staff for 2023

Alison Warner Election Official

Mary Ellen Baker
Neil Baker
Robert Belini
Carol Daniels
Nancy Delorey
Carol Francesconi

Counters:
Sharon Chalmers
Thomas Chalmers
Heather Emerson
Lorraine Faucher
Denise Gregoire
Ann Mange
Stephanie Martin
Judy Serafin
Wendy Warner

Possible New Workers
Robert Daugherty
Celia Ferro
Brandi Lightsey
Gail Miller
Shawn Tierney

Hourly pay rate will be mininum wage $15.00.

CBE

TOWN OF CHESHIRE

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OFFICE OF THE BOARD OF SELECTMEN

Meeting Minutes – January 11, 2023

Pursuant to a notice duly filed with the Town Clerk, a meeting of the Board of Selectmen was held in person at 191 Church Street (Cheshire Elementary School) on Wednesday January 11, 2023, at 7:00 PM

Members Present: Michelle Francesconi, Chair
Shawn McGrath, Vice Chair
Ron DeAngelis
Ray Killeen (arrived at 7:10 p.m.)

Members Absent: Jason Levesque

Others Present: Jennifer Morse, Town Administrator; Lynn Melchiori; Peter Traub; Bob Tetlow; Kirk Stanaway, Highway Department; Michael Sabato, Highway Department; Corey Swistak, Co-Interim Superintendent; Brent Lancia, Co-Interim Superintendent; Tom Francesconi, Fire Chief.

Summary of Votes:

- Approve the Consent Agenda with amendment to the IRS Mileage Reimbursement rate 3-0
- Approve $3,750 in ARPA Funds for Police Bridge Academy Training 3-0
- Approve Cheshire Rod & Gun Club one day liquor license – January 28, 2022 3-0
- Approve purchase of a lift for the Highway Garage – out of highway expenses 4-0
- Approve $111,200 in ARPA funds for Radio Communications – Fire Department 4-0

M. Francesconi opened the meeting at 7:00 p.m.

Consent Agenda

MassWorks Grant Contract
Minutes – December 7, December 13
Adopt- IRS Mileage Reimbursement 2023 - $.~~0625~~ amended to $.0655

A motion was made by M. Francesconi and seconded by S. McGrath to approve the Consent Agenda with an amendment to the IRS Mileage Reimbursement rate to $.655
Roll Call Vote: R. DeAngelis – Yes, S. McGrath – Yes, M. Francesconi – Yes
Motion Carries: 3-0

Board of Selectmen Discussion/Decision Items

a. DLTA – Grant Opportunities

M. Francesconi asked for the input of the Town Administrator who shared that currently the Town is working with BRPC on the last round of DLTA opportunities, Capital Budget. The initial deadline for the finished product was November and it is not yet complete. The Town Administrator reminded the board that during the last opportunity they discussed an Open Space Plan which would open grant opportunities and would help support the planning board and potential bylaw changes. The Town Administrator will draft the request to present to the board at the next meeting prior to submitting to BRPC.

b. Police Officer Bridge Academy – ARPA funds request

Chief Alibozek is requesting $3,750 to put a part time officer through the Bridge Academy.

A motion was made by M. Francesconi and seconded by R. DeAngelis to approve the ARPA funds request in the amount of $3,750 for Bridge Academy training for Officer Tarjick.

Roll Call Vote: R. DeAngelis – Yes, S. McGrath – Yes, M. Francesconi – Yes

Motion Carries: 3-0

c. Cheshire Rod & Gun Club Liquor Licenses

The January 21, 2023, license request has been withdrawn the only request at this time is for January 28, 2023

A motion was made by M. Francesconi and seconded by R. DeAngelis to approve the one-day liquor license for the Cheshire Rod & Gun Club

Roll Call Vote: R. DeAngelis – Yes, S. McGrath – Yes, M. Francesconi – Yes

Motion Carries: 3-0

d. Municipal Hearing Officer Training/Appointment

In order to issue Fire Department/Building citations, the town must appoint a hearing officer which is not a member of the Fire Department. The Town Administrator will reach out to surrounding Towns to see if the position can be shared.

Town Administrator Updates

a. LSL Update – Tighe and Bond Proposal

The Town Administrator shared that she and Corey McGrath met with Tighe and Bond regarding a 100% forgiveness loan that would cover the mandated LSL (Lead Service Line) Inventory and Replacement plans which must be in place by October 2024. Tighe and Bond will be sending a proposal, this proposal will support the Town with the funding request and will complete the project in its entirety including the inventory, plan, and outreach to water users. Corey McGrath pointed out it is not just lead lines but galvanized lines. It was noted that the Water Commissioners agree with utilizing Tighe and Bonds services for this project. An article will need to go onto the Special Town Meeting regarding the loan forgiveness, DEP language will be provided to the Town.

b. Special Town Meeting Date

A special town meeting needs to be held for the layout of the Sandmill Bridge and for the LSL Inventory and Replacement Plan. Discussed having the STM on Monday February 27, 2023, the Town Administrator will check this date with the Town Clerk and Moderator.

Highway Department – Request for ARPA Funds – Lift

Kirk Stanaway and Mike Sabato, highway department employees, joined the Board to request a lift for the Highway Garage. The total cost of the lift with installation will be $22,900. The lift will be used to do oil changes,

filter changes, hoses, brakes and grease on the cruisers, water department truck, highway vehicles (except large equipment), fire department vehicles. Kirk and Mike reviewed recent repairs and labor rates from garages. The usual life of the lift is twenty-five plus years and Kirk felt that you would see a return on investment within five years due to labor and material costs. R. DeAngelis stated that the workers need the right equipment, and that the town tends to run equipment past its useful life a practice that needs to be vacated. R Killeen said that the town is blessed to have workers with the skills and if the lift will make the job less burdensome, he is in favor. R. DeAngelis felt like the Highway Department operating budget had enough funds to cover the expense, saving the ARPA funds for other projects. The Town Administrator shared that the procurement guidelines were met having sought three written quotes.

