

Carver Select Board
Carver Town Hall, 2nd Floor
August 6, 2019 - 7:00pm

In Attendance: Chairman Ronald Clarke, Robert Belbin, Alan Dunham, Sarah Hewins, Mark Townsend, Town Administrator Michael Milanoski & Elaine Weston

Chair led the meeting with the Pledge of Allegiance and Belbin read the community prayer.

Discussion on Citizens Participation: Chair noted that the code of conduct states that participation should be related to an agenda item, however, past practice has been to let people speak and not censor anyone. He asked the board for input on the topic.

Dunham researched minutes back to 2013 and found that some topics that came up during citizens participation had to do with things going on in town or to ask to put things on future agendas. He feels it is the chance for the citizens to come before the Board and address the Board.

Hewins is open to comments from the public as long as they follow the open meeting law. She feels open meeting law was violated during the citizens participation on 7/2/19. She was publicly attacked personally.

Dunham and Clarke stated that they have been personally attacked during public meetings.

Clarke and Hewins disagreed on the interpretation of the open meeting law.

Belbin agrees with Dunham that citizens should be able to bring their issues forward in a public forum.

Dunham stated you can't shut people down because you don't like what they are saying.

Hewins stated if accusations and personal attacks are made then they should be shut down.

Clarke recapped to continue citizens participation on any topic not necessarily tied to the agenda, however, if the chair feels the comments have become mean spirited or accusatory, then the chair should shut them down.

Townsend feels the Code of Conduct should match the process.

TA requested getting clarification from Town Council on this subject.

Citizens Participation:

Donna Forand: Attended the Recreational Planning meeting on 7/17/19 and is very impressed with the work being done on the playground and the ADA equipment being incorporated. She is president of the Old Colony Regional Foundation Board and there is a fundraiser happening 11/15/19 & she wanted to make everyone aware.

Emily Slavin: Requested fee waived for the liquor license on the agenda for the Go Gold events happening in September.

Nicole Tully: In regards to the illegal tree business at 164 Center St. across from her-she would like to have this addressed by Town Council. There are at least 6 diesel fuel operated vehicles including chippers, etc. She is asking the town to take action on this illegal operation at this property.

John Gaski 162 Plymouth St. – In regards to the water contamination from the North Carver Landfill and notification to residents. He has had meetings with the TA and is requesting assistance from the Select Board on this matter.

Request for One Day Special License: Bartending Service of New England 9/14/19 at Carver Sportsmen's Club for Go Gold/Wicked Good Cause.

Belbin recused himself from the vote.

Motion to approve and waive the fee by Dunham seconded by Townsend.

Vote 4-0.

Chapter 61A conversion request: Gate St.: Tom Melahan present: Intent is to convert a portion of Assessor's Map 37 (21073+/- acres) of Lot 1-L (130.6+/- acres) and a portion of Lot 1 (44.6+/- acres). Owner is Bayside Agricultural, Inc.

Motion by Townsend to decline the option to purchase, second by Dunham.

Vote 5-0

Police Buddy Bag Program for kids: Police Chief Marc Duphily and resident Peter & Jillian Allegrini came up with the idea of having a bag of toys in each police vehicle to comfort children during times of stress when involved with the Police. Each police vehicle will be equipped with a bag courtesy of Pellegrini family. Chief Duphily thanked the Pellegrini family.

Council on Aging Needs Assessment Committee: Savery Moore and Stephen Cole present to provide preliminary results on survey. The survey results were analyzed by TSM Design. The survey has had a successful response (over 30%). The company facilitated a group among a small subset of the target population to learn more about their needs familiarity and use of Council on Aging services and the best way to distribute the survey. The group included individuals from South Meadow Village & Cranberry Village as well as residents from neighborhoods including Godfrey Circle, Harvest View Way and Jason Drive. The participants ranged from ages 60-80. The questions developed were then reviewed by the committee and put into the form of the survey. The survey was made available to every Carver resident age 55+. 4,095 surveys were mailed and 1,256 were received back. The questions ascertained the following: age, gender, vitality, health, fitness, social engagement, employment/retirement status, living situation & housing situation. There are 387 respondents that have issues the

Council on Aging could assist with if they utilized the Council on Aging. If the metrics were applied to the total 55+ population then there is more of a need. Cole pointed out that one of the questions referred to what they would like to see if a space was available and what would they like offered. The biggest response was to have something centrally located. All results were reviewed and a complete presentation will be given at the September 17th Select Board meeting. Savery stated that these numbers will continue to grow in 5 years.

