



TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
Tuesday – April 3, 2012

 **COPY**

Submitted by WCD
Date 5/8/12
Received by KL
Date 5-8-12

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

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 noted that Mrs. Craver had a death in the family and offered our condolences.

II. Consent Agenda:

- Minutes of March 20, 2012. **Motion by Ms. Walker to approve, seconded by Mr. Boria, motion carries unanimously.**
- Minutes of March 27, 2012 – informational All Boards & Committees Meeting. Peter Cooper Jr. came forward and asked for the first sentence in the comments next to his name be removed. He did not say that. Ms. Walker stated that would not be a problem. **Motion by Ms. Walker to approve, seconded by Mr. Boria, motion passes with four in favor and Chairman Singer abstaining.**

III. Community Relations, Announcements and Open Forum:

- Chairman Singer read the announcements
- Arthur Furtado from Burlingame Road is here on behalf of the Activities Council. He stated that they are sponsoring an Art Show at the center. You can come and meet the artist on April 29th from 2 – 4pm.
- Christine Grondalski from Priscilla Ln is here representing the Earth Day Committee. Earth Day will take place on April 28th. If interested in signing up for a certain area to clean up, view their web page. There will be a pet show contest. Contact Grondalski95@yahoo.com for more info.

IV. Appointments/Resignations:

1. Appointment of Alternate member – Zoning Board of Appeals. Chairman Singer stated that the Zoning Board of Appeals is asking the board to appoint John T. Peculis as an Alternate member. Two alternate openings for the Zoning Board of Appeals have been running on cable and the town's website for quite some time. **Motion by Mr. Boria to appoint John T. Peculis as a Zoning Board Alternate, seconded by Mr. Swensen, motion carries unanimously.**
2. Appointment to Library Charitable Trust Fund. Chairman Singer stated that attached is a letter from the Charlton Public Library Charitable Trust Fund notifying you that an opening exists on this committee for a member appointed by the Board of Selectmen. This term would be for three years and would expire on December 31, 2014. The Charlton Library Charitable Trust Fund has interviewed Sue Melinski who is interested in filling this open position. Ms. Melinski has worked in the past as a fund raising volunteer and has the support of the board. The opening has been running on cable and the town's website. **Motion by Mr. Boria to**

appoint Sue Melinski to the Charlton Public Library Charitable Trust Fund, seconded by Mr. Swensen, motion carries unanimously.

3. Resignation from Charlton Auxiliary Police. Chairman Singer stated that attached, please find a letter of resignation from Auxiliary Police Officer Jason P. Strniste. Officer Strniste has found full time employment as a police officer in the Town of Shirley. **Motion by Mr. Sellew to accept Jason P. Strniste's resignation, seconded by Mr. Boria, motion carries unanimously.**

V. Scheduled Appointments:

6:45pm – Release of Chapter 61A – Jennings. Attached you will find a request from Attorney Donald J. O'Neil on behalf of Iris A. Jennings, to convert, for other use vacant land located on Brookfield Road in Charlton, MA and as shown on Assessor's Map 15-A-8.3, 15-A-8.5 and 15-A-12. The land to be converted to other use contains 12.92 acres of land and is shown as Open Space Area as recorded in the Worcester District Registry of Deeds, Plan Book 884, Plan 109. As the Board's policy states, this notice was sent to the Board of Assessors, Conservation Commission, Planning Board and Town Counsel for review. The Board of Assessors, Conservation Commission and Planning Board have no objection to the removal of said property. Attorney Cosgrove has also indicated that the information provided was correct. The Board should now review and decide whether to exercise or assign its right of first refusal. You must open the public hearing by reading the attached notice as it was placed in the paper. Chairman Singer read the public hearing notice. Chairman Singer opened the hearing at 6:47pm. Russ Jennings was present on behalf of his mother, Iris Jennings. Seeing no questions asked, **motion by Mr. Boria to close the hearing, seconded by Mr. Swensen, motion carries unanimously. Motion by Mr. Boria that the town not exercise its right of first refusal for this property, seconded by Mr. Swensen, motion carries unanimously.**

