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TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
Tuesday – August 7, 2012

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

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.

II. Consent Agenda:

1. Minutes of Special Meeting – July 17, 2012. **Motion by Mr. Swensen to accept the minutes of July 17, 2012, seconded by Mr. Sellew, motion carries unanimously.**
2. Minutes of Regular Meeting – July 24, 2012. **Motion by Ms. Walker to accept the minutes of July 24, 2012, seconded by Mr. Sellew, motion carries unanimously.**

III. Community Relations, Announcements and Open Forum:

- Chairman Boria read the announcements
- Chief Pervier came forward and stated that the Charlton Police Department, on August 15, 2012 – September 3, 2012, will be participating in the national driving enforcement crackdown along with state police.

IV. Appointments/Resignations:

1. Appointment – Economic Development Commission. Mrs. Craver stated to please find a request attached from Sheri Bibinski who would like to be considered for the Alternate position on the Economic Development Commission. This opening has been running on Cable and the Town's website since the end of June. Mrs. Craver would recommend the Board make this appointment. The term of this appointment will expire on June 30, 2013. **Ms. Walker** stated that she knows Ms. Bibinski and feels she would be very good on this and **would make a motion to appoint Ms. Bibinski to the EDC as an alternate, seconded by Mr. Swensen, motion carries unanimously.**
2. Appointment – Per Diem Dispatcher. Mrs. Craver stated that attached please find a letter from Chief Pervier requesting to add one additional per diem dispatcher due to the inability of the current staff to cover certain shifts on various days. In an effort to avoid the unnecessary payment of overtime, an immediate need exists to add the requested position. In reviewing the Charlton Police Department's current pool of per diem dispatcher applicants, Chief Pervier interviewed and would recommend the appointment of Keith R. Audette of 9 Treadwell Terrace, Spencer MA. A complete background check and reference check was conducted and revealed that Mr. Audette has a clean record and a solid background and should be considered for the per diem dispatcher position. **Motion by Mr. Swensen to appoint Keith R. Audette of 9 Treadwell Terrace as a per diem dispatcher, seconded by Mr. Sellew, motion carries**

unanimously. Chief Pervier introduced Mr. Audette to the Board. The Board congratulated him.

3. Appointment of (3) members – Bylaw Committee. Mrs. Craver stated that attached are three requests for appointment to the Bylaw Committee from Bradford Howard of 148 Gould Road; Robert L. Burnham of 88 Masonic Home Road and Fred Pappalardo of 89 Brookfield Road. As you know, there has not been an active bylaw committee for years. Mrs. Craver stated that she is pleased that people are seeking interest in this committee as a review of the general bylaws is greatly needed. **Motion by Ms. Walker to recommend the appointment of Mr. Howard, Mr. Burnham and Mr. Pappalardo to the Bylaw Committee, seconded by Mr. Swensen, motion carries unanimously.** Mr. Howard was present and was introduced to the Board.
4. Appointment to Noise Bylaw Committee. Mrs. Craver stated that we received an email from Karen Remian as well as a phone call from Carl Remian regarding Mr. Remian's appointment to the Noise Bylaw Committee. Mr. Remian has asked if his wife could be appointed to this committee and he would assist when he could due to not being able to commit the time needed to this committee. It is recommended to appoint Karen Remian of 99 Northside Road as a member to the committee and Carl Remian as an alternate. **Motion by Mr. Swensen to appoint Karen Remian to the Noise Bylaw Committee and Carl Remian to the Noise ByLaw Committee as an alternate, seconded by Ms. Walker, motion carries unanimously.**

