



TOWN OF CARVER

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Open Session Minutes February 20, 2013

Posted in Accordance with the Provisions of M. G. L. Chapter 30A, Section 20B authorized person Jack Hunter.

The meeting of the North Carver Water District Commissioners was held at Carver Town Hall Meeting Room 1. Ref Agenda Exhibit A

PRESENT: Paul Johnson Chairman; Kevin Tracey Commissioner,

Absent: Deb Silva Commissioner

Also Present: Jack Hunter Director of Planning and Community Development

North Carver Water Commission Open session begins 4:30 PM.

It is noted that Commissioner Silva could not be present due to work commitments. Rather than reschedule for another day she felt that it was important for the Commission to move forward with the water operator contract without further delay.

Citizen's participation- None

Executive Session- None

Jack Hunter updated the Commissioners on the status of the Manny Neeves betterment appeal. He presented Exhibit B Attorney Blake confirmed that the subject property has not been in 61A status from 2008 until 2011 and that Mr. Neeves applied in October of 2012 for 61A status. No abatement or request for abatement citing 61A status was presented at any of the hearings on this property. The Commission is not interested in the settlement proposed.

Jack Hunter indicated that Carver Realty indicated that an announcement was forthcoming concerning the development of this property but none has been issued. The agreement with Vincent Nocera expires in November of 2013 if no building permit is issued. The Commission wishes to leave the decision on when and how to proceed with discovery in the hands of Town Counsel.

Motion by Kevin Tracey to table the January 9, 2013 as no copy is in the package for the Commissioners to approve. Motion Second by Paul Johnson. Motion Passes 2-0.

Motion by Kevin Tracey to approve the October 4, 2010 open session minutes after correcting the spelling of Manta to Manter in the paragraph referring to the September 8, 2010 minutes. Motion Second by Paul Johnson. Motion Passes 2-0. Ref. Exhibit C.

The operations agreement is set to begin on March 11, 2013 if approved by the Commission. Commissioner Tracey voiced his concern that there needs to be tight control over extra expenditures over and above the contract. Paul Johnson also indicated his desire to maintain expenses as budgeted. Jack Hunter reports that notice of termination to Ron will be sent as soon as practical. The Commission understands and Bruce Trumbull confirms that an offer has been proffered of full time employment to Ron with SWSS at substantially similar terms conditions and pay.

Motion by Kevin Tracey to approve the contract as written Ref Exhibit D. Motion second by Paul Johnson. Motion passes 2-0. Contract is signed by Commissioners present.

Jack Hunter updated the Commission on the Storm impacts REF Exhibit E. Storm charges are expected to be reimbursed at 75% if disaster relief is approved by the Federal Government.

Jack Hunter reports that Decas will not sign the off site users agreement until an agreement with Southern Sky is finalized.

The FY2012 delinquent water liens were presented Ref Exhibit F. The Commission requested Jack Hunter draft and send a letter advising these customers of the liens and need to bring charges current. The liens will appear on next years tax bills. Letters to the Treasurer and Assessor must be sent. In the future this will be schedules for the October meeting. Motion by Kevin Tracey Ref Exhibit G. Motion second by Paul Johnson. Motion passes 2-0.

Jack Hunter presented legal advise concerning the water rates being charged to the Shaws Plaza in response to Paul Johnsons concerns that the Middleborough agreements may be transferrable to the NCWD. Rates remain unchanged.

Jack Hunter reports that the third vertical turbine pump is ready to be delivered. It will take three weeks to install. Motion by Kevin Tracey to approve the contract as written in the amount of \$16,400.00 Ref Exhibit I. Motion second by Paul Johnson. Motion passes 2-0. Contract is signed.

Jack received an answer that Philips has never been paid. They would have been entitled to bypass Weston and Sampson and get paid by NCWD if there were monies due Weston and Sampson. Since Weston and Sampson has been paid Philips cannot recover from NCWD. REF Exhibit J.

Bills Payable (Ref Exhibit K) lines 1 & 2 for Ti Sales apply to Cranberry Village and will be deleted. Line 7 will be deleted. Motion by Kevin Tracey to approve Amended bills

payable in the amount of \$13,675.13. motion Second by Paul Johnson, Motion passes 2-0.

Motion by Kevin Tracey to approve NCWD portion of SWSS invoice 13-187 in the amount of \$5501.52 for partial payment in the amount of (60%) 3391. Motion Second by Paul Johnson, Motion passes 2-0. Ref Exhibit L

Motion by Kevin Tracey to approve NCWD portion of SWSS invoice 13-106 in the amount of \$7144.40 for partial payment in the amount of (60%) 4286.64. Motion Second by Paul Johnson, Motion passes 2-0. Ref Exhibit M

Motion by Kevin Tracey to pay Middleborough 2/15/13 invoice in the amount of \$1652.80 and to send thank you note. Motion second by Paul Johnson. Motion passes 2-0. Ref Exhibit N

Reminder add flushing water costs to budget.

Motion by Kevin Tracey to pay Middleborough 7/9/13 invoice in the amount of \$2569.12 subject to Rick Lafond approval and request he contact Middleborough Town Administrator prior to approving invoice. Motion second by Paul Johnson. Motion passes 2-0. Ref Exhibit O

Motion by Kevin Tracey to Solare America invoice 1003 in the amount of \$451.20 second by Paul Johnson. Motion Passes 2-0. Ref Exhibit P.

Solare is working with Nstar to line up charges to determine savings.

Motion by Kevin Tracey to schedule the next NCWD for 3/13/2013 at 7 PM. Motion second by Paul Johnson. Motion Passes 2-0.

Motion by Kevin Tracey to adjourn at 5:55 PM. Motion second by Paul Johnson. Motion Passes 2-0.

Table of Documents NCWD Minutes 1-9-2012

Exhibit A Meeting agenda February 20, 2013

Exhibit B Letter dated 2/12/2013 from John D Ryder to Jeffrey Blake re Neeves settlement offer.

Exhibit C Draft Open Session Minutes October 4, 2010

Exhibit D North Carver Water District Agreement dated 2/20/2013

Exhibit E Synopsis of events Winter Storm Nemo

Exhibit F FY2013 North Carver Water Leins 2/19/13

Exhibit G motion on Water Leins

Exhibit H Legal advise Email Jeanne McKnight to Jack Hunter dated 2/7/13 6:44 PM

Exhibit I

Exhibit J Letter Jack Hunter to John Phillips Re November 7, 2012 demand letter

Exhibit K Schedule of Department Bills payable 1/3/2013

Exhibit L SWSS invoice 13-187

Exhibit M SWSS invoice 13-106

Exhibit N Middleborough 2/15/13 invoice

Exhibit O Middleborough 7/9/13 invoice

Exhibit P Solare America invoice 1003