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TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
Tuesday – March 12, 2019, 6:30pm
Selectmen's Meeting Room, 37 Main St., Charlton MA

Present: Chairman – John P. McGrath, Vice-Chairman – Deborah B. Noble and Member– David M. Singer. Also Present - Town Administrator – Robin L. Craver and Student Selectperson – Anya Grondalski. Absent: Clerk – Karen A. Spiewak and Member – Joseph J. Szafarowicz.

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 McGrath called the meeting to order at 6:31pm with the pledge to the flag. He asked for a moment of silence for Dennis Tully who was a long time member of the Finance Committee and a local business owner.

II. Consent Agenda:

1. Minutes of Regular Meeting – February 19, 2019. **Motion by Ms. Noble to approve the minutes of February 19, 2019, seconded by Mr. Singer, motion passes.**
2. Minutes of Regular Meeting – February 26, 2019. **Motion by Ms. Noble to approve the minutes of February 26, 2019, seconded by Mr. Singer, motion passes.**

III. Community Relations, Announcements and Open Forum:

- Chairman McGrath read the announcements.
- Anya Grondalski stated that on Saturday, March 16th, Shepherd Hill will be hosting their annual prom dress swap and on March 24th, Winter Percussion will be hosting their show starting at 10.

IV. Appointments/Resignations:

1. Appointment –Insurance Advisory Committee. Mrs. Craver stated that attached is a request from Donna Foglio, Chairman of the Insurance Advisory Committee stating that the Police Union would like to have Paul Morelli appointed to the Insurance Advisory Committee as their representative and Jason Martocci as the Alternate representative. Mr. Morelli would be replacing William Bedard who retired. The term of appointment would be until May 31, 2019. She would recommend the board make the appointments as requested. **Motion by Mr. Singer to appoint Paul Morelli to the Insurance Advisory Committee as the Police Union representative and Jason Martocci as the Alternate representative, seconded by Ms. Noble, motion passes.**

V. Scheduled Appointments:

7:00pm – NFP Presentation – Insurance. Mrs. Craver stated that Ken Lombardi is here to provide an NFP Presentation regarding Health Insurance Plan Design Change. He has already met with the Insurance Advisory Committee. We have scheduled him for 7:00pm. Donna Foglio, Finance Director was present as well. Mr. Lombardi said the town's insurance is provided through

Hampshire County Group Trust. He is here tonight to advise the board to make a recommendation to adopt or issue a proposal through sections 21 – 22 changing the health care plan design benefits effective July 1st. Hampshire County is requiring the health care plans change as of July 1. This proposal is zeroing out any potential rate increase to either the town or its members. The action items being recommended are for the BOS to adopt 21 – 23 changes; Meet with IAC to review changes; Create PEC; Provide PEC with 52.03 notice information and meet with PEC to confirm mitigation program. One of the requirements is that they have this completed by May 1st. **Ms. Foglio said they need the Board to vote to give them permission to notify the IAC and proceed with sections 21 and 22. So moved by Mr. Singer, seconded by Ms. Noble, motion passes.**

7:30pm – Four Score – 144 Sturbridge Road – Host Agreement and Related Documents. Mrs. Craver stated that at the Board’s last meeting, you held the public meeting for Four Score – 144 Sturbridge Road – Host Agreement and Related Documents. There were no concerns heard at that time. Tonight you are scheduled to take action on these documents. Selectman Spiewak and Szafarowicz will not be in attendance tonight but have said they have no issues with this. What is the board’s wishes? Chairman McGrath said this was discussed at the board’s last meeting. Mrs. Craver said the documents have been on the website as well since that time. Ms. Noble asked if there were any comments from the public and there were none. Mr. Singer asked if we received anything in writing from Ms. Spiewak and Mr. Szafarowicz. Chairman McGrath said he saw emails. **Motion by Mr. Singer to approve the Host Agreement, seconded by Ms. Noble.** Ms. Noble said for months now, representatives from Four Score have been attending the Marijuana Advisory Meetings in anticipation that the host and development agreement would come forward. Even if they didn’t come forward, they have been active participants and their presence has been appreciated. Mr. Singer thanked them for being patient, and for everyone out there, even though there are only three members of the board present, the support from the board is unanimous from all five members and the agreements have been on line for weeks. Ms. Noble asked Dan Glissman from Four Score that it was her understanding , the retail portion was up in the air and it doesn’t sound like that anymore. Mr. Glissman said they have been very transparent from the beginning of this process that they would like to propose a retail establishment at that site. They pulled the retail portion from their application early on due to town meeting. At this point they are moving forward with cultivation and production. If one of the companies should withdraw the application for retail, they would apply for it. **Vote on motion: unanimous. Motion by Mr. Singer to approve the Development Agreement, seconded by Ms. Noble, motion passes.**