V. Scheduled Appointments:

1. **6:45pm** – Chief Cloutier – update on Mill Fire. Chief Cloutier stated that on the late evening of July 26, 2012, the Charlton Fire Department was alerted of a structure fire at 6 City Depot Road. This was the site of the Spring Brook Mill that was built in the 1900's and has undergone extensive reconstruction after the 1954 flood. He provided the board with a timeline of incidents as recorded with the police department. Chief Cloutier stated that overall, the Fire Departments did an outstanding job. The State Fire Marshall also could not believe that they were able to save the larger mill especially due to the close proximity to the fire building. The Fire Department did sustain some damage to 4 fire trucks with the Scope being the worst. The fire apparatus that was damaged is in service all except Scope 1. It will be out of service for 2-3 months. There were 6 firefighters injured, transported, treated and released. Their injuries were consistent with firefighting operation on the ground. As firefighters work through the rehab area, they are evaluated. During those evaluations, it was discovered that their blood pressure or their CO levels were indeed elevated requiring them to be transported to the hospital for further testing. They all returned to the Fire scene without incident. Chief Cloutier stated that at this time the Fire has been deemed accidental. Mr. Swensen stated that he went to the fire incident the next day and was brought into a meeting to hear what was going on. He wanted to thank the fire departments for all their professionalism from all over. Ms. Walker reiterated what Mr. Swensen stated and thanked the Chief as well for his very extensive report. Mr. Sellew stated he was there during the fire and got an opportunity to see what all departments do first hand. Mrs. Craver stated that we will be having discussions regarding poor radio frequency. As noted in the report, there are a few times where the dispatcher could not hear what was being said. She has listened to some of the previous tapes from different calls with the same thing. Mrs. Craver also stated that there were a few calls on the list where the red cross could not be reached, is there a problem? Chief Cloutier stated it's like us, they have challenges and are short staffed. Chief Pervier commended Chief Cloutier and all the men that were there. He stated that he was on vacation and found out about the fire via text. He also mentioned that someone from DOT came out and set up cones to help. Mrs. Craver stated that both chiefs have been talking about the possibility of exploring regionalizing town dispatch and it will be coming back in front of the board for discussion. Mrs. Craver stated that someone

from the grants will be coming out to meet with the chiefs and her separately and they will be saying that the Board of Selectmen has approved them to explore this and be part of the study. Mr. Swensen feels that we need to look into this but has a concern that if there is an emergency, if someone was to walk in the police lobby needing assistance and there isn't someone physical there to help them. Chief Pervier stated that all these things will be weighed in the discussion. The best that he and Chief Cloutier want is the best, professional dispatching service that we can use for our area.

VI. New Business:

1. CMRPC – Certificate of adoption of Region – Wide Multi Hazard Mitigation Plan. Mrs. Craver stated that in speaking with Ryan Lundergan from the CMRPC, he has asked if the Town of Charlton would like to be included in the CMRPC Region-Wide Multi-Hazard Mitigation Plan. If the Board is interested, you will need to form and designate this committee to prepare the Hazard Mitigation plan for the town. You would also have to approve the CMRPC Multi-Hazard Plan certificate of adoption. She would recommend approval. What is the Board's wishes? The Board would like to see what the plan is. Mrs. Craver to get the plan and forward to the board and department heads for review as well and bring back to a future meeting.
2. Sharing of Information – Ms. Walker stated that she and Chairman Boria talked about this briefly at the last meeting. Her concern is that there have been incidents that she's heard about after the fact. She stated that she was in Dudley recently with a Selectmen who was notified of an incident. She had asked why and they stated that the whole board gets notified when there's an incident. She would like to see something put in place to notify this board of a major incident. She would be comfortable if this board would authorize Mrs. Craver to look into some sort of system if there is something going on that might end up in the newspaper or the Board should know immediately. Mrs. Craver stated that we do have a system that the Chiefs are to notify her if something is going on and it might be in the paper. Mr. Swensen is comfortable with the way the process is going now. Ms. Walker feels that if the Town Administrator finds out, then the whole board should know if there is a major incident. Chairman Boria doesn't have a problem with this as long as it's acceptable to be notified within up to 24 hours after it occurs. He would not expect them to stop what they are doing to make sure we are informed. Chief Cloutier stated that he will add the Town Administrator to the third alarm that way she will be notified and can notify the board. Mrs. Craver stated that there are times that when she's told to notify the board and she does. Sometimes it might not be until a meeting that your notified, it depends on what it is. Mr. Sellow agrees with Ms. Walker that we should be somewhat informed but he has the highest confidence for the chiefs.

