TOWN OF CHESHIRE

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OFFICE OF THE BOARD OF SELECTMEN

Board of Selectmen

Meeting Minutes –August 6, 2024

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 Community House) on Tuesday August 6, 2024, at 6:30 PM.

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

Others Present: Jennifer Morse, Town Administrator; Whitney Flynn, Town Clerk; Bob Tetlow, HVRSD School Committee Rep; Lynn Melchiori; Art Kaufman; Corey McGrath, DPW Director; Tom Francesconi, Fire Chief. Michael Alibozek, Police Chief; Philip Fricker; Erika Snyder, HVRSD Business Manager; Michael Henault, HVRSD School Committee Rep; Christopher Garner, Anne Eastland; Michelle Whitney; Nora Whitney; Mary Johnson; Dale Balawender; Bob Balawender; John Tremblay; Tammy Daniels, I Berkshires; Tom Zappula; William Ogden; Mary Ann Ogden; Joe Wilk.

S. McGrath called the meeting of the Board of Selectmen to order at 6:34 p.m.

Summary of Votes:

Vote to enter into the Liquor License Amendment Hearing at 7:35 p.m.	5-0
Vote to amend the liquor license for 41 South Street, Common Table, include outdoor dining	5-0
Vote to exit the Liquor License Amendment Hearing and go back to the regular meeting	5-0
Vote to approve the Accounts Payable and Payroll warrants as submitted	5-0
Vote to request that the Planning Board review the bylaw pertaining to keeping of livestock in the R-1 district	5-0
Vote to adjourn the meeting at 8:05 p.m.	5-0

Special Election Information Session

S. McGrath opened the Special Election Information Session noting that there are representatives of the Hoosac Valley Regional School District, Police and Fire present. S. McGrath answered a question regarding the impact to the single-family tax bill noting that at this time the estimated average single family tax bill is 3,540.11 with the Prop 2 ½ override it is estimated to be 3,646.50. He then explained the difference between Question 1 being a permanent override to the tax levy while Question 2 and Question 3 are debt exclusions which are temporary increases that cease when the debt is paid.

Erika Snyder, Michael Henault and Bob Tetlow took questions regarding the School District. Questions included the total amount of Cheshire students in the district (224 as of 10/1/23), total increase the budget, Cheshire portion of the increase, building project debt. Ms. Snyder explained that a lot of costs are out of the control of

the district including the Chapter 70 (state aid),charter school and choice students funds. The district was asked if regionalization has been discussed and Ms. Snyder stated that the Superintendent is having those conversations and Mr. Henault added that there is an ad-hoc committee looking at the district agreement. L. Melchiori having served as a substitute noted that there is more administration and less kids, she spoke of her firsthand experience with students discipline and some students desire to learn in a difficult environment, she questioned why the district continues to hire administration instead of qualified teachers. Mr. Henault explained the Pathways program at the high school level, that the district is seeing less 8th grades leaving the district for the first time in years due to Pathways and that state regulations set laws for discipline of students. Mr. Tetlow noted that the cost of everything is going up, the district is looking to invest in students, he feels that if his taxes increase $100 a year that is a small amount of funding to keep the kids invested and wanting to stay at HVRSD.
A question was asked about why families are choosing to leave the district? Mr. Henault answered that families were surveyed, and the top reason was discipline followed by academic offerings, he stated that Superintendent Dean has a district improvement plan that was put together with information from the survey, he noted another reason was the lack of financial support from towns, surrounding communities support education at a higher level which is also a reason families choose to leave the district. He added that the School Improvement Plan and positions added including dean of students at all buildings with help both teachers and administrator provide a safe and structured education for all students. Mr. Henault shared that district went through a lot of superintendents in a short amount of time and the superintendent dean has a plan around teaching and learning but it needs the funding to succeed.

Chief Alibozek was present to answer questions regarding Question 2 – debt exclusion for a new police cruiser. There were no questions from the audience.

Chief Francesconi was present and answered questions and gave an overview of the request for a new Fire Engine, the quoted cost for the new engine is $850,000 the same engine in the market today was quoted at 1.2 million. Chief Francesconi discussed the going issues with the current engine which is a 2001 and past NFPA recommendations for replacement.

Discussion/Decision Items

Common Table Liquor License Amendment Hearing – Outdoor Seating

A motion was made by M. Francesconi and seconded by J. Levesque to open the Liquor License Hearing at 7:35 p.m.

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

Christopher "CJ" Garner owner of Common Table was present and explained his request to add outdoor seating at 41 South Street, the space is the Northwest corner of the property measuring 28x40'. The new space is fenced off and contains twenty seats for dining guests and a fire pit with lounge-style seating. There was a question from R. Killeen inquiring if they had to get any town permits for the change, the post and rail fencing is already in place, no known permits are required.