VI. New Business:

1. Request for Toll Road – Charlton Lions Club. Mrs. Craver stated to please find attached a letter from the Charlton Lions Club requesting permission to hold a toll road in Charlton Center (intersection of Main Street and Masonic Home Road) on Saturday, May 4, 2019 from 9:00am – 1:00pm. (Rain Date May 11, 2019). This request was also forwarded to Chief Maxfield who is in support of the toll booth contingent upon the following safety precautions:
 - All volunteers must wear bright colored vests;
 - Orange traffic cones must be set out on Main St. and Masonic Home Road for a distance of not less than 50 feet 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 Booth Ahead” must be erected on both Masonic Home Road and Main St. not less than 75 feet from the toll station; and

- o No stopping of cars or impeding the flow of traffic in any way

This event helps them to raise money to support Mass Lions Eye Research and other community causes. She would recommend the board approve this request. **Motion by Mr. Singer to approve, seconded by Ms. Noble.** Ms. Noble stated that this is election day and asked if they would want to have an additional area to set up. Mrs. Craver said that it's on school property so if the board wanted to approve, it would be contingent upon the school approving it. The board took no action but would like to discuss this for next year. **Vote on motion: motion passes.**

2. Board of Selectmen 2018 Annual Town Report. Mrs. Craver stated that each year, the Chairman of the Board is tasked with preparing the Board of Selectmen's annual report for the previous year. This report is from January 1st to December 31st. Chairman McGrath has completed the 2018 Annual Town Report. At the Board's February 12, 2019 meeting, we brought this to you for review. The board decided to wait on this to allow all members time to review. You are being asked to review and approve with any recommended changes. Staff is working to compile the town report and would need this as soon as possible. Ms. Spiewak has forwarded her comments as she will not be here tonight. She would suggest deleting the following language: Though the town voted to approve marijuana in the Town of Charlton at the November 8, 2016 presidential election by a vote of 3,762 for and 3,466 against, or 1) keep the above language and attribute the controversy that exists today due to the fact the leadership in 2016 was not proactive - as following the state vote they did not "hold a local vote to determine whether to permit the selling of marijuana and marijuana products for consumption on the premises at commercial establishments" (see state ballot question attached) nor did they heed the advice of MMA/AG (see best practice recommendation regarding recreational marijuana strategy attached) which also indicated we should 'act as quickly as possible on the local decision making process' and suggested the option of enacting 'a temporary moratorium' (see page 2 of MMA Best Practice article). 2) List the history of petitions and votes a resident emailed us a while back (attached). Selectmen Singer would suggest making the initial change that Ms. Spiewak mentioned which is to deleting language. What is the board's wishes? **Motion by Mr. Singer to delete the language as Ms. Spiewak said, seconded by Ms. Noble.** Ms. Noble would not like to criticize our leadership in 2016 in any way in our annual town report, it wouldn't be appropriate nor would it be kind to them. We were entering unknown chartered territory and they did the best they could with what they had. Mr. Singer said this report is just a summary of what we've done. **Vote on motion: motion carries.**

VII. Old Business:

1. FY20 Annual Town Meeting

- Warrant
- Budget – no update

Mrs. Craver said the board is scheduled to close the warrant. She has provided them with a list of articles as follows:

- ELECTION
 - o "QUESTION 1: (REFERENDUM QUESTION)
 - Shall the Town of Charlton ban marijuana?
 - Yes ___ No ___

Mrs. Craver said the general bylaw which this question was attached to was said null and void by the land court and there is a petition here for a zoning ban put forth by the planning board. She asked if the board wished to leave this on. Chairman McGrath asked if we leave it on, can we remove it later and the answer was yes before it goes to print. He would suggest to leave it on until we talk to counsel and make it known that the planning board has a zoning bylaw as well.

