

 COPY



TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
Tuesday – October 28, 2014 at 6:30pm

Submitted by MCJ
Date 12/2/14
Received by KL
Date 12-2-14

Present: Chairman – Frederick C. Swensen, Vice-Chairman – Joseph J. Szafarowicz, Clerk – Cynthia B. Cooper and Members – David M. Singer and John P. McGrath. Also present: Town Administrator - Robin L. Craver.

NOTE: Some matters may have been taken out of agenda order but were typed up in agenda order for ease of locating information when necessary.

I. Call to Order:

1. Chairman Swensen called the meeting to order with the pledge to the flag.
2. Chairman Swensen reminded everyone to treat each other courteously and be acknowledged by the Chair before speaking. Those in attendance are requested to turn off cell phones or put them on vibrate so as not to disrupt the proceedings and remove hats, if any.

II. Consent Agenda:

1. Minutes of Selectmen's Regular Meeting – October 14, 2014. **Motion by Mr. Szafarowicz that we accept the October 14, 2014 meeting minutes as printed, seconded by Mr. Singer, motion carries.**

III. Community Relations, Announcements and Open Forum:

- Chairman Swensen read the announcements.
- Cedric Flower from 1 Meadowview Drive came forward and wanted to address the Board about public housing. Public housing is a way for citizens through their taxes to help the elderly and handicapped and low wage earners to afford decent, clean and safe places to live. We have a wonderful public housing right here in Charlton and yes, we need more housing. The Charlton Housing Authority is soon to be seeking bids from private developers to construct so called affordable housing units on their property, Meadowview Drive. The Charlton Housing Authority Board of Trustees, Joseph Stevens, Michael Sullivan, Carol Smeltzer, Cathleen Kuehl and GERALYNE BABINEAU who are elected by citizens of this town to oversee Meadowview Drive are about to give away the land and the infrastructure that was entrusted to them. This land that is out to bid will be privately owned and administered. Mr. McGrath stated that this is not a giveaway, it's the way the DCHD has it programmed. It's a public private partnership. The Federal and State Laws have changed and they have to have a certain percentage of family housing as well. Chairman Swensen asked if this will be public housing and Mr. McGrath stated that it will. The land will remain as the Charlton Housing Authority land. Chairman Swensen asked Mr. Flower if people want to get involved with this who should they call and he stated himself at 508-248-1174 or 1 Meadowview Drive, apt. 4D, Charlton, MA 01507.

IV. Appointments/Resignations:

Scheduled Appointments:

6:45pm – Cable Committee. Mrs. Craver stated that she met with the Cable Committee to discuss their proposed operational changes and to develop a budget for the Cable Department, also known as, TV Charlton. Attached is a FY15 and FY16 proposed budget. Last year, during budget season, several residents, including members of the Finance Committee asked that the Cable Committee be more transparent to the community. Toward that goal, the Committee has worked to create a budget and we plan to bring the Department into the Budget Booklet next year. This will not change the requirement that funds brought in for Cable revenues must be used for cable/technology purposes. No funds from the General Fund support the Cable Department. It is wholly funded by Charter Cable, soon to be Comcast. We have just renegotiated another 5-year contract where there was a onetime capital payment of \$105,000 and the department receives \$90,000 each year for operating. The Cable Committee would like to increase the number of hours for Drew Anderson – Cable Coordinator from 19 to 37. They are working on securing a new location to serve as a filming studio and want to discuss some of their thoughts for space with you tonight. One thing to remember, the Committee, working with your Board and the Library Trustees, agreed several years ago to fund half of the library custodian’s salary in order for them to build a studio and access the library in the evening. They are looking to see if they can use those funds (\$12,309 which are built into the general budget) to put toward another space. Since you appointed Dick Vaughan as the General Cable Manager, there is an increase in show production. The Cable Committee is also planning some of those hours to be used for school event production. Mrs. Craver would agree and recommend the Board approve the increase in hours for Mr. Anderson and accept the budget as presented. Eric Borgeson and Bill Fontaine, members of the Cable Committee came forward. Mrs. Cooper asked if the money is switched for the library custodian, how does that affect the library. Mr. Borgeson stated that we are currently paid up until the end of the year which will give the committee time to find another place to go. Mr. Szafarowicz asked if the committee has any ideas on where they would like to go. Mr. Borgeson would like to stay in a town building and there are a few places that they looked at but the amount of space is questionable. Bay Path built the house at the school which they are looking at as well. They are still searching for space. Chairman Swensen asked about the room that was built in Dexter Hall for the committee, what will happen to that space? Mr. Borgeson isn’t sure yet. Chairman Swensen stated that he’s also been contacted by several citizens about the government channels being moved. Mr. Fontaine stated that cable did not give us any warning about what channels the government channels would be on or ask us what would work. The channels are still there just on different channels. Mr. Szafarowicz asked if they have spoken with the Library Trustees about the possible changes and they said they have. The intent of the Cable Committee is to have a real studio. They will still be able to use the Library. **Motion by Mr. Szafarowicz to approve the increase in hours for Mr. Anderson and accept the budget as printed, seconded by Mr. Singer, motion carries unanimously.**

