



COPY

Submitted by MCD

Date 4/16/14

Received by Kf

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TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
Tuesday -- January 10, 2012

Present: Chairman – David M. Singer, Vice-Chairperson – Kathleen W. Walker and members – Peter J. Boria and Frederick C. Swensen. Also present: Town Administrator - Robin L. Craver. Absent: Clerk – Brent Sellow.

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:

Chairman Singer called the meeting to order at 6:33pm with the pledge to the flag.

II. Consent Agenda: Minutes of December 13, 2011. **Motion by Mr. Swensen that we accept the minutes of December 13, 2011, seconded by Ms. Walker, motion carries unanimously.**

III. Community Relations, Announcements and Open Forum:

- Chairman Singer read the announcements.
- Chairman Singer thanked Principal Dean Packard as well as the students at Charlton Middle School for raising and donating \$1900 to Charlton's Chip In. They also collected hats, mittens, scarves for local families.
- Jeanette Casey, Director of Veterans Services came forward and thanked all those that donated to Toys for Tots.
- Chief Pervier stated that he picked up the new cruiser #24. His cruiser will be replaced within the next week. He also thanked those that helped in taking the Christmas lights down.
- Chief Pervier also explained what happened with the Library materials that were not returned. The Police were working with the Library to get the items back that belonged to the town from people who rented the material. It was asked why the Police had to go door to door. Chief Pervier reiterated the process and once he was asked to help by the Library itself, they are obligated under MGL to work with them.
- Mr. Swensen stated that he also sits on the board of REAS which helps seniors with the cost of their energy bills. The 4th year of the fundraiser "Taste of the Towns" will be taking place on January 28, 2012. There are a limited number of tickets which are available through the senior center.

IV. Appointments/Resignations:

1. Appointment – Council on Aging. Mrs. Craver stated that the Charlton Council on Aging is recommending Ms. Gail Stokes of 279 Stafford Street to fill a vacancy on the Council. If appointed tonight, her term will end on June 30, 2012. Ms. Walker thanked Ms. Stokes for volunteering. **Motion by Mr. Swensen to appoint Gail Stokes to the Council on Aging, seconded by Mr. Boria, motion carries unanimously.**
2. Resignation – Charlton Planning Board. Mrs. Craver stated that attached is a letter from William Hultgren announcing his retirement from the Planning Board effective January 4, 2012.
3. Resignation – Sealer of Weights and Measures. Mrs. Craver stated that attached is a letter

from Edward R. Seidler resigning his position as Sealer of Weights and Measures for the town effective January 1, 2012.

4. Resignation – Water and Sewer Commissioner. Mrs. Craver stated that attached is a letter from Gabriel Berthiaume resigning his position as a Water/Sewer Commissioner due to moving to another town.

Ms. Walker stated that Bill Hultgren has been serving this town as a volunteer for 50 years and this is a great loss for the town. **Motion by Mr. Swensen to accept the resignations of William Hultgren, Edward Seidler and Gabriel Berthiaume for their service to the town and ask the Town Administrator to send out letters of thanks, seconded by Mr. Boria, motion carries unanimously.**

V. Scheduled Appointments:

6:40pm – Updated Investment Policy – Town Treasurer. Mrs. Craver stated that she received a revised Investment Policy from Treasurer Keith Arsenault requesting the Board review and approve. He has incorporated many of the credit, custodial, concentration of credit and interest rate risks discussed in the notes of the June 30, 2011 Financial Statements. He reports that a copy of the revised policy has been sent to the Town’s Auditor Bill Fraher and received his approval. Mr. Arsenault is present to answer any questions the Board may have. Mrs. Craver has reviewed the policy and recommends the Board approve. **Motion by Mr. Boria that we adopt the updated Investment Policy as presented to us tonight, seconded by Mr. Swensen, motion carries unanimously.**

7:15pm –Chairman Singer stated that Representative Durant is here to discuss a letter that we received from the Board of Selectmen in Erving, MA. Representative Durant came forward. He stated that the Erving Board of Selectmen is requesting Boards to consider supporting House Bill 200 which would have one Presidential elector be chosen from each Congressional District and two Presidential electors chosen at large. This is just a method of making Massachusetts a proportional state. Maine and Nebraska are the only two states that do this. Representative Durant answered the Board’s questions. The Board thanked him for coming. The Board has no desire to act on the Town of Erving’s request.

