

**Carver Select Board
Meeting Minutes
Town Hall- 108 Main Street
June 26, 2023 - 6:00pm**

In Attendance: Chair Mark Townsend, Vice Chair Jim Hoffman, John Cotter, Sarah Hewins, Dan Ryan, Town Administrator Robert Fennessy and Assistant Town Administrator Elaine Weston

Chair led the Pledge of Allegiance and Hoffman read the community prayer.

Citizens Participation: None

Applications for Appointment to Cultural Council: Kevin Farrell and Marsha Penti both filed applications for appointment and both are not available to attend.

Motion by Ryan to appoint Kevin Farrell, second by Cotter.

Vote 5-0

Motion by Hewins to appoint Marsha Penti, second by Ryan.

Vote 5-0

Hewins recused herself and left the table –

Plymouth County Retirement Association Cost of Living Adjustment (COLA): Plymouth County Treasurer Tom O'Brien present. Resident Charles Armanetti, a retiree present to speak on the topic as well. He is a retired Middleboro Police Officer and a resident of Carver. He is the chair of the Middleboro Retirement Board. Armanetti said that this proposal went to the legislature last year and now the local municipalities are asked to vote on it prior to July 1, 2023. This COLA covers all municipal employees and all non-teacher school employees. The additional COLA will only be applied to the first \$16,000 of a retiree's base. There are a few retirees that do not get \$16,000, so they would get a pro-rated amount. He noted that Social Security received over 14.6% increase in the last two years. Most town retirees don't receive Social Security or a limited amount due to the social security windfall provision. The total increase of this 2% COLA is equivalent to \$320 to each employee that has a retirement benefit of \$16,000 or above. Based on the number of retirees, the total increase is approximately \$70,343. Anyone who retires after 2021 will not receive this COLA. There are approximately 125 retirees, as this is an estimation. Armanetti further explained that this came in so late due to the vacancy of a Director at the County. He noted that the average pension in Plymouth County is \$27,500. He also stated that this will not have an impact on any FY2024 budgets.

O'Brien stated that there was an emergency situation in January and thus the Director was unable to take up this topic after it went through the state. The Plymouth County

Commissioners took up the topic in April and then it went to the Plymouth County Commissioners in May to ratify, and now to the municipalities in June.

O'Brien stated this will amount to approximately \$25/month for each retiree, which would help them out. He stated the Country retirement investment performance has been great and put them at the top 1% of all public pension systems in the country. They anticipate they will continue to meet their continued goals and the liabilities will be fully funded in 2029, at which time the Town's assessment will drop significantly. The retirement assessment should be reduced by 75%. He also noted that this COLA will not impact the Town's FY2024 budget. The numbers are approximate and the \$70,000 is for the next 5 years, unless the funding schedule is extended.

Ryan asked how the 3% assessment came to \$3.19 million. O'Brien stated the retirement system was pay as you go. The state changed that so that there is now a significant liability by extending the payment schedule. He stated municipal employees are covering their costs through contributions through 9% on the first \$30,000 and 2% on anything over that. If the full assessment is paid on July 1 for the year, Plymouth County gives the Town a discount.

Plymouth County has been pre-contributing \$10 million to drive down costs and Carver has made at least 1 pre-contribution.

Ryan questioned if 3% will be added in each year. O'Brien stated that has been factored in to their estimates plus interest.

Ryan questioned what the purpose of continuing to fund retirement when it drops by 70%. O'Brien stated you are paying for your current employees so the liability does not grow and the Town will remain fully funded.

Ryan asked how this would get passed on for budgeting purposes. Fennessy stated if the Board passes it, we will know. O'Brien stated it will be posted on their website as well.

Cotter asked for a comparison using \$100,000 for a municipal employee at retirement getting 70% and stated the maximum Social Security available is \$55,000. O'Brien stated the average retirement benefit in Plymouth County is approximately \$27,000. Armanetti explained the windfall provision of a municipal employee getting Social Security. He stated the survivor has a different plan in which most survivor benefits get none.

Cotter asked how many times the funding plan has been extended. O'Brien stated it has been extended once through 2030.

Cotter questioned the average pension of \$27,000. He asked how many people are at this amount of the 125 retirees. O'Brien stated there is a misconception about municipal pensions. The average employee contributes 11%. Public Sector employees are contributing more into their pension than people getting Social Security.

