



COPY

Submitted by HCD
Date 4/27/16
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Date 4-27-16

TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
Tuesday – April 12, 2016 at 6:30pm

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

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 at 6:30pm 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 Special Selectmen's Meeting – March 22, 2016. **Motion by Mr. McGrath to accept the minutes of March 22, 2016 as written, seconded by Mr. Szafarowicz, motion carries unanimously.**
2. Minutes of Regular Selectmen's Meeting – March 29, 2016. **Motion by Mr. McGrath to accept the March 29, 2016 meeting minutes as written, seconded by Mr. Szafarowicz, motion carries unanimously.**

III. Community Relations, Announcements and Open Forum:

- Chairman Swensen read the announcements.
- Chief Pervier and Todd Girard came forward regarding the Earth Day Festival. Mr. Girard stated that the Earth Day Festival is April 30th. They are here to update the citizens of Charlton on what they are doing with the festival. You can sign up on line for the road you want to pick up. The Festival is from 11am to 2pm. They will have booths, a pet show and a recycling art show for residents of all ages. Chief Pervier stated that the Charlton Police Department will also have the child safety seat check point from 10am – 2pm.
- Jim Falzone from 18 Denfield Road is here about the Guelphwood Road closing. He said about a month ago, DOT and representatives from both towns got together to see what they could do about the road and he is here to see if any information is available that he can pass on. Mrs. Craver stated that she has some information in her report from the Highway Superintendent. She said that Highway Superintendent Foskett has stated that on March 22, 2016, multiple test borings were done to determine what the options would be to improve the safety issues. He received results on March 30, 2016 and will be meeting with an engineer of McClure Engineering as well as Heather Blakely, DPW Director for Southbridge to discuss options. He will also be setting up a meeting with Southbridge to discuss the issue of beavers down-stream. The beavers must be brought under control to move forward with any other part of this project. It is his hope a cost effective solution can be reached to meet his goal of opening this road. It was stated that they will be reviewing the data that was received.

IV. Appointments/Resignations:

1. Resignation – Assistant Animal Control Officer. Mrs. Craver stated that attached is a letter of resignation from Lisa Westwell, Assistant Animal Control Officer effective Friday, April 15, 2016. She will be working with Mrs. Sellew, the Animal Control Officer and the Town Clerk's office on turning over the clerical duties and related files regarding animal control. Mrs. Westwell has been a great asset in this capacity and has brought in thousands of dollars in revenue to the Town. She wishes her well on her future endeavors. The Board should accept her letter of resignation. A letter thanking her for her service has been completed and is in your sign folder. Mrs. Sellew, Chief Pervier and Mrs. Craver, are reviewing a recommendation for this position. **Motion by Mr. Szafarowicz to accept Mrs. Westwell's resignation as Assistant Animal Control Officer, seconded by Mr. McGrath, motion carries unanimously.**
2. Resignation – WRTA Member. Mrs. Craver stated that attached is an email that she received from the WRTA regarding the towns WRTA Advisory Board Member, David Schiller. Mr. Schiller has resigned his position from this board due to his schedule. At the Board's March 15th meeting, you approved an alternate position for this board which has been placed on cable and the web. We will add this position as well. The Board should accept Mr. Schiller's resignation. A letter thanking him for his service has been completed and is in your sign folder. **Motion by Mr. McGrath to accept Mr. Schiller's letter of resignation, seconded by Mr. Szafarowicz, motion carries unanimously.**

V. Scheduled Appointments:

6:4pm – Boston Post Cane Award – Howard B. Seifert. Mrs. Craver stated that at the Board's March 15, 2016 meeting, the Boston Post Cane Committee came forward with a recommendation for a Boston Post Cane recipient – Howard B. Seifert. Mr. Seifert is 98 years young as of March 24th. He has lived in Charlton for 70 years. She said it's a pleasure to welcome Mr. Howard B. Seifert and a tremendous honor for the board to recognize him with the Boston Post Cane Award. The Board welcomed Mr. Seifert. They presented him with the Boston Post Cane. Mrs. Craver asked if he had any words of wisdom he could share. Mr. Seifert stated that he is 98. He has enjoyed living in Charlton and came here 70 years ago and stayed here because he married a woman from Charlton. One of his children came forward and shared a story that his granddaughter posted on facebook. The Board congratulated Mr. Seifert and thanked him.

7:00pm – Liberty Utilities. Mrs. Craver stated that at the Board's last meeting, Liberty Utilities came before you seeking a letter of support. They are looking into an inter-connection with the Tennessee Gas line and to provide gas to residents and business in Charlton and Sturbridge. They would like to serve our local downtown area, schools, Masonic Home and then out to Rte. 20. After discussion, board members wanted time to do their own due diligence before a letter of support is approved. Liberty Utilities was asked to come back for this meeting. At the meeting there seemed to be some confusion over two potential projects in Charlton related to natural gas. She asked if they could address that at this meeting as well to make the different companies and projects more clear for the board as well as the residents watching. They also said they would research to see if there are any grants available to help municipalities to switch over from oil to gas. Present on behalf of Liberty Utilities: Jim Carey, Mike Petit and Gary Monroe. Mr. Petit stated that there seemed to be some sort of confusion on the reason they were here. He provided the board with a graph. (attached) He said they are here representing Liberty Utilities and the natural gas distribution that would be an underground system. He said that Liberty Utilities (New England Natural Gas Company) is the company that they are asking the letter of support for. Mr. Carey spoke about possible grants the town could receive. He said that Liberty Utilities is a part of Mass Save. They offer energy efficiency services. They have rebates on big equipment for municipal buildings and schools, boilers, etc. Mrs. Cooper stated that as

