

Minutes of the Selectmen's Meeting of January 22, 2013
Middle-High School Auditorium 6:30pm

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

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

6:30 p.m. Frosty Dog: Entertainment License

Charles Callan explained that he needs a license to hold karaoke nights. He stated that he currently offers mini golf as well as the restaurant and ice cream and that with entertainment he could have more parties and events. Franey motion to approve Entertainment License, Ward 2nd. Hewins clarified that the hours of operation were 11am-midnight. Vote: 5-0. Marrone mentioned that on Wednesday there is free black light mini golf in the evening.

6:35 p.m. Chris Belbin: Eagle Scout Project Proposal: 0 Wade St.

Belbin stated that the property needs much care due to all the trash that has been left there. He is seeking approval for his clean up proposal to send to his council for their approval: Franey motion to approve the project of clean-up of 0 Wade St. Motion 2nd by Ward contingent on there being no safety hazards involved on the property. Vote 5-0.

6:45 p.m. John D. Kelley: Re-Appointment as Constable

Franey motion to approve the re-appointment of John Kelley as Constable for a 3-year term. 2nd by Marrone. Vote: 5-0.

6:50 p.m. Redevelopment Authority Request for access to 0 Wade Street for soil sampling:

Franey recused himself from the discussion & vote on this matter stating that he is a member of the RDA.

Brian Arpello spoke on behalf of the RDA and stated that they have received quotes for soil sampling to see if there is contamination on the site. Chris Belbin (Eagle Scout) stated they would be using hand & eye safety gear for his clean up effort. Ward would like to get results from the soil samples before the Eagle Scout project begins. Motion by Ward to approve the request to solicit bids from engineers regarding soil sampling for contamination and surveying. 2nd by Marrone. Hewins asked if engineers stated which types of sampling they would be doing. Brian stated they have not gotten that far in the project and that there will be more information to come. Hewins suggested cross-sectional sampling to help determine exactly where the contamination is (if any) on the property. O'Donnell asked Arpello to run his quotes by Hewins so she can determine the best action to take as she has expertise in the field. Vote 4-0-1 (Franey abstain).

7:00 p.m. Discussion with School Committee, Finance Committee, Capital Outlay Committee regarding Elementary School

School Committee brought their meeting to order:

School Committee member Paula Kibbe stated that she feels sense of distrust between the Boards on this issue.

Supt. of Schools Liz Sorrell stated that this project was already in motion when she became Supt. and that she will pursue whatever building design that the community will support. She described the existing design proposal as the most cost-effective option and reminded people that the design actually had to be expanded to meet the minimal requirements of the Massachusetts School Building Authority. She read her handout which reviewed the timeline of events associated with determining the facility's needs and the submission of a new Statement of Interest.

Amanda Wentworth (representing a group of parents) stated that she would like to get a non-binding referendum back on the ballot for April 2013 and submit the Statement of Interest to the MSBA this March. The group of parents have done their due diligence and research to determine that the town needs to use the MSBA for support in order to build the school. She stated that there will be no way to make everyone happy and that this is about the children.

Marrone questioned why the positive path of a group of town officials meeting to explore how to move this forward has stopped. Sorrell responded that it is actually just beginning and that they have been waiting for the MSBA to open the pipeline for the opportunity to submit the Statement of Interest which is the critical first step in their grant process. Sorrell explained that because of 2 failed votes, the town has been required by MSBA to have a successful ballot vote in the form of a non-binding referendum. Further, that the earliest vote for a debt- exclusion would be in 2014 and that the statement of interest simply holds a place for the money to be reimbursed to the town if the debt exclusion vote passes.

School Committee member Lance Kennedy is in agreement that the progress made on the Statement of Interest should continue.

Franey asked if the prior Statement of Interest has expired and Sorrell responded that it does not have to be redone just updated and any new repairs or maintenance needs to be included. She needs to take it forward from 2007 to 2013.

Hewins thanked the parents group that brought this up. Sorrell stated it may take a few months to put together and that it cannot not be done in a week.

