



TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
September 11, 2007

Submitted by _____

Date _____

Received by _____

Date _____

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

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 victims of 9/11.

II. Consent Agenda:

- Chairman Boria read the agenda.
- Minutes of Selectmen's Special Meeting – July 24, 2007. **Motion by Mr. Brown to accept the minutes of July 24, 2007, seconded by Ms. Walker. Vote taken: Ms. Walker, Mr. Brown – aye, Mr. Bacon and Chairman Boria – abstained, motion passes.**
- Minutes of Selectmen's Special Meeting – August 27, 2007. **Motion by Ms. Walker to approve the minutes of August 27, 2007, seconded by Mr. Bacon. Vote taken: Ms. Walker, Mr. Bacon and Chairman Boria – aye, Mr. Brown – abstained.**
- Minutes of Selectmen's Regular Meeting – August 28, 2007. **Motion by Ms. Walker to approve the minutes of August 28, 2007, seconded by Mr. Brown, motion carries.**

III. Community Relations, Announcements and Open Forum:

- Chairman Boria read the announcements.
- Ms. Walker thanked two Boards for their efforts. The Board of Health met to resolve issues with our landfill on Flint Road and the Water/Sewer Commission for discussing and working on the Inter-municipal agreement where they voted on going ahead with the construction.
- Cheryl Hansen announced that Dottie Doyle is retiring this week. Her last day is this Thursday. They will be having a little going away party starting at 3:00 in the Children's Library.
- The official ceremony for the Grand Opening of the Library will be September 23, 2007 at 2:00pm.

IV. Appointments/Resignations:

1. Appointment to Activities Council – Melissa Miller Fleming has expressed her interest in being appointed to this committee. She has many years of experience in working with children. **Motion by Mr. Brown to appoint Melissa Miller Fleming to the Activities Council, seconded by Mr. Bacon, motion carries.**
2. Selectmen Student Representative – Letter received from Mr. Timothy M. Schur, Principal of Shepherd Hill Regional High School asking the Board to consider Grade 12 student, Kathleen

Walsh as a non voting student representative for this year. Ms. Walsh was elected to the Student Advisory Council by the students of Shepherd Hill Regional High School in May of 2007. **Motion by Mr. Brown to accept Kathleen Walsh and a non voting student representative for this year, seconded by Mr. Bacon, motion carries.**

V. Scheduled Appointments:

6:45pm – Introduction and swearing in of new Firefighter/EMT. Chief Cloutier asked that this be put on the agenda in two weeks due to the firefighter being out on a call and the Town Clerk could not attend.

7:00pm – Kevin and Deb Chambers, Sunset Driver. Mr. Chambers had asked to come before the Board with a concern he has regarding the residence at 173 Sunset Dr. Also attached is information provided to Mr. Chambers from Curtis Meskus, the Zoning Enforcement Officer and also a copy of a letter sent to the resident regarding his request to be heard. Deb Chambers gave a brief history of what has transpired. (see attached) Mr. Chambers presented the Board with a lot of pictures to view. He would ask the Board to take all of this under advisement and get back to them in a timely manner. Curtis Meskus, Zoning Enforcement Officer was asked to answer some questions. Ms. Walker didn't get the impression that he thought this was a home based business. Mr. Meskus did state what the Chambers noted is correct. He has only been there twice. He noted that there was no appeal made by the Chambers through the Zoning Board. For a home occupation there is no approval needed from any board for zoning. A business certificate might be required by the Town Clerk. Mr. Meskus noted that if for any reason people do not agree with the decision of the Zoning Enforcement Officer, he tells them that they have 30 days to appeal his decision. Chairman Boria asked who would have the burden of proof to prove this is a business based business? Is it up to us or would it be a civil matter? This is what we would have to look into. Ms. Walker asked Mr. Meskus if the fee could be waived. Mr. Meskus stated that the Zoning Board of Appeals would be the one to ask. Chairman Boria noted that Mrs. Craver can work with Mr. Meskus to outline all of this information and bring back to the next meeting.

7:15pm – Update of Old Home Day – Ms. Walker thanked the people that helped and commented on the parade and entertainment. Chief Pervier also noted how great the day was and would ask that when the Town Administrator and Board of Selectmen review the budget, to consider to increase the amount presently set for this event at \$5,000 to possibly \$8,000.