she understands their request, they would like a letter of support from this board for Liberty Utilities concept of gas distribution and they would like it exclusive. She asked if there is a reason why this board would support this request over a different company. Mr. Petit stated that it would be a good opportunity for them and the community. They have spoken with Overlook and Bay Path school and they seem interested in a gas distribution system. Mrs. Cooper stated that she has a report from an emergency in Keene NH where there was an incident that could have affected many of the customers in that town and she is wondering how they could ensure the safety of the residents of this town. Mr. Petit stated that Keene NH is a propane air system which is different than providing natural gas. Mr. Monroe said as far as emergencies, they would have someone in town that could get there right away. He said they would be building a plastic system which has a lot of advantages where it doesn't corrode, it is quite resilient to natural forces and has had a very successful history. Mrs. Cooper asked if Liberty Utilities has ever used eminent domain in order to put in any of the systems. Mr. Monroe doesn't believe so. He said they build in right of ways or get easements. Mrs. Cooper asked if they would be amendable to paying a franchise fee. They weren't sure and would have to get that information. Mr. McGrath said he has done some research and they have a pretty stellar record. Mr. Szafarowicz asked if they have contacted the Fire Chief about laying out the lines. Mr. Petit stated that they have not talked to the Chief about the natural gas distribution system yet. Mr. Szafarowicz stated it would be a good idea to do that. Chairman Swensen stated that they mentioned before they provide training for our first responders on how to deal with any incidents that might come up. Mr. Monroe stated that they have two staff members that provide training. Chairman Swensen asked them to discuss the source of natural gas. Mr. Petit stated that they are planning on connecting to the Tennessee Gas Pipeline system and there are multiple sources of where that gas comes from. He said it would be from existing sources and future sources. Mrs. Cooper asked if this project is compatible with the potential other one? Mr. Petit said they are two separate projects. Mrs. Craver stated that she is on the Energy & Policy Committee for the MMA and one of the discussions they have had were the extensive leaks throughout Central Mass. She asked if they have any policies on how they work with other towns on roads. Mr. Monroe stated that they monitor the roads and keep track of them. They communicate with the towns with what resurfacing projects will take place. They are required to look at one of their pipes if it gets exposed. Mr. Szafarowicz **After discussion, Mr. Szafarowicz would propose that we authorize the Town Administrator to create a draft and at our next meeting, approve the draft of a letter of support, not to approve the letter before its written but to authorize a creation of a draft and to approve that letter at our next meeting, seconded by Mr. McGrath, motion carries unanimously.** Mrs. Craver asked if there was any certain language that the board would want? She was asked to work with Liberty Utilities on that.

VI. New Business:

1. Charlton Lions Club – request for toll road. Mrs. Craver stated to please find attached a letter from the Charlton Lions Club requesting permission to hold a toll booth at the intersection of Rt. 31 and Masonic Home Road on Saturday, May 14, 2016, (rain date – May 21, 2016) from 9:00am – 1:00pm. This event is being held to raise money to support Mass Lions Eye Research and other community causes. This request was also forwarded to Chief Pervier who is in support of the toll booth contingent upon the following safety precautions:
All volunteers must wear bright colored vests;
Orange traffic cones must be set out on Main St. and Masonic Home Road for a distance of not less than 50 feet on each respective way prior to reaching the toll station. A minimum of 5 traffic cones on each roadway should be put in place at a distance no greater than 10 ft. apart;
Signs warning “Voluntary Toll Booth Ahead” must be erected on both Masonic Home Road and Main St. not less than 75 feet from the toll station. **Motion by Mr. Szafarowicz to approve the Charlton Lions Club request to hold a toll booth at the intersection of Rt. 31 and Masonic**

Home Road on Saturday, May 14, 2016(rain date – May 21, 2016) from 9:00am – 1:00pm contingent upon the following safety precautions:

All volunteers must wear bright colored vests; Orange traffic cones must be set out on Main St. and Masonic Home Road for a distance of not less than 50 feet on each respective way prior to reaching the toll station. A minimum of 5 traffic cones on each roadway should be put in place at a distance no greater than 10 ft. apart; Signs warning “Voluntary Toll Booth Ahead” must be erected on both Masonic Home Road and Main St. not less than 75 feet from the toll station, seconded by Mrs. Cooper, motion carries unanimously.

2. Site Plan Application – ZPT Commercial Solar Array. Mrs. Craver stated that attached is a copy of a site plan application submitted to the Planning Board by Meridian Associates on behalf of ZPT Energy Solutions, LLC to construct a 1.0 Megawatt commercial solar energy generation array and associated utility connection on approximately 4 acres of the total 32.5-acre St. Joseph’s Church property located at 10 H. Putnam Rd. (Assessors Map 35, Block A, Parcel 1). Said property is zoned Low Density Residential (R-40). The Board is asked to review and provide comments, if any, to the Planning Board no later than Wednesday, April 27, 2016. If you remember, the Planning Board provided information which she noted in her Town Administrator report at the meeting on March 15, 2016 regarding Commercial Solar Energy site plans and the zoning bylaw revision which requires the site plan process allowing them to require proper site design components including stormwater management, access/driveway design and fencing/landscaping. She said this because we are often asked to have them consider proper barriers. It is part of their process to determine if it is needed. Does the board have any comments? The Board has no comments.
3. Charlton House of Pizza & Seafood – request for Common Victualler (coffee/food). Mrs. Craver stated that attached is a request for a Common Victualler’s license (coffee/food) by Gemini Brothers, Inc. d/b/a Charlton House of Pizza & Seafood, 109-1 Masonic Home Road. All proper paperwork has been completed. This request has been forwarded to the Building Department and Fire Department whom both have approved. It would be the recommendation for the Board to approve. **Motion by Mr. McGrath to approve the Common Victualler license for Charlton House of Pizza & Seafood, seconded by Mr. Szafarowicz, motion carries unanimously.**

VII. Old Business:

1. Exxon update – Mrs. Craver read the following press release dated April 12, 2016 for the Town of Charlton Water Agreement with Exxon Mobil which reads:
The Board of Selectmen and Water Sewer Commission are happy to report that they reached an agreement estimated to be worth \$30,000,000 with ExxonMobil regarding releases at various sites including the LaMountain Gas Station. The agreement’s new water infrastructure will bring public water to sites contaminated by MTBE including the Charlton Middle School, Charlton Heritage Elementary School and Bay Path Regional High School. Masonic Home will also be hooked up to the new water line.
Charlton has seen various spills of chemicals into the ground including salt and petroleum products. Several releases have caused Charlton to evaluate either developing its own drinking water supply system or entering into a partnership with another town or entity to supply water to areas of the Town where the aquifer has been contaminated. The releases causing groundwater contamination in Charlton include releases of gasoline at the Massachusetts Turnpike Rest Areas 5E and 6W, a release of gasoline at the Honey Farms on Worcester Road, a release of gasoline at LaMountain’s Exxon on Worcester Road, and releases of petroleum products from the Charlton Highway Department on North Main Street.