A motion was made by S. McGrath and seconded by R. Killeen to authorize the purchase and installation of a lift for the highway garage with funds to be taken from the Highway Department operating budget.

Roll Call Vote: R. DeAngelis – Yes, S. McGrath – Yes, M. Francesconi – Yes, R. Killeen

Motion Carries: 4-0

Radio Communications

Chief Francesconi joined the board to review the options for radio communications and confirmed that the change to the 800 system would be in December 2023.

A motion was made by R. DeAngelis and seconded by R. Killeen to approve the radio communications lease

Discussion on increasing the amount of ARPA funds to cover the expense of more than two years to $111,240. There was also discussion on setting up a Communications "fund" recognizing that this is a yearly operating expense and should be built into that budget.

A motion was made by R. DeAngelis and seconded by S. McGrath to amend the motion to approve the radio communications lease and utilize $111,240 from ARPA funds.

Roll Call Vote: R. DeAngelis – Yes, S. McGrath – Yes, M. Francesconi – Yes, R. Killeen - Yes

Motion Carries: 4-0

Public Comment

Peter Traub inquired if there has been an action list for the move of Town Office to the school and any information about the old section. The Town Administrator shared that the next steps are to hire an architect to look at the bathrooms and cafeteria space for a change of use, she and the Facilities Manager have been speaking with firms.

Adjournment

A motion was made by M Francesconi and seconded by S. McGrath to adjourn the meeting at 7:45 p.m.

Roll Call Vote: R. DeAngelis – Yes, R. Killeen – Yes, S. McGrath – Yes, M. Francesconi- Yes

Motion Carries: 4-0

Respectfully submitted,
Jennifer Morse
January 12, 2023

Document List

1. Agenda – 1/11/23
2. Draft Minutes – December 7, 2022

3. Draft Minutes – December 13, 2022
4. Lift Information
5. Goosetown Radio Lease Quote
6. MassWorks Grant Contract
7. DLTA Information
8. Bridge Academy – Police ARPA Request
9. Municipal Hearings Officer Training
10. Highway Report
11. Water Department Report

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OFFICE OF THE BOARD OF SELECTMEN

Meeting Minutes – January 17, 2023

Pursuant to a notice duly filed with the Town Clerk, a meeting of the Board of Selectmen was held in person at 80 Church Street (Cheshire Town Hall) on Tuesday January 17, 2023, at 6:00 PM

Members Present: Michelle Francesconi, Chair
Shawn McGrath, Vice Chair
Jason Levesque
Ron DeAngelis
Ray Killeen

Others Present: Jennifer Morse, Town Administrator; Christine Emerson, Town Clerk

M. Francesconi opened the meeting at 6:00 p.m.

Borrowing Note: Grader, Fire Truck, Highway Truck
A motion was made by M. Francesconi and seconded by J. Levesque to approve and sign the borrowing note in the amount of $417,200 with an interest rate of 4.3%.
Roll Call Vote - R. DeAngelis – Yes, R. Killeen – Yes, S. McGrath – Yes, J. Levesque – Yes, M. Francesconi – Yes
Motion Carries – 5-0

Adjournment
A motion was made by M Francesconi and seconded by S. McGrath to adjourn the meeting at 6:03 p.m.
Roll Call Vote - R. DeAngelis – Yes, R. Killeen – Yes, S. McGrath – Yes, J. Levesque – Yes, M. Francesconi – Yes
Motion Carries – 5-0

Respectfully submitted,
Jennifer Morse
January 20, 2023

Document List
1. Municipal Note Sale Information

State Aid Program - Project Request

Project Name: Chapter 90 - Cheshire - Various Roads Resurfacing

Application Date: 1/18/2023

Applicant Information

Municipality	CHESHIRE
District	District 1

Municipal Contact

Name	Corey Swistak
Title	Interim Superintendent
Email	Highway@cheshire-ma.gov
Phone	(413)743-3376
Address	6 Main ST
Zip Code	01225

Grant Type

Grant Type	Chapter 90
Project Type	Construction

Nature of Request

Scope of Work	Resurfacing various accepted roads
Desired Start of Construction Date	01/18/2023

