

**Carver Select Board
Meeting Minutes
Town Hall- meeting room #1
June 21, 2022 - 6:00pm**

In Attendance: Chair Mark Townsend, Vice-Chair Sarah Hewins, Jen Bogart, John Cotter, Town Administrator Robert Fennessy and Shelby Roy.

Absent: Jim Hoffman

Motion to go into Executive Session: In Accordance with MGL Chapter 30A §21 (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 Hewins, second by Bogart

Roll Call: Affirmative – Cotter, Bogart, Townsend, Hewins

Pledge of Allegiance and Cotter read the Community Prayer

Citizens Participation:

Bridget McDonald from 11 Lakenham Drive spoke about the water issues she and her family have been dealing with for the past week. She came in with a water bottle filled with discolored water to show the Board what her family has been seeing. She stated that her children's elderly grandmother lives at 7 Green Street and has been drinking the water. She is blind and is unable to see it. She stated that she would like to see something done as soon as possible as it seems no one is seeing this as an emergency.

TA to Update on NCWD:

Fennessy stated that a joint meeting has been scheduled with the North Carver Water District & Select Board for Thursday, June 23, 2022 at 6:00pm. Per Legal Counsel, this was the earliest date that this could be scheduled. This meeting will be where the issues will be discussed and to come up with long & short-term solutions. Both Boards will be present and the contact phone number for who the District is maintained by, Small Water Systems is 978-486-1008. Fennessy also stated that they will be flushing the system tomorrow night June 22, 2022 at around 10:00pm and will be done by early morning.

Town Administrator Update: Solar Bylaw/Battery Moratorium Committee:

Fennessy stated that since there are general laws to protect solar, once this is processed through the Attorney General's Office we can move forward. The Committee members for both can be the same people if they choose.

Makeup – 2 Select Board Members, 2 Planning Board Members, 1 Zoning Board of Appeals Member, 1 Agricultural Member and 1 Member at Large. Fennessy also stated that he would like the Building Commissioner and the Town Planner to be involved as well.

Ratify Town Administrator Contract:

Motion to ratify Robert H. Fennessy, Jr.'s Town Administrator contract with the Town of Carver by Hewins, second by Cotter.

Vote 4-0, unanimous.

Fennessy thanked the Board, Department Heads and other employees who he has worked with and looks forward to this.

Townsend highlighted the exemplary work that Elaine Weston has put into this process. He would like her to be noticed for this.

ABCC License Hearing: NGR Cape Cod Bev. Co., LLC, 20 Shoestring Road: Wine & Malt

Josh Levine from Levine Law was present along with the Manager, JeanPierre Dansereau. Levine stated that Dansereau has a managerial license in a different location and has not had any disciplinary issues in the past. This will be a small retail shop at the camp ground and will have about 6-7 employees, all TIPS Certified and will be open from 9am – 7pm. They will be closing in October when the summer season ends. They appreciate the support from the different departments in Town Hall.

Ms. Patel from Dave's Liquor at 239 Tremont Street explained that her parents have owned this place for 15 years and they are worried that this could drive business away from them.

Cotter asked other than alcohol, are there any other competing items that are sold.

Ms. Patel stated that they do sell food, snacks, and any other type of convenience store item to the visitors that stay at the campground.

Motion to close this ABCC License Hearing: NGR Cape Cod Bev. Co., LLC, 20 Shoestring Road: Wine & Malt by Hewins, second by Cotter.

Vote 4-0, unanimous.

Hewins asked for confirmation from Fennessy that the Select Board does not have the authority to deny an ABCC License if they are under the limit the Town is given.

Fennessy stated that the Board could deny if there were any issues, but their taxes are paid and the paperwork that was submitted is in order.

Hewins stated that the Board does not have the authority to deny this if there's competing businesses.

Bogart expressed her sympathy towards Dave's Liquors. She apologizes that the Board could not do more to help. She hopes that this does not affect their business.

Motion to approve the ABCC License: NGR Cape Cod Bev. Co., LLC, 20 Shoestring Road: Wine & Malt, second by Cotter.

Vote 4-0, unanimous.

Levine requested to include the Affidavit into the Minutes.

Recognition of Walter Benoit from Chief of Police Marc Duphily:

Chief Duphily read the attached statement and presented a plaque to Walter Benoit for his years of service to the Town.

