Submitted by MCD
Date 3/21/12
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TOWN OF CHARLTON

Minutes of Regular Selectmen's Meeting
Tuesday – March 6, 2012

Present: Chairman – David M. Singer, Vice-Chairperson – Kathleen W. Walker[1], Clerk – Brent Sellew and members – Peter J. Boria and Frederick C. Swensen. Also present: Town Administrator - Robin L. Craver.

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 6:30pm with the pledge to the flag. Chairman Singer stated that we will be trying to do a remote participation for this meeting with Vice Chairperson Walker who is not here due to having surgery.

II. Consent Agenda:

Minutes of February 21, 2012 at 5:30pm. **Motion by Mr. Boria to approve the minutes of February 21, 2012 at 5:30pm, seconded by Mr. Sellew. Vote: 3 in favor with Mr. Swensen abstaining and one absent.**

Minutes of February 21, 2012 at 6:30pm – **Motion by Mr. Boria to approve the minutes of February 21, 2012 at 6:30pm, seconded by Mr. Swensen, motion carries unanimously**.

III. Community Relations, Announcements and Open Forum:

- Chairman Singer read the announcements.
- Chief Pervier came forward to recognize Savers Bank for their generous donation. Yesterday he was fortunate enough to receive a new automatic defribulator from Savers Bank.

Mr. Singer announced that with Ms. Walker attending by remote participation, all votes by the Board will have to be made by roll call vote.

IV. Appointments/Resignations:

1. Appointment of Assistant Town Treasurer – Mrs. Craver stated that as you are aware, the appointment of an Assistant Treasurer did not produce an employee. Subsequently, the Treasurer and I interviewed two candidates and both of us agree to recommend the Board appoint Debra Gremo as Assistant Treasurer. Ms. Gremo has a Bachelor's Degree in Business Administration. She has worked in the banking industry and has been a customer service representative and bookkeeper in the private sector. She has filled out a CORI application and if you appoint, we ask you to make it contingent upon a positive CORI check. This position is in the Clerical Union and is classified as a 4. The salary range is $17.85-21.43. We are recommending 28-35 hours at a rate of $18.64 per hour. Town Treasurer Arsenault and Ms. Gremo were present. Mr. Arsenault stated that our former Assistant Mary K. Burlingame retired yesterday and he would ask the Board to send a letter of thanks for her dedication and years of service. **Motion by Mr. Swensen that this Board appoint Debra Gremo to the position of Assistant Treasurer, seconded by Mr. Sellew.**

[1] Ms. Walker was present by remote participation.

Roll call vote taken: Mr. Swensen – aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – no. Vote carries 4 to 1.

2. Appointment to Noise Bylaw Committee – Mrs. Craver stated that attached, please find a talent bank form from Steven Denman of 39 Oak Ridge Drive seeking to be appointed to the Noise Bylaw Committee that was formed by the Board at your February 7, 2012 meeting. Should the Board make this appointment, it will leave two (2) members at large positions open. **Motion by Mr. Boria to appoint Steven Denman to the Noise Bylaw Committee, seconded by Mr. Swensen. Roll call vote taken: Mr. Swensen – aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye, motion carries unanimously.**

3. Appointment to Fire Station Building Committee – Mrs. Craver stated that at the Board's November 15, 2011 meeting, a Fire Station Building Committee was formed to consist of:

Fire Chief	Chief Cloutier
One member from an area Fire Department	Stephen M. Coleman, Jr.
One member from the public involved in Building Trade	
One member from the Library Building Committee	Joseph Haebler
Two members of the Fire Department	
One member of the Board of Selectmen	Rick Swensen
Two members from the Public	

Attached is a letter from Ralph Fiske seeking to be appointed to this committee. His request would fill the position available for one member from the public involved in building trade.

