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TOWN OF CHARLTON

Minutes of Regular Selectmen's Meeting
Tuesday – December 18, 2012

Present: Chairman – Peter J. Boria, Vice-Chairman – Frederick C. Swensen and Member – Kathleen W. Walker. Also present: Town Administrator - Robin L. Craver. Absent: Clerk – Brent Sellew and 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 and a moment of silence for the Sandy Hook Elementary School victims.

II. Consent Agenda:

1. Minutes of Regular Meeting – December 4, 2012. **Motion by Mr. Swensen to approve the minutes of the regular meeting of December 4, 2012, seconded by Ms. Walker, motion carries unanimously.**

III. Community Relations, Announcements and Open Forum:

- Chairman Boria read the announcements
- Ms. Walker stated that with regards to the tragedy in Newtown, there will be a candlelight vigil in Southbridge tomorrow night at 5:45pm at 25 Cole Avenue. She also spoke of the assault weapons issue. Massachusetts is the only state in the union that has the assault weapons ban in place. However, she feels that the gun laws in Massachusetts need to be clarified. The Governor is offering to look into legislation about that and **she would ask this Board to consider sending a letter to the Governor asking him to coordinate any of his efforts to clarify the gun laws in Massachusetts, and that the letter be sent to our Senator and two Representatives as well, seconded by Mr. Swensen.** Chairman Boria asked if this is just a blank letter supporting whatever Governor Patrick thinks is right and Ms. Walker said no, it's a letter with language stating that the gun laws in Massachusetts could use some clarification and that we would support his efforts to get that done. Mr. Swensen would ask the Town Administrator to draft this letter for our next meeting so we can see the final draft before it goes out. **Vote on motion: 2 for, Chairman Boria - opposed.**
- Chief Pervier stated that some people have asked what the town is doing since the Newtown tragedy. He met with the Principals and Superintendents of both regional districts and they are reviewing their security plans and are scheduled to meet again in January. Chief Pervier also stated that the police department was awarded a $3,000 grant for traffic enforcement. There are 3 new Christmas displays in the Gazebo donated and made by Steven Gardner, a resident of town and the two authorized purchases – fingerprint machine is installed and in place and the fuming chamber came in. It is not installed yet.

IV. Appointments/Resignations:

1. Appointment – Cultural Council. Mrs. Craver stated that attached is a talent bank form from Mary Jo Thomas of 113 Blood Road seeking to be appointed to the Cultural Council. The Cultural Council recommends this appointment and she concurs. **Motion by Ms. Walker to appoint Mary Jo Thomas to the Charlton Cultural Council, seconded by Mr. Swensen, motion carries unanimously.**

V. Scheduled Appointments:

6:40pm – Kyle Brodeur / Toys for Tots. Michael Ranniar and James Cetelli from the Marines responsible for the Town of Charlton came forward. They have been conducting toys for tots campaign this year in this area. Mr. Ranniar stated that he was informed that a gentleman wanted to donate money to toys for tots from devil dog sales that he makes and sells. He made 300 devil dogs in two weeks. They presented Mr. Brodeur with a certificate of recognition and thanked him. Chairman Boria stated that the Board would like to recognize him as well and had a certificate to present to Mr. Brodeur. Chairman Boria read the certificate. The board congratulated Mr. Brodeur for his efforts.

6:45pm – Community Development. Mrs. Craver stated that as the Board is aware, we have been working with Andrew Loew from the Pioneer Valley Planning commission on a Community Grant. A requirement of the grant is to have discussion of the Community Development Strategy at a Board of Selectmen's meeting. This has been scheduled for 6:45pm. Stefan Sage, Chairman of the Community Development Committee and Elizabeth Rairigh of the Pioneer Valley Planning Commission came forward. Ms. Rairigh described the multi community collaborative that is seeking Community Development Block Grant funds for housing rehabilitation for low and moderate income home owners in Charlton, roofing improvements at the Housing Authority and improvements for the Town Hall/Senior Center Building. Mrs. Craver thanked the members of the Community Advisory Development Committee. They have worked very long and hard on this. The grant that is being talked about, this is our third time trying for this which would help with the ADA accessibility within the town hall. **Motion by Mr. Swensen that we endorse the Community Development Strategy as it was presented today, seconded by Ms. Walker, motion carries unanimously.**