VI. New Business:

1. Bay Path request for support for changes to On-the-Job Training Program. Mrs. Craver stated that attached is a letter from John A. Lafleche, Superintendent –Director of Bay Path Regional Vocational Technical High School. The letter states that on August 6, 2014, the Massachusetts Board of State Examiners of Plumbers and Gas Fitters amended their policy regarding On-the-Job Training Programs provided by vocational students. Within this policy, there are two items that negatively impact the ability of vocational schools to provide meaningful training experiences to students especially on projects in public parks and in public facilities. The first item requires that the licensed plumbing instructor of the school travel to Boston to meet with the Board before a permit can be issued. This requirement is onerous for many schools and their instructors. While the instructor is at the Board in Boston, the school must hire a substitute teacher who usually is not licensed. Not only does this provision incur extra cost to the school, it deprives students of a licensed instructor for the day. The second item that Bay Path objects to is the change in the

teacher to student ratio from 8 students to 1 teacher on public projects to 6 students to 1 teacher. Bay Path has been operating at the 8 to 1 level since 2008 with excellent results. Many schools will be unable to perform outside work for our communities due to a limited number of instructors. Mr. Lafleche states that Vocational Directors and Instructors met with the Plumbing Board on October 6th to discuss the new policy. There was no indication either policy requirement would be changed as requested. He is respectfully requesting that the Board contact our State Senator and State Representatives alerting them to the negative impact this policy will have on our community and to ask them to support changing these two provisions in the policy. **Mr.**

Szafarowicz stated that it's important for us to support Bay Path and he would make a motion that we send a letter to our State Legislatures quoting these changes, seconded by Mr. Singer, motion carries unanimously. Mrs. Craver was asked to put the letter together.

2. ALICE Training – request to close town hall up to 4 hours. Mrs. Craver stated that as the Board is aware, seven employees were sent to an A.L.I.C.E. Instructor Training course. (Gary Mason, Chief Cloutier, Carl Ekman, Cheryl Sevivas, Marie Beesley, Mary Devlin and myself). We are ready to provide training to town hall employees which would require up to four (4) hours of time. We are respectfully requesting that the Board of Selectmen authorize the Town Administrator to close the town hall, on a date yet to be determined, for up to four (4) hours for training purposes. We will be sure to give the public advance notice of the closing while also taking into account peak walk in times. The first half of the training will be done in a “classroom” setting. The second half would require “live role playing” where we would need to lock the doors to citizens so as not to scare them should they come through the building. We will place signs on the door stating what is taking place so they are aware there is no emergency. Once the date is set, Mrs. Craver will notify the Board who will be invited to attend the training as well as all boards/committees/commissions and departments. **Motion by Mr. Szafarowicz to authorize the Town Administrator to close the town hall up to four hours on a date that's appropriate, seconded by Mr. McGrath.** Chairman Swensen asked that plenty of notice for the times be given in advance. **Vote on motion: motion carries unanimously.**
3. Public Disclosures – Highway Superintendent. Mrs. Craver stated that it's nearing snow plowing season and the Highway Superintendent is about to make his appointments for outside drivers and contractors to help in removing snow from public and private roads. The Highway Superintendent is here before you tonight to disclose, per the MGL Ch. 268A, Section 19 and 23(b)(3) the appearance of a conflict of interest regarding the hiring of Family members. Attached are three disclosure forms being filed by him. The first two disclosures indicate that they are relatives and he affirms that he can perform his official duties objectively and fairly. MGL requires him to make these disclosures to his appointing authority. The third disclosure sheet he is filing, as required, is to not only notify you but he needs to get your approval. He would like to hire *A Cut Above Landscaping* which is owned by his son for the purpose of snow plowing. Superintendent Foskett discloses that his son, an immediate family member, has a financial interest in the matter. The Board of Selectmen, as the Highway Superintendent's appointing official as required by G.L. c. 268A, §19, must review and determine that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee. Mr. Foskett came forward. Mr. McGrath stated that knowing Mr. Foskett and the way he runs his department, he can be fair and equitable with all his vendors and treat everybody the same way. The Board agrees. Mr. Foskett appreciates the comments from the Board and he would like to compliment Mrs. Craver as this was her suggestion and for the ability he has to work with her. **Motion by Mr. Singer to make note of Mr. Foskett's disclosures and approve the third to make that hire, seconded by Mr. McGrath, motion carries unanimously.**