Chief Cloutier has advised that the two members from the Fire Department to be appointed are Bud Harris and Brian Ouellette. These would fill up the two members from the Fire Department. Mr. Swensen stated that former Selectmen Scott Brown stepped up and offered to volunteer as one of the community members. With that said, **motion by Mr. Swensen to appoint Ralph Fiske as the building trade representative, Bud Harris and Brian Ouellette as the Fire Department representatives and Scott Brown as community representative to the Fire Station Building Committee, seconded by Mr. Boria. Roll call vote taken: Mr. Swensen – aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye, motion carries unanimously.**

V. Scheduled Appointments:

6:40pm – Prindle Lake Dam Committee – Design Award. Mrs. Craver stated that representatives from the Prindle Lake Dam Committee are here to make a recommendation to the Board for design services. Mr. Boria stated that as a member of the Prindle Lake Dam Committee, they asked Mrs. Craver to send out request for proposals for engineering for the dam repair. Two responses were received back, one from Lenard Engineering and one from Tighe & Bond. **The committee just got done meeting with Lenard Engineering as the lower bidder and unanimously approved them as our engineers choice to go ahead and design the dam repair and they are asking the Board to authorize them to enter into a contract with Lenard Engineering for dam engineering with a not to exceed cost of $50,000 to engineer and design the dam repair and made a motion to do so, seconded by Mr. Swensen. Roll call vote taken: Mr. Swensen – aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye, motion carries unanimously.**

6:45pm – CMG Environmental – Gary Magnusson. Mrs. Craver stated that at the Board's last meeting during a discussion that the Highway Department vacated its building on North Main Street and moved to its new building on Flint Road, she was asked to contact our licensed site provider, Gary Magnuson from CMG to provide a proposal to demo and clean up the Old Highway Building, namely the Quonset Hut. You have in your packets his proposal. He has also provided you next year's proposed budgets for LSP services for 4 Dresser Hill Road and the Highway Barn. Mr. Magnusson reviewed the Highway Garage proposal dated February 28, 2012.

Essentially the same scope as last year at a cost of $11,888. There is also an additional amount of $5,000 for LSP Services on an as needed basis. **Motion by Mr. Boria to approve the proposal from CMG for the Highway Garage for FY13 in the amount of $11,888, seconded by Mr. Swensen. Roll call vote taken: Mr. Swensen – aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye, motion carries unanimously.** Mr. Boria stated that he didn't include the additional services because it should be a separate line item because we do have more than one property that we are using CMG for. Mr. Magnusson will provide another proposal for additional LSP Services. Quonset hut proposal – Mr. Magnusson would recommend at a minimum to approve task 1. He wouldn't recommend approval of task 5 & 6 at this point. **Motion by Mr. Boria to put a place holder on the annual town meeting for approval to remove the Quonset Hut and leave the number blank and get it funded out of stabilization and leave it up to the taxpayers to decide, seconded by Mr. Swensen.** Mr. Boria feels that we should be able to come up with $1,800 somewhere in our current budget to cover Task 1. He feels this will give us more of a concrete number to work with. Ms. Walker feels that if we got through item 5 that would be helpful for town meeting. Mrs. Craver stated that if the board votes to have the article on, she can work with Mr. Magnusson on the budget and have time to look at where the funds would come from. After questions were asked, Mr. Magnusson stated that tasks 1 and 5 are the most critical. **Vote on motion: Mr. Swensen – aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye, motion carries unanimously.** Proposal #2 for 4 Dresser Hill Road for FY13 – Mr. Magnusson said until the building itself is connected to town water, we have to stay within the DEP guidelines. **Motion by Mr. Boria to approve the proposal for 4 Dresser Hill dated 2/28/12 in the amount of $17,192, seconded by Mr. Swensen. Roll call vote taken: Mr. Swensen – aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye, motion carries unanimously.**