Select Board Update:

Belbin: Thanked the Operations & Maintenance, Fire, EMS and Police Departments for their hard work and dedication to the community. Would like public safety to come to a future meeting to discuss dangerous intersection. Proposed creating a committee to support the town beaches. Would like to see tennis court removed at Sampson's Pond. Bates Pond playground is up kept by a neighbor. Outreach for abatements. How is 50/50 insurance benefiting the town. Affordable housing should be looked into. Would like by-laws looked at to see if anything is conflicting. Would like nuisance by-law looked at again. Alerted residents to start working on petition articles now if you would like one that is legal to submit by the deadline to be put on the annual town meeting warrant. Would like to make sure walking trails are protected in perpetuity.

Hewins: Mentioned Carver Night Out – it begins at 5pm. Would like an agenda item for Select Board for goals and objectives. Apartments over businesses is now legal, and feels that is not being done.

Townsend: Congratulated and thanked everyone for a successful Old Home Day and mentioned Carver National Night Out-because we don't do it on the actual night out, we do ours a few days later, ours ends up being larger than surrounding towns. Aug. 31 is Carver Day at King Richard's Faire. Aerial spraying is being done on August 8. MA Tax free weekend is 8/17.

Dunham: Congratulated everyone on Carver Old Home Day & reminded everyone of Carver National Night out on Thursday 8/8/19. Dunham commented on a letter that was printed in the Carver Reporter in which it stated he did not support the voters on the playground. He feels all of the decisions he has made have supported the majority on the votes in regards to the playground.

Clarke: Looking into recording meetings for more Boards and Committees. School Committee would like to have a joint meeting on 9/24 or 9/26. Cable Advisory Committee is having a public hearing in Sept. relative to the Comcast renewal in October. The FCC recently made determinations that may have a negative impact on our funding.

Request for change in Class II License: Tony Lombardo of Scrub-It Car Wash is requesting permission to display vehicles as part of his Class II License. Displayed vehicles will be in the stone area near the exit behind the fence.

Motion to approve contingent on Planning Board approval of a site plan, vehicles to be displayed – limit of 3 to be displayed and storage of 2 additional for a total of 5 on the lot by Dunham, second by Townsend.

Vote 5-0.

Update on beach only permits for part-time residents that own property in town for \$10/year: Townsend feels that if someone owns property here, they have a right to obtain a sticker, Belbin and Hewins agree.

Motion by Townsend to allow residents that provide a utility bill as form of proof of residency may obtain a beach only sticker, second by Dunham.

Vote 5-0.

Request to put gold ribbons on the lamp posts in front of Library and on Meadowbrook way from 8/30-9/30:

Motion to approve by Dunham, second by Townsend.

Vote 5-0.

Solar Tax Agreement for 59 Federal Road & 276 Federal St. for 11,941,020 & 7,118,280 (MW)DC: These have both been previously approved by the Planning Board & Conservation Commission for construction that will follow Carver's Financial Management Policies. This is will produce \$229,000 and \$136,000 respectively per year for 25 years.

Motion to approve by Dunham, second by Townsend.

Vote 5-0.

Update from Belbin on Carver Marion Wareham Regional Refuse Disposal District (CMWRRDD): A pilot program looking at Benson Brook & security checking for stickers, tonnage went down. Permits from Rochester & DEP were looked at. A conceptual plan to expand in Rochester was looked at. Additional bins for Benson Brook were purchased. Pricing for new equipment is being looked at now. Wareham DPW came in helped clean up composting. The unknown is the cost and how many people will use private haulers and how will those prices compare with the cost of staying with the district. We can make a determination as a Town to stay with the District at a Town Meeting. The next meeting is 8/21/19.

