

**Carver Select Board  
Meeting Minutes  
Town Hall Meeting Room #1  
January 19, 2021 - 7:00pm**

In Attendance: Chair Sarah Hewins, Vice-Chair Robert Belbin, Jen Bogart, Jim Hoffman, Mark Townsend, Interim Town Administrator Rick LaFond & Assistant Town Administrator Elaine Weston.

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

A moment of silence was held for Dorothy "Dot" Angley. Hewins read a statement detailing Dot's community involvement which is attached to the minutes.

**Citizen's Participation:** None

**Police Chief Recognition:** Hewins read a letter received from the Wareham Police Chief Walcek regarding Chief Duphily. Walcek noted that on January 7, 2021 on his own time spent time answering questions and giving advice to those in Wareham who are in the process of building a public safety facility in Wareham. Board members thanked Chief Duphily for him and his team for doing an outstanding job and being recognized by another community.

**Meadow Street Parcel; option to purchase:** Joan Peirce, Southeastern Mass. Land Agent with Mass. Department of Fish and Game present to discuss option by Fish & Game to purchase Map 88, Lot 3; a 33.4 acre parcel located on Meadow Street. The offer for purchase is \$20,000. The assessed value is \$150,000, however it is not a buildable lot. The lot is wet, has a power line going through it and has very little frontage. This is a piece of tax title land and Fish & Game chose not to hire an appraiser. Hewins stated A.D. Makepeace previously sold property to Fish & Game which abuts the Town owned property on Savery Avenue and this property would make a continuance of connected land. Belbin asked if the Assessing/Tax Department has transferred this parcel to the town, Hewins stated it was. The standard process is by Eminent Domain, however Peirce stated it is consensual. The document provided is an agreement with the town, but it is still subject to town meeting vote. Based on the signed document, the process is then started with Fish & Game. Hoffman asked how much acreage Fish & Game owns in town. She said she could research to provide that information.

Motion to approve the option by Hoffman, second by Townsend.

Vote 5-0

LaFond will send to Town Counsel to review and then Board will sign. The Fish & Game Board needs to approve and it also needs to go to DCAMM.

**Route 44 Development Update:** LaFond has spoken to McLaughlin and they were looking to do a presentation via Zoom. They will be doing a presentation with the Redevelopment Authority February 9<sup>th</sup> at 5:30pm via Zoom which the Select Board can attend.

**SEAMASS Trash Disposal Agreement:** The District Towns must contract with SEAMASS in order to be eligible to dispose of town/school refuse. The agreement is identical to agreements Marion, Wareham and the CMWRRDD have with SEAMASS. The general terms are: annual 'Acceptance Fee' for each year during the term of the agreement as follows:

1/1/21 – 12/31/21: \$77.54/ton    1/1/22-12/31/22: \$79.59/ton    1/1/23-12/31/23: \$81.58/ton  
1/1/24-12/31/24: \$83.62/ton    1/1/25-12-31-25: \$85.71/ton

Motion to approve the agreement and to authorize the Chair to sign on behalf of the Board by Belbin second by Townsend.

Belbin questioned tonnage fees for the town for licensed haulers.

Vote 5-0

**Interim Town Administrator 6-month Evaluation:**

Townsend: stated he speaks with LaFond regularly and finds him to be open & willing to discuss things. LaFond came to Carver at the beginning of Covid and would like to see a more detailed evaluation at the one year mark.

Hoffman: stated he speaks with LaFond regularly and stated all the questions were answered in depth.

Bogart: appreciates that the questions were answered thoroughly. Bogart would like full transparency and trust and would like to see the Town get there in the next six months. Bogart stated that LaFond is approachable. Bogart does not always agree with the theory of 'taking the path of least resistance'.

Belbin: did not submit any questions, but did speak with LaFond on what he has done well. Belbin spoke with LaFond in regards to communication for Wareham and the cost for the district on the morning of Town Meeting.

Hewins: read a document in regards to Rick's performance evaluation which is attached to the minutes.

**Chapter 1 of Town By-Laws:** Belbin reached out to the Moderator for a post-mortem. Belbin read a portion of an email from the Moderator and stated that the changes would need to go to Town Meeting to be approved. Belbin noted there was a flaw in the number of votes counted at Town Meeting being higher than the number of people in attendance. Belbin does not agree with the three minute threshold for speaking during Town Meeting.

Townsend stated at the last meeting it was requested that the Moderator and Clerk be invited to come to this meeting. Townsend does not think these discussions should be held without the Moderator.

Hewins agreed with Townsend. Hewins spoke with the Moderator and stated that many of the items in the by-law were voted on in 2019. Hewins stated that Town Meeting is the Moderator's meeting. Hewins is not comfortable approving changes without the Moderator present.