7:00pm – National Grid. Aleta Fazzone, Director of Community and Customer Management, Tim O'Leary, Director of Operations and Steve Buono, Community liaison for the Town of Charlton during the most recent storm came forward and thanked the board for inviting them. They do take the concerns from residents quite seriously. Ms. Fazzone feels they have made a number of improvements during this year's hurricane from last year's events. She asked what concerns the board would like to have addressed. Ms. Walker stated that during the recent hurricane, she had an experience which basically after a lot of phone calls and trips to Worcester, she wasn't able to get very far. She was without power for a long time. Power was out in the Overlook and the Housing project just below Overlook. Ms. Walker promised a number of residents that we would be able to have a meeting with National Grid where they would be able to come to the meeting in a workshop and asked if this could be done. Ms. Fazzone said it absolutely could be set up and also stated that National Grid does have a video online which would explain to people what actually needs to take place to have the power turned on which could answer some questions they may have particularly during events like this. Ms. Walker asked if they could set a meeting up with Mrs. Craver after the New Year and we could publicize it. Chairman Boria asked what does National Grid do to limit power outages when a major storm is coming so that we can limit the damage from storms. Mr. O'Leary stated that they go after their assets based on the life expectancy of that asset. They don't want their customers to go without power. Ms. Fazzone stated that it is the nature of the infrastructure to be impacted during weather events. They do try to notify residents to be prepared if power goes out and what to have on hand if it does. Mrs. Craver

asked if Ms. Walker is looking to hold the workshop on a Tuesday or Saturday and Ms. Walker would like it on a Saturday.

7:15pm – Pole request – Lelandville Road. Chairman Boria called the meeting to order at 7:35pm by reading the hearing notice. Verizon New England, Inc. and Massachusetts Electric Company hereby request to locate poles, wires, cables and fixtures, including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by petitioners on Lelandville Road. Also attached is the notice that was sent to the abutters. This request has been forwarded and approved by both the Chief of Police and Highway Superintendent. **Motion by Mr. Swensen to close the hearing, seconded by Ms. Walker, motion carries unanimously. Motion by Mr. Swensen to approve the pole request, seconded by Ms. Walker, motion carries unanimously.**

7:30pm – Bus Service in Charlton. Mrs. Craver stated that at the Board's last meeting, Selectperson Walker stated that she had attended a meeting where there was an announcement that Charlton would be receiving bus service. She met with representatives from CMRPC (Jonathan Church) and the WRTA (Thomas Coyne) last week and they confirmed that a fixed route and a shuttle service between Charlton, Southbridge and Sturbridge is planned. In FY13, Charlton paid $8,424 in regional transit for the elder bus (the FY13 Cherry Sheet is attached). While at first glance, new bus service would assist our residents, these services will have additional costs associated with them. Mrs. Craver asked the representatives to come to tonight's meeting to explain the service and the costs. Our Charlton representative, David Schiller, has also been asked to attend tonight. Mr. Schiller stated that the new service is linked to new monies provided by the State. It is recommended that this proposed service be reviewed by the Planning Board and then come back to the Board of Selectmen for approval. Steve O'Neil, Administrator of WRTA, Thomas Coyne, Assistant Administrator of WRTA, John Church from CMRPC and the Town's representative, David Schiller were present for discussion. Mr. O'Neil stated that they did receive additional monies this year for this purpose. They will be meeting with representatives from this town. They are here to briefly walk the board through the process. If the town does not want this, nothing will happen. He reviewed the draft route of this service. (see attached) Ms. Walker thanked them for coming. She said she was told that you could flag the bus if you needed a ride. It was stated that the bus will stop if it's in a safe zone only. It would be an hourly service except for an hour and a half during the day because of the SCM bus. Mr. O'Neil stated that they would like to start the service in January and not pick up in Charlton until the board is in agreement. Mrs. Craver asked about what Charlton would have to pay. Mr. Coyne stated that the town would not be charged for closed door services such as Route 20 because it's not safe to stop. Chief Pervier asked if the bus shelters would be erected and Mr. O'Neil stated that they would not be putting it up if the town doesn't feel it's warranted. Mrs. Craver asked Mr. O'Neil if they could let the Council on Aging know when they are meeting with the Planning Board as well as all departments that have questions. Chairman Boria would like us, as the town, to organize our own meeting before they meet with the Planning Board to forward any concerns any boards or committees or citizens might have and asked Mrs. Craver to set something up in January before they meet with the Planning Board.

Chairman Boria asked if we could revisit the motion for his own concerns that was made under announcements by Ms. Walker and passed. He understands what happened in Connecticut is going to be a catalyst to talk about gun laws and people are going to move forward to try to make changes. By voting no on the motion made, he didn't vote no on looking at what happened and ways to correct it, he just doesn't think this board, sending a letter to Governor Patrick giving him support to make any changes that he might think is needed is the way to go at this time. While the wounds are still fresh, he feels that we should let the wounds heal a little bit and sit back and see

what happens and get all the information before we start saying what needs to be changed. He would ask to consider these changes case by case and give the support at that time. He would ask the board to reconsider the motion that was approved and not move forward with it at this time. Ms. Walker stated that the board set a precedent at the last meeting by sending a letter of support and she feels that we should do this. The wounds that were mentioned will never heal. Chairman Boria isn't comfortable with sending a letter on behalf of the town as a blanket letter of support to the Governor. Mr. Swensen stated that his goal is to write to the Governor that gun control in general, is an issue that needs to be discussed.