TA stated that the Town is trying to stay ahead of issues that may arise such as fines by the Board of Health for illegal dumping and Police placing cameras in areas where trash may be dumped.

Dunham left the meeting at 9:00pm.

Town Administrator Update:

Update on Town Projects & Financial Sustainability: All departments came in under budget with no transfers needed. Town Clerk's office update: The staffing is working better than in a long time and all staff are happy. High St. has been paved and Beaver Dam Road as well as parts of Main St. and Montello will be done.

MASSWORKS infrastructure grant for Route 44 project: This is for improvements of the intersection of Route 58 and 44. Improvements include the realignment of Montello Rd., improvements to Route 58 at the new intersection of Montello Rd. including a left turn lane, traffic signals and striping/signing. The intent is to define a project that can be built on the town layout and not require full Mass DOT design review.

New Director of Planning Jim Walsh: TA introduced Jim to the Select Board.

Municipal Energy Technical Assistance Grant: This is for the solar canopies that were approved at town meeting to see where these are feasible and draft conceptual plans as well as bid specifications for solar developers for lease. The Town will also benefit by getting the electricity from those canopies.

Jim also mentioned applications for housing available above businesses are coming in.

TA stated that Dan Badger has been hired to research health and human services as well as affordable housing for under 55.

Mosquito Control: Aerial spraying will take place beginning on August 8 for several nights by the state – they are aware of National Night Out. The spray contains no risk to humans and pets.

Water testing near former North Carver Landfill: All testing is continuing to report negative as previously stated at Town Meeting. TA stated that there is no contamination in the drinking water supply. There is no 1, 4 Dioxane was not identified as a contaminant in any well test in Carver.

As part of the North Carver Landfill closure in 1993, an underground pump and treat system was installed. Over 25 years this system was effectively controlled. The first time the well was tested, it was non-detect, once we were threatening to cancel the contract with engineer, there was a test that came back with a 'detect' in November 2017. As part of those requirements of the 'detect', 4 wells were tested within 500 feet and none of those wells exceeded the requirements of the state. Additional wells were tested, and none of those were tested positive at any time. All of these results have been reported to Mass DEP as required. Mass DEP has established the standard of 1, 4 Dioxane which is used in personal products, detergents, as well as antifreeze.

Minutes/Licenses/Topics unforeseen 48 hours in advance of meeting:

Request for Common Virtual License: Carmen Sweeney d/b/a El Profeta for an Ice Cream Truck.

Motion to approve subject to all appropriate licensing/CORI, etc. is done by Belbin seconded by Townsend.

Vote 4-0.

Request to use Shurtleff Park: United Parish 8/25/19 9am-10am for blessing of the animals.

Motion to approve use of Shurtleff Park and waive fee by Townsend seconded by Hewins.

Vote 4-0.

Update on Executive Session Minutes: All 2018 minutes are available in the Select Board's office for review and upon approval of Town Counsel will be released and placed on file at the Town Clerk's office.

Minutes of 6/18/19: Motion to approve minutes of 6/18/19 by Belbin seconded by Hewins.

Vote 4-0.

Minutes of 7/2/19: Hewins is requesting to change the language of the citizens participation portion of the minutes.

Motion to approve by Belbin seconded by Townsend.

Hewins would like amendment added to the minutes.

Amended motion by Belbin to add Alan Germain's statement to accommodate Hewins amendment, seconded by Townsend.

Vote 3-1 (Hewins opposed).

Next Meetings: 9/3/19, 9/17/19, 10/1/19, 10/15/19, 11/5/19, 11/19/19, 12/3/19, 12/17/19

Motion to adjourn into executive session at 9:40 p.m. by Townsend, second by Belbin to discuss strategy with respect to litigation position (MCAD-library) that may have a detrimental effect on the bargaining position of the town if held in open session, and to reconvene in open session for purpose of adjournment. Roll call-affirmative: Belbin, Hewins, Clarke & Townsend.

Chair stated that Library & Council on Aging Director Carole Julius will be joining the Executive Session.

Motion to adjourn at 10:00pm by Townsend seconded by Belbin.

Vote 4-0.