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Submitted by: MCD
Date: 3/17/16

Received by: KC
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**Agenda for Charlton Board of Selectmen Meeting
February 23, 2016 @ 6:30pm
BOS Workshop**

Board of Selectmen in attendance: 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. Absent: Chairman – Frederick C. Swensen.

1. Open Meeting – Chairman Szafarowicz called the meeting to order at 6:30pm. Mrs. Craver stated that since the board does not have a meeting next week due to election day, she has a few items she would ask that they consider.
2. Letter of resignation – Brian C. Dalton – Per Diem Dispatcher. Mrs. Craver stated that Brian C. Dalton has resigned his position as per-diem Dispatcher for the Charlton Police Department effective February 13, 2016 due to accepting a full time position for the Millbury Police Department. The board should accept his resignation. A letter thanking him for his service is in your sign folder. **Motion by Mr. McGrath to accept Brian Dalton's per diem Dispatcher letter of resignation and send him a letter of thanks, seconded by Mr. Singer, motion passes.**
3. Request from St. Joseph's Church for a special liquor license. Mrs. Craver stated that attached is a request from St. Joseph's Church for a special liquor license for Wine and Malt beverages to be used for their meat raffles from 5:00pm – 11:00pm in the Church Basement located at 10 H. Putnam Road Ext., Charlton, MA on the following days:
March 19, 2016; September 24, 2016 and November 12, 2016. This request has been approved by the Building Commissioner, Fire Department and Police Department. Per the Board's policy, the license if the days requested are approved, should be issued for two additional days for the following reasons:
Day 1 – to allow delivery of alcohol to establishment (no sales allowed)
Day 2 – For sale on the approved date and time as listed
Day 3 – To allow for pick-up of any unused alcohol (no sales allowed)
These dates would be reflected on the license. She would recommend the Board approve the special license as requested. **Motion by Mr. McGrath to approve St. Joseph's Church request for a special liquor license on the dates of March 19, 2016, September 24, 2016 and November 12, 2016 from 5:00pm – 11:00pm for the three days as explained by Mrs. Craver, seconded by Mr. Singer, motion passes.**
4. Site Plan Application – LSE Cygnus, LLC. Mrs. Craver stated that we have received a copy of a site plan application from the Planning Board submitted by CivilTech, Inc. on behalf of LSE Cygnus, LLC to construct a 0.5 Megawatt commercial solar energy generation array and association utility connection on approximately 3 acres of a total 46-acre site located northerly off of Stafford Street on property owned by John and Gretchen Cook (Assessors Map 19, Block E, Parcel 2). Said property is zoned Agricultural (A). The Board is asked to review and if you have any comments, we must provide them to the Planning Board no later than Wednesday, March 9, 2016. Mr. McGrath asked that they consider screening especially on the Stafford Street side. Mr. Szafarowicz asked if we can find out how many solar projects have been approved and put up so far.
5. MMA's Spring Legislative Breakfast Meetings. Mrs. Craver stated that the MMA will be holding their Friday morning legislative breakfast meetings. There is one scheduled in Southbridge at the Southbridge Hotel & Conference Center on March 11, 2016. I would urge the Board to attend this meeting as it is very

informative. There will be talk about the budget and finance issues ranging from Cherry Sheets and municipal and school aid programs, to funding for the chapter 90 local road program and other capital investments and improvements. You must register through the MMA by contacting Vanessa Calaban at vcalaban@mma.org or 617-426-7272, ext. 121 or www.mma.org. If you wish, let me know and the office can sign you up.

6. Suburban Coalition – Chapter 70 Resolution. Mrs. Craver stated that the Suburban Coalition has launched a resolution calling for full funding of the Foundation Budget Review Commission’s recommendations. Seven school committees have passed the resolution. Other boards and committees including Boards of Selectmen and Finance Committee are considering it. The governor’s budget for FY17 increases Chapter 70 by only 1.6%. It does nothing to recognize the findings of the FBRC regarding the systemic underfunding of the Foundation Budget in the areas of Special Education and employee health insurance. The estimated amount of this underfunding is approximately \$2 billion. A copy of the resolution is attached. Does the Board wish to include Charlton in the resolution? **Motion by Mr. McGrath to support the Suburban Coalition Chapter 70 resolution, seconded by Mr. Singer, motion carries.**

7. Request to extend Town Accountant to \$80,000. Mrs. Craver stated that we have it advertised right now at \$60,000 - \$70,000. We’ve received six applications. She said they are doing a round of interviews on Thursday. Her concern is that if we don’t have a qualified candidate, we may have to go out and do some recruitment. She thinks if we need to go out and do some recruiting, looking at the salaries, it would be easier. **Motion by Mr. McGrath to extend the Town Accountants top salary line to \$80,000 for recruitment of a new Town Accountant, seconded by Mr. Singer.** Mrs. Cooper asked if the Personnel Board reviewed this and the answer was no. Mrs. Craver said the Personnel Board doesn’t normally get involved with the ranges of salary. **Vote on motion: motion passes.**