VI. New Business:

1. Police Policy and Procedures. Mrs. Craver stated that you have received a copy of a proposed Rules and Regulations and Policies and Procedures for the Charlton Police Department from Chief Pervier for your approval. In his memo dated December 30, 2011, he asks you to review and approve them. Once approved, he will forward to the Police Alliance along with a notice to bargain as required by law. Under MGL Ch 41, Sec. 97A, the Board has 30 days to review and approve/disapprove. If, after 30 days no action has been taken, they are considered approved. The information is quite lengthy. Mrs. Craver asked the Board how they wish to proceed. Chief Pervier came forward. Chairman Singer asked the chief if we are simply approving this for you to bring and present to the Union for bargaining with their members. Chief Pervier said that’s correct. **Motion by Ms. Walker that we approve the Rules and Regulations and Policy and Procedures that have been presented to us, seconded by Mr. Swensen, motion carries unanimously.**
2. Community Innovation Grant – Regional Application. Mrs. Craver stated that she has been working on a regional grant application for storm water management. You received documents that included the application guidelines and a scoring matrix from suggestions created at a meeting of administrators/managers. In summary, we will be asking for funding in three main areas: 1) Collaborative Education and Training, 2) Standardized Policies and Procedures and 3) Regional Database and Map. Much of this work will be required when the new EPA’s Stormwater Permit comes out. There is no matching money required and the

maximum grant amount is \$500,000. This is a regional approach to promoting clean water. Mrs. Craver asked the Board to let her know if they have any questions. The Towns that have shown interest in this include: Charlton, Spencer, Leicester, Oxford, Auburn, Paxton, Shrewsbury, Dudley, Webster, Sturbridge, Millbury and West Boylston. The grant deadline is January 17, 2012. **Motion by Ms. Walker to go ahead with the recommendations from Mrs. Craver, seconded by Mr. Boria, motion carries unanimously.**

3. New Rules to allow Remote Participation. Mrs. Craver stated that the Open Meeting Law has added the ability of Board and Committee members to participate remotely if approved by the Board of Selectmen. There are specific procedures and restrictions including:

- Once approved, will apply to all boards and committees
- The BOS can revoke it at any time
- All remote participants must be clearly audible to all persons participating in the meeting
- A quorum must be physically present at the meeting, person chairing must be present
- Remote participants may vote as if present
- The presiding Chair must determine that a member's physical attendance is unreasonably difficult because of one or more of the following: personal illness; personal disability; emergency; military service and geographic distance.
- Re technology – telephone, internet or satellite enabled audio or video conferencing
- Procedures: member must inform Chair; beginning of the meeting Chair announces who and reason for remote participation; noted in minutes; all votes by roll call; if ex-session, member must state no one else can hear the discussion.
- Town can make bylaws or policies to restrict use of remote participation
- Violations will be under the jurisdiction of the Attorney General

This is a summary and not an exhaustive list of restrictions and procedures and I recommend that you read the attached law. Mr. Boria stated that if this is approved, then there should be a lot of training out there for boards/committees to understand the whole process. **Motion by Ms. Walker that we approve this policy with education to all boards/committees, seconded by Mr. Swensen, motion carries unanimously.**

