

Carver Board of Selectmen Meeting Minutes  
Carver Town Hall, 2<sup>nd</sup> Floor  
February 7, 2017 - 6:30pm

In Attendance: Chairman Ronald Clarke, Vice-Chairman Alan Dunham, Sarah Hewins, Helen Marrone, Town Administrator Milanoski (TA) & Elaine Weston

Absent: Dave Robertson

Chair led the meeting with the Pledge of Allegiance and Dunham read the community prayer.

**Complete Street Program – Mass DOT:** Marlene McCollem explained that this would be used for pedestrian, bicycle, transit & vehicles. She asked the Board consider applying for this program in the future. The deadline for applying is April 1. Actions that need to be taken: Letter of Intent, Adoption of Policies, Scoring Worksheet. Moving forward could secure funding for the bikeway town-wide and this program would make it possible to implement. Clarke questioned what the vision is for utilization. McCollem stated a larger network of sidewalks, crosswalks, speed signs, share lanes and bike safe grates for the roads. This would be the same mechanism as Chapter 90 money thru the state. Marrone questioned what the cost would be to the Town. McCollem stated that there is no match for this funding, just a commitment to developing a Complete Streets Policy, which means you are looking out for more than just the driver. McCollem stated that the Town needs to come up with items (i.e. transit) that needs funding, and it could qualify as a project. Clarke questioned if it is one-time funding. McCollem stated that right now it is, but is anticipating that there may be future opportunities. Dunham feels that is a worthy program, but fears that the Town may be obligated to future funding that the Town will need to budget funds for. The Town should look for one-time projects for one-time funding. TA stated that this would act as grant money, and the Town would not have to act on all of the projects. He suggested that it would be beneficial to go forward for funding for the bike path. Future costs would be maintenance of repainting the lines.

**Green Communities Update:** Seth Pickering, Southeast Regional Coordinator for our region from the MA Dept. of Energy Resources present. This program does have 'strings'. They have been changed from previous years and the State has adopted most of what needs to be done so now there are 'less strings' involved. An Energy use baseline needs to be established. Free energy tracking software is available. Most of Carver's building data is in there already for electric and natural gas accounts. They perform energy audits on municipal buildings at no cost to the Town. One of the resources available are the grant program, Mass Energy Insight tool. Municipal Energy Efficiency Program, as well as other programs. There are 5 things that need to be done to become a green community: 1. Adopt as-of-right siting, which has already been done by Carver. 2. Adopt expedited application/permitting process, which has already been done by Carver. 3. Establish an energy baseline with a plan to reduce baseline by 20% in 5 years. (this is ½ way done) 4. Purchase fuel-efficient vehicles (this may already be in place in Carver). 5. Require new residential construction and some new commercial and industrial real

estate construction to minimize life-cycle energy costs (stretch code 780 CMR 115 appendix AA).

Once all requirements are fulfilled the application can be submitted. Clarke questioned what the burden would be on the builders. Pickering explained that every few years the energy code is updated and a forum in more detail would be needed as he doesn't have the answers to that.

Dunham questioned if it is possible to opt-out of the stretch code. Pickering stated that it can be voted to opt out and no previous grant money would be lost, but the green communities designation would be revoked. This is a voluntary participation program. Marrone questioned what the cons are. Pickering stated that he does not see any cons to adopting the stretch code. It will cost more up front to build a home by approximately \$1,000 - \$1,500 , but that money can be recouped thru MassSave by approximate \$700 in rebates. Marrone stated that it may be difficult for the homeowner to see that savings at the builder may take the savings rather than passing it along to the homeowner. The Board of Selectmen would like to set up a forum in the near future.

#### **Public Safety Budget Review:**

**Police:** Chief Dumphily stated that the breakdown of calls is estimated at approximately over 33 per day insuring the safety of the residents. Project Outreach was started to help those in the throws of addiction. The budget requested is level service. There are slight increases due to the records management, fleet vehicles needing repairs, uniform allowance due to contract obligations and the purchase of two new radios. Future plans are to add another patrol officer due to one officer who will be reaching retirement age and an officer will reach the maximum age of working which would create another opening. Dumphily does not want a gap in service, rather he would like to see an overlap in service. There are currently 2-3 officers on a regular shift. Once the current 3 are on board the staff will be 16 and the ideal amount of staffing would be 20 which would allow a patrol and investigative function which would better serve the town. Clarke would like to get a sense of the future needs to have a road map to build on. Hewins questioned the state of the fleet. Dumphily stated that there is a new vehicle in this year and would like to purchase one next year. Dumphily acknowledged the hard work of all of the public safety personnel.