After more than 20 years of contamination reports and testing, limited treatment approaches, plans and designs, enforcement proceedings, and on again, off again negotiations, the Town of Charlton has secured agreement in principle that provides the following:

1. ExxonMobil (EM) will install, at its own expense, the Waterline as described in Scott Wybro's letter to DEP dated March 18th plus Hammerrock Road and Dodge Lane (and anything regarding waterlines required by DEP as agreed to per ACO), per Town of Southbridge water rules and regulations. EM will activate Rt. 20 section from N.Main to where Old Worcester Rd/Prenier Lane intersects with Rt. 20 (Rt 20 New Wetted Section). Hookups will be addressed as described in #5 below. See attached map for new Waterline route, 3 named schools and Rt 20 New Wetted Section.

Note: Other elements/areas of waterline design and construction includes:

- a. L. Stevens Rd.
- b. Old Worcester Rd. from North Main St. to Route 20
- c. Morton Station Rd.
- d. Muggett Hill Rd. water main installation from North Main St. to Morton Station Rd.
- e. Oxford Rd. water main installation from Morton Station Rd. to Heritage School driveway
- f. Heritage/Middle School service connections
- g. Bay Path School service connection with pump station
- h. Old Muggett Hill
- i. North Main St. service line connections and well decommission
- j. North Main St. service line connection permit fees
- k. Service connections (As outlined in Administrative Consent Order)
- l. Service connection permit fee (As outlined in Administrative Consent Order)
- m. Rt. 169 water main upgrade to 16-inch diameter from approx. Carpenter Hill Rd. to Snake Hill Rd.
- n. Rt. 169 Pump Station
- o. H. Putnam water main installation from Stafford St. to Route 20
- p. Design, permitting, bid prep, project management, construction oversight by engineer/consultant for water main and service connections
- q. Masonic Home Road water main installation from North Main St. to Masonic Homes
- r. Masonic Homes service connection
- s. Masonic Homes pump station
- t. Dewberry water modeling and updated report for technical justification of waterline design and water quality
- u. Mixers in J. Hammond and Mass Ave. Tanks

2. \$7,750,000 cash settlement from ExxonMobil to the Town of Charlton. Note: The Board of Selectmen and Water Sewer Commission voted to use funds to pay off water debt; cancel all assessed water betterments; and credit those who have already paid. The remaining funds shall support the Water Department (i.e. operation, capital, expansion, design) as appropriated by town meeting.

3. \$250,000 to fund a Water Superintendent (from Waterline project fund). Note: This contemplates funding over 2 ½ years to get a viable water department up and running. The Water/Sewer Commission received a State grant to analyze the financial implications of becoming an independent water department.

4. The Town of Charlton shall provide EM a Release for 6W, 5E, Honey Farms, LaMountain. Note: Further contamination migration will still be monitored by DEP and, if necessary, DEP will require ExxonMobil to handle as the responsible party. This release is only from the Town.

5. EM will connect properties showing detections (as agreed to per ACO). EM will offer connections to other properties (i.e., properties not showing detections) on new waterline loop and Rt 20 New Wetted Section as described below:

- a) Charlton will not charge betterments along the waterline route installed by EM. Charlton will not charge betterments regardless of whether the home connects to waterline or not. For clarity, properties where EM offered connection during a Connection Period and they refused to connect, Charlton will not charge betterments. Likewise, Charlton reserves the right to assess a privilege fee for any change resulting in a new, larger or additional water service connection after expiration of the Connection Period (to be paid by property owner). Note: see note after #2
- b) EM will offer a '12 month connection period' (Connection Period) which starts when line is activated/wetted and first letter offering a water hookup. EM agrees to send quarterly notices during this Connection Period to residents along the Waterline to remind them of deadline to respond to the Connection Period notice. As long as property owner responds affirmatively within this Connection Period, they will be connected. Note: Both Charlton officials and DEP agreed that all residents should be offered connections free of charge if they are in the plume area whether there is presently contamination or not.
- c) EM will work with DEP to identify commercial properties requiring sampling as part of EM upcoming 12 month sampling program. Note: Charlton officials insisted that commercial properties along the waterline be tested and connected if contamination is present. We thank DEP for supporting that requirement.
- d) Excludes any hook ups for non-detect commercial properties with DEP approval as well as undeveloped/unoccupied properties. Three schools and Masonic connections will be funded and constructed by EM. EM will provide waterline connection stubs for lots that could potentially be developed/built upon subject to Town of Southbridge requirements. Charlton will provide a list of properties with: undeveloped lot that has a building permit and foundation in place during the Connection Period so that EM can offer connection. Home based business locations such as car repair, etc. are not considered Commercial for the sake of this exclusion. Note: Charlton officials advocated that owners who were waiting for potable water to build be included thus the extension if they have a building permit and foundation.
- e) EM offer to connect properties is contingent on potable well being abandoned or disconnected from home. EM may use certain wells as a monitoring well -- at EM cost). EM will consult with its LSP and DEP, and EM will determine whether any exceptions to well abandonment will be granted. The objective is to eliminate exposure pathway thus generally requiring well decommissioning (grouting). Note: it was important to Charlton officials that residents be able to make their case if they wish to keep their wells for outside watering while keeping in mind that we do not wish to further contaminate the environment. Residents may make the request and have it considered depending on location and contamination level.
- f) EM recognizes that Bay Path High School, Charlton Middle School and Charlton Heritage School wish to retain their potable well for irrigation purposes. EM will work in good faith with the schools (including consulting with its LSP and DEP) to determine whether using the well for such purpose is possible without exacerbating groundwater contamination issues in the Charlton area. The decision of whether to leave the well open, and the conditions under which it may remain open, will be in EM's sole discretion. Note: Again, Charlton officials requested DEP and Exxon to work with the schools on any potential well water usage.

6. Both parties shall endeavor to get endorsements/approvals quickly and begin waterline. Parties also acknowledge that the terms set forth above are contingent on final management approval of the parties, negotiation of mutually acceptable final settlement agreement between ExxonMobil and the Town of Charlton, and on an acceptable ACO from DEP that reclassifies the groundwater aquifer (as described in Scott Wybro's letter to DEP dated March 18th). Note: ExxonMobil has informed the Town that management approval has been given and the Board of Selectmen & Water Sewer Commission has approved the agreement.

BACKGROUND OF SETTLEMENT

Since the late 1980s, the Town has been actively searching for a solution to its water needs. In 1996, the Town began to study the feasibility of bringing water along Route 169 and Route 20 from Southbridge. Subsequently, a water line was brought from Southbridge to supply the two rest areas on the Mass Pike and to service an area of Charlton City (Stafford Street, Route 20, Brookfield Road area).

