



TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
August 12, 2008

Submitted by _____

Date _____

Received by _____

Date _____

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

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 and a moment of silence in remembrance of Loretta Bacon, mother of our Selectman, Jack Bacon and also for a former Selectmen, Bob Beaudette.

II. Consent Agenda:

- Minutes of Regular Selectmen's Meeting – July 29, 2008. **Motion by Mr. Boria to approve the minutes of July 29, 2008, seconded by Ms. Walker. Vote taken: Ms. Walker, Mr. Boria and Chairman Swensen – aye, Mr. Brown abstained, motion carries.**
- Minutes of Special Selectmen's Meeting – August 4, 2008. **Motion by Mr. Brown to approve the minutes of August 4, 2008, seconded by Ms. Walker. Vote taken: Ms. Walker, Mr. Brown and Chairman Swensen – aye, Mr. Boria abstained, motion carries.**

III. Community Relations, Announcements and Open Forum:

- Chairman Swensen read the announcements.
- Ms. Walker read the letter from Kathleen Walsh, our previous Selectperson thanking the Board for the experience and the scholarship that she received.
- Mr. Boria discussed the Monument Committee. They are looking for any veterans involved in any conflict especially the Iraq and Afghan conflict to submit their form DD214 to the Veterans Agent otherwise there's no other way for us to find out if they served and we can put their name on the memorial.
- Mr. Boria would like to welcome back Police Sergeant Daniel Dowd who is back from Iraq and in uniform working for us. He would ask the Board to send a letter to him thanking him for his service overseas.
- Chief Pervier stated that this year is the third annual frog jumping contest for Old Home Day. A new component is being added this year at Old Home Day, a cross cut saw contest and an actual working sawmill. Brent Sellew also stated that there will be a petting zoo. Jen Cederberg, Treasurer of the Friends of the Charlton Animal Shelter was also present and their mission is to raise funds for the homeless animals here in Charlton. Chairman Swensen thanked all for volunteering their time for such a great cause. Ms. Walker brought up the talent contest that will also be added to Old Home Day this year.

IV. Appointments/Resignations:

1. Appointment – EDC Alternate. Mrs. Craver noted that the Economic Development Commission has recommended that the Board appoint Mr. Bill Fontaine, 11 Wamsutta Ridge Road as the alternate on the Economic Development Commission. **Motion by Mr. Brown to appoint Bill Fontaine to the vacant EDC alternate seat, seconded by Mr. Boria, motion carries unanimously.**
2. Resignation – Boston Post Cane Ad-Hoc Committee. Mrs. Craver stated an email was received from Lena L. Payant resigning from the Boston Post Cane Ad-Hoc Committee due to personal reasons. **Motion by Mr. Boria that we accept Lena Payant’s resignation, seconded by Mr. Brown, motion carries unanimously.** Mr. Boria asked if this committee needs to stay now since they have come forward with a name. Chief Pervier stated that the committee did come forward previously to see if we could be a permanent standing committee so that this would continue and not be forgotten. The only permanent standing member would be the Director of Council on Aging. The Chief asked if the Board chose to do that, if they would consider waiting until the canes are made from Bay Path.

V. Scheduled Appointments

7:00pm – Armand A. & Elizabeth B. Ianniccheri, d/b/a Mondo’s. Present for discussion: Elizabeth B. Ianniccheri, Andrew Ianniccheri and Peter Ianniccheri. Mrs. Craver stated that last week a complaint was lodged regarding alcohol being consumed outside the premise of Mondo’s located at 6 Gillespie Road. After researching the records in our office and contacting the ABCC, no records were found allowing this type of operation. We were advised to notify the licensee to cease and desist allowing patrons to consume alcohol outside of the premise; supply them with the ABCC guidelines for extension of premises to Patio and outdoor areas and to appear before the Board of Selectmen at tonight’s meeting to discuss the allegations and review of the current license. Chief Pervier hand delivered the notice to them on Friday, August 1, 2008. Our office has supplied them with the proper paperwork needed to alter their premises if they wish to. Mr. Ianniccheri stated they will stay with the indoor license and draw up new plans in the spring for outside extension. Mr. Brown asked if this will change the occupancy of the building. Mr. Boria stated to refer this question to the Building Commissioner. The Chief explained the process. He also stated for the public that Mondo’s has not been fined or have done anything wrong, this is something that was allowed a long time ago but just never approved the proper way. **Motion by Mr. Boria that because this is their first offense, that we take no action and just make a note in their file if it happens again we have record of it, seconded by Mr. Brown. Vote taken: Mr. Boria, Mr. Brown and Chairman Swensen – aye, Ms. Walker abstained.**

VI. Old Business:

1. Town Compost Area. Mrs. Craver stated that at a past meeting, discussion was heard of possibly creating a place in town where residents might bring their grass clippings, leaves and brush cuttings for the purpose of composting. Several people got together and went to visit the process that is in the Town of Webster. Gerry Foskett, Highway Superintendent is here to discuss some of his thoughts on this subject. Mr. Foskett said that it has merit but it also has a down side to this process. At the site that they went to see, there is an unmanned station where a lot of brush is just thrown. A screening plant would be needed. Ms. Walker would suggest keeping this on our radar and possibly referring it back to our recycling committee to look at for other ideas. Mr. Boria asked if the original landfill might be a possible site for this in the future. Mrs. Craver said that there were concerns from the neighbors when discussion was held on recycling and feels the same thing would happen now. **Motion by Mr. Boria to move forward to do composting only at either of the landfills and have it manned by volunteers, seconded by Ms. Walker.** Mr. Brown would suggest deciding what the initial

cost will be. Mr. Boria feels with his motion to move forward, it would allow Mrs. Craver and Mr. Foskett to work with the Recycling Committee or whoever to figure out the hours, volunteers, etc. and to come back to this Board with a cost associated for this. Mrs. Craver stated that she and Mr. Foskett can possibly come up with a PILOT program. Mrs. Craver thanked Kenny Pizzetti from the Town of Webster for showing them around their site. **Vote taken on the motion: carries unanimously.**