8. Animal Control Officer – added duties of Animal Inspector – Mrs. Craver stated that at your last meeting, we asked that you approve appointing the Animal Control Officer as the Animal Inspector and combine the positions. You asked for the following information:
 - Job Description: Please find a job description that if approved, will be sent to the Personnel Board for review. (They were invited to attend tonight but the Chair is out of Town. She will review when she gets back.) Town Counsel has revised it. She spoke to the Director Mike Cahill and he agreed this is how many towns handle the animal inspector job. They combine the two positions. This also avoids one person holding more than one position in town which has given the Town issues in the past. Also, please note that we make it up to the Chief’s discretion to require the ACO/AI to have a gun permit.
 - Appointing Authority/Nomination: MGL Ch 129, Sec 15 states that the Board of Selectmen is the recommending authority for the Animal Inspector unless town meeting has adopted Sec 15, then the Board of Health would be the recommending authority. She has researched, asked the Town Clerk and Town Counsel if they have any record that the Town adopted Sec 15 and they have no record of its adoption. Thus, the BOS is the recommending authority. It is the State Director that has the “appointing authority”. There is the nomination form from the State attached.
 - Given the above- Town Counsel recommends that you amend the Charlton General Code Sec 50-2B which reads in pertinent part, “B. Other appointed officials within the Town of Charlton include the following positions and appointing authority . . . : [Position] Animal Inspector [Appointed By] Board of Health,” since a bylaw that conflicts with a general law cannot stand. Town Counsel has provided the needed language.
 - As you requested, please find a letter from the Board of Health supporting combining the positions. Also attached is the FY17 Budget BOH and Animal Control budgets that reflect the change. The BOH deleted the animal control stipend of \$3,813 and the expense line item of \$510 and we have added that to the ACO’s line items respectively. We shall also go to the Finance Committee and ask for an increase of

\$6,187. If you have any questions about the responsibilities of the position she would refer the board to the duties. She believes that you will agree that the pay warrants an increase. She has attached a salary survey. -If approved tonight, she will work with the ACO to recommend any needed changes to the Dead Animal Pick-up Policy as referenced in town counsel's communications. She hopes we have answered all the Boards questions and would recommend the following motion: I move to combine the position of Animal Control Officer and Animal Inspector and to that end, a) approve the provided job description and send to the Personnel Board for review and comment, b) approve a salary of \$43,457, c) change Charlton General Code as necessary to effectuate this action, and d) authorize the Town Administrator to execute the Nomination of Inspector of Animals to reflect Ann Sellew as the nominee. Present for discussion: Jim Philbrook, Ann Sellew and Chief Pervier. Mrs. Cooper asked how many towns on the list are combined with Animal Inspector. Mrs. Craver stated that she did not look into that. Mr. Singer said he would not vote either in favor or opposition. He has people that have reached out to him and one email and he hasn't gotten back to them yet with answers. Gerry Doble from the Finance Committee was present and was asked if the Finance Committee has voted on this yet and he said they haven't. They have been waiting for the Selectmen to vote on it. **Motion by Mr. McGrath to combine the position of Animal Control Officer and Animal Inspector and to that end, a) approve the provided job description and send to the Personnel Board for review and comment, b) approve a salary of \$43,457, c) change Charlton General Code as necessary to effectuate this action and d) authorize the Town Administrator to execute the Nomination of Inspector of Animals to reflect Ann Sellew as the nominee, seconded by Chairman Szafarowicz.** Mrs. Cooper doesn't think this is the best thing to do on a permanent basis. Chief Pervier stated that some of the larger communities, the Animal Control Officer is not 24/7. He doesn't feel the pay is unreasonable. Mr. Philbrook stated that since he's taken over as Department Head, he doesn't have the availability to handle the calls. They have already gone through three Animal Inspectors. He said the position needs to be filled as soon as possible. Chairman Szafarowicz would ask to amend the motion to include approval of the Finance Committee. **Mr. McGrath amended his motion. Chairman Szafarowicz amended his second.** Mr. Singer asked if there is any way to change the motion to a temporary basis or permanent basis if nothing is acted upon within a certain amount of time to stop it from becoming permanent so that Mrs. Sellew does not have to come back and it will allow him time to get answers for his questions. Mrs. Craver said the board could make the appointment on a 30 day trial. **Mr. McGrath withdrew his motion. Chairman Szafarowicz withdrew his second. Motion by Mr. Singer that this be done on a 30 day trial basis as Mrs. Craver alluded to give us the opportunity to see how it goes and to hear back from Personnel on any questions and it would become permanent on that point and time unless a motion is made to not proceed past the 30 days and that we also receive approval by the Finance Committee, seconded by Mr. McGrath, motion passes with Mrs. Cooper opposed.**