At the Annual Town Meeting of 1999, the Town appointed the sewer commissioners to handle the water issues of the Town. The Town authorized the laying of water pipes and agreed to extend the line along North Main Street and Main Street to service the center of the Town.

The original Charlton Water System was designed and installed to provide water from Oxford to the Town of Charlton. Water lines were installed on Route 20 and the Charlton City area in 1999-2000, including a pump station and a 750,000 gallon water storage tank.

Prior to the water system being activated, the Massachusetts Department of Environmental Protection determined that the transfer of water from Oxford to Charlton would be an inter-water basin transfer, that is not allowed by law and therefore the system was never activated.

In 2003, the Annual Town Meeting voted to establish a Water Study Committee to investigate sources of water available within Town limits. The resulting report of 2006 was discouraging as to finding a suitable source and the Town entered into discussions with the Town of Southbridge for supplying water. The Town also had discussions with Exxon as to the spills on the Mass Pike and LaMountain.

The waterline infrastructure remained in place and inactivate until an agreement was reached with the Town of Southbridge to interconnect the existing Southbridge operated water system in the Town of Charlton to the inactive Town of Charlton water system at a point on Stafford Street.

Activation of the Charlton water system is still ongoing. Currently to date, upper Stafford Street area, Northside Road, Route 20 from Northside Road to North Main Street have all been activated. The water infrastructure east of Northside Road on Route 20 and to the Oxford town line will remain inactive and the costs have not been included in the calculations of the ExxonMobil settlement. These costs will be considered with activation of that section of waterline at a later time.

In 2009, the Town of Southbridge agreed to supply the Town of Charlton with 100,000 gallons of water to provide to citizens with known contamination. In 2010, a water line was installed on North Main Street, to provide water to the multiple properties with natural and petroleum

contamination. The two towns continued working on a long-term agreement to bring 500,000 gpd to the Town of Charlton.

In 2015, the Towns of Charlton and Southbridge completed an IMA for 500,000 gpd. This amount was a prerequisite for building the "school loop". Once that agreement was complete, Charlton officials along with the Department of Environmental Protection met with ExxonMobil representatives to develop an agreement that would provide water to a suspected migrating gasoline plume.

CONTRIBUTORS TO SETTLEMENT

The Town of Charlton is grateful to many people, boards and agencies. They include the Board of Selectmen and Water Sewer Commission; and the Town's negotiating team, consisting of Board of Selectman Chairman Rick Swensen, Selectman John McGrath, Water/Sewer Vice Chairman Rob Lemansky, Water/Sewer Commissioner Joe Spiewak and Town Administrator Robin Craver.

They in turn wish to thank the Secretary of the Executive Office of Energy and Environmental Affairs (EOEEA) Matthew A. Beaton; as well as DEP Commissioner Martin Suuberg and Deputy Director Mark Baldi, for their many years of support as Charlton, Southbridge and ExxonMobil worked together to bring public water to contaminated sites.

We recognize the Town's past negotiating members including Sandy Dam, Jack Bacon, John Elliott, Kathleen Walker and Joe Haebler. The State and Federal representatives who championed Charlton included Congressmen Richard Neil and James McGovern; State Senators Stephen Brewer and Anne Gobi; and State Representatives Geraldo Alicia, Peter Durant and Paul Frost.

Charlton staff provided administration and technical support. They include Water Superintendent Steve Wandland, Director of Assessing Deb Ceccarini, Town Accountant Joan Walker, Health Agent James Philbrook, and the Board of Health members Matt Gagner, Nelson Burlingame and Willie Stevens. We appreciate the support we received from the Dudley Charlton Regional School District and Bay Path Regional Tech High School.

We thank our community partners: W/S's Engineer Chris McClure from McClure Engineering; the Town's LSP Gary Magnuson from CMG Engineering; Dewberry Engineering; Whitewater; Mark and Matt Abrahams from the Abrahams Group; the Southbridge Town Council and Interim Town Manager Kevin Pacios & DPW Director Heather Blakeley; and CEO Tameryn Campbell and the Board of Directors for the Masonic Home; and Karen Spiewak.

The Town of Charlton received excellent legal assistance from Special Environmental Counsel Greg McGregor and his staff at the law firm of McGregor and Legere, P.C. in Boston, and of course our own Town Counsel Jim Cosgrove from Worcester. We give a special thanks to Erin Brockovich and the attorney she had contact us for suggestions, William Walsh from the firm of Weitz and Luxenberg of New York, NY.

Chairman Swensen stated that he can't underestimate the importance of this for the town. He also said he can't overstate the role that Robin Craver, the Town Administrator took in this. He thanked everyone that was involved. He said that if the plume should expand, DEP will hold whatever party is responsible. Mr. McGrath thanked the media as well. Mrs. Craver gave a heartfelt thank you to Mr. Lemansky. He has supported her in a lot of things that had to be done.

Mr. Lemansky just wanted to mention that what is going to be left here in Charlton from here on out. We have this infrastructure that our citizens didn't have to pay for. The Town stepped up for what we needed to do on Rt. 20.

2. Draft ATM. Mrs. Craver reviewed the warrant articles for the board.

(1) Warrant articles

- Article 1 Election
- Article 2 Town Reports
- Article 3 Litigation
- Article 4 Appropriation of funds for unpaid bills of a prior fiscal year
- Article 5 Inter/Intra Departmental Transfers for FY16 (Mrs. Craver reviewed the transfers)
- Article 6 Town Budget
- Article 7 Water Department Budget (Enterprise Fund)
- Article 8 Sewer Department Budget (Enterprise Fund)
- Article 9 PEG Access and Cable related fund acceptance and budget
- Article 10 Transfer of funds to and from stabilization fund account
- Article 11 Capital items and related contracts
- Article 12 Cemetery Perpetual Care
- Article 13 Reauthorization of revolving funds
- Article 14 Classification plan update
- Article 15 Government Study Committee
- Article 16 Deed in Lieu of Foreclosure
- Article 17 Zoning Bylaw – Commercial Storage Facility
- Article 18 Zoning Bylaw – Village District Zone Change
- Article 19 Zoning Bylaw – Use regulation – Livestock Change
- Article 20 Placeholder – Petition
- Article 21 Placeholder – Petition
- Article 22 Placeholder – Petition
- Article 23 Placeholder – Petition
- Article 24 Placeholder – Petition
- Article 25 Placeholder – Petition

Mrs. Craver will have the final language ready for the board to approve and sign at the next meeting as the warrant needs to be posted by Thursday, April 28, 2016.

