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TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
Tuesday – May 15, 2012

Submitted by MCD
Date 6/15/12
Received by KL
Date 6-14-12

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

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 Boria called the meeting to order at 6:30pm with the pledge to the flag and a moment of silence for previous employee, Fred Stewart who passed away last week. Chairman Boria stated that the Town Bylaws state that the Board of Selectmen must meet within seven days after the Town Election to re-organize. The Board held a special meeting last Thursday where he himself was voted as Chair, Mr. Swensen is Vice-Chair and Mr. Sellew will remain the Clerk.

II. Consent Agenda:

1. Minutes of Regular Meeting – April 17, 2012. **Motion by Mr. Singer to approve the minutes of April 17, 2012, seconded by Mr. Sellew, motion carries unanimously.**
2. Minutes of Regular Meeting – May 1, 2012. **Motion by Mr. Singer to approve the minutes of May 1, 2012, seconded by Mr. Sellew, motion carries unanimously.**
3. Minutes of Special Meeting – May 2, 2012. **Motion by Mr. Singer to approve the minutes of May 2, 2012, seconded by Mr. Sellew, motion carries unanimously.**

III. Community Relations, Announcements and Open Forum:

- Chairman Boria read the announcements
- Brent Sellew stated that Todd Girard, our Conservation Agent put on quite a day for the Family Fishing Day at Fay Mountain Farm. It was a great day and a great job done.

IV. Appointments/Resignations:

V. Scheduled Appointments:

6:45pm – Public Hearing – Shree Somnath, Inc., d/b/a Country Farms – New Pkg Store/W&M. Chairman Boria opened the hearing by reading the notice as placed in the paper. (see attached) Mrs. Craver stated that attached is an application for a “New” Package Store Liquor License to sell Wine & Malt beverages to be held by Shree Somnath, Inc., d/b/a Country Farms. She also stated that a petition was received today regarding this. The site plan has already gone before the Planning Board which by a vote of 5 -0 voted to approve the site plan application subject to certain conditions. They are coming before you seeking your approval for a license as well as from the ABCC prior to constructing the building. Any approvals should be contingent upon meeting all requirements and conditions met prior to releasing the actual license. Attorney Henry Simonelli came forward representing Shree Somnath, Inc. He stated that they want to open a convenience store and with the economy as it is, they are looking for approval first. Chairman Boria stated that he would like to read the petition so the people listening would know what it’s about. “Petition to Charlton Board of Selectmen. Regarding May 14, 2012 Beer and Wine Application for North Main St., Charlton. We the below signed residents of the Town of Charlton are opposed to the

issuing of the proposed license due to its close proximity to two already existing Package Store Licenses. In addition, we are concerned about the increase of traffic at the intersections of Main St., No. Main St., Masonic Home Rd., Old Worcester Rd. and L Stevens Rd. Please consider our concerns and deny this request. Attorney Simonelli stated that he has had a chance to read the petition that was submitted today and has a few comments. As far as traffic, that has been addressed by the Planning Board. He stated that he knew some of the people on the petition and he called them. They said that they were shopping at the store and were asked to sign the petition. Attorney Simonelli stated that the application is in order and you should have everything need. John Bacon came forward and said he owns this land and has been trying to work a deal to settle it. It's been okay'd by the Conservation, Zoning and Planning Boards. **Motion by Mr. Singer to close the hearing at 6:52pm, seconded by Mr. Sellew.** Chairman Boria stated that in regards to the petition, the concern with the traffic and the roads, that is taken care of by the Planning Board. **Motion by Mr. Singer to approve the license as long as the conditions of the Planning Board are met, seconded by Mr. Sellew, motion carries unanimously.**