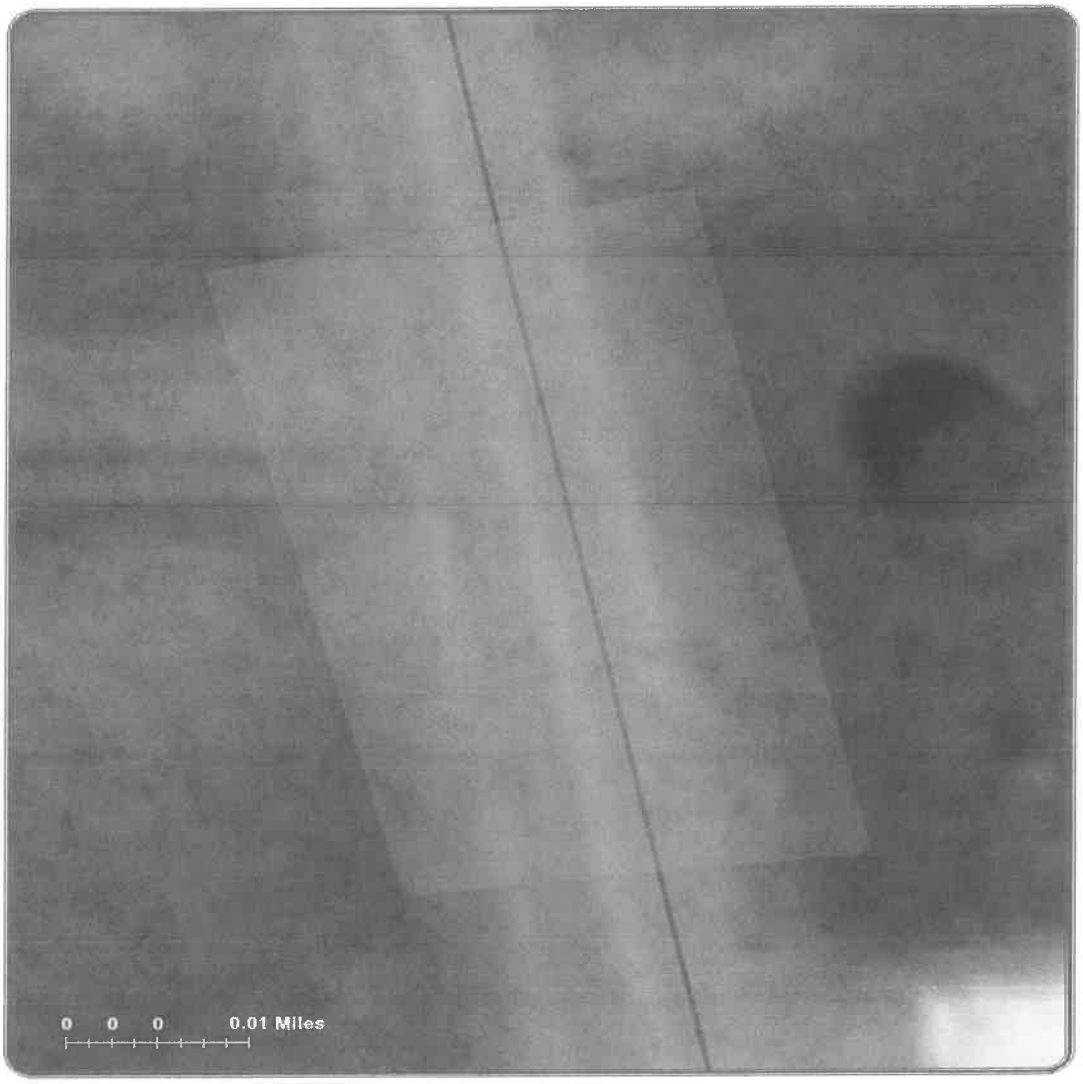
GIS MAP



Chapter 90 - Cheshire - Various Roads Resurfacing

1/18/2023 1:45:17 PM

IMAGERY MAP



Legend

- Road Inventory
- Wetlands
- Sketching tool

Geo Processing Summary

No Intersection found with HSIP Clusters
No Intersection found with HSIP Pedestrian Crash Clusters
No Intersection found with HSIP Bicycle Crash Clusters
No Intersection found with Top 200 Intersection Clusters
Intersection found with Schools (a)
Intersection found with Schools (b)
No Intersection found with Condition Index
No Intersection found with Bridges
No Intersection found with Culverts
No Intersection found with RSA
No Intersection found with Opportunity Zones
No Intersection found with Freight Corridors
No Intersection found with Rail Yard
No Intersection found with Seaport
No Intersection found with Environmental Justice
No Intersection found with Environmental Justice (1/4 mile buffer)
No Intersection found with Title VI
No Intersection found with Title VI (1/4 mile buffer)
No Intersection found with Housing Choice Communities
No Intersection found with Schools
No Intersection found with Hospitals
No Intersection found with Transit stations
No Intersection found with Open Space, Article 97
No Intersection found with Impaired Waterbodies 1/4 mile buffer (streams)
No Intersection found with Impaired Waterbodies 1/4 mile buffer (lakes)
No Intersection found with DEP Wetland Areas (100 foot buffer) Rivers
No Intersection found with DEP Wetland Areas (100 foot buffer) Lakes
Intersection found with DEP Wetland Areas (100 foot buffer) River Basin

No Intersection found with DEP Wetland Areas (100 foot buffer) River Basin and Coastal Drainage Area

No Intersection found with DEP Wetland Areas (100 foot buffer) Coastal Drainage Area

No Intersection found with DEP Wetland Areas (100 foot buffer) Linear

No Intersection found with DEP Wetland Areas (100 foot buffer) Area

No Intersection found with ACEC

No Intersection found with ORW

No Intersection found with BioMAP2 Core Habitat (1/2 mile buffer) - Priority Natural Communities

No Intersection found with BioMAP2 Core Habitat (1/2 mile buffer) - Forest Core

No Intersection found with BioMAP2 Core Habitat (1/2 mile buffer) - Vernal Pool Core

No Intersection found with BioMAP2 Core Habitat (1/2 mile buffer) - BioMap2 Wetlands

Intersection found with BioMAP2 Core Habitat (1/2 mile buffer) - Aquatic Core

Intersection found with BioMAP2 Core Habitat (1/2 mile buffer) - Species of Conservation Concern

No Intersection found with NHESP Rare Habitat (100 foot buffer of priority habitat)

No Intersection found with Coldwater Fisheries

No Intersection found with NHESP Rare Habitat (100 foot buffer of estimated habitat)

No Intersection found with Certified Vernal Pools (750 foot buffer)

No Intersection found with Potential Vernal Pools (750 foot buffer)

