



COBY

Submitted by MCD
Date 3/5/15
Received by KL
Date 3-5-15

TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
Tuesday – February 3, 2015 at 6:30pm

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

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. He wanted to thank our Highway Department for their work during the storms and to Carl Ekman and Terri Gough our Emergency Management Directors as well as the Police and Fire Departments for all their work. It's been an incredible few storms. Mr. Singer reminded everyone to make sure their dryer vents or any vents are clear.
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 Regular Meeting – January 20, 2015. **Motion by Mr. Szafarowicz to accept the January 20, 2015 regular meeting minutes, seconded by Mr. Singer, 3 ayes with Chairman Swensen abstaining.**

III. Community Relations, Announcements and Open Forum:

- Chairman Swensen read the announcements.

IV. Appointments/Resignations:

V. Scheduled Appointments:

VI. New Business:

1. Site Plan Application – Solar MA Project Management, LLC. Mrs. Craver stated that the Planning Board has received a site plan application submitted by Bertin Engineering on behalf of Solar MA Project Management LLC for site plan approval to construct a proposed 3.0 Megawatt commercial ground mounted solar energy array to be located on 16.54 acres of a 44.3 acre site located northerly off of Turner Road, westerly of Mackenzie Road (Assessors Map 39, Block A, Parcel 2). Said property is zoned Agricultural (A). The Planning Board has scheduled the public hearing for their March 4th meeting. The Board is asked to review and if you have any comments, we need to notify them no later than Wednesday, February 25, 2015. Mr. Singer would just comment that if any of this is viewable from any of the homes in that area, that they consider making sufficient requirements to block the view from all the neighboring homes.

2. Request for abatement – Deborah Errara. Mrs. Craver stated that attached is a request from Deborah Errara seeking an abatement for the Prindle Pond Dam betterment for her property located on Pumpkin Lane. Her intention is to combine her two lots 61B-C12 and 61B-C13 to become one lot. The Board of Assessors have considered and approved Ms. Erraras abatement application on her dam betterment assessment “if” the taxpayer does indeed combine her lots and record the new deed within the required timeframe under MGL to receive the abatement on a betterment. Mrs. Craver would recommend the Board approve Ms. Errara’s application for abatement of betterment contingent upon combining her lots 61B-C12 and 61B-C13 and record the new deed within the timeframe under MGL (February 12, 2015). **Motion by Mr. Szafarowicz to approve Ms. Errara’s application for abatement contingent upon the laid out requirements, seconded by Mrs. Cooper, motion carries.**
3. Senate Bill 2121 – Moderator’s powers. Mrs. Crave stated that Attorney Cosgrove noticed in the January 18, 2015 Sunday paper that the Governor signed Senate Bill 2121 further regulating town meetings and moderator’s powers. As a courtesy, he has forwarded the text for your information. Basically it states whenever the moderator determines that voters may be unable to attend a town meeting, because of a weather-related or public safety emergency, the moderator shall consult with local public safety officials and members of the board of selectmen and then, upon the moderator’s own declaration, the moderator shall recess and continue the town meeting to a time, date and place certain. The moderator need not appear at the place of the town meeting to announce a declaration of recess and continuance. He shall announce the declaration of recess and continuance as far in advance of the town meeting being continued as is practicable. The notice of declaration prepared by the moderator, shall contain the date, time and place of the continued meeting with the reasons stated. Notice shall be filed with the municipal clerk as soon as practicable and then posted in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk’s office is located. The notice shall also be directed to the constables who shall post the notice in the manner otherwise prescribed by general law for town meetings. One copy of the notice of declaration of recess and continuance or the amended notice shall be posted at the main entrance of the place of the town meeting as soon as is practicable. In addition, the moderator may use any electronic, broadcast or print media convenient to circulate the notice of recess and continuance and any amended notice. Those towns that have a municipal website shall post a copy of the notice of declaration of recess and continuance or amended notice as soon as practicable. The town meeting session recessed by the declaration of recess and continuance shall be convened by the moderator not later than 30 days following the date and time of the moderator's original announcement of the declaration of recess and continuance. Mrs. Craver will review with the bylaws to see if any adjustments need to be made.
4. OML & Town Administrator Collective Bargaining Team. Mrs. Craver stated that while in bargaining sessions, which consists of two members of the Board of Selectmen, herself as well as the Department Head and/or union representative of the union being bargained with, a question was asked whether we needed to post these meetings or treat them as an administrative group. For informational purposes, in the Town By-laws for the Town Administrator under duties, the Town Administrator, on behalf of the Board of Selectmen, shall negotiate all collective bargaining agreements with the exclusive representative of all organized employee bargaining units in the Town. The Town Administrator shall seek and receive direction from the Board of Selectmen prior to the commencement of any such negotiations and shall provide advice to the Board with respect to any and all issues relating to the negotiations which in his/her opinion are important to protect the best interests of the town. Prior to the start of negotiations, she asks if two Selectmen would like to volunteer to be part of the negotiating committee. Attorney Cosgrove has confirmed

that this group is an Administrative group therefore not subject to the open meeting law since the group:

- a. Is not a board, commission, committee or subcommittee of the town,
 - b. Are charged by bylaw with the administrative duty to negotiate on behalf of and make a recommendation to the Board of Selectmen,
 - c. Appoint the members of a negotiating team to assist the Town Administrator, which happens to include two members of the Board of Selectmen, (less than a quorum of the board) and
 - d. Are not obligated by statute or bylaw to create any such committee whatsoever and could choose to do without one. It was stated that when Selectmen volunteer to be part of the negotiations, that no vote to have them do so is needed.
5. 2015 Scholarship question. Mrs. Craver stated that each year, the Town of Charlton is charged with awarding students the following scholarships:

Nehemiah B. Stone Scholarship which was given to the Town to be used for scholarships for graduating seniors of Shepherd Hill Regional High School and Bay Path Vocational High School who reside within the boundaries of what was formerly School District #2 in the Town of Charlton.

Jesse Smith Educational Fund which was given to the Town with the general intent and purpose to assist in providing educational advantages for the children of Districts Three and Four in Charlton, and

M. Wayne Colby Scholarship which is awarded by the family of Mr. Colby. This Scholarship was given to the Town after Mr. Colby passed away in 1997. He was a former Selectman for the Town of Charlton and truly advocated in education. This scholarship is specifically designed to be used by a Charlton student. At this time, there are not enough funds to establish a scholarship for this year. The family is working on it and will let us know what they have decided.

Edwin Philips Cooking Fund which was accepted by the Town in 1915 with the general intent and purpose to assist in teaching the art of cooking and domestic science. Staff is working with the Treasurer's office to determine the amount of each scholarship(s). In order to qualify for these scholarships, the Board of Selectmen chooses a question in essay form to be completed by students who are interested in applying for one or more of these scholarships. With the assistance and recommendation of the School, the Board of Selectmen can choose the most qualified recipients. Last year's question for students that were applying for the Nehemiah B. Stone Scholarship, Jesse Smith Educational Fund and the M. Wayne Colby Scholarship was, Town governments in Massachusetts uses several organizational models to complete the people's business including: Open Town Meeting; Council/Manager; and Representative Town Meeting. These forms have differences too. Open Meeting could have a Town Administrator or a Town Manager and the two positions might have differing responsibilities, one having more authority than the other. Charlton has an Open Meeting form of government with a Board of Selectmen and Town Administrator. Do you believe the Town should review other options of government organization and why? Is there one that you believe is the most effective and why? For the Edwin Phillips Cooking Fund, the question was, with obesity on the rise, much emphasis has been put on people's "fat" consumption. Today, people are more aware of what they are eating. It's known that sugar consumption plays a predominant role in the nation's obesity and diabetes crisis. States are passing laws to make people aware of how much sugar is in soda and trying to reduce consumption by adding a soda tax and placing warning labels on soda bottles and cans. Do you think Massachusetts should make similar laws to help reduce the risk of obesity or diabetes from fat and sugar consumption? If not, what would be your recommendation that would help people make healthier food choices? Mrs. Craver would recommend for the Nehemiah B. Stone Scholarship, Jesse Smith Educational Fund and the M. Wayne Colby Scholarship the following question: What are three (3) recommendations you have to help students get more involved in

government? For the Edwin Phillips Cooking Fund, she would recommend the following question: What ideas do you have to help children with picky eating habits stay on a balanced healthy diet? How would you get them to eat healthy? Once the questions are chosen by the Board, the office will compile the scholarship applications and forward to the schools. The applications are due back in our office by April 30, 2015. Chairman Swensen would ask to put this on the next available agenda to allow extra time to review the questions.