6:50pm – Recognition of Kaitlyn Benjamin. Mrs. Craver stated that she has asked Kaitlyn E. Benjamin and her family to attend tonight's meeting and ask the Board to recognize Ms. Benjamin for her achievements while attending and now graduating from Norfolk County Agricultural High School majoring in Animal Science/Farm Management. She is ranked second in her class of 123 students. Ms. Benjamin is also a member of the National Honor Society and was recently awarded the Norfolk County Agricultural High School's Outstanding Vocational Technical Student of the year for 2012. She has won numerous awards in the Future Farmers of America, a national student run organization that promotes agriculture through youth. She served as the treasurer and most recently as the president of Norfolk Chapter FFA. In 2011, Kaitlyn was named the Massachusetts FFA State Star in Agricultural Placement, for her work and dedication to the organization, and in 2012 was given the Excellence in Beef Award and was awarded the ADM/FFA, national scholarship award. She has earned First Place Individual in the FFA State Livestock Judging Contest, First Place Individual at the Northeast Regional competition, at the Big E, and was awarded a silver medal at the national competition in Indianapolis. She is an active member of the 4-H group Sutton Preservationists, serving the last few years, as the club secretary, and having won numerous awards, including Reserve Champion, for her cattle showing ability. She has played volleyball, softball and basketball at Norfolk Aggie, and was the JV basketball captain before becoming a starting varsity guard. Kaitlyn's career goal is to become an agricultural educator, so that she can work with youth that value the hard work of farmers and other agriculturists. She will be attending Umass Amherst, Commonwealth Honors College, in the fall of 2012, majoring in education and animal science. She is also the recipient of the John and Abigail Adams Scholarship. Mrs. Craver would like to extend her congratulations for a job well done. Chairman Boria stated that because of all this hard work, the board has a certificate of achievement to present to Kaitlyn Benjamin. Chairman Boria read the certificate. Mrs. Craver stated that as Kaitlyn graduates, she has another sister going into Norfolk County Agricultural so there will be two more to graduate.

VI. New Business:

1. Request for one day special license for a wedding – Erica Albert. Mrs. Craver stated that attached you will find a request for a special license to serve wine & malt beverages from Erica Albert to be used at Camp Joslin, 150 Richardson's Corner Road for a wedding on May 26, 2012 from 4:00pm – 11:00pm. This is for profit and the fee is \$25.00. 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. Should the Board approve this request, I would ask that the stipulations by Chief Pervier be included in the motion. **Motion by Mr. Singer to approve the request so long as the stipulations by Chief Pervier are met, seconded by Mr. Sellew, motion carries unanimously.**

2. Request for Common Victualler license – Ben Wilson – Fay Mountain Farm. Mrs. Craver stated that attached is a request for a Common Victualler's License from Benjamin Wilson to be used at Fay Mountain Farm to sell food. Mr. Wilson has leased Fay Mountain Farm and, as you know this Town property is required by the Department of Agriculture to be actively producing as a commercial farm. He participated in the Day of Fishing, and selling produce & prepared food is part of his business plan. I would recommend the Board approve the request. **Motion by Mr. Singer to approve the request for the Common Victualler for Fay Mountain Farm, seconded by Mr. Sellew, motion carries unanimously.**
3. Mass Human Resource Division – Chief's request for a sergeant's promotional exam. Mrs. Craver stated that attached you will find a letter from Chief James Pervier stating that the current sergeant's promotional list for the Charlton Police Department expired on October 1, 2011. In an effort to maintain an active promotional list for the aforementioned rank, he is asking that the Board vote to authorize a new sergeant's promotional exam from the Massachusetts Human Resources Division. The next scheduled exam date that H.R.D. has slated for the positions of sergeant and lieutenant is Saturday, October 27, 2012. By requisitioning the sergeant's promotional exam at this time, it will provide the necessary period for Charlton officers to study and prepare for the upcoming exam. **Motion by Mr. Singer to authorize the request for a new Sergeant's promotional exam, seconded by Mr. Sellew, motion carries unanimously.**
4. Recommendation for paving and stone seal. Mrs. Craver stated that attached is the recommendation for paving and stone seal from Highway Superintendent Foskett for the use of Chapter 90 monies that are available. She would support his request and recommend the Board approve the list as submitted. **Motion by Mr. Singer to support the request and approve the list as submitted, seconded by Mr. Sellew, motion carries unanimously.** Mrs. Craver read the list. (see attached)
5. Split air conditioning system for meeting room. Mrs. Craver stated that attached please find a letter from Curtis Meskus, Building Commissioner noting that it is almost time to start using the air conditioners in the Selectmen's Meeting Room. He has noted that the Municipal Building Committee and various users of this room have commented on the window air conditioners both from an aesthetic stand point and the noise they generate. We generally try to put off large building expenditures until the end of the year. This year we are seeking your approval to install a split air-conditioning system in the Selectmen's Meeting Room. The Split air conditioning system will be both more economical to operate and quiet so the participants and audience members in the meeting room will be able to hear the discussion going on. The estimated cost of the project is \$5,200 and can be funded out of the Municipal Building Repair and expense line without affecting any other known maintenance issues at this time. The current balance in the Municipal Building Repair and Expense line item is approximately \$8,800.00. Mr. Meskus has a verbal quote from Keith's Air Conditioning for an amount of \$4,800. She would agree with Mr. Meskus and recommend the Board approve the Split air conditioning for the Selectmen's meeting room at a cost not to exceed \$4,800.00. **Motion by Mr. Singer to approve the request for \$4,800 for split air conditioning in the Selectmen's meeting room to Keith's Air Conditioning, seconded by Mr. Sellew, motion carries unanimously.**