Hoffman questioned the new by-laws being voted in 2019 and how they came about. Hewins stated the Moderator brought those changes to the Select Board for review and then brought it to Town Meeting for their vote. Hoffman does not feel comfortable suggesting changes to something that is the Moderator's 'jurisdiction'. Hoffman stated if someone came to the Select Board and did the same thing, he would be offended.

Bogart would like to see the change of requiring the Town Meeting to be on a weekday. She would also like to see the option of yielding time to another resident.

Belbin stated the Moderator wrote in an email that he will not be attending a Select Board meeting to discuss the changing of the By-law. Belbin stated this is an opportunity for communication between the Moderator and the Select Board.

Hoffman asked if Belbin has approached the Moderator on his issues. Belbin stated he has, but has done it through email so it can be transparent.

Bogart asked the Board's thoughts in regards to her ideas. Hewins stated we would need to research the reason for not holding Town Meeting on a Saturday.

LaFond stated differentiating conduct of the meeting vs. day and time will need to be looked at.

Belbin would like this to not have a motion and to have other elected officials have the opportunity to look at the proposed changes.

Motion by Bogart to change the wording of 1.1.1 to say .."in the month of April, May or June on a day to be set by the Select Board", second by Belbin.

Belbin stated if no one comes forward that wants to talk about it, than it is a dead issue. If each change is being taken one a time, he would need to do that with his proposed changes.

Hewins stated Bogarts proposed change is not conduct related.

Vote 2-3 motion fails

2 minute break at 8:24pm

**Marijuana Establishment Host Community Agreement Process & Criteria:** Bogart stated she worked with LaFond on the proposed document. Through research she has brought together pieces of agreements from other communities that would best fit Carver and produced the agreement & process criteria. LaFond stated that the Community Host Agreement is contingent on other approvals.

Belbin, Hoffman, Townsend & Hewins commended Bogart & LaFond on the straightforward, comprehensive document.

Motion to approve agreement process & criteria by Belbin, second by Townsend.

Vote 5-0

**Annual Town Meeting Date:** Motion by Belbin to hold Annual Town Meeting on: first choice: 4/13/21 & second choice: 4/12/21, second by Townsend.

Bogart would like input from the Clerk on the Town Meeting date.

Belbin stated that the Clerk & Moderator could come before the Board if they did not agree on the date that has been set.

Vote 5-0

**Deadline for Annual Town Meeting Articles:**

Motion to set deadline for articles as Friday, February 5<sup>th</sup> by Townsend, second by Hoffman. Belbin requested that the Board get a copy of all articles submitted for Annual Town meeting.

Vote 5-0

**Approval of Lakeville Animal Shelter Agreement:** Motion to approve agreement by Belbin, second by Hoffman.

Belbin asked if Carver has looked at other towns. LaFond stated he has not- this agreement has always worked out reasonably well. Hewins stated this agreement has been in place for many years and there are not may animals that we utilize it for. It was looked at years ago and she recalls this being a good deal for the town. Bogart questioned the fees.

Vote 5-0

**Town Administrator Update:**

**Cranberry Village Well:** In 1980 David Piper, Sr. donated land to the town that contained a well that supplied Cranberry Village. One of the conditions of the donation was the perpetual right for Cranberry Village to draw water from the well. At some point subsequent to that, the Town began operating the well. The only user of the water is Cranberry Village. The agreement requires the Town to operate the well and only Cranberry Village to receive the water. Small Water Systems operates the well for the town through the Operations & Maintenance Department.

Recently, the leadership of Cranberry Village has requested additional information regarding the billing from the Town. Dave Siedentopf has begun to acquire more detailed billing information and readings from Small Water Systems going forward. Cranberry Village has

refused to pay their outstanding bills from August- present until they obtain more detail. The amount overdue is approximately \$30,000.

The wells are operated through an Enterprise Fund. A water rate is set by the Select Board and applied to the usage to cover the cost to the town. The last time the Board increased the rate was in 2006. The town is responsible for accounting for any deficit in this account. The Town would not be able to set a tax rate if this was not balanced.

After a meeting between the Town and Cranberry Village, they agreed to pay all but one outstanding bill until detailed information can be provided on that bill.

LaFond would like to look into the necessary steps to convey the property back to Cranberry Village so they can operate the system themselves.

Permitting Software: OpenGov has been chosen as the Town's permitting software and to date there have been three training sessions for staff. The Town is planning on having this system online in April. The full cost was not in the original appropriation and funding through the Cares Act is being looked into.