7:00pm – Collection Bins – Kristin Kustigian – Mrs. Craver stated that attached please find a letter from Kristin Kustigian regarding collection boxes in town. Ms. Kustigian has concerns that there are too many of these bins in Charlton. As the Town of Charlton has no regulations for these bins where most are put on private property, we have forwarded her concerns to the Building Commissioner to review and seek his opinion which is attached. Mr. Meskus has researched both the Building Code and Zoning Bylaw and found that there are no regulations in place that he would enforce for these donation boxes. He has also spoken with his colleagues and Town Planner Alan Gordon how other communities regulate the placement and/or permitting of donation boxes. The majority that responded to his inquiry do not regulate donation boxes at all. The cities of Worcester and Lowell have enacted registration requirements through health regulations due to the propensity of the locations to become drop off sites for unwanted furniture and the like, creating a health hazard. Mr. Meskus further states that while regulation of donation boxes may seem like a solution to the perceived problem, he would not recommend the Town enact any regulations.
Her request has also been forwarded to the Board of Health. At this time they are still researching this matter. Ms. Kustigian came forward and stated that out of 15 locations in town, 2/3rds are for profitable organizations. She feels that the residents in town should have the right to deal with this. Mr. Sellew asked Mr. Meskus to come forward. Mr. Sellew stated that these all look like commercial signs. Mr. Meskus stated that he went around town and found items like this on dumpsters and such. Chairman Singer asked what options do we have for those entities for presenting themselves as a charity when they are not. Chief Pervier came forward and said he would have to analyze what's put on the box and talk with the Attorney Generals office. He did state that there are certain things that they could try to monitor. He also stated that one way would be to reach out and try to talk to the owners of these bins and ask for them to work with us to keep it clean. Ms. Walker stated that one of her concerns as mentioned by Ms. Kustigian, is that if you go online and google these companies, it's what you would find. She feels we should work to get regulations in place. Mr. Swensen feels that the first thing to stand out is health concerns and what

he would like to see as the first step would be something back from the board of health. Mr. Boria isn't sure how we could uphold it if it was a bylaw. The Board of Health would have more to go on as they regulate the health issues. Ms. Kustigian will contact the board of health for their feedback and Chairman Singer asked if we could do the same.

7:15pm – Energy Group – Mrs. Craver stated a working energy group from WPI has asked to come before the Board to discuss energy information that they have compiled. They have been working with our office collecting data and assisting the town with green energy. Joe Szafarowicz, Jennifer Henriquez and Deborah De Campos Silva came forward. Mr. Szafarowicz explained that this is a project that is a requirement for them to do. He provided an overview of what they've done and where they are at. They provided the board with information on what they would like to present and how to correct items that we already have in place. Criteria 1: is pretty much satisfied. Criteria 2: means that these facilities wouldn't take more than one or two years to prove. Criteria 3: the town is required to put an energy plan in place base line. Mr. Szafarowicz said a lot of recommendations on this list could save the town a lot of money. They are here to ask for the board's support. Ms. Walker stated that she really appreciates all the work these WPI students have gone to and she would support this going to town meeting for approval. The Board thanked them for doing a great job. Mrs. Craver asked the Board if they wanted to hold a place holder for the town meeting for the stretch energy code. **Motion by Ms. Walker to put this on the town meeting, seconded by Mr. Boria. Roll call vote taken: Mr. Swensen - aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye.**