No Intersection found with Flood Zone Polygons

No Intersection found with Vulnerable Culverts

No Intersection found with Vulnerable Bridges

No Intersection found with Article 97 Open Space attribute

No Intersection found with Hazardous Materials

No Intersection found with 2070 Vulnerable Culverts

No Intersection found with 2070 Vulnerable Bridges

No Intersection found with Previous Projects

No Intersection found with Bridge Database

Succeeded at Wednesday, January 18, 2023 1:31:47 PM (Elapsed Time: 22.49 seconds)

Construction Details
MassDOT

Construction Details:

Project Location:	Savoy RD/Henry Wood RD/Stafford Hill RD

Primary Roadway(s) or Facility:

Route/Street ID	Route/Street Name	Begin	End	Mileage	Jurisdiction	Primary
L199582 NB	STAFFORD HILL ROAD	1.1107	1.1282	0.0175	City or Town accepted road	●

Environmental Screening

	YES	NO
Will the pavement width increase 4 ft. or more for an aggregate length of 1000ft. or more?	○	●
Will the bank or terrain (other than alteration required for installation of equipment or structures) be altered at a distance exceeding 10 ft. from the pavement?	○	●
Will the removal of 5 or more trees with diameters of 14 inches or more be required?	○	●
Will more than 300 ft. of stone wall be removed or altered?	○	●
Will the project involve construction of a parking lot with capacity of 50 cars or more?	○	●
Are any other MEPA review thresholds exceeded (see 301 CMR 11.00)? If your answer is YES to any of questions 1-6, you must file an Environmental Notification Form (ENF).	○	●
Will the project be on a "Scenic Road" (Acts of 1973, C. 67)? If your answer is YES, your Planning Board or Selectmen / City Council must give written consent for cutting / removal of trees or changes to stone walls.	○	●
Have all necessary takings, easements, rights of entry, etc. been completed? If a county Hearing is required, it must be held prior to starting work.	●	○
Are archaeological, anthropological, historical, etc. problems / impacts anticipated?	○	●
Is any work proposed in or within 100 ft. of a wetland (stream, pond, swamp, etc.)? * If your answer is YES, you must file the project with your local Conservation Commission prior to starting work.	○	●
If work is proposed in a wetland or water resource, a permit may be required from the Department of Environmental Protection, Corps of Engineers, etc... Verify with agencies.	○	●

Preliminary Estimate

Project proponent must attach a detailed project estimate to support the project cost. Do not exceed MassDOT Allowances for Contingency, Construction Eng. Oversight, Mobilization, Police.

For construction projects, the MassDOT Construction Project Estimator (CPE) can be used for this purpose.

Total Estimated Cost	$300,000.00

Attach Preliminary Estimate:

Scan_0116.pdf

massDOT
Massachusetts Department of Transportation

CHAPTER 90 Details

Contract No.	50762
Bridge No.	N/A
Length	0
Width	0

Typical section details

Surface	Asphalt
Base course	Asphalt
Foundation	Gravel
Shoulders/Sidewalk	Concrete

Work to be done

- ☐ Force Account
- ☑ Advertised Contract
- ☐ Other

- It is recognized that the purpose of this information is to assist the MassDOT Highway Division in approving the Chapter 90 Project Request Form. Accordingly, the information provided here is intended to be complete and correct with no intentional errors or material omissions. Any action taken by MassDOT Highway Division on the basis of this information shall not legally or financially obligate MassDOT Highway Division to support or defend the municipality, and the municipality shall save harmless MassDOT Highway Division for any action.
- The design, engineering, construction, and future performance of the project, including maintenance, is the responsibility of the Municipality. The proposed work will conform to recognized engineering and construction methods. I/We hereby certify under penalty of perjury the following: that the project is on a public way, and any necessary takings have been made; that all materials will comply with approved established specifications; that all weights and quantities will be accurate; that equipment rental rates are those established by MassDOT Highway or the advertised low bid; that all documentation will be checked for accuracy, and will be endorsed in accordance with municipal procedures for accountability.

☑ Confirm you have read and agree to the terms above

CERTIFICATION

Signed:

Highway Official's Title Interim Superintendent Date 1-18-23

Accounting Official's Title Date

Date Duly Authorized Municipal Officials

Date Municipal (Others)

Date Municipal (Others)

Reviewed By:

Signed:

State Aid Engineer Date

Road Classification Verified:

Approved for: $ @100%

District Highway Director Date

TOWN OF CHESHIRE

Cemetery Foreman

General Purpose:

Performs a variety of skilled, semi-skilled and unskilled manual work associated with the care, upkeep, and maintenance of the Town of Cheshire cemeteries. Works under the direction of the Cemetery Commissioners for procedural directions and the Highway Superintendent for day-to-day operations . This position is appointed by the Board of Selectmen. The position is Part Time beginning in May and ending in October.

Essential Job Functions:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

Oversee the work of Cemetery Grounds Workers with the ability to understand and implement applicable town and department regulations, policies and procedures.

Work is performed on site; generally required to work outdoors in a variety of weather conditions which may be adverse at times.

Operates a variety of equipment which may include hand tools, power tools, light equipment, and light trucks, reports equipment problems to the foreman. Mows, trims trees and shrubs, weeds as appropriate. Digs and performs related cemetery work.

Has frequent contact with Town personnel, has occasional contact with contractors, residents and the public, interactions require courtesy and tact.

Error could result in a danger to health and safety, loss of Town assets, injury to oneself or others, damage to buildings and equipment, loss of revenues and poor public relations.

May be assigned to work in other town departments doing work like the tasks of a cemetery grounds worker.

Must have the ability to follow directions and work independently and as a crew member.

Physical Requirements/Work Location:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.