VII. Old Business:

1. Bay Path Road – continued. Mrs. Craver stated that at the Board's last meeting, Mr. Harmat from Bay Path Road came forward asking what the process would be for the town to take over Bay Path Road which is a private road. We spoke to Highway Superintendent Foskett who reports he has provided direction to Mr. Harmat for this process. Mr. Foskett stated that they would need to meet with the Planning Board and Town Planner Alan Gordon who will provide them with exactly what they will need to do. A few things that should be noted is that every abutter has to agree to the process (100% agree – if one abutter is not in agreement,

they can't move forward); someone would have to spearhead the group to hire an engineer to do the layout which would affect everyone's property and create easements; and have an engineer design the road. There is a lot more to be done but this is just some of what is required. Once the Planning Board approves of the design and the road has been completed under the guidelines of the Planning Board, it would have to go to Town Meeting for approval to accept. No action to be taken.

2. Town Common Access Road. Mrs. Craver stated that at the Board's last meeting, Peter Cooper addressed the Board asking for consideration for the Town Common Access Road to be made a one way. He stated that he had been held up and unable to pass on Old Home Day. As directed, we inquired of the Police Chief as to his concerns and/or recommendations. He stated that this is not the first time this subject has come up and, even though the road is narrow, has not been problematic with respect to accidents. He acknowledged that there are times when passing through poses an issue, but in general, has been manageable. Chief Pervier stated that the public way would be less of a problem if the long discussed expansion of the rear parking lot became a reality, then the congestion that is compounded due to employees parking on said way would make it possible to limit parking on Common Road at certain intervals, thus making it less onerous to traverse said way. Also, with regards to deliveries that are regularly being made by tractor trailers, presents problems for those delivery services who are coming in from the south, which will necessitate the operator of a tractor trailer unit to either make a wide turn into the southbound lane of Main St. (Rt. 31) or will require said vehicle to travel north and reverse direction to access the north end of Common Rd. In addition, the police department on numerous occasions shuts down Main St. and utilizes Old Common Rd. to reroute traffic. This intermittent change could pose problems for certain operators who are not prepared to encounter oncoming traffic. Mrs. Craver has also spoken with Highway Superintendent Foskett who is not in favor of making this a one way. He feels the way it is now is the safest to travel. At this time, the recommendation is to take no action on making the access road "one-way", but perhaps review the option during events such as "Old Home Day". Mr. Singer asked if we have ample parking in the back for employees. Mrs. Craver stated that we do not. Due to many events in the Senior Center, those spots are reserved for the seniors. Curtis Meskus came forward as Chairman of the Municipal Building Committee. He and Mr. Girard have been working on a preliminary schematic design for a parking lot as the property abuts wetlands. Mr. Singer would ask the Town Administrator to work with the Chief of Police in analyzing the options available during some events such as Old Home Day to see how it works. Mr. Sellew agrees that there is a lot of room in the back and he would like to see the parking lot get worked on. Chief Pervier came forward and stated that during Old Home Day, Main Street is closed off and very few people can get through.
3. Policy for vacancies on town boards/committees. Mrs. Craver stated that Ms. Walker asked for this item to be held until the next Selectmen's meeting.
4. Annual Town Meeting – discussion continued

- proposal for removal of Quonset Hut (old Highway Barn)

Mrs. Craver reviewed the motions and budget for the board. Chairman Boria asked how the board wished to proceed. Mr. Singer would like to start with the five articles we have left. Mrs. Craver explained each article.