VI. New Business:

1. Welcome Representative Paul Frost. Chairman Boria welcomed Representative Paul Frost. Representative Frost came forward and said it is a pleasure and honor to be here. He is very excited to be working with the residents and his fellow colleagues, Representative Durant and Senator Brewer. In two weeks he will be starting his 9th term as a Representative. He wished everyone in Charlton a very Merry Christmas and a Happy New Year. If any residents need to contact him, his number is 617-722-2489 or email paulfrost.com. Ms. Walker congratulated Representative Frost and thanked him for joining us. She has a few questions to ask that are important to the residents. **1**. Ms. Walker stated that when he (Representative Frost) was running for office he stated that he supported the valor act. It was her understanding that there was an opportunity for towns to adopt the valor act whereas the veterans could make use of the tax incentives. Representative Frost stated that programs like this are made to help the veterans and it would be up to how the Board feels on it to decide what's best for you. **2**. Ms. Walker stated that recently the raises for the 460 staffers in the state was at a cost of about $764,000 a year. The newspaper stated that none of the State Representatives were against any increases and she is concerned because there is talk of possibly cutting local aid and she feels that maybe Representative Frost isn't outspoken on this. Representative Frost is not opposed to raises to these people who do a tremendous amount of work. He stated that these people have not seen an increase in a long time. He also stated that he does not support additional 9c cuts presented by the governor. He will not be supporting further cuts to local aid. **3**. Ms. Walker asked about gun laws and believes he is 100 percent supported by the NRA. Ms. Walker stated that she has a license to carry and believes people should own guns to defend themselves in their own home, target practice and hunt. She asked if Representative Frost has given any consideration to reviewing his own position in assault and automatic weapons. Representative Frost stated that the events that happened last Friday have affected everyone. He stated that you also have to recognize and look at the fact of what is the trigger to set someone off like this. He stated that when someone wants to commit that kind of harm, he wants to make sure that whatever we do going forward, doesn't end up being refused by legislation. Criminals will still get weapons. He is willing to listen to what anyone wants to put forward. He is waiting to see if the proposal being put forward would have or could have prevented anything like this happening in our country. He feels that we need to find out more about what happened to this person. Why did he do this? Ms. Walker thanked Representative Frost and just asked him to look at his position on assault weapons. Mr. Swensen welcomed Representative Frost to Charlton and he looks forward to working with him. There are some issues to work on locally such as working on building a permanent water supply in town and getting town buildings in compliance. The Board thanked Representative Frost for coming.
2. Shree Somnath, Inc., d/b/a Country Farms – Petition for new Officers, Directors & Manager. Mrs. Craver stated that attached is a request from Shree Somnath, Inc., d/b/a Country Farms requesting to change the Director, President, Treasurer, Secretary and Manager from Nisargi

A. Patel to Dipali S. Patel. All requirements for filing have been completed. Mrs. Craver would recommend the Board approve the request. **Motion by Mr. Swensen to approve the requests for new Officers, Directors and manager for Shree Somnath, Inc., d/b/a Country Farms, seconded by Ms. Walker, motion carries unanimously**. Ms. Walker asked why we have to approve this and Chairman Boria stated that because we issue them a license to sell or serve alcohol, the ABCC requires the Board to approve this request before they do.

3. Assistant Wiring Inspector – approval of disclosure. Mrs. Craver stated that as you are aware, Todd Chalupka is the Town's Assistant Wiring Inspector. He is currently employed at Bay Path as an electrical instructor. She had spoken with Mr. Chalupka and advised him to contact the State Ethics Commission to see if there was a conflict of interest between his current position and his appointment as the Assistant Wiring Inspector for the town. Mr. Chalupka contacted the State Ethics Division and received a determination from Attorney Norah Mallam. A summary of the law and how it is applicable to this situation is attached. Mr. Chalupka was advised to obtain an exemption pursuant to G.L. c. 268A, section 20. If he obtains this exemption and complies with all of the requirements within the exemption, he will not violate the conflict of interest law. It was also stated that he cannot perform the duties of the Assistant Wiring Inspector during the time that he is paid and/or scheduled to be working as a teacher at the school. Mrs. Craver would ask the Board to approve this exemption and to also approve that Mr. Chalupka not be allowed to perform any of the inspections on the Bay Path renovation project as to avoid any possible "conflicts" regarding his employment and duties as a town official. **Motion by Ms. Walker to allow Mr. Chalupka to have this exemption, seconded by Mr. Swensen for discussion**. Mr. Swensen asked how effective could he be as an Assistant Wiring Inspector if he can't perform inspections during normal school hours. Mrs. Craver stated that he is the Assistant Wiring Inspector so we have our Wiring Inspector that can perform inspections and we will also be providing a name for an additional alternate Wiring Inspector if needed. **Motion carries unanimously. Motion by Mr. Swensen that we inform Mr. Chalupka and the Wiring Inspector that Mr. Chalupka will not be allowed to perform any of the inspections on the Bay Path renovation project, seconded by Ms. Walker, motion carries unanimously.**
4. 2013 License Renewals. Mrs. Craver stated that liquor license renewal inspections have been completed per the Board's policy for inspections, serving and training for liquor license holders for the following establishments:

1. Keg, Inc, d/b/a The Quarter Keg Pub
2. Charlton Beagle Club
3. Osten Assoc, LLC, d/b/a C & S Liquor Mart & Deli
4. Kannagi, Inc., d/b/a Charlton Country Store
5. Planpow Realty, Corp., d/b/a Heritage Country Club
6. A & E Iannicheri, d/b/a Mondo's
7. Overlook Catering, Inc.
8. Oxbow Variety
9. Tomski Trading, Corp.
10. Super Food Mart, Inc., d/b/a Charlton Food Mart
11. Zorba's Pizzeria

The Police Department has reported that all establishments have passed their inspection including TIPS. The Fire Department has reported that all establishments have passed their inspections. The Building Commissioner is working with a few owners and will notify our department when they

are approved. The following two establishments have closed:

1. Chou Wong, Corp., d/b/a Charlton Chinese Takeout
2. Triple T. Trading, Corp. d/b/a Ted's Citgo

We have also received a request from Town Treasurer Keith Arsenault asking that the liquor license provided to Ted's be approved but not released until an issue with his office has been resolved. Mrs. Craver would recommend the Board approve all liquor license renewals pending approval by the Building Commissioner, Police Department and by the request of the Town Treasurer. **Motion by Ms. Walker that we approve all liquor licenses as described by Mrs. Craver pending approval by the Building Commissioner, Police Department and the request of the Treasurer, seconded by Mr. Swensen, motion carries unanimously.**

All other licenses to be renewed:
Class I (Auto)
Patriot Buick GMC
Class II (Auto)
Basic Maintenance Truck Center, Inc.
Bay State Auto Sales
Bayne's Auto Body
William L. Walker, Jr., d/b/a Bill's Classic Cars
Brian LaPlante
Larry McKissick, Sr., d/b/a Cindy's Auto Sales
Jeffrey W. Hesselton, d/b/a Jeff's Garage & Auto Sales
John P. Thomas, III, d/b/a John Thomas' Auto Service, LLC
Karl E. King, d/b/a Karl's Used Autos & Repairs
LaMountain's Construction, Inc.
Michael J. Nardone, d/b/a Michael's Service Station, LLC
Michael Cunningham, d/b/a New Car Alternatives
Thomas O'Malley, d/b/a O'Malley's Truck & Auto
Peter Millette, d/b/a Oxford Road Auto
Scott Hall, d/b/a Pottervillage Garage
Antoine Nassour Nassour, d/b/a Rt. 169 Car Sales
Ron Royer, d/b/a Variety Auto
Class III (Auto)
Karl E. King, d/b/a Karl's Used Autos & Repairs
ADT
Dick's Tire Barn
Stevens Auto, Inc. (requested to change manager from Karen L. White to Doni Stevens)
All paperwork completed.
Motion by Mr. Swensen to approve the Class I, Class II and Class III auto licenses as provided in the packet, seconded by Ms. Walker, motion carries 2 in favor, Chairman Boria abstained.
Miscellaneous Licenses (Storage of unregistered vehicles, Junk & Old Metals, Manufacturing, Antique Autos and Transportation/Livery)

Charlton Well Co.	Storage of Unregistered Vehicles
Charlton Welding & Repair	Junk & Old Metals
PCK Realty, LLC	Junk & Old Metals
Otto Lundstrom, Inc.	Junk & Old Metals
O'Brien Truckers	Antique Autos
A-Ride	Transportation

Gander Limo & Transport	Transportation
JSL Asphalt, Inc.	Manufacturing, Above Ground Storage
Joel E. Piekarczyk	Earth Removal

Motion by Ms. Walker to approve the storage of unregistered motor vehicles, junk & old metals, antique autos, transportation, manufacturing, above ground storage and earth removal as listed in the packet, seconded by Mr. Swensen, motion carries unanimously.

Common Victualler (coffee/food)

The New Yankee Diner
Bay Path Vocational
Charlton Manor Rest Home
Charlton Center Café
Dad's
DNJ, d/b/a Dresser Hill Clam Box
Gulf Oil Limited Partnership, Gulf Express #9040
Gulf Oil Limited Partnership, Gulf Express #9045
J & O Donuts, d/b/a Dunkin Donuts
Masonic Home, Inc.
Joseph Spadea, Selia Corp., d/b/a McDonald's
Nana Eleanors
Papa Gino's, Inc., Mass Pike East
Papa Gino's Inc., Mass Pike West
Ronnie's Seafood, Inc.