4. Union Negotiations – Clerical. Mrs. Craver stated that she received a letter from SEIU 888 Internal Organizing Director, Shanna Weston advising the Town that they desire to open the Clerical Union Contract for negotiations of a successor agreement. The letter states that a representative will be contacting us soon. Traditionally, you have appointed two Selectmen members to participate in the negotiations. She is looking for direction from the Board tonight. Also, Town Counsel has informed us that having two Selectmen participate in the negotiations makes, under the new law, the two selectmen a sub-committee of the Board and therefore must post and follow the requirements of the Open Meeting Law. **Motion by Mr. Boria to nominate Ms. Walker and Mr. Sellew to be our sub committee for the bargaining, seconded by Mr. Swensen. Ms. Walker would prefer not to but feels Mr. Sellew would agree and be an advantage to the negotiations. Mr. Boria nominated Chairman Singer to take Ms. Walker's place, seconded by Ms. Walker, motion carries unanimously.**

VII. Old Business:

1. Auditor's Comments in Management Letter. Mrs. Craver stated that we have received a draft management letter from the Town's Auditor Bill Fraher for your review. Again, he did not find any material weaknesses or significant deficiencies. No action needed. Mr. Boria thanked the Town Administrator and the Financial Team for making these auditors letters with no comments pretty much routine for the last few years. He thanked department heads and boards and committees for helping to make all the right decisions.

VIII. Student Selectperson Report: Not present

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

X. Other Business:

1. Mrs. Craver stated that she has good news where she heard there would be no increase in health insurance next year.
2. Ms. Walker stated that with the help of Todd Girdard, Conservation Agent and Mrs. Craver, we have found a farmer to run Fay Mountain Farm, Ben Wilson. Mr. Wilson was recommended to the Conservation Commission and they agreed. Ms. Walker asked Mrs. Craver if she could work on providing Mr. Wilson with a lease for Fay Mountain Farm.
3. Chief Pervier asked Mrs. Craver that whenever she looks for replacements of trees, the Police Department has a tree that they lost and would like to be considered. He also stated that he would be remiss if he didn't mention that Sergeant Cloutier has been very instrumental in working with him to put the Policy and Procedures together.

XI. Adjourn/Executive Session:

Motion by Mr. Boria that the Board enter into executive session at 7:28pm 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; and #3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; 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. Swensen. Roll call vote taken: Ms. Walker – aye, Mr. Swensen – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye. Chairman Singer declared the need for executive session and stated that the Board would come out of executive session for the sole purpose of adjourning.

Motion by Mr. Boria to adjourn at 8:30pm, seconded by Mr. Swensen, motion carries unanimously.

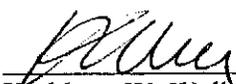
XI. Next Meeting Announcement:

- January 24, 2012

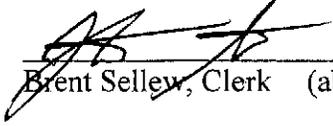
Submitted by:
Mary C. Devlin
Administrative Assistant

Accepted by:

David M. Singer, Chairman



Kathleen W. Walker, Vice-Chairperson



Brent Selley, Clerk (absent)

Peter J. Boria, Member



Frederick C. Swensen, Member



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

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

MEMORANDUM

TO: Board of Selectmen

FROM: Robin L. Craver, Town Administrator 

DATE: January 6, 2012

SUBJECT: Town Administrator's Report

Bay Path Regional Vocational Technical High School: I received Bay Path's FY11 Audit from the Assistant of Superintendent of Schools John LaFleche. For your convenience, I have placed a copy in your read folder.

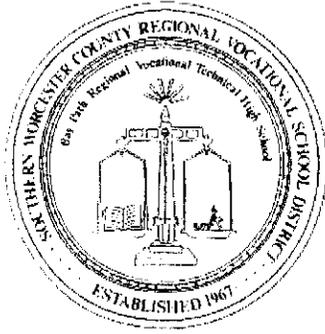
Department Head Meeting: The department head met last week and I've attached the DH Suggestions for Revenue Enhancement sheet that was distributed. It was generally agreed that a group would continue to work on promoting these initiatives during the next budget season.

Cell Tower Lease: As you remember, the Town signed a lease for the erection of a cell tower. The company is actively promoting placement on the structure before being built and I have attached its advertisement sheet for your information.