9. Police Chief – Assessment Center. Mrs. Craver stated that at the Board's January 19, 2016 meeting, you voted to authorize her to file a requisition for a new police chief with the Human Services Division of Civil Service. In talking to them, she was informed that the Board has a choice regarding the process you wish to use and that must be determined before she can submit the paperwork. Please note that we are not holding up any of our officers who may wish to take the test as the date and sign up for all May tests have not been released. You have till next month to file. Based on the information she has, the Board wishes to hold both a test and assessment center. She has attached a draft Delegation Agreement for the Board's review. Please notice as you have suggested, the process may include three (3) criteria, namely: Written, Assessment Center and Education/Experience. The Board must decide the weights given to each. In the draft agreement, she has inserted the weights 40%, 40% and 20% respectively and that would be her recommendation. The next thing the board needs to decide is "who" can take the test. 1) We are anticipating that you will have enough candidates signing up to have a departmental promotional examination (4 must sign up) but she has seen that not always with a departmental promotional exam only, you may not have 3 candidates pass. 2) The Board may choose to hold both a departmental promotional and

an open competitive exam. If you request both exams, then you are obligated to choose first from the promotional list and if there are no candidates qualified, then you can go to the open competitive list. 3) Or you may choose to only request an open competitive exam. She would recommend that the Board hold both a promotional and an open competitive exam concurrently and request that the highest seven (7) candidates move forward to the assessment center. Lastly, she asked how would the board like to choose the assessment center to work with. She has been provided with companies who have been approved by HRD in the past. The Board can ask for quotes or letter of interest, then interview companies. You must put it out to bid with qualifications and contract with the lowest bidder. The process can be formal or informal. Present for discussion: Chief Pervier, Lt. Gregory Lewandowski, Det/Sgt Daniel Dowd, Det/Patrolman Gary Wood, Patrolman Richard McGrath, Patrolman Jason Martocci and Special Patrolman Sean Baxter. The Board heard comments from the officers present. Mr. McGrath and Mr. Singer don't feel it is fair to have the men take the test now. There isn't enough time. They both feel taking the civil service test should come before anything else. Mr. Singer is under the impression that the people have to have certain qualifications and he would like an answer if that is true. Chief Pervier stated that his officers have bachelors and one has a masters. Mrs. Cooper asked if there was an assistant chief in another town or another state, would that person be eligible to participate in this process anywhere. Mrs. Craver stated that because we are civil service they would have to follow that. Chief Pervier said if it was advertised as a lateral position, they could. Mr. Singer asked how the number 7 came out and Mrs. Craver said she had put that to make sure the board has 5 that can go to the assessment center. The next available test after this May would be May 2017. Mr. Singer asked the Chief if he would come back temporary as a consultant and work with the new chief on the transition. Mr. McGrath is not interested in going on our own, he would like to go through civil service and hold off until May of next year to give the guys time to study. Mrs. Craver stated that she is just looking for direction from the board. Mrs. Cooper would prefer not to have an interim. Sean Baxter, a retired State Trooper was present. He said he worked for the town as a Special Police Officer for about 2 ½ years. He said he studied for this exam before and it took him 2 years to prepare. He said it wouldn't be fair to the officers if you have it in May. It was asked if the assessment center is a cost to the town? Mr. Singer said his reasoning for having an assessment center is because he's not a police officer and wouldn't know what questions to ask. Chief Pervier explained the testing. You have to get a passing grade. It was asked if the Board would consider having a Sergeant's exam in case one opens up. Civil Service will provide the board with a list for promotions which is good for two years. The Board thought it was a good idea. Some thoughts that were brought up: Mr. Singer said if we go with an interim Chief, he would like to go outside. It wouldn't be fair to the officers. It was stated that prior to Chief Pervier, they had an officer fill in. Mr. Baxter would highly suggest not to go outside the department. Mrs. Craver would highly recommend to the board to go on the Civil Service website. It has so much information. Mrs. Craver would like to bring the Lt./Sgt. exam to the board at the next meeting for consideration.

10. Other Business – unknown at time of posting

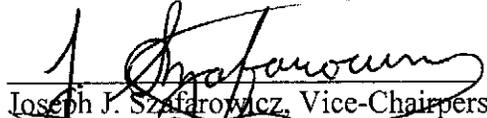
11. Adjourn – **Motion by Mrs. Cooper to adjourn at 7:53pm, seconded by Mr. McGrath, motion passes.**

Submitted by:
Mary C. Devlin
Administrative Assistant

Accepted by:



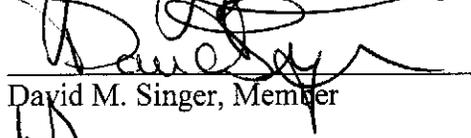
Frederick C. Swensen, Chairman (absent)



Joseph F. Szafarowicz, Vice-Chairperson



Cynthia B. Cooper, Clerk



David M. Singer, Member



John P. McGrath, Member