A motion was made by S. McGrath and seconded by J. Leveque to approve the amendment to the liquor license to include outdoor seating.

Discussion:

Abutter Mr. Ogden shared his concerns regarding the parking lot at the rear of the building, lights from vehicles shine into their home and he requested a fence be placed. CJ Garner said that he would speak to the property owners. He also inquired where additional cars would park, Mr. Garner shared that they would be reducing the amount of seating indoors so the parking would not be impacted.

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

A motion was made by M. Francesconi and seconded by J. Levesque to end the liquor license hearing at 7:43 p.m.
Roll Call Vote: R. DeAngelis – Yes, R. Killeen – Yes, J. Levesque – Yes, M. Francesconi- Yes, S. McGrath – Yes
Motion Carries – 5-0

Consent Agenda

- Minutes - Postponed to next meeting
- Accounts Payable, Payroll Warrants
- Conservation Commission Appointments – Postponed to next meeting.

A motion was made by J. Levesque and seconded by R. Killeen to approve the Accounts Payable and Payroll Warrants as submitted.
Roll Call Vote: R. DeAngelis – Yes, R. Killeen – Yes, J. Levesque – Yes, M. Francesconi- Yes, S. McGrath – Yes
Motion Carries – 5-0

Town Administrator Updates

The Town Administrator asked that Nora Whitney be able to speak as it pertains to an update to the board regarding the Zoning Bylaws to have livestock in the R-1 district. Ms. Whitney shared with the board her frustration and concerns regarding a letter she received from the Zoning Enforcement Officer regarding her chickens. She shared that several neighbors received the same letter requesting that they fill out a special permit application which has a permit fee, she also was told about the fine fees attached, she then started naming other downtown residents who have livestock without a special permit and inquired why they did not have to file a special permit. The Town Administrator clarified that Ms. Whitney along with two other property owners received a letter after a written complaint was received by the Zoning Enforcement Officer, the Planning Board determined that the special permit requirement was in the jurisdiction of the Zoning Board of Appeals. The Zoning Enforcement Officer was contacted regarding the consequences of failure to file a special permit which is a 21D fine, which includes monetary fines. She stated that the permit fees could be waived however the legal ads did come with a fee that would be established by the newspaper which could then be split between the homeowners, however it must be posted twice, and the approximate legal ad fee will be $300. The Town Administrator also noted that the Planning Board would need to make changes to the bylaw and requested that the Board of Selectmen petition them to do so. S. McGrath stated that he was embarrassed that the Town was having these discussions regarding keeping of chickens.

A motion was made by S. McGrath and seconded by J. Levesque to request that the Planning Board review zoning bylaw section 3.3, section C.

Discussion:
S. McGrath stated that no action should be taken until the bylaw has been reviewed. There was discussion regarding the Right to Farm bylaw and if that superseded the Zoning Bylaw, the Town Administrator informed the board that counsel did review, and it does not.

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

Harpers Payroll Upgrade - The Town Administrator shared that Harpers did a department head training this morning and confirmation will happen early next week regarding going live for August 16th. At this time a timeclock is being sent for installation at the highway garage, employee and department head training videos have been provided, department heads are all looking forward to the new system.

Capital Improvement Plan Update - The UMASS Collins Center is working with the Town on a five-year Capital Improvement Plan with grant funds, the new contact is Heather Michaud, and a meeting was held last week, since that meeting a memo has gone out to all department head with request forms, a full facilities review was conducted several months ago and will continue in the next few months. The deadline for department heads to submit the Capital forms is September 27th directly to the UMASS Collins Center team.

Wage and Salary Plan Update - The final plan and job descriptions have been received, the job descriptions are being formatted and will be presented to the board in one full packet for approval, this will be added to a future agenda for discussion.

Announcements from board Members

M. Francesconi noted that due to the incoming storm Cruz Nite has been postponed until August 17th, this decision was made to notify the fireworks company.

R. DeAngelis stated that now that the payroll upgrade has happened where is the project with General Code to have the bylaws updated on the website as approved at the 2023 Annual Town Meeting. The Town Administrator shared that the Town Clerk will be looking into the status after the Special Election and Special Town Meeting. The bylaws were approved at the 2023 Annual Town Meeting, and she believed the Attorney General approved the General Bylaws but there may be question about the Zoning Bylaws.

Public Comment – None

Adjournment:

A motion was made by J. Levesque and seconded by M. Francesconi to adjourn the meeting at 8:05 p.m.

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

Document List

1. Agenda – August 6, 2024
2. Common Table Hearing Documents
3. Capital Plan Memo

Approved: August 20, 2024