D& P Associates, McDonald's Corp-	Auntie Annies's Pretzel (Westbound)
	Fresh City (Westbound)
	McDonald's (Westbound)
DKA – Pike, LLC, McDonald's Corp –	Auntie Annie's Pretzel (Eastbound)
	Ben & Jerry's Ice Cream
	Fresh City
	McCafe
	McDonald's

Clifford's Golfland, LLC, d/b/a Practice Makes Parfect
Family House of Pizza & Seafood
Francesco's Italian Bakery
Honey Farms #88
Ye Olde Commons
Fay Mountain Farm

Mrs. Craver would recommend the Board approve the 2013 license renewals as presented pending all paperwork and fees are received. **Motion by Ms. Walker to approve the Common Victualler licenses as listed, seconded by Mr. Swensen, motion carries unanimously.**

VII. Old Business:

1. Activities Council – request for extension of time for use of 4 Dresser Hill. Mrs. Craver stated that attached is a request from the Charlton Activities Council regarding the building at 4 Dresser Hill Road. They are calling the Building the "Charlton Arts & Activities Center" and are requesting the Board to extend their permission to use the building. They are presenting three five year plans for your review which includes: 1 – program growth, 2 – goals and 3 – Building Maintenance. Sandy Bacon, Chairman of the Activities Council is present to explain their requests. Mrs. Bacon asked the board to consider allowing them the renewal of five

years. There is water now at 4 Dresser Hill. She asked if the board does approve the use if they could develop their own website for easier access for people to find them and look at what they have. Curt Meskus came forward and said it would be certainly possible for our web master to give a link to their website if they provide their own. Mrs. Bacon reviewed the five year plan and stated that on page 1 strike woodworking – that's the wrong word. She also stated that the three bathrooms that need to be redone will all be handicapped accessible. **Mr. Swensen thanked Mrs. Bacon and the Activities Council and made a motion to allow the use for another five years, seconded by Ms. Walker, motion carries unanimously.**

VIII. Student Selectperson Report – Michaela Carofaniello reviewed her report of items happening at Shepherd Hill.

IX. Town Administrator Report: Mrs. Craver reviewed her report. One item for discussion is the Clerical Contract – Lunch Hours. She stated that in an effort to keep the Board informed as the Clerical Union MOU's agreements are written into the contract, language was included at the recommendation of the Union Rep to define a "working lunch" as "sitting at employee's desk". This has been a sticking point with some union members where there were inconsistencies because some department heads were allowing their staff to take a lunch away from their desk and call it a working lunch while other department heads required the members to remain working at their desks. This is important because if the employee has a working lunch, they get to leave at 3:30pm and if they take a lunch, they must work until the end of the day which is 4:00pm. It is up to the employee to ask their department head if they can take a working lunch. The department head will decide whether to approve a working lunch for their employees. Department heads cannot force their staff to take a working lunch. Each employee has the opportunity to take their ½ lunch. They can also leave the building if they chose, but of course, that would not be considered a working lunch. Trish Gill from the Board of Assessors came forward regarding this item. She stated that it was brought to her attention by a number of people that the lunch issue has become quite an issue. Now what happens with a number of people is that they move approximately 4 ft. from their desk to eat their lunch. According to MGL, a working lunch is allowed as long as you remain in the room and on the premises. It has nothing to do with sitting at your desk. She thinks the idea that we have become lunch monitors is demeaning and ridiculous and impractical. To have to eat at their desk where they could spill something is just illogical and she feels that given the location of where people are in different offices, this is creating an office of junior high school. Do we not have more important problems to worry about then where people eat their lunch. Are we going to ban chewing gum from the building? This has got people all riled up. These types of little issues are the types of things that break down morale. Mrs. Gill said she could not believe that the taxpayers of this town want the Town Administrator who makes a three figure salary and elected officials, herself included and the Selectmen, to start worrying about where people are going to eat their lunch. In the new MOU, to qualify for a working lunch, employees must be sitting at their desk and not just in the room. She said, "Really guys, c'mon, this is what we want to be focusing on especially since we're now spending money on all our new furniture that we're adding. So to protect our new furniture and our new chairs we are going to have people eat there? Common sense, let's not cause a problem, it's not broken so let's not try to fix it and she also knows that in the Assessors Office, they truly do work through their lunch, and when the Tax Bills come out, they come to the Collectors and Assessors office. The people in the office stop what they are doing and jump up to help. When it's really busy they don't even have time to go to the bathroom so to begrudge them the chance to move from 2 ft away just seems incredibly petty. If she had to work in this type of environment, after 3 days, she would have to go into a dark closet, put a cloth on her head and have a martini for lunch. She feels