(2) Budget – Mrs. Craver reviewed her budget message. (attached) Mr. Szafarowicz recommended to Mrs. Craver to put the budget message on the town website. Mrs. Craver reviewed some of the items in the salary line items that have increased. Mr. McGrath questioned the Town Planner's salary. Is this still decreased by the four hours and the answer was yes. His personal opinion is that this has gone on long enough. They are busy. They have followed all the things that were asked of them. They need those four hours back. Chairman Swensen stated that there was a meeting with himself, the Town Administrator, the Finance Committee Chairman and the EDC Chairman. That was the purpose of the meeting to discuss putting this back. From that meeting, they called the Planning Board Chairman into the meeting. He was asked for an outline of what the Town Planner has done and said they would not provide that. Mr. McGrath asked if this was fair? He asked what other department who works for another board have we reduced the hours, then when they request the hours back? The answer is none. Mrs. Craver reviewed the increases in the budget. Chairman Swensen asked if the Tree Warden was trying to meet the requirements needed for this position.

Mrs. Craver will look into that. Chairman Swensen will sit with the Cable Coordinator to review the articles for the public.

VIII Committee Reports:

IX BOS Policy Review:

X. Student Selectperson Report – not present

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

XII Other Business:

Chairman Swensen stated that he attended the wet down for the Fire Truck and it was a great ceremony. He thanked Captain Knopf and everyone involved in getting the grant for the truck.

XIII Next Meeting Announcement:

Next Regular Selectmen's Meeting – April 26, 2016

Annual Town Election – May 7, 2016

Annual Town Meeting – May 16, 2016

XIV **Adjourn: Motion by Mr. Szafarowicz to enter into executive session at 9:15pm under M.G.L. c. 30A, Sec. 21, #1 – to discuss the reputation, character, physical condition or mental health rather than professional competence of an individual or discuss the discipline or dismissal of, or complaints or charges against a public officer, employee, staff member or individual, #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 Mr. McGrath. Roll call vote taken: Mr. Szafarowicz – aye, Mrs. Cooper – aye, Mr. McGrath – aye and Chairman Swensen – aye. Chairman Swensen 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.**

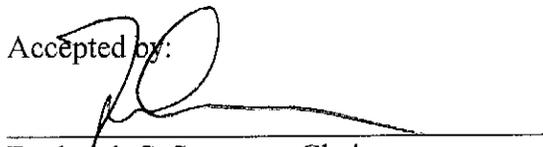
Motion by Mr. Szafarowicz to adjourn 9:39pm, seconded by Mr. McGrath, motion carries.

Submitted by:

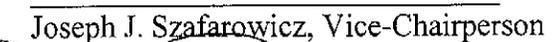
Mary C. Devlin

Administrative Assistant

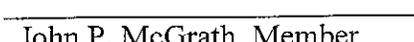
Accepted by:


Frederick C. Swensen, Chairman


Cynthia B. Cooper, Clerk


Joseph J. Szafarowicz, Vice-Chairperson


David M. Singer, Member (absent)


John P. McGrath, Member

Liberty Utilities Co.

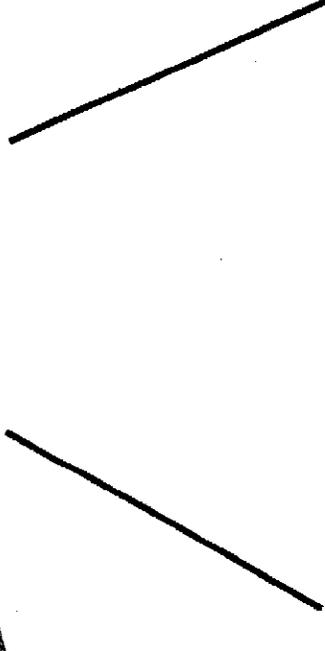
Mike Pettit
Liberty Utilities
Business
Development

**Liberty Utilities (New England
Natural Gas Company) Corp**
> James Sweeney – President
> Gary Munroe – Operations & Engineering
> James Carey – Customer Care
> MASS state regulated natural gas
distribution company

**Liberty Utilities
(Pipeline & Transmission)
Corp**

**Partner – Affiliate of
Northstar Industries**

Joint Venture Project





**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

MEMORANDUM

TO: Board of Selectmen

FROM: Robin L. Craver, Town Administrator 

DATE: April 11, 2016

SUBJECT: FY17 ATM Warrant and Budget Message

We are scheduled to post the ATM warrant Thursday, April 28, 2016. I have prepared a draft warrant list with articles for your review. Presently, there are 25 warrant articles; six of them are zoning petitions.

I have also prepared a draft budget for your review and although the Commissioner of Revenue Mark Nunnely announced in January that the Massachusetts' economy had moderate growth and the economy has improved, we are slow to experience an increase in Charlton's budget. Charlton has seen some modest growth as well as making conservative appropriations over the past several years. We are in a position to increase the general budget to meet some long desired needs. We must plan for future growth and be ready to meet the needs of the community.

I am encouraged that we maintained services and modestly increased some budgets that were in danger of being unable to function but I am hesitant to state we are in an economic growth period. This year, local aid as proposed by the Governor will be increased by 4.3% (\$57,429). The current budget numbers are based on the Governor's local aid numbers.

At this time, the revenue forecast is \$25,122,372 and the total requested by departments is \$26,491,344 which leaves a \$1,368,972 deficit. This deficit includes a DCRSD requested increase of 13% in its operating assessment and a 1.1% decrease in transportation. The budget being considered tonight is funded at \$25,341,060 which has a \$218,688 deficit and we will continue to revise as we know more especially any adjustments in local aid. The House and Senate have not released their numbers as of yet.

The draft adjusted some budgets to meet contractual increases and provides some personnel increases. For instances, the Classification and Wage Plan Study made recommendations to increase staff that

were being under paid. Those recommendations are included in this budget. Some departments need additional staff and/or hours and those have been recommended based on need. At this time, the total DCRSD budget which includes operating, transportation and capital, is funded at \$11,650,453 which is a \$256,981 (2.3%) over last year's budget.