Mr. Foskett stated on another issue regarding the list of paving roads that was put before the Board months ago. The cost of liquid asphalt has increased dramatically. Most of the work will get done but there will be a balance left. Chairman Swensen asked if we could get a revised schedule to keep in the office should anyone have any questions. Mr. Foskett said there really won't be much of a change, just some of the process for these roads will be less than what it should.

2. Grange – request for funding. Mrs. Craver stated that at the Board's last meeting, it was voted to approve \$3,000 to the Charlton Community Interest, Inc. to help pay for it's heating bill this winter pending Town Counsel's opinion on whether this has to go to town meeting or not. Attorney Cosgrove has advised that the funds must be appropriated at town meeting. He suggested that the best way for the Board to proceed would be to place an article on the warrant for the fall town meeting. **Motion by Mr. Boria to put the question referenced by Mr. Cosgrove on the Special Town Meeting Warrant, seconded by Ms. Walker.** Mr. Brown feels that after reading through the information of who rents the Grange, he would think these groups should pay a fee to the Grange and not the town. There was discussion of non-profit organizations that use the grange and non-profits do not get charged. **Vote taken: Ms. Walker, Mr. Boria and Chairman Swensen – aye, Mr. Brown – opposed.**

VII. New Business:

1. Bid Award – Double Hung Window Replacement – Mrs. Craver stated that the Building Commissioner reviewed the bids that were received for the Double Hung Window Replacement and the recommendation is to award the bid to NBC Construction Co., Inc., 184 Burlingame Rd., Charlton for a cost of \$26,365.27. It is also recommended to seek an additional fee with this company to scrape and paint the woodwork on the Senior Center windows below the south wing windows. The principal owner of this business is also a town official and has submitted all his disclosures with the town clerk. **Motion by Ms. Walker to award this bid to NBC Construction Co., Inc., for a cost of \$26, 365.27 seconded by Mr. Brown, motion passes unanimously.**
2. Site Plan Application – PCK Realty, LLC. The Planning Board will be holding a public hearing on August 27, 2008 for the site plan submitted by Bertin Engineering Associates, Inc. on behalf of PCK Realty LLC for approval to conduct crushing/processing/manufacturing activities of sand, stone, gravel, loam and aggregates, storage, repair and maintenance of heavy equipment and trucks, staging area for recycling of metals and weighing of trucks associated with activities performed on the site on property located northerly off of Route 20 and westerly off of Griffin Road. The Board should review these plans as we must provide comments if any to the Planning Board by August 20, 2008. Please also note that should this site plan be approved, there are several licenses that must be issued by the Board. Chairman Swensen asked if there were any comments. None were heard. He then said that if there are any other comments to be heard, let the office know before the 20th.
3. Inspectional Services Fee / Fine Appeal policy. Mrs. Craver asked if we could hold this until Mr. Bacon returns because he has had an interest in it.
4. Rebuttal to open meeting law complaint. Chairman Swensen read the attached letter into the record. He restated the portion where it says that this board has not had a violation of the open meeting law. This press release is being given to the press along with the excerpts from

the open meeting law guidelines. It is the understanding that this complaint was filed with the District Attorney's office who at this point has not been in contact with our office yet. Mrs. Craver stated that she did ask the newspaper for a copy of this complaint but has not been given one yet.

VIII. Town Administrator Report (see attached) Ms. Walker commended Mrs. Craver for working with the Board of Health and BATG and for keeping everyone informed.

IX. Other Business:

Chief Cloutier announced the Fire Fighters concert. – August 30, 2008, 7:00pm, Charlton Middle School. "The Strangers" A tribute to Billy Joel. This event will be held outside.

BOS Goals and Objectives - Due to not having Mr. Bacon present, Mr. Swensen would ask to have a meeting next Tuesday the 19th. **So moved by Mr. Brown, seconded by Ms. Walker.** Mr. Boria just stated that we are moving forward with these goals even though they haven't been discussed. **Motion carries.**

Mr. Boria did call Masonic Home and he did get the dunk tank at no cost to the town and he will be working on what's required to get it on the common for old home day. He also suggested acquiring donations for chip in. If someone brings a can of food, they get one free ball.

Ms. Walker stated there were some serious concerns about how people can get help heating wise this year. Mr. Boria suggested calling Senator Brewer's office staff to see what they might have in place for this.

Mrs. Craver said she received paperwork to be a mentor for students getting their MPA. She had participated in a program like this and she would like to help someone else if she could. She will bring more information to the Board as she receives it.

X. Adjourn/Executive Session: **Motion by Mr. Boria to adjourn at 7:45pm, seconded by Ms. Walker, motion carries**

XI Next Meeting Announcement:

- Next Regular Selectmen's Meeting – August 26, 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 (absent)

Scott D. Brown, Member