1. Electricity. Mrs. Craver stated that as the Board is aware, the warrant article asking the town to authorize the Board of Selectmen to study, develop and participate in any municipal aggregation was passed by town meeting members. Mrs. Craver has spoken to Town Counsel and Kopleman & Paige (Special Council) regarding process. There is a clause in the IMA with Millennium Power Plant that may enable us to purchase electricity at an even lower rate if we aggregate. The language is:

Section 20. Within thirty (30) days after Millennium has the requisite legal authority to negotiate rates for the sale of electricity, and if Charlton has formed a municipal utility or aggregated its load, Millennium shall notify the Town, and upon request by the Board of Selectmen on behalf of the Town, Millennium shall within thirty (30) days meet with the selectmen or their designee at the Selectmen's office and shall commence and pursue with all good faith and due diligence negotiations concerning the lowest possible, reasonable rate for the sale of electricity to the Town and its residents, which rate shall in any event be equal to the lowest rate directly afforded by Millennium to any municipal utility or municipal aggregator for comparable service, and shall sell to the Town, through its municipal utility or municipal aggregator, electricity in such quantities as the Town may request at the aforementioned rate but not less than one megawatt. Millennium understands and agrees that this provision is of the essence of this agreement.

Mrs. Craver is looking for direction from the Board on how you would like to proceed. Some options include asking her, as Chief Procurement Officer to work with Hampshire Council of Governments and Millennium to discuss the Town's options and bring back information to the Board. If you chose this option, she would work with the Chair of the Millennium Committee, Deb Ceccarini and (Town and/or Special) Counsel. The Board could also appoint a separate committee to work on this, but they would need to be available during the day for meetings. **Motion by Mr. Szafarowicz to authorize the Town Administrator with Town Counsel and Special Counsel to negotiate and talk with New Hampshire Council of Governments and Millennium Power to discuss the town's options and bring back the information to our board, seconded by Mr. McGrath.** Chairman Swensen said it would be his preference to work with Town Counsel before working with Special Counsel. Mrs. Craver stated that she did speak with Town Counsel and he was the one that negotiated the Millennium contract but when it gets into aggregation and some of those technical pieces, that's when she will be looking for someone that's well established. **Vote on motion: motion carries unanimously.**

VIII. Committee Reports:

Mr. McGrath stated that he, Mr. Szafarowicz and Mrs. Craver sat in on the Municipal Building Committee a few weeks ago and other members of the committee as well. They discussed the ADA renovations and sidewalks in front of the Library. Mr. Meskus is looking at possibly having new cement put in at the same time to save money.

IX. BOS Policy Review:

1. BOS Agenda Closing. Mrs. Craver stated that town hall closing on Fridays has changed the office processes in creating the Board's agenda and packet. It has been difficult for staff to get the Selectmen's agenda completed on Thursday because of the need to add items to the agenda the following week- mostly Monday. We would ask the Board to consider changing the agenda closing time and date from Thursday prior to a meeting at noon to Monday at 10 AM. This would ensure enough time to secure and provide the necessary information needed to bring the completed agenda items for your review. Because the packets are not copied on paper anymore and instead are put in an online Dropbox as well as emailed to individual members, there is also recommended language change for that:
The policy currently reads:

The Board of Selectmen's office shall close the agenda at noon on the Thursday morning prior to the Tuesday meeting so as to have time to copy the relevant materials and arrange the Selectmen's meeting packets so that the Board may have time to review them.