Motion to approve the Plymouth County Retirement COLA by Ryan, second by Hoffman.

Vote 3-1 (Cotter)

Cranberry Village Agreement and Deed: Hewins returned to the table.

Fennessy advised that Town Counsel and the Cranberry Village Homeowner Association reviewed and approved the Agreement and Deed. The underlying article was vetted and approved at Town Meeting.

Townsend asked if the Town wells are being billed. Hewins stated the Town Complex wells are not set up as a district so Meadow Brook is not billed by the Town as the North Carver Water District and Cranberry Village. Hewins stated when the Meadowbrook Way filter broke a few years ago, the Town repaired that.

Cotter asked if the wells had a full maintenance inspection. Brenda Bakal of Cranberry Village stated they have a contractor that did an overview and there is maintenance that needs to be done. All new water mains and individual shut offs have been put in. Bakal thanked everyone for their help in this process.

Motion to approve the Cranberry Village Agreement and Deed by Hewins, second by Hoffman.

Vote 5-0

Finance Committee Bylaw: Townsend stated there are currently Finance Committee members that are requesting to be appointed to other Boards/Committees. There are also Finance Committee members currently on other Boards/Committees.

Town Counsel's opinion is that pursuant to the Finance Committee town bylaw, no current Finance Committee members can be appointed to other Committees, Boards or Commissions.

Fennessy read the current Bylaw for the benefit of viewers.

Hewins further explained that the Town Counsel opinion given previously detailed that defining this means that a Finance Committee member cannot be appointed to a state or locally established Board/Committee.

Townsend stated during discussions with Town Counsel, there were suggestions on changing the wording, but it is worded this way for a reason and it was not easy to change the wording. The wording may not be clear, but the interpretation is clear.

Hewins stated there is a member of the Finance Committee that is a member of the Redevelopment Authority which is technically not a Town Board.

Fennessy stated that according to Town Counsel a person who holds a Redevelopment Authority elected position cannot be removed by the Select Board, as the town has no authority to reduce the term of the RDA as it is an elected position. However, once the term expires, if that person wins reelection, he or she would not be eligible for the Finance Committee, as it would be in conflict with the Bylaw. Fennessy added that Town Counsel

stated that this would not apply to members of special committees. Examples of special committees include Battery and Solar moratorium study committee and the Carver Trail and Conservation stewards committee.

Ryan stated the bylaw needs to be followed until it is changed. Discussion the revolved around clarifying the intent of the bylaw. Several 'draft' motions were stated as the wording was talked out. Ryan stated that there is an understanding of the Select Board that a member of the Finance Committee cannot hold any appointed or elected office. Also, going forward they won't appoint anyone that conflicts with the bylaw, but those on a committee should be able to finish out their term.

Motion by Hewins that a member of the Finance Committee is not eligible to hold any other appointed office, except special committees, second by Hoffman.

Vote 5-0

There are members on the Finance Committee that are currently serving on other Boards/Committees. Townsend would like to see people to be able to serve out their terms. Hewins would like to see a vote the way Town Counsel recommended.

Motion by Hewins that those members of the Finance Committee that currently hold other elected or appointed positions in Town be permitted to serve in their current positions until the end of their terms and that they be informed that once one of their terms expire they will no longer be permitted to serve on the Finance Committee and in another appointed or elected position, second by Hoffman.

Vote 5-0

Fiscal Year 2024 Goals for Select Board and Town Administrator:

Select Board Goals:

There was a discussion on whether or not goals should be ranked. The Board determined they would not rank the goals.

Townsend read through the Select Board goals and suggested that each one be given a rating and use the top three with the highest rating.

There was discussion on combining two similar goals of setting the budget and timeline.

Discussion on each member's goals and of setting all 9 as goals of the Select Board.

1. Continue to assess and choose projects for ARPA funding.
2. Continue working to broaden citizen participation on boards and committees.
3. Making sure the town budget process for next fiscal year is started earlier and finished earlier than the past. Also, making sure Finance Management Policies are followed during the budget process.