6. Highway – overspend snow and ice account. Mrs. Craver stated that we received notice from Gerry Foskett, Highway Superintendent that the snow and ice account is close to being exhausted, therefore he is asking the Board to approve deficit spending in the Snow and Ice account for FY15 as authorized by MGL Chapter 44, section 31D. If approved, the Finance Committee will also need to vote on this issue before the account can be overspent. **Motion by Mr. Singer that we approve deficit spending for the snow and ice account, seconded by Mr. Szafarowicz, motion carries.**

VII. Old Business:

1. ATM – warrant and budget (no update)

VIII. Committee Reports:

Mr. Szafarowicz stated that he attended the recent MMA event and said it was a great experience once again. He said there were some presentations on transparency outreach to the public and he would ask the board if they would entertain creating a new sub-committee for public outreach and transparency to work on things like the budget, website, etc. Chairman Swensen would ask Mr. Szafarowicz if he could put something together and we can put it on the next agenda to discuss. Mr. Szafarowicz stated that he would like to work with the Town Administrator on it. Mrs. Craver stated that the conference was very well attended.

Mr. Szafarowicz stated that at the conference something also came up about some departments having a facebook account and he is wondering if we have any policies on this? Mrs. Craver stated that we have a technology policy and this might be a time to review it.

IX. BOS Policy Review:

Police #34 – Licenses (fees). Mrs. Craver stated that Mrs. Cooper has reviewed BOS Policy #34 – Licenses. The fees from the licenses issued by the Board of Selectmen are added to the General Fund as a local receipt and in turn fund services such as administration. The fees are generally set by surveying surrounding towns. The last time the fees were updated was in 2002. Mrs. Cooper has surveyed a few towns for their fees (attached). She reviewed the fees with three other towns and made a few recommendations. She has made some suggestions for name changes to be consistent with MGL and she thinks it would be a good idea to discuss the amounts. She would recommend keeping the Class I, II, III to stay the same. She reviewed some of the other fees. **Motion by Mr. Singer to make the specific changes that Mrs. Cooper made, seconded by Mr. Szafarowicz.** Mrs. Craver would like to review the list because changing the fee for the junk & old metals from \$75 to \$20 will not cover the administrative fee. **Motion by Mr. Szafarowicz to change Sunday entertainment to \$400.00 for a year or \$20.00 for a day.** Chairman Swensen asked if we could table the motion until our next meeting in case more questions come up. Mrs. Craver hasn't had an opportunity to talk to Mrs. Cooper about the recommendations yet. The Board agreed to table the discussion.

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

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

XII. Other Business: (unknown at time of posting)

XIII. Next Meeting Announcement:

- Selectmen's Special Meeting – Postponed from 1/27/15 to 2/10/15 (due to blizzard) 6:30pm – Charlton Middle School – Due to the amount of people expected to attend, the Selectmen have reserved the Charlton Middle School for a special meeting on the site plan application for Sunset City
- Next Regular Selectmen's Meeting – February 17, 2015

XIV. Adjourn/Executive Session:

Motion by Mr. Szafarowicz to enter into executive Session at 7:27pm under M.G.L. c. 30A, Sec. 21, #2, to conduct 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 #6, to consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body, seconded by Mrs. Cooper. Roll call vote taken: Mr. Szafarowicz – aye, Mrs. Cooper – aye, Mr. Singer – aye and Chairman Swensen – aye. The Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body and that the board will reconvene to open session for the purpose of adjourning.

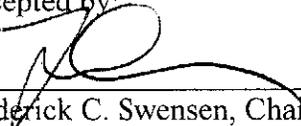
Motion by Mr. Szafarowicz to adjourn at 9:15pm, seconded by Mr. Singer, motion passes unanimously.

Submitted by:

Mary C. Devlin

Administrative Assistant

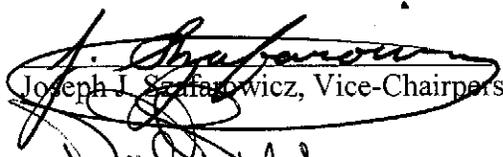
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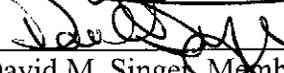
Frederick C. Swensen, Chairman



Cynthia B. Cooper, Clerk



Joseph J. Szafarowicz, Vice-Chairperson



David M. Singer, Member

John P. McGrath, Member (absent)



**TOWN OF CHARLTON
OFFICE OF THE TOWN ADMINISTRATOR
37 Main Street
Charlton, MA 01507**

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Phone: (508) 248-2206

Fax: (508) 248-2374

TO: Board of Selectmen

FROM: Robin L. Craver, Town Administrator 

DATE: January 29, 2015

SUBJECT: Town Administrator's Report – for Selectmen's meeting of 2/3/15

National Grid – T2 Transmission Project – We have been notified by National Grid that they are in the process of conducting studies and surveys for the proposed work to refurbish the T20 Transmission Line that runs through Spencer, Charlton, Dudley and Webster, Massachusetts. The 17 mile long line is a 69KV circuit extending from the Meadow Street Substation in Spencer to the East Webster Street Substation in Webster. The project involves replacing structures, hardware and addressing sub-standard line clearances to extend the life of the T20 line. As a local neighbor, you may see various personnel and vehicles traveling and working in and around the Right of Way for this Transmission line.