6:50pm – Release of Chapter 61A – Gunter - Attached you will find a request from Attorney Paul G. Kolesnikovas, Esquire on behalf of Gunter, LLC who intends to sell the parcel as identified on assessors Map 40, Lot B-4 in a plan of land prepared for RVG Trust, entitled "Plan of Land 27 Morton Station Road, Charlton MA" prepared by HS & T Group, Inc. as recorded in the Worcester District Registry of Deeds, Plan Book 889, Plan 77. As the Board's policy states, this notice was sent to the Board of Assessors, Conservation Commission, Planning Board and Town Counsel for review. The Board of Assessors, Conservation Commission and Planning Board have no objection to the removal of said property. Attorney Cosgrove has also indicated that the information provided was correct. The Board should now review and decide whether to exercise or assign its right of first refusal. Chairman Singer opened the hearing by reading the notice as placed in the paper at 6:50pm. Attorney Kolesnikovas is present on behalf of Gunter, LLC. No questions or comments. **Motion by Mr. Boria to close the public hearing, seconded by Mr. Swensen, motion carries unanimously. Motion by Mr. Boria that the town not exercise or assign its right of first refusal, seconded by Mr. Swensen, motion carries unanimously.**

7:00pm – CMG – results of testing at Quonset Hut – 54 N. Main St. This item moved until April 17, 2012.

VI. New Business:

1. E-billing – Town Collector Lucia Blanchette and Principal Assessor Deborah Ceccarini came forward to talk to the board about E-billing. (see attached) Mrs. Blanchette stated that this is for personal property and real estate bills. She explained that if we e-bill, it will end in a savings for the town as we won't be mailing the bills. Taxpayers cannot be forced to use this program. It would be voluntary. The savings would be 15 cents per bill. There is a one time set up fee of \$750.00 and there is a monthly fee of \$150.00 that Mrs. Blanchette feels she should be able to pay providing her budget doesn't change. Ms. Ceccarini stated that the amount of time saved on the staff is incredible. The board was provided with a contract from

Billtrust for three years who would be the company the Collector and Assessors offices would work with. **Motion by Ms. Walker to approve the Town Collectors efforts to begin E-Billing, seconded by Mr. Sellew.** Mr. Swensen said he would be comfortable if we did this for one year to start. Mr. Boria has a hard time entering into a three year contract without town counsel reviewing. He would like a little more time to review it and get familiar with it. Chairman Singer asked if we could hold this until the next meeting. **Ms. Walker revised her motion to postpone this until the next meeting and forward the contract to Town Counsel for his advice,**

2. Request for Toll Road – Attached is a request from Tina M. O'Donnell, a resident of Charlton as well as a third grade teacher at the Heritage School who will be running the Boston Marathon on April 16th. She will be running in support of Mass General Hospital's Pediatric Cancer Fund. She is working towards her goal of raising \$5,000 for this cause. She is trying to raise this money and would ask the board for permission to hold a voluntary toll road at the corners of Main St. and Masonic Home Road on Saturday, April 14th from 8am to 2pm. This request has been forwarded to Chief Pervier for his recommendation and approval. Chief Pervier is in support of this request contingent upon the following safety precautions:
 - All volunteers must wear bright colored vests (yellow, orange, green or red) while soliciting donations;
 - Orange traffic cones must be set out on Main St. and Masonic Home Rd. for a distance of not less than 50 ft 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 Ahead" must be erected on both Masonic Home Rd. and Main St. not less than 75 ft. from the toll collection area. **So moved by Mr. Boria, seconded by Mr. Swensen, motion carries unanimously.**
3. Request for Special License – Attached you will find a request for a special license to serve wine & malt beverages from St. Joseph's Church to be used on April 21, 2012, September 22, 2012 and November 10, 2012 in the Church Hall from 6:00pm – 9:00pm. 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 and approved. Chief Pervier is 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. **Motion by Mr. Swensen to approve the request with the Chief's recommendation, seconded by Mr. Boria, motion carries unanimously.**
4. Scholarship questions – It is time to get the scholarships to the schools and in doing so, the Board chooses the question(s) each year. I forwarded two questions to you for consideration for the scholarships. They are:

Cooking question: "In the news lately there has been a lot of controversy regarding the food additives called "pink slime" in hamburger being served in schools. Concerns spread rapidly through the internet (i.e. Email, Facebook, Twitter, etc.). Because of the heightened attention this issue got, changes are proposed on its use. Schools are promising not to serve it and grocery stores are promising not to sell it. What role do you think social media should play on future government's food regulations?"