Ward stated that if it passed that the next major step would be the debt exclusion, which would be about a year from now. Sorrell explained that if it is decided that there are changes to the location or building, then the feasibility & schematic design will need to be redone. If the MSBA is not part of the planning process, they may not approve Carver for re-imbursement. Ward agreed that we need to comply with MSBA requirements.

Marrone asked whether or not a positive vote on a non-binding question and statement of interest obligates the town in any way to go with the original 45.1 million dollars. Sorrell responded that the

Statement of Interest is just telling the MSBA the condition of the buildings and neither action commits the town to anything. Hewins noted that the cost of a school and a funding source was not on the agenda.

Capital Outlay committee:

Chair Ron Clarke spoke for the Committee stating that the COC is responsible for evaluating infrastructure in the town and that they have been urging the building of a new school for many years. He reviewed the timeline & stated that if everything passed now, we would not have a new school until about 2017. He stated that he feels that a new school will affect housing values positively in the future. Also, if a new school is not built, repairs that were put off will need to be addressed. Money will continually need to be put into fixing problems. He further stated that the town could spend millions on temporary rehab projects just to get by. He would like to urge the community to move forward quickly to save the town money in short-term repairs. He also stated that the town is also been in severe need of a police and fire station which are both outdated. The town has no major tax base other than residential tax payers and that the town will have to vote for these projects or live with consequences of not voting for them.

Hewins clarified that the vote tonight does not involve funding, since that was not on the agenda.

Franey requested the list of repairs for the school from the Capital Outlay Committee and stated that none of the repairs will be reimbursed by the MSBA. Sorrell stated that because the buildings have the worst MSBA rating (4), they won't reimburse Carver for repairs, only a new building, and, that if the repairs are done one at a time, one repair could trigger another (i.e. upgrades to electricity, etc.). She stated that some parts are so outdated that they need to be manufactured and that the current facility doesn't have the 145sq. ft. per student required by the MSBA. Asst. Supt. and Business Manager Patrick Meagher stated that the buildings have been maintained properly and that the maintenance staff has saved the town significant money due to their ability to do many of the repairs required in-house.

Building Study Committee Chair Dan Ryan read a letter he received from the MSBA in January 2013. He discussed the opinions he has heard in the community about the obstacles to funding and minimizing the impact to the taxpayers. He feels there may not be as many options for funding as some may think and that project will cost more if delayed. Hewins noted that a discussion about funding the school was not on the agenda.

Building Study Committee member Steve Pratt stated that this is where the town was 30 years ago. It is a long process and applauds the parents for stepping forward. He stated that he believes that the non-binding question as drafted in the petition has problems due to the statement regarding the scope and budget. He also questioned the requirement for a non-binding vote.

Sorrell stated that MSBA makes the rules and we need to follow them, and, that to date MSBA has not changed that requirement for Carver.

Pratt said there is no requirement for any other city or town to resubmit the statement of interest and Sorrell agreed. She stated that no other community has had 3 failed ballot votes since the newly reorganized MSBA has been in existence. She read from the letter from MSBA and explained her phone conversation with them.

Finance Committee Chair John Cotter opened his meeting and stated that his committee has been involved in many town projects and stated that Capital Outlay is correct regarding their long term implications. In regards to the way a question is worded he feels that the vote may fail again if there isn't more flexibility regarding renovation, location, etc.

LaFond stated from a time standpoint that the decision by the Board of Selectmen on whether to place a question on the ballot needs to be made 90 days prior to the election date, and, if the Board chooses not to approve a question the proponents are legally eligible to submit petition to the Town Clerk by a certain date with 10% of registered voters in order to get the question on the ballot.

Town Clerk Jean McGillicuddy clarified that if the vote is not taken tonight the petition can move forward since it has met the requirement to have been brought before the Selectmen.

Franey asked if the Selectmen could put anything on the ballot. Jean clarified that the deadline for the Board to submit a question is March 18.

Ward made a motion to support the filing of a new statement of interest with MSBA and place a non-binding question on the ballot in April regarding the new elementary school. 2nd by Hewins. School Committee member Paula Kibbe made a motion to support the filing of a new statement of interest with MSBA and place a non-binding question on the ballot in April regarding the new elementary school. 2nd by Callie Minnehan.