Recommended changes:

The Board of Selectmen's office shall close the regular Board of Selectmen meetings' agenda at 10AM on the Monday prior to the Tuesday meeting so as to give staff time: to collect the most up to date information; provide accurate memos; and compile the information into meeting packets. Staff shall deposit packets into the Selectmen's Dropbox and email to individual members by email by 12 noon so the Board may have time to review the materials prior to the meeting and contact the Town Administrator or others for more information if they have questions. Given that staff generally emails pertinent information in a timely fashion, the Board members should not be receiving critical information for the first time on Monday prior to the meeting. The Town Administrator shall make every effort to keep the board members up to date on critical issues on an ongoing basis. **Motion by Mr. Szafarowicz to accept the recommended changes as printed, seconded by Mr. McGrath.** Mrs. Cooper asked what if there is a Monday holiday. **Mr. Szafarowicz amended his motion to include if there is a Monday holiday, it would revert back to the previous workday. Mr. McGrath amended his second. Vote on motion: motion carries unanimously.**

X. Student Selectperson Report: Ms. Sprague reviewed her report.

XI. Town Administrator Report: Mrs. Craver reviewed her report.

XII. Other Business: (unknown at time of posting) Mr. Singer stated that there is a location change for soccer fans. Normally the end of the season big game between Charlton Middle and Dudley is held at night under the lights at Shepherd Hill but because the field is not completed, it will be held at Dudley Middle School.

Mr. McGrath stated that one thought he had about Mr. Flowers discussion about the Housing Authority, to get the other side of the story, we should contact Jean Vincent. Mr. Szafarowicz would ask the Town Administrator to reach out to the Housing Board for an official letter so we know what's going on. Mrs. Craver said she would invite them to the Board's next meeting.

XIII. Next Meeting Announcement:

- Next Regular Selectmen's Meeting – November 25, 2014

XIV. Adjourn/Executive Session:

Motion by Mr. Szafarowicz to enter into executive session at 7:38pm under M.G.L. c. 30A, Sec. 21, #2 – to discuss strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel, #3 – to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares, seconded by Mr. Singer. Chairman Swensen stated that an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and that the board will reconvene to open session for the purpose of adjourning. **Roll call vote taken: Mr. Szafarowicz – aye, Mrs. Cooper – aye, Mr. McGrath – aye, Mr. Singer – aye and Chairman Swensen – aye.**

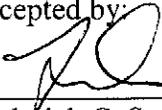
Motion by Mr. Szafarowicz to adjourn at 8:00pm, seconded by Mr. Singer, motion carries unanimously.

Submitted by:

Mary C. Devlin

Administrative Assistant

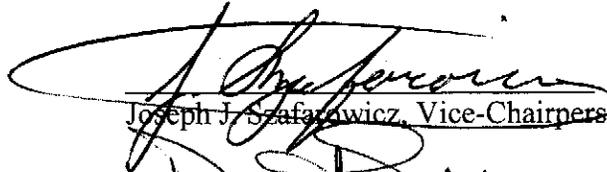
Accepted by:



Frederick C. Swensen, Chairman



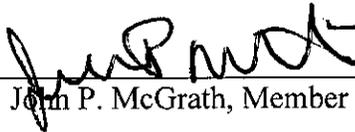
Cynthia B. Cooper, Clerk



Joseph J. Szafarowicz, Vice-Chairperson



David M. Singer, Member



John P. McGrath, Member



**TOWN OF CHARLTON
OFFICE OF THE TOWN ADMINISTRATOR
37 Main Street
Charlton, MA 01507
WWW.TOWNOF CHARLTON.NET**

Phone: (508) 248-2206
Fax: (508) 248-2374

TO: Board of Selectmen
FROM: Robin L. Craver, Town Administrator
DATE: October 22, 2014
SUBJECT: Town Administrator's Report – for Selectmen's meeting of 10/28/14

BOS Meetings – just a reminder that as discussed at Town Meeting, your next regularly scheduled meeting is November 11, 2014 which is Veterans Day therefore the town hall will be closed. You agreed to hold your next regular meeting on November 25, 2014. We will place a notice on the website and cable.

Town Hall Heating System – The Building Commissioner has set the heating system to the new winter schedule. He reports, the heat comes on to occupied at 4 am Monday mornings, and 6 am Tuesday, Wednesday, Thursday morning (same as last year). The system goes into unoccupied 8 pm Monday, Tuesday and Wednesday (same as last year). The system goes into unoccupied at 3:30pm Thursday afternoon and stays unoccupied until Monday morning at 4 am.

He reminds us that the system is driven by outdoor air temperature, the colder it is out in the occupied mode the warmer the water in the system is. When the outdoor air drops below 50 deg the system comes on and runs based on outdoor air temperature until the outdoor air temp rises above 55 deg. When the system is in the unoccupied mod the water temperature stays at 130 deg. regardless of outdoor air temp. We will be calculating the energy savings at the end of the Winter Season taking into account that there have been added cooling systems in the building and electrical upgrades.

Town Meeting – Much of staff's time was dedicated to preparing another successful special town meeting. I'd like to thank the Departments and Boards who assisted in compiling the information for town meeting. It is a pleasure to work with you.