4. Support and endorse an updated House Production Plan, an updated Master Plan, and an updated Open Space and Recreation Plan – all of which are currently out of date – so the Town will be eligible for state grant funds.
5. Work preemptively – when opportunities to build affordable housing or to acquire important open space parcels occurs – to get the job done.
6. Health and Safety of Carver residents. Includes aquifer protection and clean drinking water. The best way to protect the drinking water is to protect and preserve open space.
7. Management of taxes through Business Development and Financial Management. Attracting businesses helps with tax rates. Finance Management – pay off debts earlier. Capital Building Stabilization Fund.
8. Revenue Driven: Work with Planning Board to develop strategy for new growth that balances the agricultural nature of the town while providing needed funding for town operations.
9. Create policies and procedures for appointed committees that are in adherence to Town ByLaws.

Town Administrator Goals:

Select Board suggested keeping all 9 goals. Townsend asked if the Board would like them ranked. Hewins would like them to remain unranked. The Board determined the goals would remain unranked.

1. Work with department heads to bring previously approved ARPA projects to completion.
2. Work with the Finance Director to manage the budget process.
3. Review shared expenses with school and town.
4. Return all non-union employees to 75/25 healthcare benefits – as they were promised when they were hired – so that we don't lose these key people in 2025. These employees were subjected to a cruel and bleak future back in 2015 when their benefits – that they were promised when they were hired – were cut to 50/50: an almost impossible amount to ask any employee to pay.
5. Return Conservation Agent position to Full Time as it should be.
- 5A. Updating our Open Space & Recreation Plan, writing grants to purchase open space parcels as they become available, spending time with residents so that they understand why they may need to file for a wetlands protection permit, making maps of residents' properties to determine if they are in flood plains (for flood insurance purposes), helping to organize conservation land trail maintenance for public passive recreational use, working with the schools to ensure young people understand the importance of wetlands and open space protection, working with and supporting our agricultural community to ensure cooperation and kinship between agriculture and conservation – and more – as well as permitting, cannot be done on a part-time basis.
6. Good Select Board decision making by providing thorough and accurate information.
7. Process capture, and improvements for town operations. (Budget/Capital Process)
8. Detailed budget timeline with drop dead delivery dates for budget components for capital and operational expenses. Final delivery of budget and capital finances 30 days before town meeting.

9. Make recommendations/alternatives to reduce legal costs related to town expenses.

Minutes & Licenses:

Motion by Cotter to approve minutes of 6-6-23, second by Ryan.

Vote 4-0-1 (Hoffman abstain)

Motion to approve Executive Session minutes of 6-6-23 and not for release by Cotter, second by Ryan.

Vote

Vote 4-0-1 (Hoffman abstain)

Request for One Day Special License for Renaissance Foods, LTD d/b/a King Richard's Faire:

EMS is finalizing details with the First Aid and CPR certified individuals and noted that they were in agreement to issue the licenses.

Motion to approve by Hewins, second by Hoffman.

Vote 5-0

Request for use of Shurtleff Park: Natalie Manrique on August 5, 2023 9am-6pm.

Motion to approve by Ryan, second by Hoffman. They will need to get a permit for the cook fire from the Fire Department and there is no alcohol approval.

Vote 5-0

Select Board Community Announcements:

Ryan: Old Home Day is coming up and the Farmer's Market has started.

Cotter: Congratulated the Sportsman's Club on their Scholarship Breakfast

Hoffman: Kane Strong golf tournament on August 12th. August 20th, there will be a cornhole tournament for Judy's crew fundraiser

Hewins: The Farmer's Market is local vendors and homemade items. It is every Sunday 12-4 until the end of October. Old Home Day is July 29th – tickets sell fast

Townsend: The Farmer's Market is one of the better ones out there. It is National Sarah Day today, June 26

Next Meetings: July 18 & August 15, 2023. There may need to be an additional meeting for financial transfers after the Finance Committee meeting, as it needs to happen prior to July 15.

Motion to adjourn at 8:07 pm by Ryan, second by Hoffman.

Vote 5-0

Listing of Exhibits: minutes of June 6, 2023; applications for one-day special licenses: King Richard's Fair; application for appointments to Cultural Council; Plymouth County Retirement request for Cost of Living Adjustment increase documentation; Cranberry Village Deed and Agreement; Finance Committee bylaw opinion from KPLaw; Draft Goals and Objectives for Select Board and Town Administrator