VI. New Business:

1. Fund Balance Policy – Mrs. Craver stated that attached please find a proposed fund balance description and policy to comply with GASB 54 provided by Town Accountant Joan Walker. Town Accountant Walker states that the Board has established the policy of reserves being kept at 10% of general fund expenditures and has taken the position that reserves should be used for capital with operating use at a minimum. She's included that economic conditions or government action could require the use of reserves for budgets to allow that possibility if needed. The Board should vote to accept or amend the policy which when completed, will be sent to Bill Fraher, Auditor for the financial statements. Mrs. Craver would agree with Mrs. Walker and recommend the Board approve. Mr. Boria asked what the difference is from what we do to putting this in a policy. Mrs. Craver stated that the difference is by putting it in writing. **Motion by Mr. Boria that we adopt the fund policy that's in front of us, seconded by Mr. Sellew. Roll call vote taken: Mr. Swensen – aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye, motion carries unanimously.** Mr. Boria asked that we forward this to Bill Fraher, Auditor.
2. Arbor Day – request for proclamation – Mrs. Craver stated that the Planning Board is applying to the Mass. Urban and Community Forestry Program for the annual Tree City USA designation which is an award based on their implementing through the Mass Re-leaf Grant program tree grant installation here in Town every year for the past several years. There are four requirements needed when earning the Tree City USA recognition each year which are: A Tree Board or Department, A Tree Care Ordinance, A Community Forestry Program with an annual budget of at least $2 per capita and An Arbor Day Observance and Proclamation. As the Planning Board submits this yearly, the request to proclaim Arbor Day must be met. A Proclamation is permanent but as this grant requests, it must be observed every year. Should the Board approve this request as you have in the past, a date to proclaim Arbor Day should be included in the motion and will be added to the Proclamation which is in your sign folder. **Motion by Mr. Swensen that the Town of Charlton proclaim April 27th as Arbor Day, seconded by Mr. Sellew, roll call vote taken: Mr. Swensen – aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman singer – aye, motion carries unanimously.**

3. CDBG Grant – Mrs. Craver stated to please find attached a proposal from James Mazik, Deputy Director for Operations for the Pioneer Valley Planning Commission to write and administer a CDBG grant application with the Towns of Charlton and Leicester. As you know, we have submitted a CDBG grant for architectural barrier removal, namely installing an elevator in the town hall twice without success. The new application would have a regional component which would give us more points. In order to make it regional and more attractive to grant reviewers, we have added two housing rehabilitation components – one for repairs to the Charlton Housing Authority and one for funds to provide private residential rehab. There are not enough monies to fund 100% of Charlton's barrier removal project thus we would need to come up with $450,000. The full cost is estimated at $800,000. In summary, the grant limit is $900,000 for both towns. Thus, Charlton would share equally in the housing rehab activities and would receive $350,000 toward construction of the ADA improvements. If the Board is interested in this grant on these terms, I would recommend it be placed on the ATM warrant as a stand alone warrant article contingent upon receiving the grant. Also, if you approve supporting the article, I recommend that it be forwarded to the Finance Committee for review. **Motion by Mr. Boria that we put an article on the Town Meeting warrant for approval to apply for the CDBG grant and forward this to the Finance Committee, seconded by Mr. Swensen. Roll call vote taken: Mr. Swensen –aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye.**
4. Snow & Ice – Deficit spend budget – Gerry Foskett. Mrs. Craver stated that we have received notice from Gerry Foskett, Highway Superintendent that the snow and ice account is close to being exhausted, therefore he is asking the Board to approve deficit spending in the Snow and Ice account as authorized by MGL Chapter 44, section 31D. If approved, the Finance Committee will also need to vote on this issue before the account can be overspent. Mr. Foskett is here to answer any questions you may have. Mr. Swensen asked Mr. Foskett if he could explain the reason for this request so that those watching at home will have a better understanding. Mr. Foskett said to go back to the storm in October. 28 times he has received calls from the Police Department to sand due to slippery roads. Overtime has to be paid depending on the time the call comes in. Mr. Sellew commended Mr. Foskett and his guys for a great job. He would support this request. **Motion by Mr. Swensen that we approve deficit spending as authorized by MGL Chapter 44, Section 31d, seconded by Mr. Boria. Roll call vote taken: Mr. Swensen – aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye, motion carries unanimously.**
5. Request for review of Charlton Housing Authority amendment. Mrs. Craver stated that the Zoning Board of Appeals has scheduled the application public hearing for March 20, 2012 for a request from the Charlton Housing Authority to amend the existing MGL Chapter 40B comprehensive permit located at 1 Meadowview Drive. This amendment would create an additional 26 one bedroom elderly affordable housing units across 6 buildings. You are asked to review and provide a comment no later than March 14, 2012. No comments.
6. Request for one day special license – St. Joseph's Church. Mrs. Craver stated that attached you will find a request for a special license to serve wine & malt beverages from St. Joseph's Church to be used on March 17, 2012 in the Church Hall from 5:00pm – 10:00pm. This is for a non-profit organization therefore, there would be no fee. The Police, Fire and Building Departments have all been made aware of this request with both Fire and Police Chiefs approving with Chief Pervier asking for a stipulation that all persons serving alcohol be TIP certified and that no alcohol be served to persons under the age of 21. Building Commissioner Meskus has asked them to provide records of weekly fire pump testing and reports of fire alarm and sprinkler testing within the past 365 days. Should the Board approve this request, I would ask that the stipulations by Chief Pervier be included in the motion and also that it is approved pending Building Commissioner Meskus receiving the requirements that he's asked