Frequent moderate to strenuous physical effort is required to perform duties under variable conditions, with some exposure to occupational risks. Occasionally required to push/pull objects weighing up to 100 pounds; occasionally required to comfortably lift/carry objects weighing up to 50 pounds. Ability to stoop, kneel, crawl, crouch, turn and twist. Have manual dexterity and strength to operate objects, tools or controls and reach with hands and arms.

Qualifications:

Highschool diploma or equivalent. Must be sixteen years of age and obtain a work permit.

Non-Discrimination Clause :

No individual shall be denied any rights guaranteed pursuant to local, state and/or federal law based on race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.

The above statements are intended to describe the general nature and level of work being performed by individuals assigned to this position. They are not intended to be an exhaustive list of all responsibilities, duties, and skills required. This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and/or requirements of the job change.

DRAFT

TOWN OF CHESHIRE

Cemetery Grounds Worker

General Purpose:

Performs a variety of skilled, semi-skilled and unskilled manual work associated with the care, upkeep, and maintenance of the Town of Cheshire cemeteries. Works until the general supervision of the foreman. This position is appointed by the Board of Selectmen. The position is part time seasonal.

Essential Job Functions:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

Work is performed on site; generally required to work outdoors in a variety of weather conditions which may be adverse at times.

Operates a variety of equipment which may include hand tools, power tools, light equipment, and light trucks, reports equipment problems to the foreman. Mows, trims trees and shrubs, weeds as appropriate. Digs and performs related cemetery work.

Has frequent contact with Town personnel, has occasional contact with contractors, residents and the public, interactions require courtesy and tact.

Error could result in a danger to health and safety, loss of Town assets, injury to oneself or others, damage to buildings and equipment, loss of revenues and poor public relations.

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DRAFT

edm

architecture
engineering
management

January 18, 2023

Jennifer Morse
Town of Cheshire
80 Church Street
PO Box 647
Cheshire, MA 01225

Re: Former School Change of Use Study
tch-6473

Dear Ms. Morse:

We are pleased to propose our services to develop a study of the former Cheshire Elementary School to understand the implications of changing the use of the existing cafeteria and options for providing accessible toilet rooms.

Scope of the Project

Based on our phone call on January 5, 2023 we will prepare a study consisting of preliminary code review and schematic plans as needed for the following work:

- Provide accessible bathrooms (3 options):
  - Option 1: modify the existing bathrooms across from the cafeteria
  - Option 2: modify the existing bathrooms in the youth center wing
  - Option 3: provide a new single-user fully accessible bathroom elsewhere in the building.
- Change the use of the existing cafeteria from E (educational) to A-3 (assembly).

Scope of Services

The following services will be provided by our team.

Change of Use Study

1. Perform a site visit to obtain existing building information necessary to the project scope of work.
2. Conduct a review of the MA State Building Code to determine the requirements for the proposed change of use and renovation.
3. Develop bathroom modification concept plans as required to comply with accessibility for the three options previously discussed.
4. Produce a report indicating our findings and recommendations for the above.
5. Meet with you to review the study and discuss any questions or comments.

Construction Documents, Bidding and Construction Administration

1. The level of service required for each of these tasks will be determined after the project is defined through this study process.

Assumptions

The following assumptions have been made in preparation of this proposal:

1. Existing building generally complies with the code in effect at the time of construction and does not contain any hazardous conditions or violations.

pittsfield, ma
unionville, ct
troy, ny

888.336.6500

www.edm-ae.com

2. No invasive (internal) testing will be required.
3. Access to the site for fieldwork is available during normal business operating hours and will include a ladder (if required).
4. The town will review the existing fire alarm system with their current vendor to understand the requirements of any future modifications or expansion to the system.

Exclusions

The following services have not been included in this proposal:

1. Cost estimating.
2. Mechanical, Electrical, Plumbing, or Structural engineering. These disciplines will be included in the future construction document phase.

Fees

We propose to provide the above Scope of Services for a fixed fee of $4,000 plus reimbursable expenses.

Reimbursable Expenses involve expenses incurred by **edm** in the direct interest of the project for transportation, postage, overnight courier, reproductions and other miscellaneous expenses.

Schedule

We are prepared to commence work approximately one week after your authorization to proceed and anticipate completion two weeks thereafter.

Additional Services

Additional services requested, that are not included in the scope of services, will be submitted for approval prior to commencing any additional work.

Terms & Conditions

General Conditions of the Contract for Architectural and Engineering Services are included herein. These conditions form an integral part of this proposal.

If you find this proposal acceptable, work will be scheduled upon receipt of a Purchase Order, signed copy of this proposal, or a mutually acceptable contract document. Invoices will be issued monthly with payment terms net 30 days. Accounts with overdue balances risk the possibility of having their work delayed until payments are brought current.

Thank you for the opportunity to submit this proposal. We look forward to teaming with you on this project. If you have any questions or comments, please do not hesitate to call.

Sincerely,

edm



Tim Widman, AIA
Architect

ACCEPTANCE OF PROPOSAL – The services, fees and conditions herein are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Town of Cheshire	Title
Date of Acceptance	

General Conditions of the Contract for Architectural and Engineering Services

This document is to be used as general conditions along with an **edm** proposal letter that contains the specific project requirements.

Services - **edm**'s services shall be performed in a manner consistent with that degree of skill and care ordinarily exercised by practicing design professionals performing similar services in the same locality, at the same site and under the same or similar circumstances and conditions. **edm** makes no other representations or warranties, whether expressed or implied, with respect to the services rendered hereunder.

Proposal Acceptance - The attached proposal is valid for a period of 30 days from the date of the proposal. Acceptance of the proposal requires either a purchase order, a letter to proceed referencing the proposal by name, number and date or the signing and dating of a copy of the proposal in the appropriate location provided on the proposal.

