

submitted by: MCB
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**Charlton Board of Selectmen / EDC / W-S Commission Meeting
March 21, 2017, 6:30pm
Selectmen's Meeting Room**

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

Present from EDC: Jay Detarando

Present from the Water/Sewer Commission: Alex MacKenzie and Rob Lemansky.

1. Open Meeting – Chairman Szafarowicz opened the meeting. He asked to discuss a last minute item that came up and asked Mrs. Craver to proceed. Mr. Singer asked first, if all boards were posted as we don't have all members here yet. It was stated yes, they are all posted and Mrs. Craver stated that the Board of Selectmen have opened their meeting. She continued by stating that two individual members of the Board, separately, have raised with her concerns about an article in this past Sunday's Worcester Telegram. After discussing their concern with Town Counsel, he has recommended for legal reasons that neither the Board, nor Board members among themselves or with others, engage in any discussion of the matter at any time including this meeting, until investigations have concluded per the below and that the board instead vote to authorize her to issue the following press release:

PRESS RELEASE: The Charlton Board of Selectmen are very concerned about issues raised by an article in the March 19, 2017 edition of the Worcester Sunday Telegram concerning what the article says appears to be privately owned sewer line on a portion of North Sturbridge Road.

While it would be premature for the Board to express any opinion as to the truth or accuracy of the allegations in the article, the Board wishes to confirm and assure the public in the strongest possible terms that it views integrity in public service and the proper expenditure of public funds to be absolutely critical and of the highest possible priority. It will be asking the appropriate, independent legal authorities, including the State Ethics Commission, the Attorney General's office and the Worcester District Attorney's office, to conduct a thorough investigation of these matters. If such investigation discloses any impropriety the Board will take any and all appropriate, corrective action lying within its authority.

Town Counsel has strongly advised, to preserve the integrity of such independent investigations as well as the rights of the public and every individual involved, that neither any member of the Board nor the Town Administrator make any statement concerning the matter, other than to the aforementioned authorities, until such investigations have been concluded and findings from same have been issued and become public.

Chairman Szafarowicz stated that this is the press release we are looking to issue and asked what the wishes of the board is as to accepting it and to send it out. **Motion by Mr. Singer to approve as written by Town Counsel and release, seconded by Mr. McGrath.** Mr. MacKenzie asked if along with the investigation or whoever is doing this, if a third party forensic audit could be done of all this. Chairman Szafarowicz stated that is something that is separate from what is being voted on and could be discussed later. Mr. McGrath asked what Town Counsel's thought process is for going through the AG and District Attorney. He was thinking more of Ethics for any violation. Mrs. Craver stated that he is recommending all three. Mr. Lemansky wanted to make a point about ownership of lines. At one of the Water/Sewer meetings, they had a lengthy discussion. Chairman Szafarowicz interrupted Mr. Lemansky and said

because this is a sensitive nature, he asked him not to make a comment on this. Mr. Lemansky said he is just referring to what's in minutes of the meetings. Chairman Szafarowicz stated that the discussion is for the press release. Mr. Lemansky stated that they are making a release on this information. Chairman Szafarowicz stated that we are making a release in response to an article. Mr. McGrath explained to Mr. Lemansky that what the Board's thought process is, is to have someone independent look at it. Mrs. Cooper said the word been is missing from "same have issued and become public." Chairman Szafarowicz stated that it will be as amended and the board was good with that. **Vote on motion: motion passes.**

Mr. Spiewak entered the meeting. Chairman MacKenzie opened the Water/Sewer meeting at 6:52pm. He said at the last Water/Sewer meeting they met with the Board of Health. There was a motion to approve a similar form but the Town of Southbridge was named in the first line and asked for this form to be considered. **Motion by Mr. Spiewak to approve this form as amended removing the Town of Southbridge and saying effectively in consideration for the completion of work necessary.** Mrs. Craver verified that this form is ready to go. Mr. Lemansky asked when did this come up at the meeting? Was it before he got there. Mr. Spiewak explained they took the Exxon Mobil form they use, he made a motion to remove Exxon Mobil and put in the Town of Southbridge. This would be the form the Board of Health would go out and get residents to sign. Mr. Lemansky asked that when this is done, will it say that connections are made at no cost to the home owner and the answer was yes. **Motion by Mr. Lemansky to accept the water connection agreement as the official document for potential home owners in that area to sign off on, seconded by Mr. Spiewak, motion passes.**