**EMS:** Tom Walsh runs the EMS department with an on call model eliminating the need for a full-time department and minimizing the cost to the town while running at an efficient level. They run an extensive quality assurance program and are in compliance with all state and regional protocols. The staffing models allows the department to provide the service on a self-supporting basis. The budget requested is essentially funds that have already been collected by ambulance receipts. Last year, receipts exceeded expenditures. The budget request includes a 10% increase in the salary account which includes additional funds for increased staffing for shifts that are shown to be busy as well as training and anticipation for increased number of calls. There is also an increase for medical supplies. There is a capital request for a new

ambulance. Clarke questioned the large revenue for last year. Walsh stated that there was an increase in transports as well as everyone being covered by insurance, which was not the case in the past. Dunham questioned if the percentage of the collections were still good. Walsh stated that of what is collectable, approximately 90% is being collected. Clarke questioned how many other towns use this model. Walsh stated that Wareham uses a separate model, but that we may be unique due the separate fund and the staffing model, which avoids full-time personnel and accomplishes full-time staffing. There are two deputies, and an Assistant EMS Director.

Clarke questioned the Emergency Management department. The Nuclear Plant is undergoing an inspection and the Nuclear Regulatory Commission report will not be out until March. They are planning on operating until June 2019.

**Fire:** Chief Weston stated that the DPW, Police, Fire & EMS work seamlessly together which is not easy to find. There are contractual increases, as well as an increase in call members. There was no hiring class last year due to the building of the new station. There were 40 applicants and 10 conditional offers were made from those applicants. Graduation is at the end of April. There is an increase for the Assistant Deputy Chief –this position was funded for ½ year last year, and will be funded for the full year going forward. Operational increases are related to the new station, such as phones, technology, training, supplies and uniforms. The current full time dispatcher and a new dispatcher has been hired. The open house for the new station will be on April 15 10am-3pm.

**DPW:** John Woods stated that his crew maintains 8 municipal buildings, over 100 miles of roads and over 10 acres of land. He does in house safety trainings monthly. There is an increase in salaries due to the need for an additional custodian- one part-time custodian has retired and there is a new building that needs to be maintained. Currently when there is one custodian out, there is only one custodian on staff to maintain 8 buildings.

**Discussion on Drones: Chief Duphily & Bob Bentley:** Bentley stated he is currently in the process of obtaining his license to operate for profit, which is a requirement of the FAA. There are many agricultural uses for drones. Anyone who owns a drone cannot fly within 5 miles of an airport. There is an app “before you fly” which will tell you how far away you are from an airport. He believes most drones cannot fly for more than 30 minutes, and the smaller the drone, potentially the less time it can fly if it is not in the line of sight.

A review of the FAA regulations as well as in consultation with other Towns, Chief Duphily feels that because this is so new, the issue should be looked at from the facts we have, with the concerns brought forward. Drones should be registered with the FAA and cannot be used with someone not that is not involved (i.e. neighbor) and cannot be used in a reckless manner. If someone has an issue with a drone, he suggests that they contact the Police Department immediately so they can respond and assess the situation. There are several MA laws that protect citizens. Duphily feels that we should use the current laws. An advisory from the FAA

came out as far as what the regulations are and he has no issue with sending officers out to investigate if a complaint is called in. Dunham feels there are enough regulations issued by the FAA that the Town doesn't need to establish regulations. Chief Duphily will contact the resident that submitted the complaint.

#### **Town Administrator Update:**

**Update on FY 18 Budget Scheduling of Department Heads & update on process:** Feb. 21, bulk of other Departments will be here to present their budget.

**Gateway Health Group** is meeting next week and hoping to have FY 18 rates finalized.

**Update on Warrant for 2017 ATM** Articles: 1. Annual Report 2. Report from Fire Station Building Committee to transfer the premium bond funds to the capital and debt stabilization fund and eliminate the credit, and use that to pay cash instead of borrowing again 3. Unpaid bills 4. Supplemental Appropriations (cranberry village one time reduction) 5. Allocation of funds from free cash 6. Operating budget, enterprise funds, funding for opeb trust and stabilization funds 7. Capital improvements budget 8. Community Preservation Committee recommendations 9. Revolving Accounts 10. Adoption of Prohibition on the use of land for non-medical/recreational marijuana 11. Adoption article Temporary Moratorium on non-medical or recreational marijuana establishments. 12. Adoption of the Public Nuisance by-law 13. Reduce Conservation Commission membership 14. An act creating an appointed Board of Health 15. By-law to establish due dates and interest regarding unpaid municipal charges. 16. Abatement of low value tax parcels 17. Unpaid taxes not in excess of \$100 18. Adopt the Stretch Energy Code 19. Senior Tax Relief Home Rule Petition 20. Amend Zoning Map 21. Amend Water Resource Protection District Zoning By-law 22. Amend Zoning use regulation schedule to add medical office 23. Amend Zoning by-law definition of kennel, hobby 24. Amend Zoning by-law relating to free standing signs 25. Amend Zoning Map 26. Carver Master Plan Approval 27. Money Petition Articles.