Access to Site - Unless otherwise stated, **edm** will have access to the site for activities necessary or advisable for the performance of the services.

Billings/Payments - Invoices will be submitted monthly for services and reimbursable expenses and are due when rendered. Invoice shall be considered PAST DUE if not paid within 30 days after the invoice date and **edm** may, without waiving any claim or right against the Owner, and without liability whatsoever to the Owner, terminate the performance of services. Retainers shall be credited on the final invoice. A service charge will be charged at 1.5% (or the legal rate) per month on the unpaid balance. In the event any portion of an account remains unpaid 90 days after billing, the Owner shall pay the cost of collection, including reasonable attorney's fees.

Hazardous Materials - **edm** shall have no responsibility for the discovery, presence, handling, removal, disposal or exposure of persons to hazardous materials of any form. In the event that **edm** or any other party encounters hazardous or toxic materials at the job site, or should it become known in any way that certain materials may be present at the job site or any adjacent areas that may affect the performance of the **edm**'s services, **edm** may, at its option and without liability for consequential or any other damages, suspend performance of service on the Project until the Owner retains appropriate specialist consultant's or contractor's to identify, abate and/or remove the hazardous or toxic material, and warrant that the job site is in full compliance with applicable laws and regulations.

Indemnifications - The Owner shall defend, indemnify and hold harmless **edm** and its employees and those for whom it is legally responsible from and against any and all injuries, claims, damages, losses and expenses (including reasonable attorneys fees) arising out of or resulting from the performance of the services, provided that any such claims, damage, loss or expense is caused in whole or in part by the negligent act or omission of the Owner, anyone directly or indirectly employed by the Owner (except **edm**) or anyone for whose acts or omissions any of them may be liable. This indemnification shall include any claim, damage or losses due to the presence of hazardous materials.

Risk Allocation - In recognition of the relative risks, rewards and benefits of the project to both the Owner and **edm**, the risks have been allocated so that the Owner agrees that, to the fullest extent permitted by law, **edm**'s total liability in the aggregate to the Owner, for any and all injuries, claims, damages, losses and expenses, (including reasonable attorneys fees) whatsoever arising out of or in any way related to **edm**'s services for the project or this Agreement, from any cause or causes whatsoever, including but not limited to, the negligence, errors, omissions, strict liability, breach of contract, misrepresentation, or breach of warranty of **edm** or **edm**'s officers, directors, employees, agents or independent professional associates, or any of them, shall not exceed the total compensation received by **edm** under this Agreement, or the total amount of $50,000, whichever is greater.

Ownership of Documents - All documents produced by **edm** under this agreement shall remain the property of **edm** and may not be used by the Owner for any other endeavor without written consent from **edm**. The Owner agrees to waive any and all claims against **edm** and to defend, indemnify and hold **edm** harmless from and against any and all claims, losses, liabilities and damages arising out of or resulting from the unauthorized use, reuse or alteration of **edm**'s designs, drawings and specifications.

Opinion of Probable Costs – When required as part of **edm**'s services, **edm** will furnish opinions of probable cost but does not guarantee, warrant, or represent the accuracy of such estimates. Opinions of probable cost prepared by **edm** hereunder will be made on the basis of **edm**'s judgment as an experienced and qualified design professional. However, user of the probable cost opinions must recognize that **edm** does not have control over the cost of labor, material, equipment, or services furnished by others over market conditions or any contractors' methods of determining prices or performing the work.

Termination of Services - This agreement may be terminated upon 10 calendar days written notice by either party for failure of the other to perform his obligations hereunder. In the event of termination, the Owner shall pay **edm** for all services rendered and reimbursable expenses incurred to the date of termination. Termination is in addition to all other rights that a terminating party may have under this agreement and by law.

Dispute Resolution - A party with a claim or dispute shall, prior to instituting any legal proceeding (except for action pertaining to liens, attachments, receivership, injunctions or other provisional remedies) or proceeding in arbitration, shall submit to the other party a request to mediate. Such requests to mediate shall suggest the name of a professional mediator, and the place, date(s) and Time(s) for meditation. The Party seeking to initiate mediation shall do so by submitting a formal, written request to the other party to this Agreement. This section shall survive completion or termination of this Agreement, but under no circumstances shall either party call for mediation of any claim or dispute arising out of this Agreement after such period of time as would normally bar the initiation of legal proceedings to litigate such claim or dispute under the laws of the Commonwealth of Massachusetts.

Governing Law - This agreement shall be construed and enforced in accordance with the laws of the Commonwealth of Massachusetts without reference to the choice of law principles thereof.

Representative - Each party shall designate to the other in writing a person to act as such party's representative.

From: Thomas Matuszko
To: Jennifer Morse
Cc: Peter Traub
Subject: RE: BRPC Assessment
Date: Monday, January 23, 2023 5:02:35 PM

Hi Jennifer,

In direct answer to your question, the town of Cheshire does have a legal obligation to pay the BRPC Assessment fee. In the past, Cheshire voted to become a member of the Berkshire Regional Planning Commission as allowed by Massachusetts General Laws Chapter 40B. This law, adopted originally in 1955, is often referred to as "The Regional Planning Law." This is the law that originally enabled BRPC to be created. Originally established in 1966 by the votes of ten cities and towns in Berkshire County, BRPC now consists of the thirty towns and two cities in Berkshire County Massachusetts. Cheshire was one of the charter members of the Commission. The law also states, "*Said commission shall, annually in the month of February, estimate the amount of money required to pay the costs and expenses of the district for the following fiscal year, shall fix and determine the proportion of such costs and expenses to be paid by the constituent cities and towns thereof during such fiscal year*" This is what is referred to as the assessments. The assessments are levied on the member cities and towns and are apportioned among member communities on a per capita basis according to the most recent national census.