2. Ongoing projects – Chairman Szafarowicz stated about a month ago, the Board of Selectmen met with the EDC to talk about what's going on with development. There were some concerns about capacities in the future with water and sewer and to make sure everyone is up to date. He asked the EDC if they had any new projects from the last meeting or anything that Water/Sewer would know about? He asked them to share any projects coming down or are in development. Mr. Singer said he had one question, he spoke with the Town Planner a long time ago about businesses coming to Charlton and one of the things he said was that they are not going to come until a traffic flow is made high enough. He said when Tree House opens, there will be a huge traffic flow. That will definitely bring more business but how do we provide water for them? Mr. Detarando said that's absolutely right. Traffic flow is one form of measurement. He said there is a piggyback effect going on with Tree House. It was stated that Tree House sells out every day. There is a domino effect on water and sewer. It's more than just traffic flow. If you don't have the appropriate water and sewer in the area, you will restrict who will come in. He said if this micro brew thing continues to grow, the hope would be because they are such big users of water and sewer, they could or potentially could help fund the upgrades the town needs to get us water and sewer. Chairman Szafarowicz asked what is our biggest threat right now with water and sewer? Is it capacity, loads? Chairman MacKenzie said its capacity and load at the plant. Water is in much better shape than sewer. Mr. Lemansky stated that in dealing with Tree House, they have been meeting with the Water/Sewer Commission and there is an issue with their loadings because their bod level is so high. The regulations call for 250. Their readings are or what they want to bring is 1500. The design of their building is up to 45,000 gallons. What they are asking for is equivalent to 4,500 gallons for a housing development. If they were allowed to do a total buildout and not do any pretreatment, we would hit capacity. The Commission has said they would work with them to get them where they need to be. Chairman MacKenzie said the dynamics of sewer have changed due to efficient plumbing fixtures. Updates need to happen at the plant at some level. Chairman Szafarowicz asked if there were any mechanisms in place. Mr. Spiewak said that we are at ½ or less on gallonage but we are at 60 – 70% higher on the others. He feels the Tree House Brewery will help the mass pike issue. Chairman Szafarowicz asked if it would behoove the town to do some sort of regional study or a study for us to take inventory of what we have and look at all the possible solutions. He asked if there is any funding or grants to help us. Mr. Lemansky stated that if we are bordering capacity, the first thing to do is a letter goes out to the turnpike telling them they would have to meet the middle. They would have to build and pretreat which

would automatically increase space. If we are looking to increase our treatment plant at our location, the good news is we have the golf range next door. The EPA is pushing for less discharge into brooks and they want discharge into the earth. What you do is build a big septic system, you would buy land and keep going and build a pressure system. If the town continues to grow, little river has a lot more flow than Cady Brook. Chairman Szafarowicz asked if they've done a financial plan and the answer was no. Mr. Spiewak said there are so many variables. He said to trust that they are doing their job. He said that the sewer is having the same problem as water which is not enough customers. Chairman MacKenzie stated that part of the issue is Tree House. There is no standard for breweries. Mr. McGrath stated as he understands it, the Water/Sewer Commission at least have a game plan and that's a good thing, He asked what the capacity is at the mass pike. It was mentioned that it depends on the day. Mr. Lemansky said they are about 30,000 gallons of water a day. Sometimes they have more waste than water usage. Mr. McGrath asked if there is anything at the plant that needs to be replaced equipment wise. Mr. Spiewak said the answer was absolutely. When he started on the board five years ago, they were running half the number of RBC's and never had a problem keeping up. Now there's two RBC stairs and we're keeping up but the plant's working harder to keep up. We need to start looking at the design of the plant. Mr. Detarando was asked if he sees any other issues with water and sewer. Mr. Detarando stated from an EDC point the targets have been 20 and 169. Development is going to happen faster on Rt. 20. How do we make sure the town gets the best type of growth? Chairman Szafarowicz asked if there is anything we can do to help? Mr. Detarando said there has been tremendous work on water which is what was needed. He said we have strategic value in Charlton. It's a group effort to get these businesses here. Mr. Lemansky stated back in 2004, 2005, 2006, that commission put in moratoriums. We had no growth in water and sewer. There is still in play, an active moratorium on commercial industrial to one customer who can't take any more than 10,000 gallons without permission from the commission. The maximum they can take is 50,000 gallons with permission. He thinks there is something for residential as well. Chairman MacKenzie stated that as we've seen it, the structure of sewer has changed and we've seen it through some sampling. Some of the things being surcharged, we are seeing in household waste. We don't know what the brewery is going to do. We have to consider some capital improvements. Mr. McGrath asked Mr. Detarando about traffic counts, are they going to do any? Mr. Detarando said that they have access to the ones that the state does and they use those as a tool for people coming in. It was asked where these counts are and the answer was that the Planning Board has them.