Dam Safety Phase 1 Inspection Reports: I'm happy to report that we have received acknowledgement from the Office of Dam Safety that our reports have been received for Granite Reservoir Dam and Little Nugget Dam.

Casella Permit Extension: have been working with Attorney Bob Cox to send a letter to the DEP reiterating the Town's requests and considerations in granting an expanded permit. The comment period ends Jan, 11th.

Tree Grant: At your last meeting Representative Peter Durant inform you of a \$10,000 tree grant to assist towns that were affected by the tornados. I have a meeting set up for Jan 18th with Eric Sanborn, program Coordinator for the DCR Urban and Community Forestry. The Tree Warden, Highway Superintendent and Building Commissioner have been invited to attend.



AUBURN • CHARLTON • DUDLEY • NORTH BROOKFIELD • OXFORD • PAXTON •
RUTLAND • SOUTHBRIDGE • SPENCER • WEBSTER

Southern Worcester County Regional Vocational School District
BAY PATH REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

57 OLD MUGGETT HILL ROAD
CHARLTON, MASSACHUSETTS 01507-1331
(508) 248-5971 - (508) 987-0326
FAX (508) 248-4747

Mr. John Lafleche
Business Manager

January 4, 2012

Ms. Robin Craver
Charlton Town Administrator
37 Main Street
Charlton, MA 01507

Dear Ms. Craver:

Enclosed is a copy of Bay Path's Fiscal Year 2011 Audit. This year's work was performed by Scanlon & Associates.

Should you have any questions please feel free to call me at 508 248-5971, Extension 1752.

Sincerely,

John A. Lafleche
Assistant to the Superintendent
for Business

JAL/pac
Enclosure

Department Head Suggestions for Revenue Enhancement

Method	Action	Responsible Party	Steps	BOS Member
LAND				
seek new sources of recurring revenue such as lease of town owned land to private businesses	cell tower; billboard	BOS/ Treasurer		K. Walker
continue to develop methods to maximize returns on disposal of town owned land	review cost benefit analysis re sale of land for single family v. costs for schooling	BOS/FinCom		Treasurer
review feasibility of leasing space at Colburn and Daniels property for solar park		BOS/ConCom		Treasurer
engineer and sell several lots from Colburn and Daniels Road possession	research land sale opportunity; impact on future budgets	FinCom/Treasurer/Assessor		
In lieu of Taxes/Donations				
seek donations or partnering with private companies to defray cost of municipal services	grant for agie education; create a "Revenue Enhancing Committee"	BOS/FinCom		
continue to seek sponsorship of annual activities by local banks and companies		Boards/Committees		
seek PILOT payments from non-profit organizations that rely on town services	seek payment in lieu of taxes for services rendered- est. 20% of tax base	BOS/Assessors		follow up 3-29
pursue revenue sharing for land under turnpike	seek payment in lieu of taxes for services rendered- est. 20% of tax base	BOS/Assessors		call S. Brewer
Financial Management				
Seek grants to subsidize current programs (ex. ERRP to reduce current health care costs)	1. Review all grant opportunities; 2. private sector foundations; 3. add grantwriting to present staff/create grant writer		types of grants	
annual review of fee structure to ensure recovery of costs associated with services provided	review fees charged by surrounding towns and adjust as necessary	all Depts; BOS	Ask departments	

