TOWN OF CHESHIRE

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OFFICE OF THE BOARD OF SELECTMEN

Board of Selectmen

Meeting Minutes –October 1, 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 October 1, 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; Peter Traub; Bob Tetlow; Ed Pezze; Liseann Karandisecky. Rebecca Herzog, Treasurer/Collector; Corey McGrath, DPW Director; Brian Duval, Zoning Enforcement Officer.

S. McGrath called the meeting of the Board of Selectmen to order at 6:35 p.m.

Summary of Votes:

Vote to approve Cheshire Rod & Gun Club One Day Liquor Licenses	4-0-1
Vote to approve Hoosac Hose Company One Day Liquor License	5-0
Vote to approve Special Town Meeting Warrant – October 21, 2024	5-0
Vote to approve the consent agenda except for the minutes of September 17, 2024	5-0
Vote to adjourn the meeting at 8:37 p.m.	5-0

Tax Taking/Tax Ttile/ Foreclosed Property, Employee Accruals with Finance Office

Rebecca Herzog, Treasurer and Collector joined the board to discuss Tax Enforcement and Employee Accruals. The Town Administrator started the conversation by sharing that the Board previously reviewed two town owned properties, a small piece of land on Shadowland Cove and 1666 Wells Road. R. Herzog explained the process for selling town owned properties, noting that the laws are changing on November 1, 2024. She current works with a tax attorney and will reach out him for guidance on auctioning the properties. The board confirmed that the goal is to get the properties back on the tax rolls. R. Herzog mentioned that there are several properties with unclear ownership that needs to be rectified by the Assessor's Office including properties were the owner has deceased. She then explained the process for tax title and tax takings, noting that she works within her budget with the tax attorney, the Town Administrator inquired on putting tax title expenses on the recap, this is a practice that can be used but never has been in Cheshire. There is a tax title revolving account in addition to the appropriated funds. R. Herzog said that she will always work with a property owner on payment plans and does not move owners in tax title if they are only delinquent a couple of years. R. Herzog then stated this is the first time since 2007 that she has had to borrow, however yearly the school payment drains the revenue before tax bills go out. She also stated that a lot of summer revenue comes from interest and past due tax payments. S. McGrath stated that the board would like to move forward with a transition to quarterly tax bills to ensure revenue flow. R. Herzog said

that by going to quarterly tax bills the office will be in constant collection mode, making it a two full time person office.

R. Killeen inquired if there has been any resolution in Adams Fire District tax, the Town Administrator informed him that the matter has been presented to the attorney.

The discussion turned to employee accruals, the time and attendance software does not recognize the towns policies. The treasurer shared that she would investigate the accruals again tomorrow. She asked for clarification on the sick policy which currently states an employee is entitled to five sick days per year, with an additional five days with a doctors note. S. McGrath stated that he wants to revisit going to all Personal Time Off (PTO) after the current union contract expires in June 2025.

Enforcement Discussion with Zoning Enforcement Officer

Brian Duval, Building Commissioner and Zoning Enforcement Officer (ZEO)joined the board to discuss zoning enforcement practices. B. Duval stated that he only takes written complaints from the public on zoning violations or he will enforce with public safety if not contacted. He sends a letter of inspection and property owners have the right to appeal his decisions to the Zoning Board of Appeals. He was asked about the ongoing chicken zoning violations and he stated that the received a written complaint against all three property owners. When asked about the need for the Planning Board to review and amend the current bylaw he suggested simplifying the process by having a yearly permit go before the Board of Health. The ZEO was asked about a recent written complaint about campers in a neighborhood that went unanswered from July. He stated that the complaint was frivolous as it came from one of the property owners who had been citied for chickens. He was also asked about the sign bylaw which he stated needed review as the current bylaw only allows for a six square foot sign, all others are required by special permit.

The Town Administrator shared concerns about selective enforcement practices as there have been other violations noted within the town and that the Board of Selectmen voted at their last meeting to cease enforcement until the bylaw can be reviewed and voted on by the voters at Annual Town Meeting. The ZEO stated that he is not going to stop enforcement at this point and that the property owner can file an appeal of his decision with the Zoning Board of Appeals. Mr. Pezze asked to speak noting that he was the property owners complaining about campers within his neighborhood and that he took offense to the statement of the ZEO that his complaint was frivolous. Mr. Pezze stated that he gave his address and six homes on Wood Lane, Dean Street and Richmond Road, he never received acknowledgement of the complaint or a response from the ZEO. Mr. Pezze further stated that they would rewrite the complaint with street numbers if necessary.

J. Levesque left the meeting at 7:37 p.m. as the conversation turned to a recent complaint regarding Stafford Green.

The ZEO shared that he had received a written complaint regarding odor from Stafford Green, he notified the owner last week with no response and send them an email today as a follow-up. According to the order of conditions they have three days to get the testing completed. The ZEO stated that he has been up there last year after a complaint and could not detect and odor, he also stated that he will not take back-to-back complaints, this will be an issue every year. R. DeAngelis stated that if they do not follow through with the testing results from within three days of notification they are in violation of the special permit. The ZEO informed the board that he would be on vacation next week, but will have access to emails.