All others: "What are the negative consequences and positive benefits of the advancement and usage of social media (i.e. Facebook, Twitter, Linkdin, etc.) on your generation when it comes to applying for college or finding a job?"

Motion by Ms. Walker to approve the questions for the scholarships, seconded by Mr. Sellew, motion carries unanimously.

5. Library – Fire Pump Inspections – Kathleen Walker stated that this came up during a Fin Com meeting. The Library has to get the fire pump tested every month and they were getting

it done by a Highway Employee but that had to stop. Fire Chief Cloutier and Cheryl Hansen, Library Director came forward. Chief Cloutier thanked the Board for recognizing this. We need to make sure the fire pump works. Fire Chief Cloutier stated that the testing should be done weekly but he is allowing monthly. There are many fire pump stations in the community that need to have the testing done and they find a way to make sure it does. He would suggest continuing with the monthly testing for now but he would like to see it done weekly. He feels that we should look at a facilities maintenance person for all of the town buildings. The Highway will have one that needs to be tested as well. Chief Cloutier stated that to hire a company it will cost \$500 each time. He did state that you could train an employee to do the testing on a weekly basis. Mrs. Hansen stated that the Highway Employee that was doing the testing for the past four years was trained by the sprinkler company. Mr. Boria would like to talk to the Highway Superintendent about what he is going to do. There are only two municipal fire pumps in town. Mr. Boria stated that it could be a liability issue if it's an employee. The other issue is that if they are done by an outside vendor, can we have both tested the same day and would both be included in the \$500 fee. It was asked of Chief Cloutier to work with Mr. Foskett at the Highway Department on this and report back to the board.

VII. Old Business:

1. Annual Town Meeting – continued – **Motion by Ms. Walker to reopen the warrant, seconded by Mr. Swensen, motion carries unanimously.**

- consideration of addition of article for Senior Tax Work Off Program.

At the Board's last meeting, you approved of changes to the Senior Tax Workoff Program. One change was to allow a proxy worker to work for persons physically unable to. After review of the Acts of 2012, this is allowed with a local adoption (town meeting). Mass General Laws reads: *A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (1) allowing an approved representative, for persons physically unable, to provide such services to the city or town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,000.*

At your last meeting, you also closed the warrant. If you consider this, you would need to reopen the warrant to allow an article to allow a proxy worker to work in the Senior Tax Workoff Program. The article would read: To see if the Town will vote to adjust the exemption authorized by M.G.L. c. 59, §5K, as amended by Section 43 of Chapter 188 of the Acts of 2010, by allowing an approved representative, for persons physically unable, to provide senior property tax workoff abatement services to the Town of Charlton, in accordance with the guidelines for the administration of this program adopted by the Board of Selectmen on March 10, 2008; or to take any other action relative thereto. Ms. Walker stated that this is just to correct an error. This Board approved this exemption and we really need to bring this to town meeting. **Motion by Ms. Walker that we allow this article to go forward as written by Mrs. Craver, seconded by Mr. Swensen.** Mr. Boria stated that he believes section 2 is different than what we currently have. It was stated that this is just the law as it is written. **Vote on motion: motion carries unanimously.**

- consideration of change of election/town meeting dates – Kathleen Walker stated that this issue came up at the All Boards and Committees meeting that she would ask the board to consider either at this town meeting or in the future. It was mentioned that it would make more sense to have the town meeting first then the election because the persons elected might have a lot of interest in a specific article and if not elected back in, they would not participate as they were. Mr. Swensen feels there is a lot of merit to it and he would like to give more thought on it. Peter Cooper, Jr., Moderator, came forward and said he brought this up at the All Boards and Committees meeting. The board feels that this is a good idea but would like to look into whatever it would take. Ms. Walker stated that it's a town bylaw and we would have to change

the bylaw. It was mentioned to ask the Town Administrator to look into this. **Motion by Mr. Boria that we put a placeholder on this year's Annual Town Meeting to consider changing the election and town meeting dates, seconded by Mr. Sellew, motion carries unanimously.** Chairman Singer also stated that a petition was received that will need to be added to town meeting as well. Mr. Boria asked to keep the warrant open and bring this up under other business.

