

**Carver Select Board
Meeting Minutes
Town Hall
June 7, 2022 - 5:30pm**

In Attendance: Chair Mark Townsend, Vice-Chair Sarah Hewins, Jen Bogart, John Cotter & Jim Hoffman, Town Administrator Robert Fennessy and Assistant Town Administrator Elaine Weston.

Motion to go into Executive Session pursuant to MGL 30A §21(a)(3), to discuss strategy with respect to contract negotiations with the Town Administrator, that may have a detrimental effect on the bargaining position of the Town if held in open session, and to return to open session by Hoffman second by Hewins.

Roll call: Affirmative: Cotter, Bogart, Townsend, Hewins, Hoffman

Motion to adjourn Executive Session at 6:10pm and go into open session by Hoffman second by Hewins.

Roll call: Affirmative: Cotter, Bogart, Townsend, Hoffman, Hewins

Open Session:

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

Citizens Participation: none

Ratify Town Administrator contract: Tabled to June 21st meeting.

Police Department Policy of State and National Criminal History Record Checks: Police Chief Marc Duphily present. A few years ago, an individual came in to request selling from an ice cream truck. It is required by state law to pass the by-law at Town Meeting. Duphily stated that at the 2020 Annual Town Meeting, it was passed and this has been sent to the State Police for approval. It has been a long process and this is a Town Policy on how to handle the process of an application for fingerprinting and how the information is disseminated. There are also other licenses listed in the policy which it can apply to if the Board decides to change its requirements, but the main purpose for now is for ice cream truck vendors.

Townsend asked that although KP Law presented the policy, that the Chief is comfortable with it. Chief Duphily stated he is comfortable with it.

Cotter asked about the other licenses listed. Chief Duphily stated it is not required now to have fingerprints for the licenses, however if the Board started to require it be done, this policy would already be in place to give the Police Department the ability to do it.

Motion by Hewins to apply this regulation pursuant to the bylaw under the authorizing statute, G.L. c. 6, §172B ½, applicants for the following licenses shall submit fingerprints to the Carver Police Department for the Police Department to be able to conduct a state and national fingerprint-based criminal history check: Hawking and Peddling or other door-to-door salespeople, hackney and livery drivers, ice cream truck or other mobile food vendors, managers of establishments of alcoholic beverages or tobacco products, dealer in second hand articles and pawn dealers, second by Hoffman.

Vote 5-0

Plymouth Street tie-in Deadline: Fennessy stated that more than a year has been given for residents to decide if they will tie-in to the water line. Fennessy stated the deadline to decide is September 21, 2022. Bogart asked if the responsibility of the line is on the residents or on the North Carver Water District (NCWD). Fennessy stated the biggest responsibility is the cost of water. Cotter stated instead of a betterment, they can tie-in. Water will no longer be provided by the Town.

Kevin Tracey stated the NCWD has no intention of charging a betterment on the new water line residents as they have potential contamination through no fault of their own.

Tracey stated the NCWD is required to send out bills because it is an enterprise fund.

Motion by Hewins to set the date for the deadline for the tie-in to the Plymouth Street Water Line as September 21, 2022, second by Cotter.

Vote 5-0

Request of HD Channel from Xfinity: Dan Ginnetty from the Cable Advisory Committee present. One of the elements of the new Xfinity contract is that a formal request needs to be made. The costs are not absorbed by Comcast and Area 58 will be paying any fees associated with establishing this channel. Comcast has up to 36 months to provide the channel. The Committee conferred with KP Law and the information on this will be sent to Elaine Weston.

Motion by Hewins pursuant to section 6.1 (c) of the current Comcast Renewal License, the Town of Carver hereby requests that Comcast activate one HD PEG channel, and to advise the Board of the time frame for completion and costs, second by Cotter.

Vote 5-0

Annual Select Board Appointments:

Motion to approve Agricultural Commission appointment for a three-year term: Joseph Miksch, Michael Nash, Sharon Miksch and Sumner Meredith by Hewins, second by Hoffman.

Vote 5-0

Motion to approve Board of Registrar Appointments for a three-year term: Jen Toomey, Maureen Townsend and Paul Frongillo by Hoffman, second by Cotter.

Vote 4-0-1 (Townsend abstain)

Motion to approve Community Preservation Appointments of Robert Bentley for a two-year term and Kevin Tracey for a three-year term by Hewins, second by Hoffman.

Vote 5-0

Motion to approve Fence Viewer Appointment of Robert Belbin for a one-year term by Bogart, second by Hoffman.

Vote 5-0

Motion to approve Recreation Committee Appointments for a three-year term: Caprice Desroches and Stephanie Waters for a one-year term by Hoffman, second by Cotter.

Vote 5-0

Motion to approve South Shore Community Action Council Appointment of Sarah Hewins for a three-year term by Cotter, second by Hoffman.