As in past years, the financial principals used to prepare this draft budget for FY17 include:

- a. current revenues must be generally sufficient to support current expenditures;
- b. debt is not to be used to fund current operating expenditures;
- c. strong reserves are to be maintained;
- d. adequate contingency funds are maintained;
- e. sufficient maintenance and replacement dollars are included to ensure capital facilities and equipment are properly maintained;
- f. and the budget strives to maintain the quality of services currently provided.

The following summary provides an overview of revenue and expense projections and recommendations for FY17 as well as an update for the FY16 financial situation.

FY16 Budget Update

The FY16 balanced budget for the general fund was funded in the amount of \$24,500,572 at the ATM, May 18, 2015 of which \$400,000 was appropriated from the stabilization fund. The Board and Finance Committee agreed on the following cuts in the FY16 Budget to balance the budget:

- FY2016 Reductions from FY15**
- FinCom's reserve fund - reduced \$25,000
- General Insurance- reduced \$20,098
- Health Insurance - \$78,000
- Town Counsel - reduced \$6,183
- TH Custodian from 40 to 30 hrs -reduced \$7,000
- Reduced Police Salaries- 4th dispatcher -\$54,516
- Entered into a Veteran's District, eliminating full time Veteran's agent

These compounded the cuts made in the FY 14 & 15 budgets:

- Recent reductions- FY14 & 15**
- Reduced Planner/ EDC director 4 hours
- Eliminated all seasonal cemetery help
- Eliminated BOH assistant 2
- Eliminated tree warden expense and dangerous trees
- Reduced Treasurer hours
- Reduced ZBA Assistant hours
- Reduced contract obligations
- Reduced environmental
- Reduced streetlights
- 4 day work week
- Added \$25000 to Reserved Fund
- Reduced Memorial and Old Home day funds
- Eliminated 1 police officer
- Eliminated 1 firefighter
- Eliminated BOH Post Closure Monitoring

The Town approved several increases to its FY16 budget over the FY15 budget including:

Major Increases in FY16 Budget

Water Debt - added \$161,508
Worcester County Retirement- added \$175,189
Fire Dept/Union Contract increase - \$32,833
Total Education increased \$368,011
Snow and Ice - \$230,000
Assessor- \$1,007- increase in software
Collector- \$500 postage
Municipal Utilities - \$30,000
Unemployment - \$5,000
Overlay- \$2,193
Treasurer Banking- \$1,246

FY17 REVENUE AND EXPENDITURE FORECAST

Budget forms were sent out and have been returned by most departments. Instructions requested that any increases in department budgets other than negotiated personnel increases would need to be justified through documentation and not be over 2.5%. The Finance Committee completed their department budget hearings on March 30th and the kick off meeting with the school district was March 31st. At that meeting the school stated they were still adjusting the budget and our State representatives stated that local aid will not change significantly from the Governor's numbers.

The Town continues to struggle mostly because of: uncertain new growth and local receipts; lingering effects of the economic recession; increasing use of stabilization funds for the operating budget; near level funding from the state; and substantial increases in Charlton's schools' assessments. The budget presented is a continued reflection of these fiscal conditions.

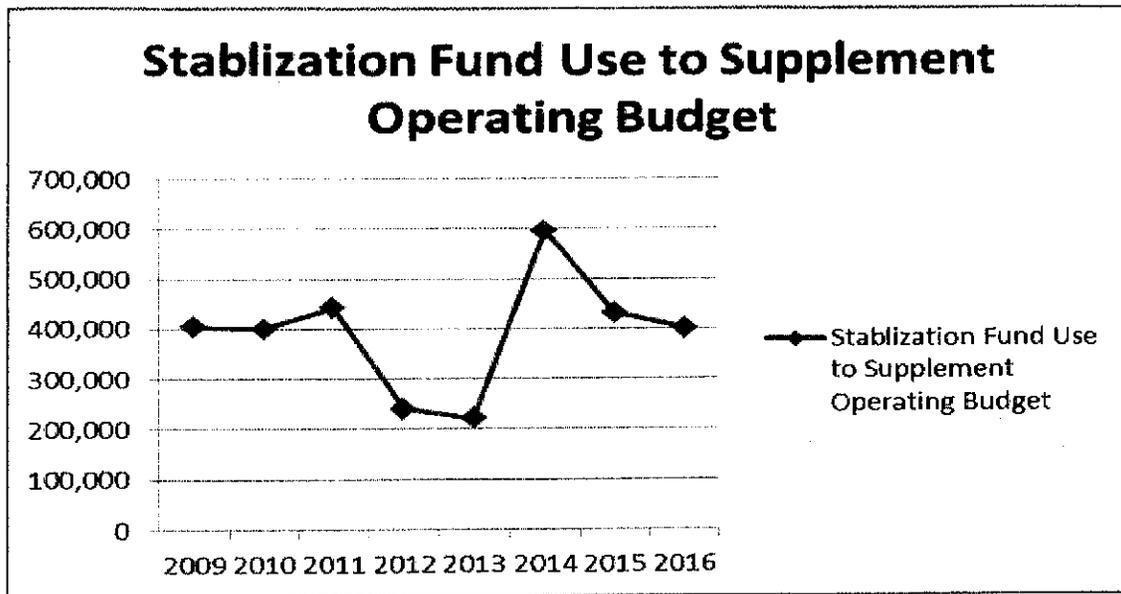
First, let's look at the revenue forecast for FY17 (Attachment A). You will see based on the information we have presently, an amount of \$25,122,372 available for appropriation without the use of Stabilization Funds. This includes an estimated FY15 Snow and Ice deficit of \$150,000 charge against revenue. There are several assumptions that make it difficult for the finance team to forecast a higher amount.

New Taxes

Prop 2 ½ has provided new revenues each year including \$419,114 in 2016. The Prop 2 ½ tax increase for FY17 is estimated at \$438,592.

New Growth Revenues

The highest year's new growth was \$689,789 in 2007 and the lowest was 2012 at \$160,160. In FY12, New Growth was estimated at ATM at \$260,000, but actually came in at \$160,160 requiring a reduction in the budget. In FY15 new growth was estimated at \$220,000 for town meeting but came in at \$261,214 and FY16 came in at \$457,103 (mostly due to a surge of new motor vehicles purchased). The Assessor's Office is recommending \$220,000 amount again for FY17. I have attached Town Planner Alan Gordon's projects for new project for your review.