Appointment of Special Police Officers: Peter Allegrini, Patrick Charette, Christopher Mahoney, Jim Muscato, Ashley O'Dell, Michael O'Donnell, Scott Sampson:

Chief Duphily stated how there has been an increase of needing traffic details and explained the value of Special Police Officers. They are an important part of Public Safety.

Motion to appoint the following Special Police Officers: Peter Allegrini, Patrick Charette, Christopher Mahoney, Jim Muscato, Ashley O'Dell, Michael O'Donnell and Scott Sampson.

Vote 4-0, unanimous.

King Richard's Faire Traffic Study Update:

Chief Duphily stated that they have been working on a plan for the Faire coming up in the Fall. He anticipates that the plan will be reviewed on Monday and will be able to come up with a draft.

Townsend asked if there is anything that the Select Board can do to help.

Chief Duphily stated that the continued support from them has been very helpful. He does not want last year's issues to repeat.

Chief Duphily stated that there will be better signage for parking and where visitors cannot park.

Townsend thanked Chief Duphily and the group that has been working on a plan for this.

Hewins also thanked them and expressed her appreciation for their hard work on this.

Cotter asked if last year's issues were due to everyone being stuck inside from COVID and now they all were able to be out and about.

Chief Duphily stated that yes, this did play a role in the issues last year, but he also believes that in general he feels that traffic has increased in the past 10 years.

A.D. Makepeace Gift of Land to Town for Industrial Communications Cell Tower:

This item to be tabled to July's Select Board Meeting.

Adoption of the updated Hazard Mitigation Plan:

Emergency Management Director, Tom Walsh stated that it is a requirement to have a FEMA approved Plan and it needs to be updated every 5 years. The last adoption and approval of this plan was in 2016. Fuss & O'Neil was hired to work with the Town Working Group for this plan. Walsh recognized Andrew Glines, PE, Senior Civil Engineer, Alex Duryea, Environmental Scientist from Fuss & O'Neill, Inc. He also recognized Melissa Jaffe, Coastal Scientist and Elise Leduc, PWS, Coastal Scientist from Woods Hole Group. Walsh expressed his appreciation for Sarah Hewins, Vice-Chair of the Select Board, former Planning Board member and former Conservation Agent for all of her efforts and help with this.

Motion to adopt the updated Hazard Mitigation Plan of 2022 by Hewins, second by Bogart.

Vote 4-0, unanimous.

Appointment to the Carver, Marion, Wareham, Regional Refuse Disposal District: Robert Belbin

Townsend stated that Belbin has done a good job with this committee.

Cotter asked if there is a requirement for a Select Board Member to be on this committee.

Fennessy confirmed that there is no requirement. It is a Select Board appointment.

Motion to appoint Robert Belbin to the Carver, Marion, Wareham, Regional Refuse Disposal District by Bogart, second by Cotter.

Vote 4-0, unanimous.

Minutes/Licenses/Topics not reasonably anticipated by the Chair 48 hours in advance of meeting:

Next Meeting: 7/6/22

Approval of Minutes of 5/19/22:

Motion to approve by Bogart, second by Hewins.

Vote 4-0, unanimous.

Approval of Minutes of 6/7/22:

Motion to approve by Bogart, second by Hewins.

Vote 4-0, unanimous.

Approval of Minutes of 6/15/22:

Motion to approve by Bogart, second by Cotter.

Vote 4-0, unanimous.

Select Board Announcements:

Cotter – Stated that the Farmer’s Market starts this Sunday and is looking forward to it.

Bogart – The second annual Town Wide Yard Sale is this Saturday, June 25th. The route and list will be posted and on the website.

Townsend – Congratulated the Carver Crusaders Boys Baseball Team for making it to the Elite 8. This is a big accomplishment on their behalf.

Townsend called for a five minute recess at 6:58pm.

Fennessy announced the daytime & after hours contact number for Small Water Systems.
Daytime: 978-486-1008, After hours: 978-501-7600.

Joint meeting with the Planning Board: Appointment of Alternate:

Planning Board Members Present: Cornelius Shea, John Gaskey, Richard Dionne, Ellen Sordillo, Kevin Robinson.

Also Present: Thomas Bott, Town Planner.

Shea called the Planning Board meeting to order at 7:07pm.