In answer to your other question, BRPC is predominantly funded by grants and contracts entered into the federal government, the state and local cities and towns. Those contracts are tied to direct deliverables or products. BRPC staff bills their time against those grant and contracts. Work must be directly related to those grants and contract.

The local assessment money is used to fund activities for which no grants are available. It is the only funds that BRPC has that is not tied to a grant or a contract. Basically, if a town official called and asked for information, without the assessment funds, unless that question was related to a specific contract, we wouldn't be able to help. For example, and this is not an exhaustive list, in the past BRPC has used local assessment funds for the following activities:

- Educational events for municipal boards and officials
- Grant assistance, writing, and administration for the cities and towns
- Specific technical assistance to municipal boards and officials, such as:
    - assistance about zoning bylaws and the amendment process
    - the development of specific zoning bylaw amendments
    - information about dam inspections

    - Green Community designation support
    - Grant administration assistance
    - 40R designation
- Generate and provide data for municipal officials
- Prepare and provide maps for municipal officials
- Technical review of large scale development
- IT needs assessment
- Review of historical material

As to your other observation about Planning Board service and where to charge, I don't know what other municipalities do. The services we provide through the assessment funding are eligible to more than just Planning Boards.

I am more than glad to discuss this with you in greater detail.

When I spoke with Aaron Singer about this today, he mentioned there were several other items you wanted to speak with me about. I am not aware of what those are. Please let me know and perhaps we can arrange a time to speak.

Thomas Matuszko, Executive Director
Berkshire Regional Planning Commission
1 Fenn St., Suite 201 | Pittsfield, MA 01201
413.442.1521 x34
tmatuszko@berkshireplanning.org
www.berkshireplanning.org

From: Jennifer Morse <jmorse@cheshire-ma.gov>
Sent: Thursday, January 12, 2023 10:57 AM
To: Thomas Matuszko <tmatuszko@berkshireplanning.org>
Subject: BRPC Assessment

> **Caution:** This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Tom,
Forgive me for not knowing the answer to the question below from a member of the Planning Board.

"Do we have an obligation or a contract to BRPC to pay the Assessment Fee?".

The allocation of the funds is built into the Planning Board budget hence the question. If it is not specifically a Planning Board service perhaps, I need to move it out of their budget and if it is not a Planning Board assessment, what does it cover?

H.D. Reynolds
37 Nobody's Road
Cheshire, MA 01225

January 12th 2023

Board of Selectmen
Town of Cheshire
80 Church Street
PO Box S
Cheshire, MA 01225

Dear Selectmen,

I, Eric C Whitney, am requesting a Class I and Class II Dealer's License for H.D. Reynolds, located at Nobody's Road, Cheshire MA 01225. My intentions are to sell New and Used Utility Trailers on the property that is rented by H.D. Reynolds. We are seeking permission to house up to 30 Utility trailers which have a brand name of Sport Haven Trailers.

According to Brian Duval the property is zone B and I understand that a special Permit will be required from the zoning board, which we will gladly complete if we know that the Dealers License would be approved.

I have included a map to show where the trailers will be located. If further information is needed, please contact Mary Fox at maryf.whitneys@gmail.com or (413) 442-4749 ext 4.

Thank You

Eric C Whitney
H.D. Reynolds

H D Reynolds

NOBODY'S Road

W

Location of Trailers

S

N

Route 8

Whitneys Farm Market

E

TOWN OF CHESHIRE

80 CHURCH STREET | CHESHIRE, MASSACHUSETTS 01225
PHONE (413) 743-1690 X.19 | EMAIL: BLDGINSPECT@CHESHIRE-MA

BUILDING DEPARTMENT

1/10/2023

Town of Cheshire Planning Board

Subject: Review of proposed zoning bylaw changes of section 5 – Non-conforming uses and lots

Dear Mr. Chairman

I am writing this letter in response to the last Planning Board meeting where the draft of the proposed bylaw changes was discussed. I have revied them and have some concerns about them.

From my understanding of the purpose of the changes is that to allow the Zoning Board of Appeals to be the ADJ having the ability to regulate pre-existing non-conforming structures since they have been historically doing so but lacked the ability to grant special permits and have been issuing variances for such projects. The proposed draft changes show that the Planning Board would still have jurisdiction over pre-existing Uses and not the structures.

I see a problem with dividing the section between uses and structures as it is my experience that there could be potential applicants where they which to alter both use and structure making it required to obtain two separate special permits; one from each board.

I feel this puts an undue burden on the applicant, and boards. It would be my professional recommendation as a long-standing Zoning Enforcement Officer to have one single board regulate use and structures in this section.

A simple edit of the existing bylaw to reflect that the Zoning Board instead of the Planning Board would be the ADJ would be the quickest way to get approved bylaw changes on the books.

I understand that the Planning Board wishes to retain some authority in this matter, but in most towns the Zoning Board of Appeals deals with preexisting uses and structures and the Planning Board mostly deals with new uses.

If the Board wishes to proceed with the proposed draft, I would point out that I think there is at least one correction that needs to be made. If you look at the current list of exemptions, you will notice that (e) dealing with non-conforming lots approved under the subdivision control law is not mentioned and needs to be added.

The draft seems rather lengthy and going from a single page by-law to a three page one just to divide uses and structures seems unduly extensive.

I am happy to discuss this matter at any time.