VIII. Student Selectperson Report: (not present)

IX. Town Administrator Report: Chairman Singer read Mrs. Craver's report.

X. Other Business: Town Meeting continued:

- Petition was received – **motion by Mr. Boria to put this petition on the Annual Town Meeting warrant, seconded by Ms. Walker.** Mr. Boria just added that it was turned in while the warrant is open and there is enough signatures that have been verified by the Town Clerk. **Vote on motion: motion carries unanimously.**
- **Motion by Mr. Boria to close the warrant, seconded by Mr. Swensen, motion carries unanimously.**
- Ms. Walker stated that the BOS has been meeting with Fin Com in the open. It was mentioned that each board should meet separately to decide on what they wish to do. She would recommend next Tuesday, April 10th in a workshop format at 6:30pm.

X. Adjourn/Executive Session: **Motion by Mr. Boria to enter into executive session at 7:48pm, under M.G.L. Chapter 30a, section 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: Ms. Walker – aye, Mr. Swensen – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer - aye.**

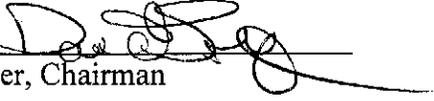
Motion by Mr. Boria to adjourn at 8:55pm, seconded by Mr. Swensen, motion carries unanimously.

XI. Next Meeting Announcement:

- BOS Regular Meeting – April 17, 2012
- Town Election – Saturday, May 5, 2012

Submitted by:
Mary C. Devlin
Administrative Assistant

Accepted by:



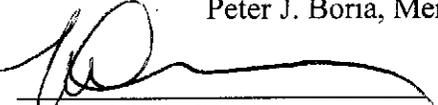
David M. Singer, Chairman



Kathleen W. Walker, Vice-Chairperson

Brent Sellew, Clerk

Peter J. Boria, Member



Frederick C. Swensen, Member



**TOWN OF CHARLTON
OFFICE OF THE TOWN ADMINISTRATOR
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MEMORANDUM

TO: Board of Selectmen

FROM: Robin L. Craver, Town Administrator

DATE: March 28, 2012

SUBJECT: Town Administrator's Report – for Selectmen's meeting of 4/3/12

Trees for Town Common – Last week I sent an email to the board regarding replacing two dead trees that were on the common on either side of the town hall flag poles with two dogwood trees that we could get from a grant. With only hearing positive feedback from the board, I have ordered those trees. The Highway Department will be ordering trees as well.

Boundary walk – Town of Spencer – We have received a copy of the final report from the Town of Spencer for the boundary walk that was held last year. A copy was placed in your read folder.

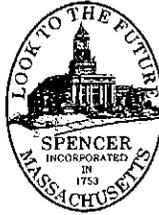
TOWN OF SPENCER
MASSACHUSETTS
BOARD OF SELECTMEN

505
BOS agenda
4/3/12

DONALD R. BERTHIAUME, JR.
ANTHONY D. PEPE
GARY E. WOODBURY
PETER J. DURANT
ROBERT O. "BO" FRITZE, JR.

MAR 23 2012

Memorial Town Hall
157 Main Street
Spencer, MA 01562
Tel: 508-885-7500 x155
Fax: 508-885-7528
TTY: 508-885-7503
www.spencerma.gov



March 22, 2012

Jean M. Mulhall, Town Clerk
Memorial Town Hall
157 Main Street
Spencer, MA 01562

Dear Mrs. Mulhall:

In accordance with Massachusetts General Laws, Chapter 42, Section 2, during the weeks of August and September 2011 members of the Spencer Board of Selectmen marked the boundaries of our town. Attached is a record of the boundary markers that were located and those that were unable to be located. Copies of this record are being sent by certified mail to the town clerks and boards of selectmen in each of the contiguous towns.

Special thanks to Selectman Gary E. Woodbury for coordinating this effort and compiling the report.

Sincerely,

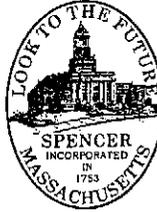
Laura J. Torti
Administrative Assistant

Enclosures

Cc: Town of Charlton Town Clerk and Board of Selectmen
Town of East Brookfield Town Clerk and Board of Selectmen
Town of North Brookfield Town Clerk and Board of Selectmen
Town of Oakham Town Clerk and Board of Selectmen
Town of Paxton Town Clerk and Board of Selectmen
Town of Leicester Town Clerk and Board of Selectmen

**TOWN OF SPENCER
MASSACHUSETTS
BOARD OF SELECTMEN**

DONALD R. BERTHIAUME, JR.
ANTHONY D. PEPE
GARY E. WOODBURY
PETER J. DURANT
ROBERT O. "BO" FRITZE, JR.