Applicants:

Donald Williams:

Williams stated that he lives at 6-8 South Meadow Village and moved to Carver in 2003. He was a 4th grade teacher for 33 years. He explained that he is familiar with maps and plot plans. He has read the different Bylaws and Regulations. He has also done some research on the Recreation Open Space Plan and the North Carver Project. He had served on the Old Colony School Committee for 11 years, but they have been moving in the direction of Zoom Meetings in which he prefers being in person and hands on. He stated that he is available for site walks and meetings.

Shea asked what he believes the Planning Board job is.

Williams stated that this Board makes sure that the different projects follow the rules. Being able to compromise and comply when it comes to everyone’s rights. Competition is not a reason to deny.

Gaskey asked how he sees this Planning Board’s position on protecting natural resources.

Williams stated that everything has to be on a criteria basis. There needs to be some sort of method on determining a decision and it not being all 100% opinion.

Sordillo asked when having a personal feeling about a specific project, but this project interferes with the Bylaws, how would you handle this.

Williams stated that you are bound by the rules and regulations. Your personal opinion is irrelevant.

Robinson stated that he appreciates Williams willingness to come on to this Board.

Robinson asked if an opening becomes available, would Williams be open to running for the position.

Williams stated that yes he would.

Robinson asked what strengths would Williams bring to this Board.

Williams stated that he would bring in common sense.

Dionne asked if he has reviewed the Master Plan.

Williams stated that he was unable to find the Master Plan on the website.

Cotter asked the Planning Board if there is a process for when a new member comes onto the Board.

Shea stated that there is an introductory course and Bott added that there is a CPT Planning website that has different sessions and learning materials.

Bott stated that he is also a helpful source for any questions.

Bogart stated Williams mentioned conform and comply, what would make you open to loosening a bylaw to a project.

Williams stated that the past couple of meetings there have been talks of commercial buildings being next to each other and plants to make these look nice, but these need to not be in an industrial area. Carver seems to be moving towards more metal buildings.

Hewins thanked Williams for applying and referenced Gaskey's environmental question; The Zoning Bylaw example where the dust needs to be kept down and how this is not always followed. She had also mentioned the overlay with the Carver Water Resource District and that it is important to keep an eye on this.

Townsend appreciates Williams reaching out and applying for this.

Kim Branch:

Branch stated that she is from 2 Cherry Hill Drive and has lived in Carver for 20 years.

Shea asked what she believes the Planning Board's purpose is.

Branch explained that this Board has tremendous responsibility and that there are many rules and regulations from Conservation involved. You need to be willing to do a lot of reading and study a lot on the different plans, wetlands act, and to know where the resources are.

Gaskey asked as a Board Member, how would you make sure that they are doing their due diligence when it comes to protecting the natural resources.

Branch stated that there is a lot of details that need to be looked at ahead of time. You need to listen to the community and even the developers do not recognize the laws that need to be followed or looked at.

Dionne asked if she would be available for site walks and meetings.

Branch stated that she would be available and there would be no issues.

Sordillo asked what her intension was when applying for this position with a pending law suit.

Branch explained that this was the reason she was interested in the Planning Board. She realized how important it is to be knowledgeable.

Hewins clarified Sordillo's question.

Fennessy stated that there should not be any legal conversations being discussed.

Robinson asked what strengths Branch would bring to the Board.

Branch expressed her love for reading and understands the level of responsibility that comes with this. She stated that she recognizes the different laws that are subject to specific areas.

Robinson asked if an opening becomes available, would Branch be open to running for the position.

Branch stated yes, she would be willing to run.

Hewins asked if her intent was to be a conservation representative for the Planning Board.

Branch explained that was not her first thought but it does help to understand the Mass. General Laws as well. You really need to have resource plans ahead of time.

Planning Board and Select Board votes:

Robinson – Williams

Sordillo – Williams

Dionne – Branch

Gaskey – Branch

Shea - Branch

Cotter – Williams

Bogart – Branch

Townsend – Williams

Hewins – Williams

Vote Tally:

Branch – 4

Williams - 5

Townsend expressed his appreciation to Branch for applying for this position. Also, reminding everyone that there are several openings on Committees & Boards.

Motion to adjourn the Planning Board meeting by Sordillo, second by Dionne at 7:45pm.

Roll Call – affirmative: Robinson, Sordillo, Dionne, Gaskey, Shea

Motion to adjourn the Select Board meeting by Hewins, second by Cotter at 7:45pm

Vote 4-0