for. **Motion by Mr. Swensen to approve the special license to serve wine and malt beverages request for St. Joseph's to be used on March 17, 2012 in the Church Hall from 5:00pm – 10:00pm with the stipulations that all persons serving alcohol be tip certified and that no alcohol be served to persons under the age of 21, seconded by Mr. Boria. Roll call vote taken: Mr. Swensen – aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye, motion carries unanimously**.

VII. Old Business:

1. ATM – FY13 Preliminary Draft Budget. Mrs. Craver provided the board with the department budgets for review for tomorrow nights meeting with the Finance Committee.
2. Policy for Appointment of Vacant Boards. Mrs. Craver provided the board with a draft policy for review making the changes you requested to the present policy for appointment vacant board/committee seats. Once approved or amended, it will be forwarded to Town Counsel. Mr. Boria and Ms. Walker feel we should differentiate between appointed and elected boards. The Selectmen do not want to include members to vote on vacancies when boards are appointed. Mrs. Craver to check with town counsel and bring back to the Board.

VIII. Student Selectperson Report: Leanne Trembley reviewed her report.

IX. Town Administrator Report: Mrs. Craver reviewed her report. Regarding the Municipal Gas and Diesel Tank. She stated that Charlton Welding is loaning the town a tank free of charge as well as moving and setting it up for us at no charge. She would like to thank him for his generosity. Chairman Singer asked Mrs. Craver to draft a letter to Mr. McKissick at Charlton Welding to thank him for his generosity.

X. Other Business:

1. Regional Dispatch. Chief Pervier stated that regional dispatch started with the Police Chiefs and have included the Fire as well. The Towns of Dudley/Webster applied for a regional dispatch grant. Charlton was included in it at a later time. They are looking at submitting an application for six communities for police and fire. He is looking for the Board's full support to research this and continue with the Inter Municipal Agreement. If the Board does not like what the outcome is, you can opt out. A regional dispatch would provide a staffed call center. He would ask that the Board authorize Mrs. Craver to sign the Inter Municipal Agreement. **Motion by Ms. Walker that we authorize Mrs. Craver to sign the Inter Municipal Agreement letter for approval for the Town of Charlton to participate, seconded by Mr. Swensen. Roll call vote taken: Mr. Swensen – aye, Ms. Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye.**
2. Mr. Sellew stated that the second chance animal shelter received a grant including Charlton in this grant which allows residents in Charlton a very low cost to spay/neuter their animals.

X. Adjourn/Executive Session:

Before going into executive session, Chairman Singer stated to Ms. Walker that in order for her to remotely participate in executive session, she would have to confirm and state where she is and that there is no one else near by to hear the discussion. Ms. Walker confirmed. **Motion by Mr. Boria that the Board enter into executive session at 8:41pm under M.G.L. c.30A, Sec. 21, #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, seconded by Mr. Swensen.** The Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body and that the Board will reconvene to open session for the purpose of adjourning. **Roll call vote taken: Mr. Swensen – aye, Ms.**

Walker – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye.

Motion by Mr. Swensen to adjourn at 9:58pm, seconded by Mr. Boria, motion carries unanimously.