The Water & Sewer Commission has been paying its debt from the Water Stabilization Fund which, was depleted in FY16 and the water debt is again paid from the General Budget. Although water betterments have been assessed at 50%, without the rest of the planned new infrastructure being built and activated, we will pay debt out of the general fund. This year the Water Department has no funds for operations although we are hopeful to have an agreement with ExxonMobil . In FY17, we will see a transfer of \$289,587 from the General Fund to the Water Enterprise Fund to pay for operating and debt service.

I want to especially thank Deb Ceccarini, Keith Arsenault and Lucia Blanchette for their hard work and diligence on researching and compiling data for your review as well as their dedication to sound financial management practices. Thank you, also, to Alan Gordon and Curt Meskus for their contributions to this report regarding the new growth estimates through analysis of Charlton's commercial and residential markets.

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: April 7, 2016

SUBJECT: Town Administrator's Report – for Selectmen's meeting of 4/12/16

Speed limit signs – Route 20 – At the Board's March 15, 2016 meeting, I was asked to remind Mass Highway that speed limit signs were to be placed on Route 20 from Richardson Corner Road and Oxbow Road going west as well as signs from Route 56 coming westbound. Jonathan L. Gulliver, District Highway Director has answered my letter. (see attached) He stated that MassDOT District 3 office will do the following: 1-review the speed limit signage and the special speed regulation for Route 20 to ensure that all required signage is in place, 2- install regulatory speed limit signage on the same post as the permanent speed feedback signs that were installed as part of the interim improvements, 3 – upgrade the size of and replace as needed, existing speed limit signs that are too small and/or in poor condition and 4 – determine if additional confirmatory speed limit signs are warranted. He expects items 1 – 3 to be completed in the next several weeks. The District staff will work to install confirmatory speed limit signs as appropriate prior to the end of this spring.

Chapter 90 local transportation aid funding for FY2017 – Attached is a letter from MassDOT notifying us that pending final passage of the bond authorization, the Fiscal year 2017 Chapter 90 apportionment for the Town of Charlton is \$634,106. These monies are used by the Highway Department to repair roads and other approved projects.

Open Space Committee – In working with CMRPC, Todd Girard, Conservation Agent has stated that the town's open space committee needs to be re-established. The last open space committee had five members which is what we have advertised on cable and the town 's website. We will notify you when we have interested parties to be appointed.

Guelphwood Road update - Highway Superintendent Foskett has stated that on March 22, 2016, multiple test borings were done to determine what the options would be to improve the safety issues. He received results on March 30, 2016 and will be meeting with an engineer of McClure Engineering as well as Heather Blakely, DPW Director for Southbridge to discuss options. He will also be setting up a meeting with Southbridge to discuss the issue of beaver's down stream. The beavers must be brought under control to move forward with any other part of this project. It is his hope a cost effective solution can be reached to meet his goal of opening this road.

Pottervillage Road Bridge Closure Update – Highway Superintendent Foskett stated that the MassDOT bridge inspection team did a safety analysis on this bridge on March 30, 2016. Due to the failure of 4 of the 5 main beams, they contacted him and ordered that the bridge would need to be closed asap. The Police Department as well as Fire Department, bus company and Town of Oxford DPW were notified. Selectman McGrath arranged for 4 concrete barriers to be picked up at the Millbury State garage. These were used to safely barricade off the bridge. Proper signage has been placed. Signs were placed at Hylka Sand & Gravel to notify all vehicles not to use their private entrance to by-pass the closed bridge. He has started discussions with MassDOT about any possible funding mechanisms that may be available to the Town to re-open this bridge.



Charles D. Baker, Governor
 Karyn E. Polito, Lieutenant Governor
 Stephanie Pollack, Secretary & CEO
 Thomas J. Tinlin, Administrator

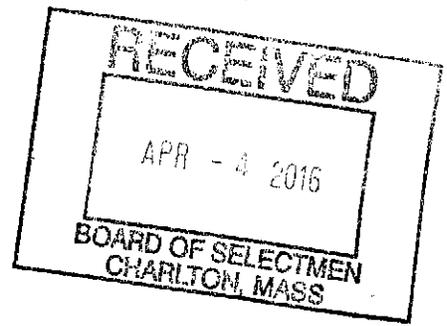


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COPY

March 31, 2016

Robin L. Craver
 Town Administrator
 Town of Charlton
 37 Main Street
 Charlton, Massachusetts 01507



RE: Charlton – Speed Limit Signs on Route 20

Dear Ms. Craver:

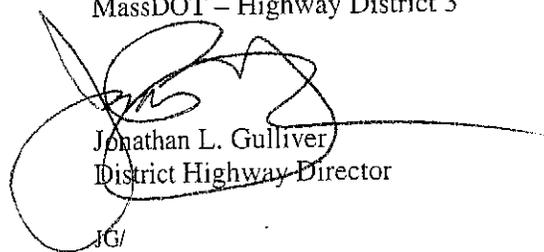
I am writing in response to your letter dated March 22, 2016 regarding the lack of speed limit signs on Route 20 in the vicinity of Richardson Corner Road, Oxbow Road, and near Route 56 in the Town of Oxford.

The lack of speed limit signs was raised during the public informational meeting held on November 9, 2015, as well as at the road safety audit (RSA) meeting held for the Route 20 corridor on February 26, 2016. To address these concerns and others raised during the RSA meeting, the MassDOT District 3 office will do the following:

- 1) Review the speed limit signage and the special speed regulation for Route 20 to ensure that all required signage is in place.
- 2) Install regulatory speed limit signage on the same post as the permanent speed feedback signs that were installed as part of the interim improvements.
- 3) Upgrade the size of, and replace as needed, existing speed limit signs that are too small and/or in poor condition.
- 4) Determine if additional confirmatory speed limit signs are warranted.

I expect that items #1-3 will be completed in the next several weeks. The District staff will work to install confirmatory speed limit signs as appropriate prior to the end of this spring. If you have any questions please feel free to contact Joseph Frawley, PE, the District Traffic Operations Engineer, at (508) 929-3916.