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157 Main Street
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Town of Spencer 2011 Perambulation Report

The task set forth to find all boundary markers for the Town of Spencer. After searching the known locations we were unable to locate three markers which were to be at Dolma Lane, Oak Bluff Road and Fairview/Ferncroft all of which border the Town of Leicester.

We were, however, able to locate the granite marker at Northwest Road for the Towns of Spencer, North Brookfield and Oakham. This marker was not able to be located during the 2006 perambulation.

Gary E. Woodbury
Selectman

Spencer—Leicester

Hammond Street: Inscribed "S-11" in black paint on boundary sign. The marker is located approximately ¼ mile down a card road. According to the maps that Leicester had, the other marker for Spencer/Leicester/Charlton is 500 feet north of the one that was found, but after three tries, it was unable to be located.

Fairview Drive & Ferncroft Road: Marker not found. The post should be located on the property line, and both ends of the road were searched without locating.

Dolma Lane: Marker not found.

Oak Bluff Road: Marker not found.

Lake Ave/Baldwin: Inscribed "S-11" in black paint on both the sign and granite marker. The Town of Leicester also marked this location.

Spencer—Leicester—Paxton

Donnelly Cross Road. The corner is situated in low, swampy land surrounded by bushes and pines. The granite marker was located at the road edge and was inscribed "S-11" in black paint on boundary marker.

Spencer—Paxton

Terrace Place (off 31 North at James Farm) Inscribed "S-11" in black paint on boundary marker. It took three tries to locate this marker which is approximately 200 yards into the woods behind the farm.

Main Avenue. The corner is in the woods easterly of Main Avenue and northeasterly of Thompson Pond. This area was not searched.

Spencer—Paxton—Oakham

Location at town line and Barclay Road. Inscribed "S-11" in black paint on boundary marker at road edge. A second marker was located via access through Treasure Valley and is located approximately 400 yards into the woods and has been inscribed "S-11" in black paint on boundary marker.

Spencer—Oakham—North Brookfield

At Northwest Road at Oakham/Spencer line, walk along stone wall south at least ½ mile to 110 ft. from Brooks Pond. Marker was located and inscribed "S-11" in black paint. This marker was unable to be located during the 2006 Perambulation.

Spencer—East Brookfield—North Brookfield

Granite marker is located at the back side of the butcher shop when you go to the right hand corner of property there is a path that leads into the woods. Follow the path and there will be a cable that crosses and the post is about 50 feet in to the left of the path. The marker was marked by all towns.

Spencer—East Brookfield

Smithville Road/Baker Hill Road. Post is located at road edge and inscribed "S-11" in black paint on boundary sign.

Adams Road. Cement post lying down at corner of rock walls (unable to inscribe)

Flagg Street. Post is located at road edge and inscribed "S-11" in black paint on boundary sign.

Treadwell Drive. The granite marker is located at the back side of the butcher shop when you go to the right hand corner of the property and follow the path leading into the woods you will find a cable that crosses and the post is located about 50 feet to the left of the path and inscribed "S-11".

Spencer—East Brookfield—Charlton:

The southwest corner was not searched. East Brookfield representatives advised in 2006 that the bound does exist.

Spencer—Charlton—Leicester

Hammond Road. Take left at corner of Hammond and Buteau Roads about 1 mile from Olson farm. The marker is located at the road edge and was inscribed "S-11" in black paint on boundary marker.

Spencer—Charlton

- William Casey Road 300 feet beyond W. Casey farmhouse on left at road edge. Inscribed "S-11" in black paint on boundary marker.
- Cranberry Meadow Road town signpost near old cemetery at edge of road. Inscribed "S-06" in black paint on boundary sign.
- E. Charlton Road at curve on right-hand side of road ¼ mile beyond Zelvis farmhouse. Post lying down. Inscribed "S-11" in black paint on boundary sign.
- Borkum Road across from town signpost ½ mile from Rice Farm. Inscribed "S-11" in black paint on boundary marker.
- Watson Road off Cranberry Meadow Road this marker could not be located. 2006 Perambulation report indicates that it is located about ½ mile in woods to ravine where old Davis farmhouse cellar hole is and was inscribed "S-06" in black paint on boundary marker.