- TOWN REPORTS
- LITIGATION
- APPROPRIATION OF FUNDS FOR UNPAID BILLS OF A PRIOR FISCAL YEAR
- INTER/INTRA DEPARTMENTAL TRANSFERS FOR FY19
- TOWN BUDGET – this has been given to the Finance Committee and they have scheduled meetings with departments.
- WATER DEPARTMENT BUDGET (ENTERPRISE FUND)
- SEWER DEPARTMENT BUDGET (ENTERPRISE FUND)
- TRANSFER OF FUNDS TO AND FROM STABILIZATION FUND ACCOUNT
- CEMETERY PERPETUAL CARE
- GENERAL BYLAW AMENDMENT: DEPARTMENT OF PUBLIC WORKS & SUPERINTENDENT
- PERSONNEL BYLAW AMENDMENT – CLASSIFICATION PLAN UPDATE
- PERSONNEL BYLAW AMENDMENT: HUMAN RESOURCES DEPARTMENT, PERSONNEL BOARD
- REVOLVING FUNDS
- NEW PUBLIC SAFETY BUILDING COMPLEX- CONSTRUCTION
- ACQUISITION OF PROPERTY FOR A TOWN WELL NEAR BUFFUMVILLE;
- TRANSFER OF FUNDS FOR PURCHASE OF BURNS REALTY FOR PUBLIC WATER SUPPLY;
- TRANSFER OF FUNDS FOR PURCHASE OF PHILLIPS REALTY FOR PUBLIC WATER SUPPLY- W/S COMMISSION
- CLARIFY REMAINING EXXON MOBIL SETTLEMENT MONEY – W/S COMMISSION
- ZONING BYLAW AMENDMENT FOR SOLAR ARRAYS
- SECTION 200-5.21 - LARGE SCALE SOLAR ENERGY SYSTEMS. THIS IS A NEW SECTION REFERRED BY THE SOLAR BYLAW COMMITTEE
- SECTION 200-7.1 D 6 C - SITE PLAN REVIEW, TO STATE THAT FINAL ACTION SHOULD TAKE PLACE 90 DAYS AFTER THE CLOSE OF THE PUBLIC HEARING
- SECTION 200-7.1 G 3 - ENFORCEMENT AND PENALTY, TO CHANGE THE MAXIMUM FINE FOR ZONING VIOLATIONS FROM \$50/DAY TO \$300/DAY
- SECTION 200-3.2 B - USE REGULATION SCHEDULE, TO ADD A NEW LINE 6 (V), ENERGY STORAGE, AND AMEND SECTION 200-2 - DEFINITIONS, TO ADD A NEW DEFINITION OF ENERGY STORAGE. THIS IS REFERRED BY THE SOLAR BYLAW COMMITTEE.

- SECTION 200-3.2 B - USE REGULATION SCHEDULE, TO AMEND SUBSECTION 6, COMMUNICATIONS,, TRANSPORTATION, AND PUBLIC UTILITY USES, LINES (1), (M), (N) AND (S) BY REQUIRING SPECIAL PERMITS (SP) IN ALL INSTANCES WHERE SITE PLAN REVIEW AND APPROVAL (P) IS PRESENTLY REQUIRED.
- SECTION 200-5.20 - ZONING BAN - MARIJUANA.
- CITIZEN PETITION – TO SEE IF THE TOWN WILL VOTE TO AMEND THE ZONING MAP, SECTION 200.3.1.B
- CITIZEN PETITION - SPECIAL LEGISLATION TO AMEND CHARLTON RECALL SPECIAL ACT
- CITIZEN PETITION – TO SEE IF THE TOWN WILL VOTE TO CHANGE THE FOLLOWING WITHIN THE ZONING BY-LAW PRINCIPALS USES, BUSINESS USES, DISTRICT CB (COMMUNITY BUSINESS) MARIJUANA ESTABLISHMENTS, (1) RETAIL SALE OF MARIJUANA AND MARIJUANAN PRODUCTS AND ACCESSORIES, FROM N (NOT ALLOWED) TO SP (SPECIAL PERMIT)
- CITIZEN PETITION – TO SEE IF THE TOWN WILL VOTE TO CHANGE THE FOLLOWING WITHIN THE ZONING BY-LAW 5.20 MARIJUANA ESTABLISHMENTS, C. THE PLANNING BOARD SHALL NOT APPROVE MORE THAN THREE (3) RECREATIONAL RETAIL MARIJUANA ESTABLISHMENTS