Vote 4-0-1 (Hewins abstain)

Plymouth County Advisory Board representative: Townsend stated he would like to remain the representative if the Board does not oppose.

Motion by Hoffman to appoint Townsend as the Plymouth County Advisory Board representative, second by Cotter.

Vote 4-0-1 (Townsend abstain)

Planning Board Representative for the Southeastern Regional Planning and Economic Development District (SRPEDD):

Motion to appoint Cornelius Shea as the Planning Board representative to SRPEDD by Hoffman, second by Bogart.

Vote 5-0

Authorization of Town Administrator to establish committee for addressing Annual Town Meeting Articles #26 & #38: The articles named address moratoriums on new mounted solar photovoltaic installations and battery storage.

Fennessy stated that both articles did not state how the committees are to be put together and worked on. The Town Planner agrees that it should be the office of the Town Administrator to establish the committee. Fennessy stated he would like the committee to not be too large. Townsend stated it may need specialized knowledge as well.

Hewins stated the committee needs to be set up by who is perceived as a non-political party.

Motion by Hewins to appoint Fennessy to establish the committee for addressing the Annual Meeting articles #26 and #38, second by Hoffman.

Bogart asked who he is thinking of for the committee. Fennessy stated someone from the agricultural industry, someone from the Zoning Board, possibly the Building Commissioner and potentially other Town employees as 'ex-oficionados'.

Cotter stated he would get to 7 members quickly. Fennessy stated there would be 7 voting members and other non-voting members with input.

Vote 5-0

KP Law Rate Increase:

Fennessy stated the rates would be \$225/hour for legal services. Rates for comprehensive matters will increase to \$360/hour, comprehensive zoning bylaw review, etc. to \$300/hour & cable licensing \$300/hour. The 'specialty' legal services reflect the high demand such services and the intensity of the work required.

Motion by Hewins to approve the increase. Hewins stated we are not in a contractual agreement with KP Law, second by Hoffman.

Cotter stated having dealt with attorneys, the rates are in-line, however he is surprised by the jump.

Bogart stated they are going from \$205 to \$330 and in her opinion, it is absurd. She stated there may be a lawyer on staff now. She is interested in moving in a different direction. She would like to see this on a future agenda and Townsend agreed.

Vote 4-1 (Bogart)

Approval of Governing Board Member for the Investment Committee Election Ballot of Plymouth County OPEB Trust Program:

Motion to support Arthur Battistini by Hoffman, second by Cotter.

Vote 5-0

Town Drug and Alcohol-Free Workplace Policy:

Motion to approve with amendments by Hewins, second by Cotter.

Vote 5-0

Town Administrator Update:

ARPA funds- status of funding on 2nd allotment: There was an unsubstantiated rumor that the government was going to withhold the 2nd payment to municipalities. Fennessy called Michael Jackman and Tom O'Brien and they confirmed that this is false. O'Brien confirmed that the money will be disbursed within 13 months of receiving the first check. The second check should be received by mid-September.

Hoffman asked if there would be a committee for the recommendation on the use of the funds. Fennessy would like to see a small committee for this.

Next Meeting: 6/21/2022, Executive Session on June 15, 2022. The summer meeting schedule will be Wednesday, July 6th, and Tuesday August 2nd.

Minutes:

May 19, 2022- Requested by Bogart to table.

Motion by Bogart to table the minutes of May 19, 2022 to the June 15, 2022 meeting, second by Hoffman.

Vote 5-0

Motion by Hewins to approve the minutes of May 24, 2022, second by Cotter.

Vote 5-0

Motion to approve and not to release Executive Session minutes of 5/24/22 by Hoffman, second by Cotter.

Vote 5-0

Request for One Day Special License: Carver Sportsmen's Club

Motion to approve a One Day Special License for Carver Sportsmen's Club for July 17 from 2:00pm-8:00pm by Cotter second by Hoffman.

Vote 5-0

Select Board notes: None

Select Board Community Announcements:

Hoffman: Congratulated all the graduates and wished them luck in the future.

Hewins: Thanked the Veterans Agents, Fire and Police, Girl Scouts and all those that participated in the Veteran's Day parade.

Cotter: None

Bogart: The Town-wide yard sale will be held Saturday, June 25 from 9am-2pm. The deadline for registering is June 16.

Townsend: Congratulated the graduates. Friends of the Council on Aging are offering an electronic recycling on June 25 from 8am-noon at Our Lady of Lourdes parking lot. The Carver Farmer's Market opens this Sunday, June 12 at Shurtleff Park from Noon-4pm. He congratulated the Carver Crusaders baseball team for their first play-off game win yesterday against Smith Vocational 3-1. They play again in Carver at 4pm against Shirley.

Motion to adjourn by Hoffman at 7:15pm, second by Cotter.

Vote 5-0