

Town of Chesterfield  
Board of Selectmen  
July 17, 2019  
Minutes

**Opening:** Norm VanCor opened the meeting at 6:00 PM. Present were Norm VanCor, Jeanny Aldrich and Susan Rigg. Alissa Thompson was excused, and Jon McKeon was on Skype. McKeon said he is in Pittsfield, MA and is unable to get to Chesterfield tonight and stated he was alone in his office. *VanCor made a motion to allow McKeon to join the meeting electronically. Aldrich seconded the motion and it was approved unanimously by roll call vote.*

**Public Comment:** Jeff Scott lead the meeting in a rousing rendition of Happy Birthday to VanCor. John Koopmann told the Board the Friends of the Chesterfield Gorge are no longer allowed at the Gorge.

**Old Business:**

**Town Hall Annex Plans:** McKeon spoke with Buddy Champney from DA Brothers and updated the schedule of work. DA Brothers will be placing the footings for the shear walls next week. The slab will be placed the following week. Wall framing will start a week from Monday and the trusses will be delivered August 1. The ceiling damaged recently will be fixed when the framing crew is on site. Aldrich asked how payment will be made for the kitchen equipment. McKeon suggested a down payment be sent to allow the vendor to hold the items for the Town. Payments will be made as equipment is delivered. Aldrich will ask the vendor how much of a deposit they will require.

**Former Town Office Plans:** Aldrich said the EDC has put together a list of leads to find a buyer. McKeon said he has a person who may be interested.

**Progress on erosion and drainage project at town owned beaches:** VanCor summarized the stream reconstruction. Rawson Construction made modifications to the design plans that made better sense and did not interfere with the Martini property. This was a construction decision to make the project wider at the apron. This was to accommodate erosion happening on the beach side. This also avoided cutting down a large tree. Ryan Hogue showed the modification to VanCor and VanCor agreed the modification was slight and would not affect the project. Next, the Selectmen met at the beach and looked at the project. It was agreed the work appeared to be performing as designed. The Board then learned Anthony Martini, Jr. (who is not a party to this process) sent a complaint letter to the Dept of Environmental Services. As a result, a DES compliance officer went to Ware's Grove and took measurements and photos. The Town was not notified of the visit by DES. The DES determined the construction was deficient and did not follow the design properly. The DES determined Martini, Jr. had a valid complaint and ruled we are to return to the original design. The BOS arranged a meeting with the DES Representative, Rawson Construction (Contractor) and Fuss & O'Neill (Design Engineer) to review the project and determine what is not in compliance. McKeon attended, as VanCor was out of town.

McKeon said he met with Jeffrey Blecharczyk (DES Compliance Officer), Ryan Hoag (Rawson Construction), and Brian Vincent (Fuss & O'Neil). They talked about the design and the drawings and looked at the stone apron at the outfall of the stream reconfiguration. It was determined the apron is a bit different than what was on the permitted DES drawing. The upstream side on the drawings was 6 ft wide and 30 feet long to the lake and 18 feet at the lake intersection. The upstream section is twice as wide as the drawings reflect. This is on the town side of the stream. There is not more material on the abutter side, the abutter side is constructed to plan, said McKeon. The DES compliance officer wants this area to match the approved drawing. On the abutter side, the suggestion is to roll the stone rip rap back and replace it with loamy gravel so the plants will grow. A sketch and narrative will be issued by Fuss & O'Neill and will be submitted to DES. The DES agreed to allow the work and plantings to be done in the fall, after the busy summer season, said McKeon.

McKeon stated that Mr. Martini, Sr. is the owner of the Spofford Cabin property. The Town's signed agreement is with Mr. Martini, Sr; not Martini, Jr. The complaint letter sent to the town was from Martini, Jr. and was likely written by an attorney. The Town should determine who is acting on Mr. Martini, Sr's behalf before more discussion takes place. McKeon said Attorney John Ratigan will reach out to the attorneys for the Martini's to determine who has authority to act on their behalf.

Aldrich asked if the repairs can be done without removing the tree, and VanCor said yes. The DES compliance officer will notify the Martini's that if the town cannot complete the work on the Martini side, the Martini's will be responsible to complete the work. This will require them to apply for a new permit and obtain new engineering. The contractor chose to use fabric and stone over a large area to avoid cutting the existing tree. This made the design wider, said VanCor. It was a good option, but because it was different, we are now forced to use a less optimal choice. The compliance officer said he reviewed the whole property and all other work is done very well.

VanCor said on Monday, July 22<sup>nd</sup> there will be a delivery of plants and shrubs. They will plant on Tuesday and Wednesday. The six shrubs for the Martini property will be held until that issue is resolved.