XI. Next Meeting Announcement:

- March 7, 2012 – Special Meeting – 6:30pm
- March 14, 2012 – Special Meeting – 6:30pm
- March 20, 2012 – Regular Meeting – 6:30pm

Submitted by:
Mary C. Devlin
Administrative Assistant

Accepted by:

David M. Singer, Chairman

Kathleen W. Walker, Vice-Chairperson

Brent Sellew, Clerk

Peter J. Boria, Member

Frederick C. Swensen, Member

Student Select-Person's Report

I.Dodgeball Tournament

A.The Shepherd Hill Student Council held "Dodge Aside to End Genocide" on Friday, March 2nd, and raised $2,820 to help those in need. Congratulations to the winning team, "The Darlings."

II.Parent Teacher Conferences

A.Students will be released at 11:15 this Thursday for Parents Teacher Conferences, which will be held between one and four PM and between six and eight PM.

III.Student Teacher Volleyball

A.The Student Council will be hosting the Student Teacher Volleyball Game at 6:00 PM this Friday, March 9 in the gymnasium.

IV.Team Orientation Meeting

A.The Team Orientation Meeting for spring sports will take place on March 12 at 6:30 PM.

V.Hollywood at the Hill

A.SADD will be hosting the "Hollywood at the Hill" semiformal dance at Shepherd Hill on March 16 from seven to ten PM. Tickets are $15 per person or $25 per couple.

VI.Bottle and Can Drive

A.The final fundraiser for the Foreign Language Club will be a bottle and can drive at Ted's Redemption Center on Route 20 in Charlton on Sunday, March 18th from nine AM till three PM. Bottles and cans may also be brought to the maintenance area in the back of Shepherd Hill. Proceeds will be used to pay for various activities while the group travels to the countries of Ireland, England, and France.

VII.NHS Tapping Breakfast

A.The National Honor Society's Tapping Breakfast will take place on March 19 in honor of all the newly selected members of the Shepherd Hill Chapter.

VIII.Spring Tryouts and Practice

A. Spring Tryouts and Practice will also begin on March 19.

IX.MCAS ELA

A.And lastly, its that time again for tenth grade MCAS testing. MCAS ELA will be administered to sophomores on March 20.

TOWN OF CHARLTON
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MEMORANDUM

TO: Board of Selectmen

FROM: Robin L. Craver, Town Administrator

DATE: March 2, 2012

SUBJECT: Town Administrator's Report – for Selectmen's meeting of 3/6/12

2012 Certificate of Registration – The Department of Environmental Protection drinking water program has provided the registration for the Charlton Town Hall Annex as a Registered Public Water Supplies in Massachusetts.

MMA Legislative Breakfast – I attended the MMA Legislative Breakfast in Auburn last Friday which included Senator Richard Moore, Senator Michael Moore, Representative Frost, Representative Ann Gobi and others. Many managers and selectmen were in attendance. Some of the subjects included: asking the delegation to provide the cities and towns an early resolution on local aid; additional funding for Chapter 90 funds; and review of loopholes in the unemployment law and interpretation thereof. The delegates stated that neither the House nor the Senate will approve any new taxes. Senator Dick Moore discussed a couple bills that cities and towns may wish to support which included: a sunset clause for state programs; zero based budgeting for state departments; and a bill that enables the state to collect tax from internet sales.

Municipal Gas and Diesel Tank – We have finished the gas and diesel in the municipal tank. As you are aware, we have determined that continued use of the tank is unwise due to possible failure of the outside containment system. We have set up municipal department accounts with a local gas station and have placed a temporary tank at the Highway Department for diesel. I'd like to thank Charlton Welding for loaning the town a tank free of charge, but also moving and setting it up for no charge. It's businesses like Mr. McKissick's that make this community a great place to live and do business in. We appreciate his generosity. For the permanent solution, we are working to formulate a recommendation to the Board and Finance Committee. I anticipate we will present at one of the FinCom's budget presentations in March.