Plymouth Street Water Line: The Town is under an Administrative Consent Order to install a water line to service residences impacted by contamination originating from the North Carver Landfill. The Order requires the following deadlines to be met:

- a. 8/30/2020 Filing of all necessary permits with town
- b. 12/30/2020 Secure all necessary permits
- c. 1/31/2021 Send out Invitation for Bid
- d. 4/30/2021 Seek appropriation from Town Meeting
- e. 4/30/2021 Subject to appropriation of funds - award bid
- f. 5/30/2021 Subject to appropriation of funds – begin construction
- g. 11/30/2021 Complete water line to the service point of each impacted dwelling

Building Inspector: Jim Banda was been hired as Interim Building Inspector to keep up with permitting requirements and to assist with zoning enforcement.

Committee Resignations: Bill Duggan from the Finance Committee & Donna Forand from the Commission on Disability.

LaFond gave an update on the budget process & Hewins requested having a meeting on 1/30 with the Select Board and then on 2/1 with the Finance Committee.

Request for Common Victualler License: Ambition Nutrition, LLC located in Cornerstones Plaza is requesting a Common Victualler License. Amanda Ward present to request a Common Victualler License for her business that sells shakes, teas, etc. There is a location in Plymouth as well as in Marshfield. Hours are Tue-Fri 7-4, Sat & Sun 9-2 & closed on Mondays.

Motion to approve by Belbin, second by Hoffman.

Vote 5-0

**Minutes of 12/4/20; 12/15/20 & 1/5/21:**

Motion to bundle minutes by Belbin, second by Townsend

Vote 5-0

Amendment by Townsend on 12-4 minutes.

Motion to table 12/4 & 12/15 minutes by Belbin, second by Hoffman.

Vote 5-0

Motion to approve minutes of 1/5/21 by Belbin, second by Hoffman.

Vote 5-0

**Community Announcements:**

Belbin: Thanked the Police Chief for the tour of the Police Station

Bogart: Activities for kids which was one of her Select Board notes some time ago has come to fruition through the Library. Open burning season has begun – contact the Fire Department for a permit.

Hoffman: n/a

Townsend: n/a

Hewins: n/a

**Select Board Notes:**

Belbin: 1. Statement pertaining to any messages sent to Select Board members regarding religious perspective on sexual orientation. Belbin read his response to a hate email he received through his Town of Carver email. This response is attached to the minutes.

Hewins: 1. Select Board to decide at next meeting how to proceed with Select Board goals & objectives; use a facilitator, who/what that should be.

2. Appointments to permitting authority boards & commissions for possible vote & submission at Feb. 2 Select Board meeting as a town meeting warrant article.

Motion to adjourn into Executive Session at 9:20pm in accordance with MGL Chapter 30A sec. 21 (6) to consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the town, and to return to open session for adjournment by Townsend, second by Hoffman:

Roll Call – affirmative: Belbin, Bogart, Hoffman, Townsend & Hewins

Motion to adjourn by Belbin at 10:15 pm, second by Townsend.

Vote 5-0

Dorothy Angley, otherwise known as "Dot," passed away on January 2, 2021. She was the wife of former Select Board member, John H. (Jack) Angley. Dot was a life-long resident of Carver. She served on the Carver Housing Authority at its inception and on the Carver Arts Council. She also was involved with the Carver Public Library, the Carver Girl Scouts, and Habitat for Humanity. Dot was postmistress for many years at Carver's central post office when it was still located where Dandy Café is now. Dot also was my office assistant for several years when I was the town's Conservation Agent. If you wanted something done right, you asked Dot—and it would be done well! She will truly be missed.

Sarah Hewins 1/19/2021



## Informal Evaluation of Interim Town Administrator, Rick LaFond.

There are three areas of strength that I see in Mr. LaFond's answers to the informal evaluation questions posed by members of the Select Board and one point of improvement that I think could be made. These areas are interpersonal relationships with employees, the public, and the Select Board; financial management/municipal administration; and the public and their relationship to town government.

- Interpersonal Relationships with employees, the public, and the Select Board:

Rick LaFond has a respect for and an understanding of employees in all levels of town government. Time and again, his responses to the Select Board's questions are filled with phrases that indicate this respect—such as, and I quote:

- *"Providing...department heads with more flexibility and less micromanagement..."*;
- *"Department heads and employees at all levels of government are worried"*;
- *"Maintaining a positive attitude, cheerfulness and genuine concern for employees and their families can't be stressed enough"*;
- And my personal favorite, and I quote: *"I also want people who work for the town to believe that this environment is healthy for them, a place they would like to be five days a week. I enjoy supporting and acknowledging the jobs that people do.... Whether it's permitting, voting, complaints, etc., it's too easy to forget how important what we do here impacts people's lives."*

Mr. LaFond makes himself "available and visible," as he puts it, to employees. I can attest to a renewed sense of good morale among town employees. It's quite clear he understands that "one of [his] jobs is to help them [town employees] do theirs as well as possible." He has also done considerable outreach to members of boards, committees, and current and former town officials for perspective and guidance on how things have changed since his last tenure in Carver.