Brian Duval

Cheshire Building Commissioner/Zoning Enforcement Officer CC: Zoning Board, Select Board

Water Department Bi-Weekly Report

Day, Date	Activity
1/18/23	CAUGHT UP ON EMAILS – Checked Town Water Lines and Pumps – Went over RT 8 Project with Cory M – Worked on Getting Generator Fixed
1/19/23	Did Monthly Report for DEP – Checked Town Water Lines and Pumps – Fueled Truck up – Worked in Parts Trailer on Parts and Inventory.
Upcoming Events	North State Rd Test Pits Work on Generator at Pump House
	Work on ASR for State. No Backflow Testing

Travis DelRatez

December, we served 339 meals. (down 79 from last month)

I have 1 kitchen volunteer that works all 5 days, 1 that does all 3 in person days and both grab and go days, 1 that helps set tables 2 days per week, 4 additional volunteers that help Wednesdays only, and there are 3 that help occasionally. Their hours range from 2-38 hours a month. ($30.00-$570.00 @15.00 per hour) These hours are submitted to Elder Services every month separated by person.

Anne (Van Driver) has 10-15 unduplicated riders each month with many going every week. (Winter months have slowed with the rides)

Hours

Phone calls range daily from 6-15 even more than that with upcoming clinics and events (30 min - 1 hour daily)(2-4 hours weekly)

Email- (1 hr daily) (4hours weekly)

Kitchen Assistance (calling in orders, supplies, handing out and serving lunches, dishes)chatting with participants. (2 hours daily) (6hrs weekly)

Weekly Facebook updates for meals and events, replies to messenger questions/emails sent to add to Fire Station Board, iBerkshires, Eagle etc. (2 hours weekly)

Managing signup sheets for multiple upcoming events/ticket distribution/money handling Including signups for van riders as well and promoting (1 hr. weekly)

Elder Service paperwork including volunteer hours tracking (2 hours weekly)

Outreach (1.5 hrs. weekly)

BRTA employee training/scheduling, drug testing (1 hr. weekly)

Documenting Anne's travel and clients. (1 hr weekly)

Filing (2hr. weekly)

Northeast IT trainings (15 min as needed)

Decorating, undecorating and redecorating the center for holidays, events, seasons (1hr weekly as needed)

Payroll (1 hour biweekly)

Shopping for events, kitchen supplies (1.5 hrs. weekly)

Outreach

- **(4) Mobile Health Van calls inquiring about CHP van dates**
- **(2) Fuel assistance**
- **(7) Wellness calls**
- **(3) Blood Pressure readings (when Mal or Carol are unavailable)**

(1) Ordering 10 more boxes of covid-19 test kits

(1) List of local caregiver agencies given

<u>Events</u>

Paint N' Sip Saturday January 14th @ NOON (18 attended)

CHP Mobile Health Van Thursday January 19th 10-12

Foot Clinic Thursday January 19th 8:30-1

Brown Bag Friday January 27th 10:30-11:30

First Aid Tuesday January 31st 6:30 p.m.

<u>Reoccurring events</u>

Bingo every Tuesday at 12:30

Quilting with Betty 2nd and 4th Thursday of the month 1:00-3:30

Morning Exercise Class Mon, Wed, Fri from 9-10

Chair Yoga Every Friday from 10-11

Blood pressure readings with Mal and Carol offered Mon, Wed, Fri 10-11

Pitch League every Tuesday @6:30 pm (Feb 21st last day, banquet)

Weekly Activity Report

Friday – General maintenance on equipment. Shop work.

Sat/Sun – No activity

Monday – Picked up chipper in Lanesboro (borrowed), Chipped and cut downed trees on Sandmill/Fales/RT 116, returned chipper to Lanesboro.

Tuesday – Road check (high winds), treated icy spots on Wells/Stafford/Curran/Outlook. Placed stone on Richmond Hill/Sandmill Hill (soft spots).

Wednesday – Picked up larger tree's on Sandmill/Pleasantview with machine, Replaced damaged culvert pipe in driveway on Leo CT (damage by town plow)

Thursday – Weather. Treated and plowed roads, hosed vehicles off.

Friday – Heavy Rain, checked waterways. Shelving from school to FD and set up. Pre-treated blacktop roads for impending weather.

Saturday – Light snow overnight, 3 hours to treat all roads

Sunday /Monday – No activity (Holiday)

Tuesday – Road check, went to Deerfield and grabbed cold patch. Truck 3 broke down on top of RT116, unable to fix on roadside. Village trucks towed back to Cheshire. Burned Xmas tree at transfer station. Night call in for icy roads.

Wednesday – Icy roads, treated areas of blacktop, gravel roads on mountain. 1 person for parts to Hoosic Falls. Worked on truck 3. Moved chairs from town hall to school.

Thursday – Emptied T3 and prepared truck to towed to Hoosic Falls (unable to fix in shop), checked for icy spots, treated roads (weather).

Office Work/equipment update

1. Billing/payroll

2. Ordered bins for transfer station

3. Ordered more salt/cold patch/street sign holders (out)

4. Chapter 90 paperwork completed with Dave Stokes so paving can go out to bid

5. Chipper in NY has multiple issues to be fixed, est cost $8-10K.

6. T3 breakdown, Kirk/Mike attempted to fix in shop and were unable. Contacted Alliegence in Hoosic and DK in Albany. Similar prices, vehicle will be trailed to Hoosic for repairs.

7. T2 has recall on wheel studs/fire extinguisher. Going to Bedards on Feb 2 to have looked at.

8. Started looking at potential Mini wheeled excavators.

9. Landscape Trailer needs new boards/paint/lights

10. Paver, brought in to clean

11. Beaver trapper got (2) f/well Rd.
Call back if see more activity