Motion to approve Article 11 by Dunham, second by Marrone. Vote 4-0.

Motion to authorize Town Council to submit zoning change and other inconsistencies that relate to Earth Removal by Hewins, 2<sup>nd</sup> by Marrone. Vote 4-0

**Nuisance By-law** There is currently no restriction to determine what is a public nuisance and currently the only way to try to enforce something, Town Counsel would need to be involved. The Annual Town Meeting Warrant describes in detail what is unacceptable and how much is unacceptable and the enforcement that will be taken.

**Update on history of pay increases:** Union vs. non-union employees – the non-union employees have not received a cost of living increase in 9 years and their average increase has been 0.5% which is the lowest compared to the unions (DPW, Clerical, Dispatch, Teachers & Police).

**Middle High School Proprietary Items** New compressors for the rooftop units were put into the project. Material specifications are required by Mass. General Law c. 149 for public bid construction projects. It is being requested that the following items & manufacturers be proprietary in order to comply with the law: High Efficiency Commercial Boilers – Lochinvar; Mortise Locksets – Sargent/Assa Abloy; Small Format interchangeable Core Cylinders – Medeco/Assa Abloy; Exit Devices – Sargent/Assa Abloy; Door Closers – Sargent/Assa Abloy. Motion by Dunham to approve the proprietary items, second by Marrone. Vote 4-0.

**Combined Services:** TA is working with the Superintendent in conjunction with the Community Compact Grant to propose combined IT and Facilities.

**Corner of Rt. 58/Plymouth St.** This is private property, the Town doesn't have authorization to go on the property and the town could end up with the liability of environmental clean up. The Building Inspector has been working with the property owner, he has painted the building and will be putting up a fence. Town Council recommendation is to do the absolute minimum. The owner is required to make sure the building is secure and the Town is able to enforce that. Clarke stated that the soil needs to be remediated as it is a former site of a gas station. He feels that if the building is removed, the property owner doesn't need to immediately build another building on the property. TA will research if the rights can be grandfathered.

### **Board of Selectmen Update**

**Marrone:** None

**Dunham:** None

**Clarke:** Shane Gives Thanks is looking for volunteers in order to be open longer hours.

**Hewins: Street LED Lighting Follow up** – Read from a memo that recapped her meeting on 1/26 in regards to the Street Lights in the center of Town.

**Appoint Richard Ward to Earth Removal Committee as a Selectmen's Representative:** Motion to approve by Dunham, second by Marrone. Vote 4-0.

**Town Administrator Review Discussion & Timeline:** Evaluations needs to be completed this month, March 1-20 each member of the Board needs to meet with the TA, March 21 evaluations need to be turned in, April 4 Executive Session to review results in consultation with the TA, April 13 Public discussion of evaluation and set goals and objective for FY 18.

**Approval of Alcoholic Beverage Control Commission annual resident population** Motion to approve by Marrone, second by Dunham. Vote 4-0.

**Appointment of Kevin Tracey as an alternate to the Historical District Commission** Motion to approve by Marrone, second by Hewins. Vote 4-0.

**Approval of Minutes of 1/5/17:** Motion to approve minutes with amendments by Dunham, second by Hewins. Vote 4-0

**Approval of Minutes of 1/17/17:** Motion to approve minutes by Dunham, second by Hewins. Vote 4-0

**Request for parking at Sampson's Pond for the following dates: 9/16/17 Southcoast Bass Anglers.** Motion to approve request by Dunham, second by Marrone. Vote 4-0

**Request for Use of Shurtleff Park:** Carver Farmer's Market-Every Sunday June 18-October 29 from noon-4pm. Motion to approve by Marrone, second by Hewins. Vote 4-0

Next meetings: 2/21, 3/7, 3/21, 4/4, 4/11, 5/2

Move to go into Executive Session to discuss strategy with respect to collective bargaining negotiations with unions (DPW, Dispatchers), and strategy for litigation, and for purchase, exchange, lease or value of real estate that may have a detrimental effect on the bargaining position of the town if held in open session, and not to reconvene in open session by Marrone at 10:00pm, second by Roberson. Roll Call: Affirmative: Hewins, Marrone, Dunham, Clarke.