we should be grateful for them and also stated that it's mean spirited. She would like us to work more on getting police officers and other items. She thanked the Board for letting her speak her peace and hopes we can take the high road. Ms. Walker wanted to address the issue. She thinks that this is a negotiated part of this agreement. Mrs. Craver explained how and why the language was put there. When negotiations took place, this was one of the gray areas. This was an item to make it even across the board. Chairman Boria stated that a tentative agreement was signed by five union representatives and the Board of Selectmen representatives. The union Rep from SEIU was asked this question and he stated that it should be "sitting at their desks" across the board. If they are not sitting at their desk, it is not a working lunch. Mrs. Craver stated that all of the agreements in the tentative agreement are being put into the contract. The clerical union negotiating team brought this back to their union and it was approved. Mrs. Gill stated that the contract isn't signed yet. Chairman Boria stated to Mrs. Gill to address her concern about the board wasting their time focusing on negotiating things like this, it's the worst part of negotiations. Mrs. Gill feels this is petty to her, why was it even put in there? Chairman Boria stated because the union rep. Mrs. Gill said No and stated that the union rep did not say that we want people sitting at their desk eating lunch and not moving. Chairman Boria stated that in order to clarify an issue that is happening within a union, the union rep provided that language to do that for parity. There is nothing there that Chairman Boria would enjoy discussing. When negotiating with unions, this is the type of things you get stuck talking about which can stop a contract from moving forward. Mrs. Gill asked then why at the department head meeting, was it brought up that the Department Heads would also be subject to this policy. Mrs. Craver stated that again, Mrs. Gill was misinformed. Department Heads are salary, they don't take a lunch or have to report that. It was brought up with Department Heads and staff so that everyone in the room knew what the new language was and what the requirements were. No one told Department Heads that they needed to do this. This was only in relation to the clerical union. Mrs. Gill stated that she believes what she was told and from who and we will just have to see what happens. Ms. Walker stated that she agreed with the contract and didn't look into it. She was told everyone agreed with it. She didn't know there was a problem and now she is aware that there is a problem and she agrees in general with Mrs. Gill that a person should be able to move over to a desk as long as they are in a room to eat. She asked if there was any way to change that, she would support to changing it to a working lunch as staying in a room. Mrs. Gill stated that she is not a union person. All she knows is what she's heard in the building and there are a bunch of very unhappy people that don't like this. Chairman Boria clarified to Mrs. Gill that her insinuation that the Board has nothing better to do than to tell people that they have to sit at their desk, it was negotiated in the contract. Mrs. Gill noted that there were only five signatures on the memorandum of understanding. How many people have to sign the contract? Mrs. Craver stated that she doesn't know their process but her understanding is that they took it back to their full union membership, the union voted on it and she doesn't know if it was unanimous and Mrs. Gill may be hearing from those people that didn't vote for it. Mrs. Craver stated that the SEIU Union Rep has the ability to be the only one to sign the MOU or the union bargaining committee. She also stated that if the majority of the union agree with the terms, it moves forward. This is already in place as they have already received their retro pay. Mrs. Gill asked when do they have to sign the final version? Chairman Boria stated that's the agreement, it's already signed. Mrs. Craver stated that it's just a formality that the language gets put into the contract. Mr. Swensen has a couple of things, no one wants to tell people that you can sit here and not there. This particular language was put in on the recommendation of the Union Rep. The final contract memorializes these terms which is what was agreed upon. Mrs. Gill said that her question is when is the final contract expected to be finished? Mrs. Craver doesn't have an answer and Chairman Boria stated that when it gets finished, there are no more signatures needed or votes to be taken. Mrs. Gill asked if the union could change anything and the answer was no, not unless it's bargained. She asked if they could bargain that sentence and the answer was that they already did and received something for it. She

also asked who would be the lunch monitors and the answer was the department heads. Mrs. Craver is taking exception and she is really uncomfortable with the way that Mrs. Gill is characterizing this. Union contracts get very specific in their details. They try to eliminate gray areas and this became an issue. It was addressed and recommended how to fix it. They do not have to take a working lunch. They have to request it from their department head. This could be grieved by a union member if they don't feel they are being treated the same. Mrs. Gill said that Deb and Darlene made the agenda and this item was added at the end and they were blindsided by it. She feels it's a communication problem. Mrs. Craver does not agree with her, the conversation regarding the clerical union was put together by Mrs. Craver and the union steward in one of those offices so she finds it hard to believe that no one knew and also that Deb and Darlene were the organizers of the agenda and did see it. Mrs. Gill thanked the board again and appreciates the information she was given.

