

Minutes of the Selectmen's Meeting of February 12, 2013
Town Hall – Meeting Room #1 7:00pm

Present: Selectmen John Franey, Sarah Hewins, Helen Marrone, Richard Ward, Chairman Michael O'Donnell, and Town Administrator Richard LaFond. Elaine Weston took the meeting minutes.

The Chair led the audience in the Pledge of Allegiance and read the announcements.

The Chair commended all the service and emergency personnel who outdid themselves to help out with the storm including the school and maintenance staff as well as the residents for their patience.

Ward mentioned visiting the shelter and would like everyone to be proud of the emergency services, and DPW for their hard work going above and beyond during the storm. Franey reiterated the same.

Underground Fuel Storage Tank License Application, Tremont Enterprise Corp: Wayne Rutledge requested construction of (2) 10,000 gallon storage tanks for refueling their own trucks - not for retail dispensing. Deputy Germaine explained the licensing process. The tanks will be located in the rear of the building approximately 40 feet away from the building and are approximately 8 feet high and 30 feet in diameter. Marrone questioned if there were any risks to the town & Germaine stated that the tank has 110% containment and they go thru 3rd party inspections required by Mass. General Laws every few years. Hewins questioned if an aquifer protection permit was in place. Director of Planning Jack Hunter stated he would research and inform the applicant if it is necessary. Franey questioned what safety measures were in place for loading the tank. Germaine responded that it is an inherent risk in all fuel operations. Motion by Marrone to approve the license with two conditions: Carver Fire Department approval and Aquifer Protection permit, second by Ward. Vote 5-0.

Re-Appointment of Robert S. Barlow as Constable – Not present. Chair stated Board will not approve without presence of applicant. Barlow to be contacted again.

Appointment of Lawrence Hemingway to the Commission on Disability Motion to table until he is able to attend meeting by Franey, second by Ward. Vote 5-0.

Chris Belbin, Troop 48 Life scout: Belbin reviewed his proposed project. Motion to approve the clean up of 0 Wade Street by Franey, second by Ward. Vote 5-0.

Carver Cultural Council: Maureen Fuller was present and discussed the need for members due to the current 6 members being unable to be re-appointed per Massachusetts General Law term limitations. She explained that the CCC sponsors the annual Old Home Day art show, also, that the March meeting will be posted shortly and she is hoping people will apply soon. The state sets a limit of 6 years of consecutive service. Ward asks the silent majority in town to do

their time on a board such as this. He stated that there are many new events that could be sponsored with new ideas brought to the Council.

Request for Class II License Revision: Carmino Alonge dba Land Mark Auto Sales is requesting a change to the wording of his license as the RMV is refusing to issue him a dealer plate. He asked the board to re-issue the permit with new wording so he can obtain his plate. Motion by Franey to revise the license to read: 3 vehicles at a time, not to be in view of the street. Second by Marrone. Vote 5-0.

Planning Board members Bruce Maki, Will Sinclair, Rose Marie Hanlon and Chad Cavicchi were present to discuss the needs of the department in regard to filling the part time administrative position. Sinclair listed some of the many duties of the position. Sinclair asked the Chair of the BOS for clarification as to why he does not want the position to be filled. O'Donnell stated there was a personnel review underway, a budget process and a school building issue. Due to the amount of issues on the table, he is requesting that right now everyone needs to tighten their belt. Hewins questioned why it is even a decision of the Board of Selectmen or why it is a decision of the Chair at all. Hewins also said it was voted at town meeting and that next year's budget is not relevant to this position now since the money is already in the FY2013 budget for the position. Franey questioned if there was a recording secretary for the meetings and Sinclair stated there was currently a temporary secretary but that those duties are part of the part time position. He stated that if the Planning Board misses a step because the secretarial part of the job misses a piece of paperwork, it could be detrimental to the board. Director of Planning Jack Hunter stated that there are two people filling in temporarily to scramble to keep the department afloat. Marrone questioned the history of the secretarial position within the department. Ward stated that it is inefficient to not have someone to fill the clerical hours and to have the Department Head trying to do both jobs. Sinclair is asking to hold up what was voted on at town meeting until the next town meeting instead of acting hastily at the risk of the department. Ward mentioned the requirements of the Open Meeting Law and the time it takes to just do the minutes for the meetings alone. O'Donnell stated his opinion that the position not be filled at this time.

Appointment of Associate member, Kevin Robinson to the Board until the next election (to replace Edward Fuller).

Franey motioned to approve the appointment of Kevin Robinson, stating that this is the way it should have been done last time, and Ed James should have been appointed back then. Marrone stated she would like to abstain from the vote, but first asked the Board to contact Ed James for the appointment of the position. Marrone agreed with Franey that Ed James should have been appointed to this position last time. Marrone did not know if Ed James would be interested but thought mentioning it to him was the right thing to do. Ward questioned if James has expressed any interest in serving as an alternate. Marrone re-iterated that Ed James had served for two years on the Planning Board as an alternate. O'Donnell stated that Ed resigned and Kevin is the current alternate. Motion was seconded by Ward. Vote by Selectmen 4-0-1 (Marrone abstain), Motion by Sinclair to approve the appointment Kevin Robinson, second by Hanlon. Vote 4-0. Total Vote: 8-0-1.