Mr. LaFond also makes himself available to members of the public and tries to address their concerns or complaints "in a timely manner [and] personally." I find

that he is careful to avoid even the appearance of politicking, which—if done by an ITA/TA—could cause a deep distrust of their government by the public. I'll say more on this a bit later. And, despite the difficulties surrounding COVID, by his attendance at a variety of community events, Mr. LaFond has shown his dedication to the town—that's certainly not required in his job description.

Mr. Lafond's relationships with Select Board members are, in my opinion, similar to his relationships with employees and the public. He has an open-door policy, 24/7, and as he says, he "take[s] criticism well and invite[s] comments and feedback." Taking criticism well is a hard quality to come by in anyone but especially in someone in his position and with his knowledge. He also is "careful not [to] disagree with a member or members of the Board unless absolutely necessary" nor does he "place himself in a position that is higher than the Select Board." I believe his respect for our elected roles is very real and is true across the board—no matter who fills those positions—and I, for one, appreciate that respect.

On the other hand, sometimes Mr. LaFond's respect and deferential treatment of the Select Board members—and of members of other committees and Boards—result in periods of non-communication between him and others who know his door is open but may not realize that more communication would be beneficial to both parties. Mr. LaFond should be more proactive by setting up regular individual meetings with Board and committee members who are not currently in more regular communication with him.

- Financial Management / Municipal Administration:
  - "Mentoring and investing in training for those who wish to grow within the organization" and "plan[ning] for management succession" within departments show Mr. LaFond's attention to detail that should not be seen as cost sinks but instead as constantly improving the quality of our services to the public.
  - Realizing early on that "furloughs were instituted earlier than necessary, were premature, and were not instituted after proper impact bargaining with the clerical union"—Mr. LaFond immediately

engaged in discussions with the unions to help resolve both financial and personnel issues.

- Solar PILOT programs: “Exempting real estate taxes through a PILOT agreement is not permissible.” Mr. LaFond caught early on the misunderstanding in some of our solar project agreements—which none of the rest of us caught at the time the agreements were made—that has resulted in some solar project “owners contending they don’t owe real estate tax”—a potentially significant revenue loss for the town that Mr. LaFond is currently working to resolve.
- Mr. LaFond’s almost 30 years in municipal administration and financial management has helped the town tremendously—since he has managed other budgets through multiple downturns, he was able to balance our budget during the significant COVID downturn. He also started our Gateway Health Group about 18 years ago and was “promptly elected Chair of the group” when he returned to Carver. He then helped to keep other towns from leaving the group, thus stabilizing our health care costs. His experience ensures that he also understands the cost-effectiveness of “our fire and EMS services [that] simply can’t be matched and must be maintained with as little disruption as possible while making every effort to protect the viability” of all our other departments. Such insight, I believe, is a function of years of municipal experience, but is also a function of Mr. LaFond’s not wanting to fix something that’s not broken and not tinkering with something that’s running well.

- The Public and their Relationship to town Government:

This last item is harder to pin down but is probably one of Mr. LaFond’s most important assets. It’s a combination of both good interpersonal skills and financial management skills that I believe results in the public having more trust in their local government. It’s clear that he knows he represents the Town at all times and must not show favoritism or “take sides” or politick in any way. As Mr. LaFond puts it, “My role is to try to facilitate a positive conclusion to matters” and “acting in a measured, professional way is

important for keeping the organization as unified as possible.” When we met about his responses to our questions, Mr. LaFond said this: “Budgets aren’t about money; they’re about people.” I think that speaks volumes for the management style—both personal and financial—and the unity he works to bring to our town.

Hello Carver Residents,

I am one of a few Members of our Town that received a message via our Town Portal. I appreciate, read and respond to all; except this one!

It was a message of Hate, a message I do not stand for and will never support that way of thinking. It was concerning religion, Sexual Orientation and Laws. I will not repeat the hateful sentiments that were stated in this communication because the writer doesn't deserve the attention.

What I will say is; I will not stand for anyone who makes the statements and comments this person made about another person or group. The first Amendment (speech, Religion, Free press, Assemble) is precious to me, protecting that right is of the utmost importance to me. Although, I may not like what is being said, it's allowed and must be protected. This message of HATE disgusted me.

Religion is sacred to me. My religious beliefs are mine and I will defend my beliefs in religion the same as defending others religion. It must be protected.

I would never support any Law that would discriminate against someone based on gender, age, Race, Religion, Sexual Orientation, national origin or any other protected category.

Bottom line is this: I like to have a means for residents to reach out to me. The Town Website Portal is a valuable asset to our Town. If you want to make a comment and get a reply please do, but if you are going to write hateful disgusting crap; it will not be responded to, ever!

The Pledge of Allegiance states: with Liberty and Justice  
for all!

Thank you,