X. Other Business:

1. Mrs. Craver stated that a site plan application was submitted to the Planning Board by McClure Engineering, Inc. on behalf of Gregson, Inc. for approval to lease the existing 2,460 square foot building at 16 Worcester Rd to Advanced Water Quality Systems, Inc., a water treatment sales & service company. The 1.53 acre parcel is zoned Community (CB) and is located southerly off of Route 20. (Assessors Map 35, Block C, Parcel 4). You are asked to review the site plan application and notify the Planning Board of any comments or concerns no later than January 3, 2013. The Board had no comments or concerns.
2. Mrs. Craver stated that she forwarded an email to the Board from CMRPC and would just ask the board to look at that and let her know if you have any comments.
3. Chief Pervier came forward regarding an email that he sent the board regarding keeping his staff at 19. In reviewing the way we are going, he had contemplated asking for a permanent intermittent list where he could bring in 3 people and at some point appoint a full time from those three. Mr. Swensen asked if there was a cost to the town to make an intermittent to a permanent. He stated right now they would not be receiving any health benefits. They would have to do a physical ability test and there is an initial cost to that. After discussion, **motion by Mr. Swensen to approve the chief's request, seconded by Ms. Walker, motion carries unanimously**.
4. Mr. Swensen stated that the church community in Charlton has had several milestones recently and he would like to ask the Town Administrator to draft some letters on behalf of the Board and reference Reverend Paul E. Samuelson of the Methodist church has retired, Reverend Robert Grattaroti from St. Joseph's Church has celebrated 50 years of ordination and Reverend James Chase of the Federated Church just celebrated his 25th anniversary. He would just ask the Board to send letters acknowledging those three congratulating them on their individual milestones. The Board agreed. Mr. Swensen to send an email to Mrs. Craver with the information.

XI. Next Meeting Announcement:

- Next Regular Board of Selectmen Meeting – January 8, 2013 – 6:30pm

XII. Adjourn/Executive Session:

Motion by Mr. Swensen that the Board enter into executive session at 8:58pm 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 if the chair so declares and #6 – to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental

effect on the negotiating position of the public body, seconded by Ms. Walker. Roll call vote taken: Ms. Walker – aye, Mr. Swensen – aye and Chairman Boria – aye.

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.

Motion by Mr. Swensen to adjourn at 10:25pm, seconded by Ms. Walker, motion carries unanimously.

Submitted by:
Mary C. Devlin
Administrative Assistant

Accepted by:

Peter J. Boria, Chairman

Frederick C. Swensen, Vice-Chairperson

Brent Sellew, Clerk (absent)

David M. Singer, Member (absent)

Kathleen W. Walker, Member

TOWN OF CHARLTON
OFFICE OF THE TOWN ADMINISTRATOR
37 Main Street
Charlton, MA 01507
WWW.TOWNOF CHARLTON.NET
Phone: (508) 248-2206
Fax: (508) 248-2374

TO: Board of Selectmen
FROM: Robin L. Craver, Town Administrator
DATE: December 12, 2012
SUBJECT: Town Administrator's Report – for Selectmen's meeting of 12/18/12

Town Hall Staff Meeting – on December 6, 2012, all town hall personnel were invited to a Town Hall staff meeting where discussions were held regarding communication and reporting structure, policy review, town hall renovation projects, town hall staff hours and lunches and the upcoming Christmas Party. I would like to thank Deb Ceccarini and Darlene Tully for putting this information meeting together.

Ethanol Risk and Challenges for Community Leaders – Fire Chief Cloutier has invited all elected and appointed personnel to attend a training on ethanol risk and challenges. He states that Charlton has ethanol traveling through our town every day. It is a 3 hour training and it will assist community decision makers with information in the area of new public safety challenges. Fire Chief Cloutier will be attending the January 9, 2013 class and would be willing to car pool with anyone from the Town. He has asked that we let him know if anyone is interested in attending.

Insurance Advisory Committee – The Insurance Advisory Committee met to discuss changing the dental plan. As you know, it is paid 100% by the employee. They have decided to change insurers to Altus Dental because the plan is more advantageous. Attached is a memo to me from the Treasurer recommending the plan and also allowing retirees and part-time employees the ability to join the plan at no cost to the town. Retirees will need to agree to the withholding from the retirement system to participate. The Insurance Advisory Committee is to be commended in finding better ways to serve the town's employees with no added cost to the town. We plan to move forward on these changes.

Clerical Contract- Lunch Hours – In an effort to keep the Board informed as the Clerical Union MOU's agreements are written into the contract, language was included at the recommendation of the Union Rep to define a "working lunch" as "sitting at employee's desk". This has been a sticking point with some union members where there were inconsistencies because some department heads were allowing their staff to take a lunch away from their desk and call it a working lunch while other department heads required the members to remain working at their desks. This is important because if the employee has a working lunch they get to leave at 3:30pm and if they take a lunch, they must work until the end of the day which is 4:00pm. It is up to the employee to ask their department head if they can take a working lunch. The department head will decide whether to approve a working lunch for their employees. Department heads cannot force their staff to take a working lunch. Each employee has the opportunity to take their ½ hour lunch. They can also leave the building if they chose, but of course, that would not be considered a working lunch.