Mrs. Craver stated that there are two citizen petitions that Town Council is not recommending. Chairman McGrath said the two petitions are: to see if the town will vote no confidence in the professional competency and leadership and the second is to censor the Planning Board. He read the letter received from Town Council. (attached) Mr. Singer asked regarding the petitions, he is familiar with these and knows the end result and he understands Town Council is 100% correct. He also understands that we don't want to take an action that would be considered illegal but at the same time, town meeting, this is the citizens forum. He said if these petitions were to be simplified, because they followed the rules, residents have the signatures to get a simple vote of no confidence in the Planning Board or the Selectmen, he has no problem with them expressing their dissatisfaction, short of directing the board to do anything illegal. Chairman McGrath said that town council reviewed three petitions. One by Mrs. Kustigian on the recall process and she worked with town counsel on what needed to happen. He said per Ms. Spiewak's recommendations, we have made sure that anyone who wants to do a petition, they can get access to Town Counsel through the Town Administrator to find out what they are allowed to do and not allowed to do. He said it doesn't seem like either of these contacted town counsel. Mr. Singer would ask that we hold those two slots, refer those petitioners to town counsel and if he comes back and says it's ok to have an article for a vote of no confidence in the Planning Board or Selectboard, then we would have those slots held. If after they talk with town counsel and he recommends against it, then we could remove them. Chairman McGrath doesn't have a problem with that but by reading town counsel's letter, because of the intent, they probably will not. Mr. Singer said the intent would have to change to a simple vote of no confidence. Ms. Noble would recommend that if they stay on the warrant, move them up so that anyone that wants to participate can. Mr. Singer asked if the solar bylaw was submitted by the committee or the Planning Board.

Mrs. Craver said her understanding was the Planning Board. Mr. Singer stated that everything the committee put into the bylaw has been approved by the Attorney General. Deb LaPlaca asked the board about the petitions. She said two have been identified by the petitioner but the third one has not and asked the board to clarify who that is. Chairman McGrath said Mrs. Benjamin.

With no further discussion, **motion by Mr. Singer to close the warrant with placeholders for all the articles, seconded by Ms. Noble, motion passes.**

VIII. Committee Reports:

IX. BOS Policy Review:

X. Student Selectperson Report: Anya Grondalski provided an update on Dudley-Charlton Regional School District events & activities.

XI. Other Business:


XII. Adjourn/Executive Session: **Motion by Mr. Singer to adjourn at 7:35pm, seconded by Ms. Noble, motion passes.**

XIII. Next Meeting Announcement:

- Special Selectmen's Meeting – March 19, 2019 – BOS Meeting Room
- Special Selectmen's Meeting - March 20, 2019 – 6:30pm – Charlton Middle School Library
- Regular Board of Selectmen's Meeting – March 12, 2019 – 6:30pm – Selectmen's Meeting Room


Submitted by:
Mary C. Devlin
Administrative Assistant

Accepted by:

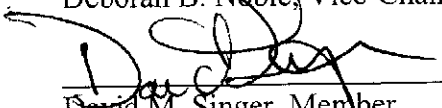


John P. McGrath, Chairman

Karen A. Spiewak, Clerk (absent)