Y.O.B. policy – We are still reviewing the BYOB policy that we brought before you at your last meeting. We have sent it to Town Counsel Cosgrove for review.

FY16 Bay Path Budget – I have been notified by Bay Path Superintendent/Director John A. Lafleche that they will not be able to provide you with a regional school budget containing accurate assessments until Governor Baker releases House budget 1 which he has until March 4th. Mr. Lafleche feels they will be providing a preliminary budget in February based on the requirements found in House 1. This year, he expects not to provide us with the budget figures until they are adopted by the School Committee in March. He has proposed that the School Committee conduct a public hearing on March 9th.

T20 Transmission Project

Spencer, Charlton, Dudley and Webster, MA

Dear Neighbors,

As a courtesy we would like to notify you that National Grid is in the process of conducting studies and surveys for the proposed work to refurbish the T20 Transmission Line that runs through Spencer, Charlton, Dudley and Webster, Massachusetts.

The 17 mile long line is a 69 kV circuit extending from the Meadow Street Substation in Spencer to the East Webster Street Substation in Webster. The Project involves replacing structures, hardware and addressing sub-standard line clearances to extend the life of the T20 line.

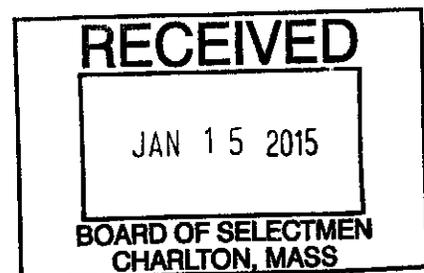
As a local neighbor, you may see various personnel and vehicles traveling and working in and around the Right of Way for this Transmission line. This activity is normal and part of our process as we study the area where we propose the work will be done. These activities will be contained within and along our transmission line right of way easement.

This work is part of an overall program designed to provide safe, reliable electricity for the region. As we progress in the study and project milestones there will be further communications with our abutters to discuss the plans.

If you have any questions or would like further information, please feel free to contact me.

Sincerely,

Danielle S. Aretz
National Grid
Stakeholder Management
Danielle.Aretz@Nationalgrid.com
(781) 907-3081
Danielle.Aretz@Nationalgrid.com



Devlin, Mary

From: Craver, Robin
Sent: Thursday, January 29, 2015 5:11 PM
To: Devlin, Mary
Subject: FW: FY 16 Bay Path Budget

Please add to the TA Report

Sincerely,

*Robin Leal Craver, Town Administrator
Town of Charlton
37 Main Street
Charlton, MA 01507
508-248-2206 office
508-243-3905 cell*

*Effective July 1, 2014, new town hall hours:
Monday, Wednesday, Thursday -- 7:30am -- 5:00pm
Tuesday -- 7:30am -- 7:00pm
Friday - closed*

From: Lafleche, John [<mailto:JLafleche@baypath.net>]
Sent: Thursday, January 22, 2015 7:28 AM
To: Adam Gaudette (agaudette@spencerma.gov); Auburn Town Manager; Craver, Robin; North Brookfield; Oxford Town Manager; Paxton; Rutland; Southbridge; Town Administrator; Webster
Subject: FY 16 Bay Path Budget

Good Morning,

As you know, Governor Baker has until March 4th to release House 1. Because our budget is dependent on the appropriations contained in the state budget, it is impossible to construct a regional school budget containing accurate assessments without proposed Chapter 70 and Chapter 71 details. I expect that we will again propose a Minimum Local Contribution budget. In past years we provided our towns with a preliminary budget in February based on the requirements found in House 1. This year, however, I expect that we not provide you with the budget figures until they are adopted by the School Committee in March.

I have proposed that the School Committee conduct a Public Hearing and budget adoption on March 9th. We will then send out the adopted budget to our towns the following day. I know how difficult your budgeting process is and we strive to get you information as early as possible. Thank you for your anticipated understanding in what seems to be shaping up as a difficult budget year. If you have any questions please feel free to be in touch with me.

Sincerely,

John A. Lafleche
Superintendent/Director
Southern Worcester County RVSD
Bay Path High School
57 Old Muggett Hill Road
Charlton, MA 01507