Marrone would like to see the issue tabled to see if there is another option out there & doesn't feel comfortable approving this right now based on what she has heard tonight.

Franey asked the school committee if any of them had read the Statement of Interest. Many members stated that they are well versed in what is contained in it since they are responsible for what is in it.

Marrone asked if there was a special form of a vote. Sorrell clarified that the Board has to authorize her to submit the Statement of Interest.

Minahan disagrees with holding off on the vote. She would like to see everyone work together and get the process moving.

School Committee member James O'Brien stated that he feels that the Statement of Interest is merely presenting to the state what the need is and that he doesn't see an issue with submitting it. He stated that he would like to get the ball rolling on the project & clarified that the Statement of Interest does not obligate the town in any way.

O'Donnell stated that he feels the elephant in the room is the financing mechanism. He feels like putting the town thru this for the 4th time would be detrimental.

Board Of Selectmen Vote: 2-3 (O'Donnell, Franey, Marrone opposed).

School Committee: Vote: 5-0 unanimous.

Motion by Ward to put the non-binding referendum on the ballot in April 2013. 2nd by Hewins. Vote 2-3 (O'Donnell, Franey, Marrone opposed).

School committee adjourned their meeting at 8:57 meeting.

Finance committee adjourned their meeting at 8:57 pm

OTHER:

Request for Use of Sampson's Pond for Bass Tournament by Cran Bog Hawgs on 3/30/13 and by Cape Cod Bass on 6/9/13.

Franey motion to approve both fishing tournament requests, 2nd by Hewins. Vote 5-0.

Deadline for Warrant Articles and Scheduling of Town Meeting

Motion by Hewins to set the deadline for warrant articles to be submitted for the Annual Town Warrant as February 28, 2013.

Approval of Minutes of Oct 23, 2012, December 18, 2012 and January 8, 2013

Motion by Ward to approve October 23, 2012 minutes. 2nd by Hewins. Vote 3-2 (Marrone, Franey opposed).

Motion to table the minutes of December 18, 2012 by Hewins, 2nd by Marrone. Vote 5-0.

Motion to table the minutes of January 8, 2013 by Hewins 2nd by Marrone. Vote 4-0-1(Franey abstained)

Citizens Participation:

Ann Marie Olsen: Outlined her feelings as a taxpayer in the town regarding the school.

Amanda Wentworth: Questioned the plan for the next Board of Selectmen meeting regarding the school. O'Donnell advised her to move forward with the petition.

Heather Sepulvida: Would like to be put on the next agenda to discuss new wording for the Non-Binding Question. O'Donnell declined the request.

Noah Paessel: Expressed his feelings regarding the vote tonight on the school.

Steve Pratt: Clarified his intent of the discussion regarding the school and that we need to move forward with a Statement of Interest.

Sarah Baker : Expressed her disappointment with the votes tonight regarding the school, stating that it was about our children, not about the Selectmen. O'Donnell stated that she was making it personal.

Amanda Wentworth: Stated that the parents group involved would be willing to be flexible on coming to an amenable solution for the school.

Dawn Padovani: Gave her opinion on the town stabilization fund.

Garrett Olson: Expressed his disappointment with the results of the meeting regarding the school.

Town Administrator Notes:

Town Accountant Interviews are under way.

Meeting with DEP & Engineering Firm about the Pump Treat portion of the landfill expenses in the hopes of being able to reduce future costs.

Selectmen Notes:

Franey- Thanked everyone who got involved in the discussion about the school and reminded people that the last day to pay quarterly taxes is February 1.

Hewins- Thanked everyone who came to discuss the school issue.

Ward – Stated that the food pantry at the Council on Aging is in great need. He also would like to continue to push forward with the school building project.

O'Donnell –Thanked everyone that came out and to keep the pressure on. He asked everyone to keep service men & women in their thoughts and prayers.

Marrone – Stated that she is glad the public is becoming more active in the school building issue. She Encouraged the public to meet during her office hours at town hall 6:30 on Tuesdays and also on Saturdays from 11-12 at the Frosty Dog.

Motion to adjourn at 9:54 p.m. by Ward second by Hewins. Vote 5-0.