



TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
June 3, 2008

Submitted by _____

Date _____

Received by _____

Date _____

Present: Chairman – Frederick C. Swensen, Clerk – Kathleen W. Walker and member John R. Bacon. Also present, Town Administrator - Robin L. Craver. Absent: Vice Chairman – Peter J. Boria and member – Scott D. Brown.

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 Swensen called the meeting to order at 6:33pm with the pledge to the flag and a moment of silence for the father to our dear friend and Conservation Administrator – Karen Gauvin and for Mr. Jack Kingston, a very kind and giving member of our town and very active member of St. Joseph's Church.

II. Consent Agenda:

- Chairman Swensen read the agenda.
- Minutes of Regular Selectmen's Meeting – May 20, 2008. **Motion by Mr. Bacon to approve the minutes of May 20, 2008, seconded by Ms. Walker, motion carries.**

III. Community Relations, Announcements and Open Forum:

- Chairman Swensen read the announcements.
- Sue McGrath came before the Board to talk about the Activities Council. She discussed the establishment of the Activities Council and how it is not going anywhere. They have had many ideas but no funding. She feels the Board should reevaluate the Recreation Commission to take the tasks that were assigned to the Activities Council. She announced that her and her husband have tendered their resignation as of tonight. Ms. Walker thanked the McGrath's for all their hard work and dedication. She would recommend the Board meet with the Recreation Commission to go over some of the issues. **Motion by Ms. Walker to accept their resignations with regrets, seconded by Mr. Bacon, motion carries.** Chairman Swensen also thanked them for their work on this committee. Ms. Walker to set up the meeting with all parties for discussion.

IV. Appointments/Resignations:

Monument Committee – Chairman Swensen stated that discussion came up at the recent Memorial Day ceremony regarding forming a new monument committee to recognize the service men and women being deployed overseas and who have served in the middle east since the last update for these monuments was from the Persian Gulf War. He would like to see a new committee set up to look into some type of a monument that would recognize those people. Selectmen Boria had offered to participate in this. He would offer these thoughts for the next couple of weeks and ask to put in on the next agenda. Mrs. Craver stated that we could put notification on cable for any interested persons.

V. Scheduled Appointments

6:45pm – Donna Bigelow, Chapter 61B removal. Chairman Swensen read the notice of public hearing as mailed to Donna Bigelow. Please be advised that the Board of Selectmen will hold a public hearing on Tuesday, June 3, 2008 at 6:45pm at the Charlton Municipal Complex, 37 Main Street, Charlton MA to act on a request by Donna M. Bigelow, executrix for the Estate of Walter G. Daubney, to sell 1.38 acres of which .38 acres is in Chapter 61B located at 41 King Road, Charlton MA and as shown on Assessors Map 79, Block C, Parcel 4. Anyone interested should appear at the date and time specified or submit concerns in writing. This request for removal was also given to the Board of Assessors, Conservation Commission, Planning Board and the Charlton Heritage Preservation Trust all stating that they have no objection to the Town of Charlton choosing not to exercise their right of first refusal for this particular parcel. Hearing called to order at 6:50pm. Donna Bigelow and her attorney, Nelson Ezen have worked with Attorney Cosgrove and all paperwork is in order. **Mrs. Craver would recommend that the board vote not to exercise it's right of first refusal. Motion by Mr. Bacon that the Board take no action, that we choose not to exercise our right of first refusal and notify the Assessors of such, seconded by Ms. Walker, motion carries unanimously.**

7:00pm – Ad Hoc Boston Post Cane Committee – Chief Pervier came before the Board on behalf of the Ad Hoc Boston Post Cane Committee. He reviewed what the committee has done to date. (see attached) The committee is looking for two things from the Board. #1 - To see if the Board of Selectmen will accept our recommendation for the Boston Post Cane Criteria and Nomination Form and #2 – To see if the Board of Selectmen will accept our recommendation that this committee become a permanent standing committee in an effort to continue and preserve the tradition. He read what the criteria recommendation qualifications would be. He also stated that Bay Path has volunteered to help the committee make “canes” that can be given to the recipient and kept in the family as a part of their history. #1 – Nomination form, **motion by Ms. Walker to approve the nomination form and the criteria developed by the committee, seconded by Mr. Bacon.** Mr. Bacon asked for more information on the permanent committee. **Motion carries.** #2. Chief recommended having the director of Council on Aging as a permanent member. **Motion by Ms. Walker that we take the advice of the current committee and form a permanent Charlton Boston Post Cane standing committee with five members, one of whom will always be the Council on Aging Director, that the committee will be formed by the Board of Selectmen annually, seconded by Mr. Bacon.** Mrs. Devlin had asked if the current committee should re-apply and what will the expiration date be, this year or next? Members should re-apply and terms should expire on June 30, 2009. Mrs. Craver had recommended that the Board send a letter of thanks to Bay Path for their involvement and support. Mrs. Craver recommended keeping the committee as is right now until the next Annual Town Meeting when it can be added into the bylaws to become effective. After discussion **motion taken unanimous.**

VI. Old Business:

1. Policy for Chapter 61 – Mrs. Craver stated that as you know we brought a draft policy to the Board at your last meeting. The draft has gone to Town Counsel for review and Donna Bigelow had also made some suggestions. The draft has just come back and she would like to give it to the Board for review and put it on the next agenda.