Town Building Study Committee: Re-Appointment of Members

Steve Pratt, Dan Ryan and Paul Duff were present to discuss being re-appointed, even if they are not officially dissolved as a committee. Pratt feels it is important to be re-appointed before the new Statement of Interest is completed. O'Donnell stated that this is a formality so as to not run in to any problems with the Attorney General or any other issues that may arise with regard to the Open Meeting Law. Motion to re-appoint the three present members of the Town Building Study Committee: Dan Ryan, Steve Pratt and Paul Duff by Marrone, second by Ward. Vote 5-0.

It was noted that a fifth member may be added and that Roger Shores could be reappointed when he is able to attend a meeting.

Boy Scouts request for use of Shurtleff Park on March 21, 2013 5-6:30 pm for their crossover ceremony. Paula Welch stated that the fire department will approve the campfire the day of the event pending no fire ban for that day. Motion by Franey to approve the use of Shurtleff Park for the Boy Scouts. Second by Ward. Vote 5-0.

Request for Road Race Approval: Best Buddies Challenge to be held Saturday, June 1, 2013. Motion to approve the route of the road race by Franey, second by Marrone. Vote 5-0.

Carver Farmer's Market Request for use of Shurtleff Park. Motion by Franey to approve the use of Shurtleff Park for the Farmer's Market. Second by Ward. Vote 5-0.

Draft fiscal 2014 budget for Old Colony Regional Voc-Tech. Franey reviewed his handout of the meeting he attended for informational purposes. Don Williams from OCRVT school committee explained that the budget is split by town according to percentage. Many other towns have increased their number of students. Williams is reaching out to parents to join the committee. The budget has to be completed by 30 days before the first town holds their annual town meeting.

Discussion on reducing CPA tax from 3% to 1% Franey would like to have a short discussion on the Board's thoughts on this. It was stated that Bob Bentley is needed to help guide the discussion and that a reduction may be a possible offset for funding of the school. Marrone would like to encourage the residents to contact her on their opinions and provided her cell phone at 508-280-1375. O'Donnell suggested rescheduling the discussion for the next meeting when Mr. Bentley and other interested parties could be present.

Department Review Update: Marrone stated that she has met with most departments, but still needs to meet with DPW, Inspections, Town Accountant, Town Clerk and Treasurer/Collector. Next step is to meet with LaFond.

Schedule joint appointment with Board of Assessors for next meeting: to replace Board of Assessors member Karen Bell until the next election. There are currently no applicants to replace the vacancy. LaFond requested that anyone interested contact the Town Administrator's office as soon as possible.

Scheduling of Annual & Special Town Meeting Motion to schedule Annual Town Meeting for Monday, June 3, 2013 by Franey, second by Marrone. Vote 5-0.

Acknowledgement of Open Meeting Law Violation Allegation and Response

LaFond stated that Steve Dewhurst submitted an open meeting law complaint to the Attorney General's office dating back to the December 18th meeting and that due to the time restriction he (LaFond) responded on behalf of the Board.

Approval of Minutes of December 18, 2012 Motion by Ward to approve the minutes, second by Hewins. Vote 5-0.

Citizens Participation: Bob Belbin suggested audio recognition program for taking minutes and/or hiring an Open Meeting Law secretary to take minutes for all committees.

Steve Pratt praised the work of linemen servicing the town during the storm. He apologized to the Board for the Jan. 22nd meeting if he caused any "disunity".

Rod Forrester discussed the water issue in Cranberry Village during the storm. He asked the Board to make sure the maintenance is done. He commended the emergency personnel for their tremendous response. LaFond stated that the North Carver Water District is contracted to maintain the Cranberry Village system.

OCRVT School Committee member Don Williams stated that the roof loan for the facility will be 20 years rather than 10 as previously considered.

Town Administrator Notes:

LaFond stated that the Town Clerk has announced the following election schedule: Annual Town Election to be held Saturday, April 27, 2013 from 8:00am – 6:00 pm; the State Primary Election is Tuesday, April 30, 2013 from 7:00am – 8:00pm.

Also, that MEMA & Tom Walsh are putting together storm damage assessment for re-imbursement. DPW went over snow budget by about \$5,000. He feels there is no other town that works better together when there is an emergency.

Selectmen Notes:

Franey - Stated that Jon Fortier has appealed his OML complaint response to the Attorney General. Also, that School Supt. Liz Sorrell will present the Statement of Interest as soon as it is ready. He thanked LaFond for coming in on Monday and helping with Emergency Management phone calls during the storm.

Hewins - Addressed complaints DPW receives regarding road salt mixed with sand stating that more sand is used than salt to protect our wells and groundwater.

Ward – Wished everyone a Happy Valentine's Day.

O'Donnell – Reminded everyone to do health and welfare checks on friends and family that may be alone during this time of year. He wished everyone a Happy Valentine's Day and asked everyone to keep all service personnel in your thoughts.

Marrone –Thanked all the emergency officials for their hard work during the storm & wished everyone a Happy Valentine's Day.

Motion to adjourn at 9:05 pm by Ward, second by Marrone. Vote 5-0.