offer capital exclusions for capital expenditures	create policy; look at onetime large purchases and bundling	BOS/FinCom		BOS
Seek new technology that reduces departmental expenses such as e-bills to replace postage		Collector		
convene education committee for mandated wealth formula increases to school budget	research and educate public re the costs shifts between general gov and school	BOS		
declare old driveway bonds abandoned		Highway/Treasurer		
file claims to insurance companies of parties causing damage to town owned property	1. road signs; 2. town owned buildings; 3. environmental clean up	Highway/all depts in control of buildings/Police & Fire		
create advertising committee to develop p/p to sell space for ads on local access, website, town owned land		BOS/Cable Committee/Westwell Designs		
Charge trash haulers sticker to travel thru town to Southbridge landfill.		Board of Health		
bid towing rights annually to a sole service provider or create permit fees on individual tow operators.	Establish Towing Permit fee	Police Chief/BOS		
School transportation needs to be reviewed for efficiencies	work with school officials to review	DCRSD; BOS; FinCom	Changes made	
Alternative Personnel/Workforce				
use free labor from State and Federal programs to fill non-critical openings	continue to review opportunities to partner	all Depts; BOS		
consider college internships for specific projects		all Depts; BOS		
Create DPW	Review for efficiencies			
Renew TIF program to encourage businesses to locate in Charlton	Look at program - encourage EDC to promote			

Craver, Robin

From: Arsenault, Keith
Sent: Tuesday, January 03, 2012 9:21 AM
To: Craver, Robin
Subject: FW: Cell Tower Lease
Attachments: WEC-MA-02 - Charlton.pdf

Robin,
Below is the response from Wireless Edge – the cell tower developer.
Keith

From: John Arthur [<mailto:Arthur@wirelessedge.com>]
Sent: Thursday, December 29, 2011 3:18 PM
To: Arsenault, Keith
Subject: RE: Cell Tower Lease

Keith:

I hope all well with you.

Yes, we have a site that we are working on in Sutton, as well as one in Shirley. We have just started to see some movement on the Shirley site from MetroPCS. In Sutton, we are waiting for Verizon – their budget has been frozen through the end of this year.

This year has been extremely slow for carriers building new sites. We were left with a lot of un-tapped capital. Most new builds across the country have been dead in the water since about April. The only activity has been upgrades on existing towers. Mostly due to the economy, but also due to the AT&T/T-Mobile merger.

We are hoping that things pick up with the near year. We are continuing to market your site. I should have a better read in January, when the carriers get their budgets for the year.

(BTW - we re-vamped all of our marketing data recently – see attached.)

Enjoy the holidays.

John Arthur
Wireless *EDGE*
270 North Avenue, Suite 809
New Rochelle, NY 10801
Tel: (914) 712-0000, x203
Fax: (914) 712-9005
Mob: (914) 216-4087

From: Arsenault, Keith [<mailto:Keith.Arsenault@townofcharlton.net>]
Sent: Thursday, December 29, 2011 2:42 PM
To: John Arthur
Subject: RE: Cell Tower Lease

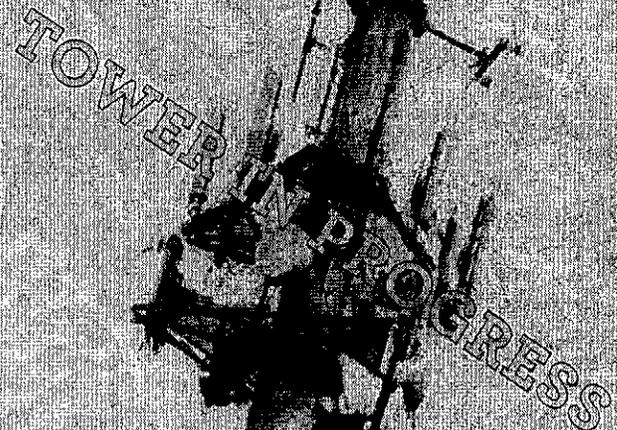
Hello John,
Happy New Year to you and the Wireless Edge team.