3. New development projects – Mr. Detarando brought up the marijuana establishment. He said the one thing to keep in mind and some research they've done, there is a tax that can be put on marijuana as well. His understanding is this is based off of liquor licenses and it's 20%, so if the town has 10 liquor licenses, there can be two permits put forward for the marijuana medical sales distribution sales. He feels we should be well educated of what can be taxed. Mrs. Craver stated that they are working on a draft document for the Board of Selectmen to consider. They will be attending the next meeting. Mr. Szafarowicz said that communication between our boards, what is helpful to make that stronger are meetings like this and each board's perspective. Mr. McGrath stated that the W/S have done a lot and the town is in much better shape. Mr. Singer asked if we know when the brewery is looking to be done and it was stated by July and loads coming in by fall. Mr. Lemansky said the agreement will state when the testing is going to take place, how often it will take place and how we are going to achieve the goal of household waste. Mr. Singer said until they go live, we won't know the effect on the system. Mr. Lemansky stated that even if they didn't do any mitigation, we could handle what they are doing, but it's the boards attempt to get them down. He stated he needed to make a couple of things known. When stage 3 was done six or seven years ago, it cost roughly \$3,000,000 and it was determined that money rather than go out as a betterment, was going out as privilege fees, with the way things were going, the economy was great, people were hooking up and we had to go to a moratorium. At that time, Masonic Home was coming on with their big project and they were going to contribute something like 1.8 to it. That left us 1.2 in debt. There's still money owed on betterments so there will be some cash flow. Chairman Szafarowicz thanked both boards for coming. He

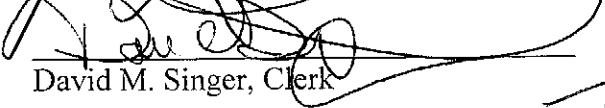
asked to meet again in three months. **Motion by Mr. Lemansky to adjourn at 8:03pm, seconded by Mr. Spiewak, motion passes.** The Water/Sewer meeting ended.


4. Other Business – unknown at time of posting. Mrs. Craver stated that she has two things. The electricity bid is almost ready to go out. One is for Good Energy aggregation and the next two weeks is favorable to walk into a contract. Mr. Detarando explained the agreement that Incom has. Mrs. Craver is looking for a vote from the board allowing her to sign the agreement. It would be aggregation for the whole town and because of the market being so favorable, we've been invited to join Oxford as they are going out to bid right now. Our electrical services contract with Constellation will be expiring in December this year. **Motion by Mr. Singer to authorize the Town Administrator to enter contracts with aggregation at town level and town buildings with Oxford, seconded by Mrs. Cooper, motion passes.** Mr. Detarando asked how we could help the Water/Sewer Commission be more open minded. Mr. McGrath stated that we have been trying to work with them and see what they need. Mr. Detarando stated that we have to get them on the same mentality to be open. Mr. MacKenzie asked the Board if they understood what he was asking for with the Forensic audit and they did. Chairman Szafarowicz said that we can have the Town Administrator look into this. It was asked if the Board has town emails and they said yes but some have a hard time getting into it from home. Chairman Szafarowicz stated that if you do any town business cc your town emails so there is a record in case a public records request comes in. If you don't, they can go into your personal emails to check for the request. Chairman Szafarowicz asked Mrs. Craver to look into the cost and timeframe and ask Town Counsel if a Forensic audit could be done. Mr. MacKenzie wanted to make it clear that this is not about Water/Sewer, this is about Chapter 90 and Ethics. **Motion by Mr. McGrath to authorize the Town Administrator to look into the cost and time frame and check with Town Counsel if a Forensic audit could be done, seconded by Mr. Singer.** Mr. McGrath clarified his motion. **Motion by Mr. McGrath to do a Forensic audit on the issues going down on the Water/Sewer Department issues and following town counsels advice if in the affirmative and go out and seek someone to do this, seconded by Mr. Singer, motion passes.**
5. Adjourn – **Motion by Mr. Singer to adjourn at 8:25pm, seconded by Mr. McGrath, motion passes.**

Submitted by:
Mary C. Devlin
Administrative Assistant

Accepted by:


Joseph J. Szafarowicz, Chairman


David M. Singer, Clerk


John P. McGrath, Vice-Chairperson


Cynthia B. Cooper, Member


Frederick C. Swensen, Member (absent)