TOWN OF CHARLTON

37 MAIN STREET
CHARLTON, MA 01507
(508) 248-2242 • FAX: (508) 248-2377

TOWN TREASURER
KEITH R. ARSENAULT

DEC 13 2012

To: Robin Craver, Town Administrator

From: Keith R. Arsenault, Treasurer KRA

Date: December 13, 2012

Re: Change from Delta Dental to Altus Dental

Tuesday we listened to a presentation from Altus Dental representatives. I heartily agree we should replace the existing 100% voluntary dental offering with the Altus Dental program. The new program will provide a better slate of benefits.

There was discussion of allowing "retirees" to participate. I would be receptive providing the retirees agree to have these monthly payments withheld from their pension checks. We currently offer the health insurance service to retirees provided by the retirement system. Monthly WRRS sends our office a list of health and life insurance withholdings and a corresponding check. Unfortunately several retirees refuse to use this service – so we collect directly from them. Sometimes we need to send out reminders or otherwise chase payments. The deal is – if you want to participate in the voluntary dental – you need to allow the WRRS to withhold all monthly amounts for the program from the monthly pension checks.

The second request was to allow part-time employees participation. We have a number of employees who work less than 20 hours per week but on a consistent basis. We already allow less than 20 hour per week employees to participate in the flexible spending program. Perhaps we should be consistent.

I recommend the proposed dental plan be accepted to replace the existing plan.

I recommend the voluntary plan be offered to retirees who agree to WRRS withholding from the monthly retirement checks.

I recommend we allow part-time employees to participate through payroll deductions.

TOWN OF CHARLTON
Fire Department

PO Box 114, Charlton City, MA 01508
Phone 508-248-2299 Fax 508-248-6190
Headquarters Located at 10 Power Station Road
Chief Charles E. Cloutier Jr.

December 10, 2012

DEC 11 2012

To: All Elected and Appointed Personnel
From: Charles E. Cloutier Jr.
RE: Ethanol Risk and Challenges for Community Leaders

I would like to invite you to attend one of these trainings. The Town of Charlton has Ethanol traveling through our town every day. From the railroad to the turnpike and Route 20.

This 3 hour training will assist community decision makers with information in the area of new public safety challenges.

I will be attending the January 9, 2013 class and would be willing to car pool with anyone from the Town.

Please let me know if you are interested. I will send in an application of attendance for you.

Ethanol Risks & Challenges For Community Leaders

The increased transportation and storage of ethanol within the Commonwealth is creating new challenges for the fire service, emergency management, public health and the environment. In response to these challenges the Department of Fire Services has developed a program specifically geared toward elected and appointed officials. The goal of this 3-hour program is to provide community decision makers with the information that they need to support the new public safety challenges posed by ethanol. Topics include: transportation modes and routes, primary and secondary hazards, public protective actions, and firefighting considerations.

201-070-267 Session A **January 9, 2013** 10:00 am – 1:00 pm Williston Northampton School 18 Payson Avenue Easthampton, MA	201-070-267 Session B **January 14, 2013** 10:00 am -1:00 pm Air National Guard Armory 14 Minuteman Lane Wellesley, MA
201-070-267 Session C **January 16, 2013** 6:00 – 9:00 pm Bristol County Community College 777 Elsbree Street, 'H' Building – Room 210 Fall River, MA Park in lots 1 or 2	201-070-267 Session D **January 23, 2013** 6:00 – 9:00 pm Berkshire Community College Koussevitzky Hall 1350 West Street Pittsfield, MA
201-070-267 Session E **January 24, 2013** 6:00 – 9:00 pm Department of Fire Services 1 State Road Stow, MA	201-070-267 Session F **January 7, 2013** 10:00 am – 1:00 pm University of Massachusetts Alumni Library 84 University Avenue Lowell, MA

Please complete a standard DFS / MFA student application or register online at www.mass.gov/dfs.

Mail to: Registrar
Massachusetts Firefighting Academy
State Road, P.O. Box 1025, Stow, MA 01775

Or Fax it to:
(978) 567-3229

ALL STAFF MEETING

Charlton Town Hall
December 6, 2012

AGENDA

Welcome- First All Staff Meeting!
- Thank you Deb and Darlene

Communication and reporting structure
- Employee > Department Head > Town Administrator > BOS
- Emergency procedures and issues dialing 911
- Insurance reporting
- Maintenance and mechanical problems within town hall-
  - Request for Service Form
  - BOS –reviewing Tuesday structure for Custodial services

Policy Review
- Resident complaints - Citizen Complaint Form
- Town Hall Snow Closings- policy
  - Electronic Policy

Town Hall Renovation
- Grant Application (Elevator & Bathroom remodeling)
- Heat in Building

Review of Town Hall Hours and Lunches for Staff

Upcoming Christmas Party