Very truly yours,
 MassDOT – Highway District 3


 Jonathan L. Gulliver
 District Highway Director

JG/
 CC: Traffic Correspondence Files – Charlton
 M.O. File

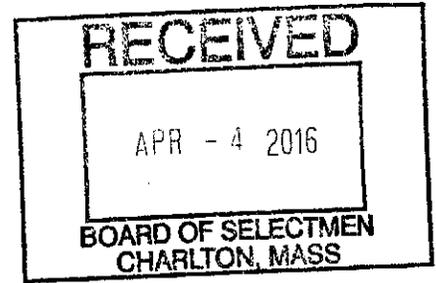
403 Belmont Street, Worcester, MA 01604
 Tel: 508-929-3800, TTY: 857-368-0655
 www.mass.gov/massdot



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

by
law
7-1-16



March 30, 2016

Chairman Rick Swensen
Town of Charlton
37 Main Street
Charlton, MA 01507

Dear Chairman Swensen:

We are pleased to inform you that the Chapter 90 local transportation aid funding for Fiscal Year 2017 will total \$200 million statewide.

This letter certifies that, pending final passage of the bond authorization, the Fiscal Year 2017 Chapter 90 apportionment for Town of Charlton is **\$634,106**. This apportionment will automatically be incorporated into your existing 10-Year Chapter 90 contract, which will be available on the MassDOT website <http://www.massdot.state.ma.us/chapter90>.

We recognize that the Chapter 90 program is an integral part of maintaining and enhancing your community's infrastructure and is an essential component of our joint partnership. We look forward to working with you in the coming years to continue the success of this program.

Please feel free to contact MassDOT Capital Budget Director Matthew Bamonte at (857) 368-9151 with any questions you may have regarding the Chapter 90 program.

Sincerely,

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

HAVE YOU HEARD ABOUT THE NEW COMPLETE STREETS PROGRAM?

As many of you are aware, the Baker-Polito Administration announced a Complete Streets Program that is meant to encourage the use of “Complete Street” practices throughout the Commonwealth. Expanding the use of Complete Streets in both our state and local work will increase the safe and accessible options for all travelers. The program was first established in Chapter 79 of the Acts of 2014; however, due to concerns about some aspects of the statutory language, MassDOT released a modified program on February 2nd of 2015 after extensive municipal outreach. As such, alternative funding (non-bond bill) has been provided for initial Complete Streets efforts.

The program is comprised of a three-step process:

Step 1 – Municipality must attend the mandatory Complete Streets training and create a local Complete Streets Policy which recognizes individual community needs.

Step 2 – Municipality is eligible to apply for technical assistance (up to \$50,000) for the development of a prioritization plan once their policy has passed (Scored 80 or above), or submitted a letter of intent to pass a policy has been submitted (letter valid for only one year from date of issuance). The prioritization plan, once submitted, will only be reviewed for completeness.

Step 3 – Once the prioritization plan has been approved, a municipality may then apply for project funding. A municipality may select any number of projects from their prioritization plan totaling not more than \$400,000.

Realizing the importance of Complete Streets, we have tied this program to the Community Compact Cabinet as a way to recognize the importance of Complete Streets and the equally important partnerships between the Baker-Polito Administration and our cities and towns. Community Compact members advancing Complete Streets will have additional program points reflected in their Complete Streets Policy score. We are already seeing the potential for this program from the Complete Streets trainings that we have offered to the Commonwealth’s cities and towns, as 266 cities and towns have attended these classes. Our goal is to reach all 351 cities and towns in the Commonwealth. Additionally, 69 municipalities have already registered on the On-line Complete Streets portal which is being used to manage and track the program. Only \$12.5M of alternative funding is available for the Complete Streets program, so early action is encouraged.

This partnership between this Administration and cities and towns can empower and encourage us to consider other safe and accessible mode options for people of all ages and abilities. We encourage you to attend the training, participate in this program, and to further your use of Complete Streets into all the great work you continue to do.

For more information about this program, visit: www.masscompletestreets.com.



**TOWN OF CHARLTON
HIGHWAY DEPARTMENT
100 Flint Road
Charlton, MA 01507
www.townofcharlton.net**

Phone (508) 248-2212

Fax (508) 248-2380

Gerry C. Foskett
Highway Superintendent

TO: Robin L. Craver
FROM: Gerry Foskett
DATE: April 6, 2016
RE: Update on Guelphwood Road/Pottervillage Bridge

Update on Guelphwood Road

On 3/22/2016 multiple test borings were done to determine what the options would be to improve the safety issues. Received results on 3/30/2016 will meet with an engineer of McClure Engineering as well as Heather Blakely (DPW Director for Southbridge) to discuss options. Also setting up a meeting with Southbridge to discuss the issue of beaver's down-stream. The beavers must be brought under control to move forward with any other part of this project. It is my hope a cost effective solution can be reached to meet my goal of opening this road.

Update on Closure of Pottervillage Road Bridge

The MassDOT bridge inspection team did a safety analysis on this bridge 3/30/2016. Due to the failure of the 4 of the 5 main beams, they contacted me and ordered that the bridge would need to be closed ASAP. The Police Department as well as Fire Department, bus company and Town of Oxford DPW were notified. Selectmen McGrath arranged for 4 concrete barriers to be picked-up at the Millbury State garage. These were used to safely barricade off the bridge. Proper signage was put up to notify the public. Signs were put up at Hylka Sand and Gravel to notify all vehicles not to use their private entrance to by-pass closed bridge. I have started discussions with MassDOT about any possible funding mechanisms that may be available to the Town to re-open this bridge.

By Kim Ring

April 01, 2016 9:11PM

Print Page

Charlton bridge over Stearns Brook is closed

CHARLTON - The Potter Village Road bridge over the Stearns Brook was closed Thursday to vehicular traffic, a spokesman for the state Department of Transportation said Friday.

A bridge inspection Thursday showed that corrosion in the steel beams had advanced to a point where several of the beam-ends exhibited severe crushing, which rendered the bridge unsafe for traffic.

The town was contacted with the inspection finding and a recommendation to close this town-owned structure as soon as possible.

The bridge is closed until further notice, and access across the bridge via Hylka's Sand & Gravel is not allowed.

<http://www.telegram.com/article/20160401/NEWS/160409801>

Print Page



Hylka Construction Corp.

**EXISTING BRIDGE
CLOSED**

Information depicted on this map is for planning purposes only. This information is not adequate for legal boundary definition, regulatory interpretation, or parcel - level analysis.



Charlton Highway Dept 37 Main St Charlton MA 01507	Pottervillage Road Map _ Block _ Parcel __ Deed Bk _____ Pg ____
Charlton Conservation Commission	37 Main Street Charlton Ma 01507 (508)-248-2247

Pottervillage Road Bridge Closure Plan

April 7, 2016	1 inch = 200 feet
Drawn by: Todd P. Girard	todd.girard@townofcharlton.net