



TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
July 15, 2008

Submitted by _____

Date _____

Received by _____

Date _____

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

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 6:30pm with the pledge to the flag.

II. Consent Agenda:

- Chairman Swensen read the agenda.
- Minutes of Regular Selectmen's Meeting – July 1, 2008. **Motion by Mr. Boria to approve the minutes of July 1, 2008, seconded by Mr. Bacon.** Ms. Walker said there's a typo on page 4 paragraph 3, change Ms. Walker feels with his expertise, she supports it to Ms. Walker agrees with his expertise; she supports the request. **Motion by Mr. Boria to accept the minutes as stated, seconded by Mr. Bacon, motion carries.**

III. Community Relations, Announcements and Open Forum:

- Chairman Swensen read the announcements.
- Ms. Walker stated that the first meeting of the Old Home Day Committee is tomorrow at 5:30 in the gazebo.

IV. Appointments/Resignations:

1. Kathy Broga is requesting re-appointment to the Old Home Day Committee. Claire Johnson is requesting to be appointed to the Old Home Day Committee and Brian Lavoie is requesting appointment to the Monument Committee. **Motion by Mr. Bacon that Kathy Broga of 223 Partridge Hill Road, Claire Johnson of 35 Hollywood Drive and Brian Lavoie of 147 Flint Road be appointed to the Old Home Day Committee. Ms. Walker made an amendment that Brian Lavoie be appointed to the Monument Committee and Kathy Broga and Claire Johnson be appointed to the Old Home Day Committee, seconded by Mr. Boria, motion carries.**

V. Scheduled Appointments

6:45pm – Pole Hearing Stafford Street – Chairman Swensen opened the hearing. Seeing no questions asked, **Chairman Swensen asked for a motion to close the hearing at 6:47pm. So moved by Ms. Walker, seconded by Mr. Bacon. Motion by Mr. Bacon to approve the request, seconded by Ms. Walker, motion carries.**

6:50pm – Highway Conceptual Design and Construction Procurement. Mrs. Craver noted that the Highway Barn Building Committee voted to forward to the Board its recommended conceptual

design, draft floor plan and cost estimate for approval. At a previous meeting, the committee requested permission to place the Highway Barn on Flint Road, south of the landfill rather than adjacent to the landfill site. Here tonight are the Highway Superintendent, Gerry Foskett and Jack Ferguson from our Project Management firm. They will be updating the board on the project's progress including layout, costs and time lines and answer any questions that you may have. You will be asked to consider several motions tonight. Mr. Ferguson reviewed all the steps that have taken place and he and Mr. Foskett answered all questions that were asked. Mr. Boria and Chairman Swensen commended the work to date. After discussion, Chairman Swensen went over the options the board should consider approving. 1. Approve conceptual design and floor plan. **Motion by Mr. Boria to approve the conceptual design and floor plan, seconded by Ms. Walker, motion carries.** 2. Approve project going out to bid. **Motion by Mr. Boria to approve the project going out to bid, seconded by Ms. Walker, motion carries.** 3. Approve an amount not to exceed. Mrs. Craver said that she is looking for the board to acknowledge that as of right now, the estimated cost is 4.6 million. Chairman Swensen feels that since the board already approved items 1 & 2 that would acknowledge what she is looking for. 4. Approve the proposed timeline. **Motion by Mr. Boria to approve the scheduled timeline, seconded by Mr. Bacon, motion carries.** 5. Authorize the Highway Superintendent to clear the site. **Motion by Mr. Bacon to approve the Highway Superintendent clearing the site, seconded by Mr. Boria.** Ms. Walker asked what this task would involve. Mr. Foskett said he would have to go out to bid to get a company to remove trees and such. The land also has to be surveyed. **Motion carries.**

VI. Old Business:

1. Smoking Policy – at the Board's June 17, 2008 meeting, the smoking policy was revised and sent back to the Municipal Building Committee for comment. The Municipal Building Committee has reviewed the revisions and have recommended one change to be approved by the Board. The change requested is to change #7 on the old policy – smoking will be permitted at the north rear entrance of the George C. McKinstry building, providing it is not being actively used for access to the building for programs within the building to Employee Smoking Area – will be only at the north rear entrance of the George C. McKinstry building providing it is not being actively used for access to the building for programs within the building. Mrs. Craver would recommend the Board approve the change. **Motion by Mr. Bacon to accept the policy, seconded by Ms. Walker, motion carries.**
2. Technology Policy – Mrs. Craver stated that the Board has been given a revised Electronic Communication Policy from the Technology Committee where they have combined several policies into one comprehensive policy. Many issues have been addressed such as records retention, e-mails, appropriate usage, privacy issues and standards of conduct. After reviewing the policy and having a conversation with the Chairman of this committee, it is apparent that the policy must be expanded to cover a couple of additional issues. The policy lacks a protocol for monitoring email usage, town equipment usage and other items that Mrs. Craver would like to work with the committee on. She would like to thank them for their hard work at putting this all together. Ms. Walker asked about the changing of passwords. Mr. Meskus stated it is extremely important for users so others cannot hack into their system.
3. Baker Pond Extension –Ms. Walker recused herself from the table. Mrs. Craver stated that as the Board is aware, the warrant article concerning a by-law to define private ways and provide two exemptions (Baker Pond Rd and Partridge Hill Rd. Ext.) was deferred at town meeting due to a request by a resident on Baker Pond Road who has informed us of new information that he has regarding a cart road which may be proof that it is or was a public way. This information, in the form of a deed, was forwarded to Attorney Cosgrove. In summary, Attorney Cosgrove determined that the reference to a cart road in the 1926 deed from Blood to Cope gives rise to no inference that such road was or ever has been a public way. He goes on to suggest that this is really an issue as to which a person seeking to establish public policy

way status should engage a title attorney to do a search and provide advice. Mr. Weatherbee has been informed of Attorney Cosgrove's recommendation. Mr. & Mrs. Wetherbee said they are working on it and will let the town know if they come up with anything. Mr. Boria would like to see the town not expend any more funds on town counsel for this. Mr. Bacon feels that our attorney does not have enough info to go on but has suggested the Wetherbee's seek a title attorney. Mr. Boria stated that the article that pertained to this does not only affect Baker Pond Road extension, it also included Partridge Hill Road and others have come up. Chairman Swensen stated that the article that was held off in the spring will now be put on the fall special town meeting warrant. With no further discussion, Ms. Walker came back to the table.