Deborah B. Noble, Vice-Chairperson



David M. Singer, Member

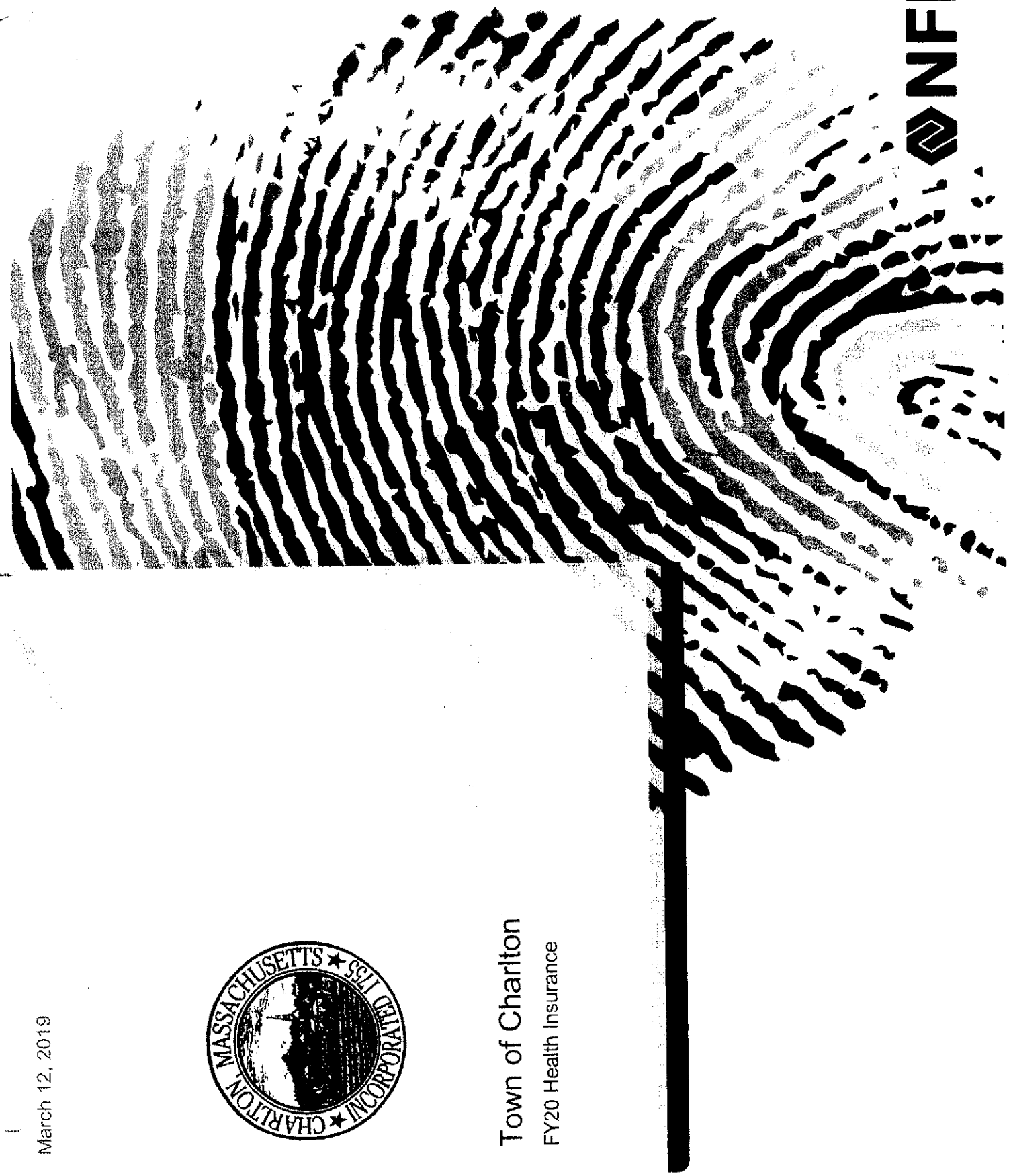
Joseph J. Szafarowicz, Member (absent)

March 12, 2019



Town of Charlton

FY20 Health Insurance



Discussion Items

- **Hampshire Country Group trust**

- Advising BOS to implement changes as required under the HCGIT FY20 renewal program
 - Cost Sharing changes valued at 3%-4%
 - Increase/add's co-pays to certain medical care services
 - Results in 0% premium rate adjustment eff. 7/1/2019

- **Action Items**

- Recommend BOS adopt 21-23 changes
- Meet with IAC to review changes
- Create PEC
- Provide PEC with 52.03 notice information
- Meet with PEC to confirm mitigation program

Current Benefit Plans & Cost compared to Proposed Plans & Cost

Town of Chariton		Hampshire		GIC	
County Group Insurance Trust Benefit Plan / Cost Summary					
Medical Plan Benefits	Network Blue New England - HMO 7.1.2018	Network Blue New England - HMO 7.1.2019	Benchmark FY 20		
Physician Office Visit / Well Care	\$0 - Covered In Full	\$0 - Covered In Full	\$0 - Covered In Full		
Office Visit: PCP / Specialist	\$15 / \$20 Copay	\$20 / \$35 Copay	\$10/\$20/\$40 Tiered Copay PCP \$30/\$60/\$75 Tiered Copay Specialist		
Deductible	N/A	N/A	\$500 / \$1,000 Med & \$100/\$200 Rx		
Out-of-Pocket Maximum	\$5,000 / \$10,000	\$5,000 / \$10,000	\$5,000 / \$10,000		
Coinsurance	N/A	N/A	N/A		
Emergency Room	\$75 Copay Waived if admitted	\$100 Copay Waived if admitted	\$100 Copay After Deductible		
IN-PT Hospital Admission	Covered in Full	\$250 Copay	\$275/\$500/\$1,500 Tiered Copay After Deductible		
OUT-PT Surgical Day Care Ambulatory Surgical Facility	Covered in Full	\$150 Copay	\$150/\$250 Tiered Copay Deductible	After	
Lab & X-rays	Covered in Full	Covered in Full	Covered in Full After Deductible		
CAT Scans, MRI, PET Scans	Covered in Full	\$100 Copay	\$100 Copay After Deductible		
RX - 30 Day Retail or 90 Day Mail Order Delivery	\$10 / \$25 / \$45 \$20 / \$50 / \$90	\$10 / \$30 / \$65 Retail \$25 / \$75 / \$165 MOD After \$100 / \$200 Rx Deductible	\$10 / \$30 / \$65 \$25 / \$75 / \$165		
Current/Renewal Rates	Single \$633.26 EE+1 \$1,474.70 Family \$ 1,817.88	Single \$633.26 EE+1 \$1,474.70 Family \$1,817.88	Single \$747.76 Family \$ 1,822.08		