Article 10 – Motion by Mr. Singer to support Article 10, seconded by Mr. Sellew, motion carries unanimously

Article 16 – Motion by Mr. Singer to support Article 16, seconded by Mr. Sellew, motion carries unanimously.

Article 18 – Mrs. Craver stated that in order for this to move forward, Bay Path needed all 10 towns to approve, that has not happened, so we have been made aware that they will have to go to a district meeting if they wish to pursue this. She has spoken with the principal and he is considering asking the town meeting whether or not they would be willing to take a straw vote

even though it won't count. He is trying to get an idea of how much support the town has for this project. At this time it would be passed over for a real vote. Chairman Boria asked why, if the ballot question passed. He feels this is a great project. He would like to ask this Board if they want to support it. Mr. Singer agrees. **Motion by Mr. Singer to support Article 18, seconded by Mr. Sellew, motion carries unanimously.**

Article 22 – Mrs. Craver is asking the Board to take a vote on a borrowing article if we receive the CDBG Grant. This would cover the elevator needed to become ADA accessible as well as the bathrooms and handicap parking. **Motion by Mr. Singer to support Article 22, seconded by Mr. Sellew for discussion.** Mr. Sellew said there will be other projects coming up in town and he is not sure this is the time to do it but he will second the motion. **Motion carries unanimously.**

Article 11 - Mrs. Craver reviewed the highlights to the FY13 budget. Chairman Boria asked the Board if there were any questions regarding the budget that's in front of us with the changes that Mrs. Craver just stated. **Motion by Mr. Singer that we approve the main budget as we have been discussing with the amount of stabilization of \$183,139, seconded by Mr. Sellew, motion passes unanimously.** Mrs. Craver is recommending that we fund three more items – increase. One is the Library youth services assistant, increase Conservation Agent to 40 hours and put stipends back. Mr. Singer asked regarding the Library Youth Assistant, is it possible to utilize the Senior Tax Work off people and volunteers? Mrs. Craver stated that it has been tried but did not work for this position. Mr. Singer reviewed the stipends and will not support all of the stipends. The Board will wait to see what the Finance Committee will do tomorrow night.

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

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

IX. Other Business:

Mr. Singer has a few items:

1. The sex offender bylaw on the web is not the actual bylaw that was approved and voted at town meeting. He would like this fixed.
2. He would like the board's electronic device policy be re-sent to all the selectmen.
3. Campaign signs – He stated that the rules require that these signs don't go up until 60 days before a state election. He would ask the Town Administrator to ask the Building Commissioner to review and contact these candidates to notify them of the rules and have them remove the signs.
4. He would also like to see a committee get together (not a financial committee) for future planning for the town of Charlton including next year's budget to try and get people involved to develop a real plan for Charlton's growth for the next 5, 10, etc. years.

- Chief Pervier stated that he is aware of the sex offender bylaw and is waiting for the correct bylaws to come back and they can be placed on the web.

- Chief Pervier also stated that he has the Form 13 for the Sergeant promotional exam and if the board authorizes the Town Administrator to sign it, he can get it mailed. **So moved by Mr. Singer, seconded by Mr. Sellew, motion carries unanimously.**

- Chief Pervier also stated that they are starting the ticket or click it program. Buckle up.

Mrs. Craver stated that after hearing Mr. Singer's concern and the Board re-organizing, would they like her to work on a date to review goals and objectives? The Board was in agreement.

XI. Adjourn/Executive Session:

Motion by Mr. Singer to adjourn at 7:53pm, seconded by Mr. Sellew, motion carries unanimously.

XII. Next Meeting Announcement:

- Annual Town Meeting – May 21, 2012 – 7pm – Charlton Middle School
- Regular Selectmen's Meeting – May 29, 2012 – 6:30pm

Submitted by:
Mary C. Devlin
Administrative Assistant

Accepted by:


Peter J. Boria, Chairman


Frederick C. Swensen, Vice-Chairperson (absent)


Brent Sellew, Clerk


David M. Singer, Member


Kathleen W. Walker, Member (absent)



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MEMORANDUM

TO: Board of Selectmen
FROM: Robin L. Craver, Town Administrator
DATE: May 22, 2012
SUBJECT: Town Administrator's Report – for Selectmen's meeting of 5/22/12

Re-appointments for terms expiring June 30, 2012 – Our office has started the process for notifying those whose appointments will expire on June 30, 2012. It is our goal to have all re-appointments presented to you during the month of June.