VI. Old Business:

1. Polling location. Previously, Susan Nichols, Town Clerk had asked the Board to consider changing the polling place for elections to the Library. After review of some of the questions the Board members had, she is withdrawing this request. No further action required.
2. Charlton Water/Sewer Legislation. Mrs. Craver noted that at a previous meeting, she mentioned that there might be a need to put an article on the Special Town Meeting warrant to vote on Governor Patrick's suggested amendment for both Charlton Water and Sewer Commission bills. She has received confirmation that this does not need to be done at a Special Town Meeting but can be voted on by both the Water and Sewer Commission and the Board of Selectmen, each at their own meetings. The Water and Sewer Commission have already voted to approve the change by Governor Patrick which was to change the wording "single family house" to "residential uses". Mrs. Craver would recommend the Board vote to approve this change. Paul Gagner, a member of the Water/ Sewer Commissioner explained the difference in wording recommended by Governor Patrick. **Motion by Mr. Bacon that regarding the Charlton Water/Sewer legislation that we allow the language change from single family house to residential uses, seconded by Mr. Brown for discussion. Vote taken, motion carries.** Ms. Walker had asked Mr. Gagner to recommend to his board that any votes that need to be taken by both boards in the future be taken at a joint meeting.

3. Close Special Town Meeting Warrant. Ms. Craver presented the board with an updated list of articles and reviewed each one. Free cash was certified at \$538,529.00. Ms. Walker questioned the article for recreation for the Flint Road property. Mrs. Craver to confirm if the Board of Selectmen can just put an article on the election for proposition 2 ½. Under Town Officials, Ms. Walker asked if we could contact Capen Hill to see if an appointment should still be made before we recommend removing this from the appointment list. Add Electrical Aggregation Committee to list to be removed. Mr. Brown noted that he, Mr. Bacon and Mrs. Craver have been meeting with a resident regarding Baker Pond Road Extension and Partridge Hill Road regarding the determination of whether they are private or public. We will possibly need to change the Town Zoning Map and the official map of the town. It appears we may be able to change the town map but not the zoning and we need more time to work with Town Counsel. Mr. Brown asked that we hold two articles for this purpose. Mrs. Craver noted that she did add them to the list already and will keep them on should the board approve. **Motion by Mr. Brown to close the warrant, seconded by Mr. Bacon, motion carries.**

VII. New Business:

1. Site Plan Application – Forever Hopeful, LLC. The Planning Board will be holding a public hearing on September 19, 2007 for the site plan submitted by Forever Hopeful, LLC. Should the Board have any comments or concerns, we will need to notify them by September 13, 2007. The Board had no comments.
2. Eagle Ceremony – Darlene Wolcott has asked if a member of the Board of Selectmen could attend an Eagle Ceremony on Sunday, October 14th at 1:00pm at Shepherd Hill Regional High School and present certificates to Jeffrey Alan Wolcott, Ryan F. Meersman and Nicholas R. Graham. Mr. Bacon suggested having Mr. Swensen attend. Put on agenda for next meeting.
3. One day special license request – Bay Path Education Foundation is requesting a special one day license to be used on October 24, 2007 from 6:00 – 10:00 pm at Bay Path High School. This request is for wine only to be used for the Superintendent’s Dinner Fundraiser. **Motion by Mr. Bacon to allow the special one day license as requested with the stipulation that no alcohol be served to persons under 21, seconded by Mr. Brown, motion carries.**
4. Parking on Old Muggett Hill Road. Chief Pervier is asking the Board to consider posting NO Parking, Monday – Friday from 7:00am – 3:00pm on both sides of Old Muggett Hill Road and Old Freeman Road due to parking issues from students who do not have parking permits from the school. He would also ask that NO Parking sign be erected on both sides of Muggett Hill Road, restricting parking entirely at all times. This appears to be blocking the roadway and busses and vehicles cannot enter or exit. Highway Superintendent Gerry Foskett concurs with this request. Chairman Boria asked why we do not put just NO Parking up all the time. Mr. Brown has concern about posting the NO Parking on Muggett Hill Road at this time. **Motion by Mr. Brown to post No parking signs from 7:00am – 3:00pm on Old Muggett Hill Road and Old Freeman Road, seconded by Ms. Walker, motion carries.** Mr. Brown asked Chief Pervier if after the signs are placed and the parking issue continues on Muggett Hill Road to please come back to the board.
5. Winter Washed Sand Bid Award. Mrs. Craver noted that a bid opening for the Winter Washed Sand was opened and read on August 30, 2007 at 1:00pm. Both her and Gerry Foskett, Highway Superintendent were present. Only one bid was received from Hylka Construction Co. in the amount of \$13.20 per ton to be delivered. It would be their recommendation to award the bid as presented. **Motion by Mr. Brown to award the winter washed sand bid to Hylka Construction Co. in the amount of \$13.20 per ton to be delivered, seconded by Ms. Walker, motion carries.**

IX. Town Administrator Report (see attached)

X. Other Business

XI. Adjourn/Executive Session: **Motion by Mr. Brown to adjourn at 8:32pm, seconded by Mr. Bacon, motion carries.**

XII. Next Meeting Announcement:

- Next Regular Selectmen's Meeting – September 25, 2007

Respectfully submitted by:
Mary C. Devlin
Administrative Assistant

Accepted by:

Peter J. Boria, Chairperson

Scott D. Brown, Vice-Chairman

Kathleen W. Walker, Clerk

John R. Bacon, Member

Frederick C. Swensen, Member (absent)