VII. Old Business:

1. BOS Goals & Objectives – Mrs. Craver stated that at the Board's July 17, 2012 meeting, the Board's goals & objectives were discussed. Ms. Walker stated that we might want to go over the ones that Mrs. Craver has down for tonight and do the rest at another time. She would also think that we should have all five members present. The first one is to create a TIF Policy. Mrs. Craver stated that this is left over from last year. Ms. Walker feels it would be good to have a TIF policy to help businesses come in town. Chairman Boria said we talked about this but met with resistance from the Planning Board. Mr. Swensen stated that the goal of having more committees/boards on cable, he feels this is being done. The cable committee came to a previous meeting and we discussed streaming the meetings. Ms. Walker stated it is more to encourage other boards and committees to televise their meetings. Ms. Walker suggested that for item 1 we should refer back to the Planning Board again. We have a future

boards/committees meeting coming up and we could bring it up then. Mrs. Craver asked the Board if they wanted these on a future agenda as they haven't had time to review them yet. She read the list of Goals & Objectives. Mrs. Craver stated that the third one was that no Selectperson can bring up a surprise items without notice to the Chair. **Motion by Mr. Swensen that we adopt these goals and objectives for next year, seconded by Mr. Sellew, motion carries unanimously.**

2. 64 Bay Path Road. Chairman Boria stated that there has been discussion on this and he would ask the Board what our options are. Ms. Walker stated that based on the emails that we received she would like to have this discussion in open session. Mr. & Mrs. Knight from 61 Bay Path Road came forward and wanted to know what was going on with Bay Path Road. Mr. Knight stated that he didn't know what was going on until someone told his daughter. Mrs. Knight stated that this was put on a few months ago and they were never notified about it. Chairman Boria explained how it was brought to the board for permission to use this parcel for affordable housing and has gone to town meeting to be approved and since have been in discussions with squaring away the title issues. Chairman Boria stated that we are still exploring what to do with the property. Mrs. Knight said they would like it left the way it is. Mr. Knight said there's a river there and they stock it and there's no town sewerage there. he's been in town a long time. There was a barn across the street and the foundation is still there and the well is in back of his house. The pipes went underneath his property to the road which was called a pass and that fed the water to the cows. He said the land was supposed to be his, that's why on the deed it says more or less and then they knocked the stone wall down and did two perk tests on it. He asked if he owns the land, why did they go on his property. Mrs. Knight stated that that's still in question but she knows of other properties in town that could be used for this purpose. She said that they are very quiet people and they like their privacy. Mr. Knight stated that the address is really Glenmere Road but they call it Bay Path Road. Chairman Boria stated that we are still exploring what to do with that property but if your making a claim that it's your property, that's another issue that we'll have to look at. Mr. Knight said the frontage is like 140 feet. Chairman Boria stated that the Board is still looking into affordable housing or sale of the property. Mrs. Knight asked if they would be notified if it goes for sale and the answer was yes. Chairman Boria stated that the ultimate result will end with town meeting making the decision of what to do with the property. Mr. Knight commended the Board and feels that they are all doing a great job. A resident from 69 Bay Path Road came forward. He said that they (residents) were here before and they left with the impression that Ms. Heath would have the first chance to purchase the property as her driveway might be located in part of it. Chairman Boris stated that it depends on what town meeting approves. The problem is that there are other entities involved that might have attachment on the title. Mrs. Heath's easement is not the only thing being looked at. Mrs. Craver stated that part of the problem with this is that the town took the property for non payment of taxes. While doing the taking, we the town thought we owned the property, from one person but the property in reality was never really turned over to that person but stayed within the estate. The Trust had left the land to three entities, the Charlton Library, United Way and UMass Med Center. Mrs. Craver has contacted those three entities and they had some concerns. The Board has a decision to make as far as if they wish to go forward with affordable housing. It would have to go out for bid. The other option for the Board is they could sell the property. Mrs. Craver stated that someone made the comment that if the people who have a possible right to the property only give it to the Board of Selectmen based on affordable housing that's the only way we can do it. She said that's not correct, if those three entities sign it over, we would have to start all over and do the tax taking again. It would take a few years to clear it up but our hands wouldn't be tied. Josh Heath from 4 Ashley Road came forward on behalf of his mom. He asked if the title was clear and if not, why is up for a