Quonset Hut: – I have contacted the Town's LSP, Gary Magnuson. We have begun the procurement process and hopefully, by your next meeting, have a plan ready for the removal of the old highway Quonset hut as voted by Town Meeting.

Water Betterment Special Legislation – I have forwarded copies of the Town Clerk's certified vote regarding the Water Betterment Special Legislation as voted by Town Meeting. Representative Durant has begun the process of drafting the legislation into a Bill. He estimated, based on a special act he just completed in Southbridge, it will take around 6 to 7 months.

ADA Town Hall Renovations – I have informed the Town of Leicester and our grant writer from Pioneer Valley Regional Planning Commission that the Town voted to support the grant and approved a matching grant amount of \$450,000. We will begin the CDBG grant the beginning of June and it will be due mid-December with an award notice about March.

Civil Fingerprinting License By-Law – Now that Town Meeting has adopted the Chief's proposed Civil Fingerprinting By-Law it is important to note that the Board of Selectmen is authorized to promulgate regulations for the implementation of the adopted by-law, but in doing so, the by-law recommends that the Board consult with the Chief of Police, Town Counsel and the Massachusetts Executive Office of Public Safety and Security (or its successor agency) to ensure that such regulations are consistent with the statute, the FBI's requirements for access to the national database, and other applicable state laws. Given that, I have asked the Chief how he would propose to proceed in working with the Board of Selectmen to develop regulations. I hope to have this on your next agenda with some recommendations for regulations.



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Robin L. Craver, Town Administrator
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MEMORANDUM

TO: Police Chief James Pervier
Town Counsel James Cosgrove

FROM: Robin L. Craver, Town Administrator

DATE: May 23, 2012

SUBJECT: Civil Fingerprinting License By-Law

Now that Town Meeting has adopted the Chief's proposed Civil Fingerprinting By-Law with a reduction in fee from \$100 to \$50, I have a few questions regarding its implementation.

I certainly would not suppose that I can foresee all the issues that need to be addressed regarding this by-law but I do have some comments and some questions.

The Board of Selectmen is authorized to promulgate regulations for the implementation of the adopted by-law, but in doing so, the by-law recommends that the Board consult with the Chief of Police, Town Counsel and the Massachusetts Executive Office of Public Safety and Security (or its successor agency) to ensure that such regulations are consistent with the statute, the FBI's requirements for access to the national database, and other applicable state laws. Given that, how would you propose to proceed in working with the Board of Selectmen to develop regulations? Are you aware of any Selectmen policies or regulations that exist in other communities? Given that our office already does CORI checks on individuals who apply for licenses, how would that effect the finger printing check? Is it redundant and can the Board choose one of the other? Seems like a lot of "checking".

Please advise as I would like to have this information to present to the Board for their June 12th meeting. Thank you.

Leanne Trembley
Student Select-person's Report
Board of Selectmen Meeting
May 29, 2012

- I. **Senior Class Trip**
 - A. *The Senior Class Trip will take place on tomorrow, rain or shine, at High Meadows for a fun day of swimming, playing, and, of course, eating their delicious unlimited food.*
- II. **Senior Banquet**
 - A. *Following the class trip will be the Senior Banquet on Thursday night at 6:00 PM at Holy Cross.*
- III. **Graduation**
 - A. *The Class of 2012 Graduation will take place on Sunday, June 3rd, at the DCU Center at 1:00 PM. On behalf of the Senior Class, I would like to thank the Charlton community and Board of Selectmen for all their support the past 4 years; we couldn't have done it without you all.*
- IV. **MCAS**
 - A. *The last session of MCAS testing for sophomores will take place on June 5 and June 6 in the subject of Biology.*
- V. **Finals**
 - A. *Finals for underclassmen will take place Monday, June 11 to Thursday, June 14.*
- VI. **Last Day of School**
 - A. *The last day of the school year will be Monday, June 18.*