VII. New Business:

1. Request for one day special license – Summit Elder Care (two dates) – Summit Elder Care is requesting two one day special licenses to be used on June 19, 2008 from 5:30pm – 8:00pm and June 26, 2008 from 5:00pm – 7:30pm at 88 Masonic Home Road for wine and malt beverages. These requests have been forwarded and approved by the Building Commissioner

and the Chief of Police. They are a non profit organization, therefore there would be no fee. Should the Board approve these requests, a stipulation should be added that no alcohol be served to persons under 21. **Motion by Ms. Walker that we approve the two one day special licenses be issued to Summit Elder Carefor June 19th and June 26th for the times requested with a provision that no serving of alcohol to persons under 21 and all servers must be tip certified, seconded by Mr. Bacon, motion passes.**

2. Constable John H. Roberts (introduce & approval of letterhead) Mr. Roberts stated that after doing some research for constables in town, being newly elected, he is governed under the Board of Selectmen and needs approval for the letterhead that he has provided. **Motion by Ms. Walker that we approve the letterhead that's been given to us and to thank him for being proactive in this, seconded by Mr. Bacon, motion carries.**
3. Charlton Center Café, Inc. (request for Common Victualler & BYOB) Krystyna Palka & Joseph LaBonte have purchased J & J Café and have renamed it Charlton Center Café. They are asking two things of the Board. 1. Approval for a common victualler's license for serving coffee/food and 2. a BYOB license to be used on Friday nights which at this time they are open until 8:00pm. J & J Café held a BYOB license issued by the Board for this same purpose. The guidelines that we provided to them were to follow the state regulations under M.G.L. Chapter 138 and ID's must be checked for patrons (alcohol only to persons 21 and over), No opened bottles should leave the premises and Alcohol is limited to the times and dates as requested. Should the Board approve the request for a BYOB, Mrs. Craver recommends using the same guidelines as stated. **Motion by Ms. Walker to approve the common victualler license and also the BYOB to be used on Friday nights until 8:00pm and that no alcohol be served to persons under 21, seconded by Mr. Bacon.** Mr. Bacon also stated that a correction should be made that no one under 21 be served and they will not be serving it should read consume. **Ms. Walker amended her motion as such, seconded by Mr. Bacon, motion carries unanimously.**
4. Proposed Smoking Policy. Curtis Meskus came before the Board on behalf of the Municipal Building Committee and stated that a motion was made by that committee to forward the attached draft "Smoking Policy" to the Board of Selectmen for approval (see attached). Questions were asked about 9. Anyone considered for employment by the Town of Charlton shall have not smoked for the previous years before application. Questions such as how do you know if they haven't smoked? Is this legal? **Motion by Ms. Walker to approve the Smoking Policy, seconded by Mr. Bacon for discussion.** Mr. Bacon feels people's rights are very sacred. What we are doing here is telling people that you cannot work for the Town of Charlton if you smoke. That doesn't sit well with him. Chief Pervier asked if the Board wanted to add tobacco products to this as these people don't necessarily smoke. Mr. Bacon would request that we hold off on voting on this until we have a full Board. He feels it's that important. Chairman Swensen stated that the person that makes the motion should be the one to retract it if they wish to. Ms. Walker said she does not want to retract her motion as she feels strongly about this. **Vote taken: Ms. Walker and Chairman. Swensen – aye, Mr. Bacon opposed.** Mr. Bacon asked to have this put on the next agenda when a full board is here for reconsideration.
5. Activities of the Building Inspectional Service. Mr. Meskus reviewed his report (see attached). He also gave the Board a list of fees that he would like the board to consider updating possibly at the next meeting. He has compared our fees with other towns. Chairman Swensen asked to put this on agenda for next time.
6. Special License request – St. Joseph's Church is seeking a one day special license to be used on June 7, 2008 from 5:00pm – 11:00pm in the Church Hall. They are aware as in the past that they need to have a TIP certified person who will be distributing the alcohol as needed and purchasing of the alcohol must be from an outside vendor. Should the Board approve this request, a stipulation should be added that no alcohol be served to persons under 21. **Motion**

by Mr. Bacon to accept as read, seconded by Ms. Walker for discussion. Ms. Walker asked if we should include that alcohol must be purchased from an outside vendor. Mrs. Devlin clarified that they were given the policy on this and they are aware of it. **Motion carries.**

VIII. Town Administrator Report

Mrs. Craver stated that the original recorded deed for millennium for Parcel b and has been copied to the Assessors.

Letter requested by the Board that Robert Cox was to put together to send to Southbridge Counsel and Board of Health establishing a regional oversight committee has been signed and is in the Board's read folder.

IX. Other Business:

Ms. Walker said that Mr. Bacon brought up the issue of people disposing their yard clippings (mulch). She investigated this with the recycling committee and they like the idea. They would be happy after meeting to come back to this Board with any recommendations that they may have. Mrs. Craver said that she talked with the Highway Superintendent and he doesn't know of anywhere in town we could do this. She will see if he will check out another town to see how they do it.

Mr. Swensen congratulated both Shepherd Hill and Bay Path graduating students. Chief Pervier stated that flag day is coming up and if anyone has worn flags they should bring them to the American Legion Post who will be burning them on the June 14th at 6:00pm here on the common.

X. Adjourn/Executive Session: **Motion by Ms. Walker to adjourn at 7:58pm, seconded by Mr. Bacon, motion carries.**

I Next Meeting Announcement:

- Next Regular Selectmen's Meeting – June 17, 2008

Respectfully submitted by:
Mary C. Devlin
Administrative Assistant

Accepted by:

Frederick C. Swensen, Chairperson

Peter J. Boria, Vice-Chairman (absent)

Kathleen W. Walker, Clerk

John R. Bacon, Member

Scott D. Brown, Member (absent)