vote. Chairman Boria stated that the title is not cleared yet and it is only for discussion for tonight. He asked if there has been any discussion on the title so his mother doesn't get land locked? Mrs. Craver stated that she has to see if the three entities would sign off and then it would have to go to town meeting. She explained a few options the board has. Chairman Boria asked if we can have a separate article for the easement issue for Ms. Heath. It will be a much cleaner issue that can be addressed. Mrs. Craver stated that she would need to know what direction of the board would like to take. Chairman Boria asked Mrs. Craver to get a recommendation from the Town Collector and the Treasurer of an estimated cost and time frame. Ms. Walker would like to find a site for affordable housing. Her second concern is to make sure Mrs. Heath is protected for her right of way. **Motion by Mr. Swensen that we direct the Town Administrator to work with the proper departments to do a retaking, seconded by Mr. Sellew.** Mrs. Craver stated to be clear that there would be no action at town meeting because this process will take 6 months or longer. Ms. Walker feels this is going to be costly for the town to do then what's been started already. She feels that town meeting will approve it with the caveat for Mrs. Heath. Mr. Swensen stated that there are other parcels that could be looked at. **Vote on motion: 3 ayes, Ms. Walker opposed.**

VIII. Town Administrator Report: Mrs. Craver reviewed her report. She stated that the Planning Board has provided the board with a copy of the Charlton Development Permitting Handbook. This 2012 version is an updated version and supercedes the previous permitting guidebook dated November 2008.

VIII. Other Business:

Ron Wilmot came forward and gave an update on the 2012 Old Home Day.

X. Adjourn/Executive Session:

Motion by Mr. Swensen that the Board enter into executive session at 8:28pm under M.G.L. c. 30A, Sec. 21, #1 – to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual or to discuss the discipline or dismissal of, or complaints or charges brought against a public officer, employee, staff member or individual 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. Sellew. 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 and Mr. Sellew – aye.**

Motion by Mr. Sellew to adjourn at 9:12 pm, seconded by Mr. Swensen, motion carries unanimously.

XI. Next Meeting Announcement:

- Regular Selectmen's Meeting – August 21, 2012 – 6:30pm

Submitted by:

Mary C. Devlin

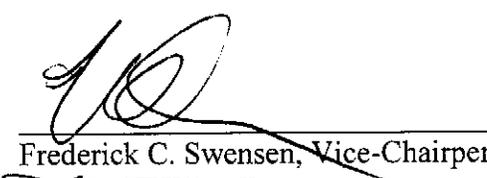
Administrative Assistant

Accepted by:

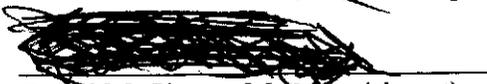


Peter J. Boria, Chairman

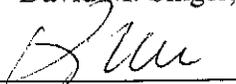
Brent Sellew, Clerk



Frederick C. Swensen, Vice-Chairperson



David M. Singer, Member (absent)



Kathleen W. Walker, Member



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MEMORANDUM

TO: Board of Selectmen

FROM: Robin L. Craver, Town Administrator

DATE: August 1, 2012

SUBJECT: Town Administrator's Report – for Selectmen's meeting of 8/7/12

Charlton Development Permitting Handbook – Town Planner Alan Gordon has provided you with a copy of the Charlton Development Permitting Handbook on behalf of the Economic Development Commission. This updated July 2012 version supercedes the previous Permitting Guidebook edition dated November 2008. It is in your read file.



Town of Charlton

Economic Development Commission

37 Main Street, Charlton, MA 01507

Telephone (508) 248-2237

Fax (508) 248-2372

Date: July 18, 2012

To: Town Boards/Commissions/Departments

From: Alan I. Gordon, Town Planner *A. I. Gordon*

Subject: Charlton Development Permitting Handbook

JUL 18 2012

On behalf of the Economic Development Commission, I am pleased to provide you with the 2012 updated copy of the Town of Charlton Development Permitting Guidebook. Thank you to each Town Department, Board and Commission that provided relevant information for this first update of the Guidebook since 2008. The attached updated Guidebook is dated July, 2012 and supercedes the previous Permitting Guidebook edition dated November, 2008.

Thank you again for your assistance in preparation of updating this permit information resource. Should you have any questions regarding the Guidebook, please feel free to contact me at the Planning Board Office, 508-248-2237.

Cc: Economic Development Commission