J. Levesque returned to the meeting at 7:49 p.m.

Discussion/Decision Items

Cheshire Rod and Gun Club Liquor Licenses

A motion was made by S. McGrath and seconded by R. DeAngelis to approve the Cheshire Rod and Gun Club Liquor Licenses as presented.

Roll Call Vote: R. DeAngelis – Yes; R. Killeen – Yes; J. Levesque – Abstain; M. Francesconi – Yes; S. McGrath – Yes
Motion Carries: 4-0-1

Hoosac Hose Company Liquor License

A motion was made by S. McGrath and seconded by J. Levesque to approve the Bill Lewis Fishing Derby Liquor Licenses as presented.

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

Municipal Road Safety Grant Program

The Police Department was awarded a grant in the amount of $19,180 for radar units, the Town Administrator will confirm that is for mobile radar trailers and will report back to the board.

Halloween 2024- Halloween will be set on Thursday October 31, 2024, from 5:30 – 7 p.m.

Special Town Meeting Warrant

The Town Administrator reviewed the Special Town Meeting warrant.
Article 1 – Hoosac Valley Regional School assessment to transfer from stabilization $150,534. It was noted if the funds were not transferred that the state will retain cherry sheet disbursements to cover the cost.
Article 2 - To allow the Board of Selectmen to request special legislation to approve the vote of the Special Election on August 12, 2024, as the election warrant was not posted accordingly.
Article 3 - To correct a clerical error on the Annual Town Meeting warrant, a difference is $120.
Article 4 - To transfer from the FY25 budget funds to pay overdue invoices (Special Building Repairs)
Article 5 - To transfer from the FY25 budget funds to pay a detail fee from August 2023 (Highway Road Repairs)

There was discussion about quarterly reconciliation moving forward of Police Details Invoices to the Finance office, the Town Administrator will follow-up on this procedure with department heads.

A motion was made by S. McGrath and seconded by J. Levesque to approve the Special Town Meeting Warrant for Monday October 21, 2024, as presented.

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

Classification and Compensation Review

The job descriptions will be added to the next agenda to encompass changes including Senior Center mandatory Serv Safe training for the Senior Center Director and Meals Coordinator, Clarification on all job descriptions about supervision received and a review of the police officer job descriptions.

Consent Agenda

- Minutes September 10, 12024 (reviewed) and September 17, 2024 (postponed)
- Accounts Payable and Payroll Warrants
- Dancecapade School of Dance – October 19 – Community House Cafeteria

A motion was made by S. McGrath and seconded by J. Levesque to approve the consent agenda except for the September 17, 2024, minutes.

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 shared that payroll is a work in progress and the town continues to get through the hiccups of the first few submissions with the new time and attendance system.
In the packet Board of Selectmen members will find an Ingalls Road speed data analysis using the speed limit of 25 mph, the speed limit is 30mph and signs will be posted as soon as they arrive. Additional police patrolling has

been happening in the area. Also in the packet was a thank you letter received by the Historical Commission and the highway bi-weekly report.

Announcements from Board Members

J. Levesque stated that he was disappointed with the turnout of the Hoosac Valley Regional School District special district meeting. Discussion on the presentation being misleading in that the budget went up over a million dollars this fiscal year. Members felt as if the moderator should have allowed the point of order as it was a valid point. Discussion on the secret ballot and that voters were allowed to vote and decide which is what the board was looking for. There was further discussion about the agreement and need for changes to allow for equal representation at the table, there was also discussion regarding information presented to the public being was one sided, something the town was told was not acceptable, it was noted that by pinpointing sports and extracurricular activities they were looking for an emotional response. The Board will put in writing prior to budget season expectations for Fiscal Year 2026. It was also noted that regionalization discussions need to move to the forefront of conversations and that the Twon of Cheshire should put a non-binding resolution to the voters to begin withdrawing from the district.

M. Francesconi reminded all that the Bill Lewis Fishing Derby and Oktoberfest picnic is scheduled for this Sunday October 6.

Public Comment

Mr. Pezze spoke regarding selective enforcement of the zoning bylaws, stating again that his complaint is not frivolous, that he does not wish to be attending these meeting that he is looking for fair equitable zoning enforcement practices.

Adjournment

A motion was made by M. Francesconi and seconded by J. Levesque to adjourn the meeting at 8:37 p.m.
Roll Call Vote: R. DeAngelis – Yes; R. Killeen – Yes; J. Levesque – Yes ; M. Francesconi – Yes; S. McGrath – Yes
Motion Carries: 5-0

Respectfully Submitted,
Jennifer Morse
Town Administrator
October 9, 2024

Document List

- Agenda October 1, 2024
- PD Grant Award Letters
- Draft Job Descriptions
- Draft Minutes – 9/10/24
- Ingalls Road Speed Data Analysis
- Thank you letter Historical Commission
- Highway Bi-Weekly Report

Approved: October 29, 2024