Current Benefit Plans & Cost compared to Proposed Plans & Cost

Town of Hampshire County Group Insurance Trust Benefit Plan / Cost Summary		GIC	
Medical Plan Benefits	Network Blue New England - HMO/7.1.2018	Network Blue New England - HMO/7.1.2019	Benchmark FY 20
Physician Office Visit / Well Care	\$0 - Covered in Full	\$0 - Covered in Full	\$0 - Covered in Full
Office Visit: PCP / Specialist	\$15 / \$20 Copay	\$20 / \$35 Copay	\$10/\$20/\$40 Tiered Copay PCP \$30/\$60/\$75 Tiered Copay Specialist
Deductible	N/A	N/A	\$500 / \$1,000 Med & \$100/\$200 Rx
Out-of-Pocket Maximum	\$5,000 / \$10,000	\$5,000 / \$10,000	\$5,000 / \$10,000
Coinsurance	N/A	N/A	N/A
Emergency Room	\$75 Copay Waived if admitted	\$100 Copay Waived if admitted	\$100 Copay After Deductible
IN-PT Hospital Admission	Covered in Full	\$250 Copay	\$275/\$500/\$1,500 Tiered Copay After Deductible
OUT-PT Surgical Day Care Ambulatory Surgical Facility	Covered in Full	\$150 Copay	\$150/\$250 Tiered Copay Deductible
Lab & X-rays	Covered in Full	Covered in Full	Covered in Full After Deductible
CAT Scans, MRI, PET Scans	Covered in Full	\$100 Copay	\$100 Copay After Deductible
RX - 30 Day Retail or 90 Day Mail Order Delivery	\$10 / \$25 / \$45 \$20 / \$50 / \$90	\$10 / \$30 / \$65 Retail \$25 / \$75 / \$165 MOD After \$100 / \$200 Rx Deductible	\$10 / \$30 / \$65 \$25 / \$75 / \$165
Current/Renewal Rates	Single \$633.26 EE+1 \$1,474.70 Family \$ 1,817.88	Single \$633.26 EE+1 \$1,474.70 Family \$1,817.88	Single \$747.76 Family \$ 1,822.08

Mechanics of Plan Design Change

Adopt Sections 21-23

- Bring before Select Board
- Provide at least 2 days advance notification to Unions and Insurance Advisory Committee
- Committee votes to adopt.
- Actual changes do not have to occur at this stage. Voting to accept does not mandate change.

Notify Insurance Advisory Committee

- Release a letter (52.03 Notice) to Insurance Advisory Committee of the Board's decision to move forward with Section 21-23 discussions.
- Includes:
 - Summary of Current Benefits and Costs
 - Summary of Proposed Benefits and Costs
 - Summary of Maximum Annual Savings
 - Summary of Mitigation Fund Calculation
 - Town's Proposal including Mitigation Fund

Notify Union Presidents

- Release a letter (52.03 Notice) to Insurance Advisory Committee of the Board's decision to move forward with Section 21-23 discussions.
- Includes:
 - Summary of Current Benefits and Costs
 - Summary of Proposed Benefits and Costs
 - Summary of Maximum Annual Savings
 - Summary of Mitigation Fund Calculation
 - Town's Proposal including Mitigation Fund
 - Set up meeting

Proceed with 30 day Negotiation Period

- Meet with representatives of each union and one retiree as selected by the State Retirees Association.
- Discuss each of the items above.
- Agree on current plan design and costs
- Agree that proposed plan design is less than or equal to the most populated plan in the GIC.
- Agree on the Maximum Annual Savings Calculation.
- Agree on the Town's proposal and Mitigation Fund handling.