Charlton

WEC-MA-02



JAN 3 2012



Site Name	Charlton
Site ID	WEC-MA-02
Latitude	42° 6' 19.05"
Longitude	71° 56' 55.34"
Structure Type	Monopole
Structure Height	140' AGL
Ground Elevation	764' AMSL
Address	Colburn Road & Ramshorn Road
City	Town of Charlton
State	Massachusetts
County	Worcester
MTA	480 (Worcester/ Fitchburg/ Leominster, MA)
BTA	8 (Boston/Providence)

Contact Information:

Joe Indelicato
914-712-0000, ext. 207
indelicato@wirelessedge.com





January 3, 2012

Town of Charlton
Board of Selectmen
37 Main Street
Charlton, MA 01507

RE: Receipt of Dam Safety Phase I Inspection Report
National ID#: MA00105
Dam Name: Granite Reservoir Dam
Hazard Potential: Significant Hazard
Town: Charlton

Dear Town of Charlton:

The Office of Dam Safety is in receipt of your Phase I Inspection Report for the above referenced dam. This letter acknowledges receipt of the inspection report only.

Office of Dam Safety Engineers will soon review the report for regulatory compliance. Correspondence will be sent to you following the review that will address any necessary follow-up actions.

Sincerely,

William C. Salomaa, Program Manager
Office of Dam Safety

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation
Office of Dam Safety
John Augustus Hall
180 Beaman Street
West Boylston, MA 01583
508-792-7716 508-792-7718 FAX
www.mass.gov/dcr



Deval L. Patrick
Governor
Timothy P.
Murray
Lt. Governor

Richard K. Sullivan, Jr., Secretary
Executive Office of Environmental Affairs
Edward M. Lambert, Jr., Commissioner
Department of Conservation & Recreation



December 29, 2011

Town of Charlton
Board of Selectmen
37 Main Street
Charlton, MA 01507

RE: Receipt of Dam Safety Phase I Inspection Report
National ID#: MA00103
Dam Name: Little Nugget Lake Dam
Hazard Potential: Significant Hazard
Town: Charlton

Dear Town of Charlton:

The Office of Dam Safety is in receipt of your Phase I Inspection Report for the above referenced dam. This letter acknowledges receipt of the inspection report only.

Office of Dam Safety Engineers will soon review the report for regulatory compliance. Correspondence will be sent to you following the review that will address any necessary follow-up actions.

Sincerely,

William C. Salomaa, Program Manager
Office of Dam Safety

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

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Deval L. Patrick
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Murray
Lt. Governor

Richard K. Sullivan, Jr., Secretary
Executive Office of Environmental Affairs

Edward M. Lambert, Jr., Commissioner
Department of Conservation & Recreation

TOWN OF ERVING

DEC 12 2011

1005
New Bedford
State



BOARD OF SELECTMEN

12 East Main Street
ERVING, MASSACHUSETTS 01344

Tel. 413-422-2800
Fax 413-422-2808

Andrew N. Goodwin, Chair
James M. Hackett
Eugene M. Klepadlo
Board of Selectmen

December 2, 2011

Town of Charlton
37 Main Street
Charlton MA 01507

Attention: Board of Selectmen

Honorable Select Board Members:

As you know, the U.S. Constitution gives each state legislature the right to decide how to appoint its own electors for Presidential elections. We are contacting you in the hopes that you share our opinion that all Massachusetts voters would be provided a stronger voice in Presidential elections if our current Electoral College Votes system (winner takes all) were replaced with a system of Congressional district apportionment of Presidential electors.

The Town of Erving is supporting House Bill No. 00200 filed by Representative Koczera of New Bedford. This proposed legislation would have one Presidential elector be chosen from each Congressional district and two Presidential electors chosen at large. We feel that this system of awarding the votes would elevate the meaning of each vote in our state. It is a system that is currently being used by Maine and Nebraska. While not negatively impacting the influence of large population towns (which have multiple Congressional districts), a Congressional district system of awarding Presidential electors would provide a stronger voice for smaller towns. This change in how our votes are distributed would recognize the diversity of Congressional districts and bring the entire Presidential election process closer to the ground.

Please do your own research and give consideration to asking your legislators to support House Bill No. 00200.

If we can assist your efforts contact Tom Sharp at 413-422-2800 X100.

Sincerely,
Erving Board of Selectmen

Andrew N. Goodwin, Chairman

James M. Hackett

Eugene M. Klepadlo