**McKenna Way Ravine:** Mr. Cersosimo has a performance bond on the "ravine". Mr. Cersosimo is requesting a maintenance bond in lieu of the performance bond. McKeon said he looked at photos of the area and spoke with Chris Lord, DPW. McKeon said the situation has gotten worse and we cannot allow this to convert to a maintenance bond. The Board of Selectmen talked with Cersosimo and advised slump testing should be done, as was requested in the past. This situation is getting worse, agreed VanCor. Thompson will be asked to respond to Cersosimo. We would like them to address the issues and then get back to the Board.

**GUESTS: Ted Athanasopoulos – Code Enforcement:** McKeon outlined the expectations for the quarterly meetings. Athanaeopoulos said things are going well and he is getting used to the position. He said he processes the building permits as they come in and has issued about 35 permits in the last 2 months. Aldrich suggested Athanaeopoulos be alert to the lake area requirements.

Aldrich suggested the use of the tracker form which is helpful in keeping organized and tracking violations. Aldrich will come in to review the form with Athanaeopoulos. Athanaeopoulos said he is going to attend a class next week on residential electrical inspections. He is also meeting with a computer tech to familiarize himself with the computer process. Aldrich suggested he talk with Alissa Thompson about the budgeting process. The Board thanked Athanaeopoulos for coming and suggested he reach out if there is anything they can do to help him.

#### **NEW BUSINESS:**

**Docks** – McKeon said the Board should review dock placement; the docks that are illegal should be pulled out in the fall. VanCor will ask Thompson to put this on the agenda for September. The Board should research the issue before contacting the dock owners. The marine patrol has jurisdiction over structures on the water, the Town has jurisdiction on the shore. Some docks are operated as a business providing slip rentals. The zoning has changed to the Spofford Lake District and businesses are no longer allowed. There cannot be an increase of slips greater than those present at the time of the zoning adoption by the Town.

**3 Broadband hookups-** The town is allowed three free hookups. Brad Roscoe suggests the Town Office, the Administration and the Police share one line. The Library and the Highway Dept will receive the other two. Aldrich asked is it possible to split the Admin and Police Dept? Traffic on the line can slow down the speeds, Aldrich continued. We should ask Rob Koester of Consolidated if there is a potential slow down if we have too many users on the internet at the same time. McKeon will ask more questions of Koester.

**Parks & rec request for Ware's Grove Trees Expendable Trust Fund:** The Parks & Rec Dept submitted a proposal from Chris Lane Enterprises, LLC. to remove trees at Ware's Grove. VanCor said he wants to know what is in the budget. McKeon said they want this to come out of the Expendable Trust, not the budget. Many trees have been removed from

the area, said McKeon and he thinks we should be considering replanting. These trees are crowded and can come out without replanting, said VanCor. VanCor said he is concerned about waiting, as children play in this area.

*VanCor moved to approve Chris Lane cut the trees down that have been identified on the July 15, 2019 proposal for \$1,250, to be paid through the Ware's Grove Tree Expendable Trust Fund. Aldrich seconded the motion and it was approved with Aldrich, Van Cor and McKeon voting in the affirmative.*

Another invoice was presented for payment from Parks & Rec Dept dated May 22, 2019. *VanCor moved to approve the payment of the invoice from Chris Lane Enterprises for \$1,000 for emergency cutting of two trees, to be paid from the Ware's Grove Tree Expendable Trust Fund. McKeon seconded the motion and it was approved with Aldrich, VanCor and McKeon voting in the affirmative.*

**Summer Information Session:** The summer information session will be on August 28, 2019. McKeon said the Board will address a few subjects and then take questions from attendees. At the July 31, 2019 meeting the Board of Selectmen will review the topics to be discussed.

**Partition colors for Annex Bathrooms:** After reviewing the colors, it was agreed to use Folkstone Gray, Pantene #9400.

**OTHER BUSINESS:** The Governor's office will hold a Budget information session on Friday, July 18, 2019. No Board Member is free to attend.

McKeon said he is not willing to extend the dates of deeding property, as requested by Ken Cook. He would like to speak with Alissa Thompson further about this.

Rigg asked if John Herrick could use the land next to the Asbury Church for a fundraising yard sale. It is acceptable to the Board, provided it does not inconvenience the library.

Chief Chickering's contract discussion will be on the next agenda. Thompson will send the current contract to the Board. The Old Home Day Committee asked to have a booth on August 3, 2019 at the Transfer station to sell Old Home Day T-Shirts. This is acceptable to the Board. Old Home Day is September 21, 2019.

**ACCEPTANCE OF MINUTES:** *VanCor made a motion to approve the June 27, 2019 minutes as amended. Aldrich seconded the motion and it was approved with Aldrich, VanCor and McKeon voting in the affirmative.*

**ADJOURN:** *Vancor made a motion to adjourn at 7:30 PM. Aldrich seconded the motion and it was approved with Aldrich, VanCor and McKeon voting in the affirmative.*

Respectfully submitted,

Susan Rigg, Secretary

Accepted:

Jon McKeon:

Date:

*31 July 19*

Jeanny Aldrich:

Date:

Norman VanCor:

Date:

*Norman W. Van Cor*

*7/31/19*