VII. New Business:

1. Request to requisition lists – Chief Pervier is requesting permission to apply for a promotional list for both sergeant and lieutenant. The current lists will expire next March. It is a lengthy process and it is prudent to maintain a current list to avoid the need for provisional promotions when vacancies occur. Mrs. Craver supports this request and would ask the Board to authorize Charlton to participate in the October exams scheduled by the Human Resource Division of Civil Service. Chief Pervier reiterated what Robin said and asked the Board to support this request. **Motion by Ms. Walker to give the Chief permission to apply for the civil service promotional lists for sergeant and lieutenant, seconded by Mr. Boria for discussion.** Mr. Boria asked if there was a Sergeant retiring on January 1st. The Chief said he has not received anything in writing as of yet. The town would have the option to use either list. Mr. Boria asked if it was necessary to have the Lieutenant list done as there is no immediate need now, or in the future. The chief said that he has talked to numerous chiefs and they do these exams on an annual basis. **Vote taken: motion carries.**
2. Ambulance fees – Chief Cloutier thanked the Board for the opportunity to clarify information from an article that was recently written that had not been articulated in a fashion in which it was intended. Chairman Swensen stated that this document will become part of the minutes for citizen should they have questions.
3. Charlton Public Library –Mrs. Craver noted that the Board had received a letter from Stefan Sage, Chairman of the Library Trustees informing them that the Library or a portion of it may be closing due to insufficient staffing levels. This is based on the Library's staffing policy that requires two staff members on a floor. Mr. Sage stated the policy that the Library has and indicated that ideally it would be good to hire another person for 19 hours a week. He also indicated that Library board members have been donating their time at the Library to help keep each floor open per the Library policy for staffing. Mr. Boria thanked the Board members of the Library for volunteering their time but also asked why there needs to be two people at a time. Mr. Sage stated that the policy is there as it is more of a safety issue.
4. Board of Selectmen Goals and Objectives. Mrs. Craver asked the Board if they have any goals that they would like to add to the list and when the Board would like to meet to discuss these. Discussion was to meet on Thursday after meeting with Recreation and the Activities Counsel which starts at 6:30pm.
5. Boundary Line – Charlton/Dudley – Dudley Town Administrator, Peter Jankowski forwarded a letter that he received from the Dudley ZBA seeking information regarding a request to construct a single family dwelling on Pierpont Meadow Pond. The issue at hand is the boundary line and which town the property lies within. Mrs. Craver has spoken with the Assessor's Office and was informed that there is a history on the placement of the boundary line between Charlton and Dudley in this area. Mrs. Craver also stated that moving or fixing a town boundary line is a detailed process. She has discussed this with Mr. Jankowski and if Charlton wishes to pursue this issue, he will work with us. We also discussed having a new survey performed and sharing the costs. Chairman Swensen feels that this would be a good

topic for our goals and objectives meeting. Currently the owners of this property will be meeting with the ZBA to try and rectify this situation.

6. Water Search – Letter from Southbridge. Mrs. Craver stated that the Board met with the Water/Sewer Commission and the Board of Health last week and discussed the possibility of working with the Town of Southbridge to increase Charlton’s present water withdrawal limits. You were also informed that a letter was in process to the Town from the Town of Southbridge inviting you into discussions on this matter. In your packets is this letter dated July 1, 2008 from acting Town Manager, Karen Harnois, letting Charlton know that it is Southbridge’s intent to work together to investigate and pursue the possibility of expanding the provision of water service and revisions to the existing inter-municipal agreement. Chairman Swensen feels we should respond one way or another whether it just says thank you or not. We could state that we look forward to working with you and our Water and Sewer Commission. Chairman Swensen also stated for the record, a thank you to the Town of Southbridge for working with us on this.

VIII. Town Administrator Report (see attached)

Mrs. Craver also wanted to congratulate Lucia Blanchette who has accepted a position in the Town of Palmer as Treasurer/Collector and will be starting there on July 28th.

IX. Other Business:

Ms. Walker would like to have our goals and objectives from last year brought back.

Mr. Boria asked if we have to accept Ms. Blanchette’s resignation? **Motion by Mr. Boria to accept Lucia Blanchette’s resignation regretfully, seconded by Mr. Bacon, motion carries.**

- X. Adjourn/Executive Session: **Mr. Bacon would like to go into executive session for negotiations. Motion by Mr. Boria to go into executive session under MGL, Chapter 39, section 23b, #3 at 8:12pm, seconded by Ms. Walker. Roll call vote: Mr. Bacon – aye, Ms. Walker – aye, Mr. Boria – aye and Chairman Swensen – aye.**

XI Next Meeting Announcement:

- Next Regular Selectmen’s Meeting – July 29, 2008

Respectfully submitted by:
Mary C. Devlin
Administrative Assistant

Accepted by:

Frederick C. Swensen, Chairperson

Peter J. Boria, Vice-Chairman

Kathleen W. Walker, Clerk

John R. Bacon, Member

Scott D. Brown, Member (absent)