

## Carver Board of Selectmen Meeting Minutes

Carver Town Hall, 2<sup>nd</sup> Floor

May 16, 2017 - 7:00pm

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

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

### **Citizens Participation:**

Paul Johnson: Sportsmen's Club Scholarship breakfast, Saturday 7:30-11am \$7 and tickets are available at the door. Scholarship goes to graduating seniors and for a conservation camp. He thanked Board and TA for the land transfer that was approved at Town Meeting.

Bob Belbin: Questioned if there was a UTV for the N. Carver Landfill. TA stated it is in progress. He questioned maintenance of Solar Field on Paduch property- TA suggested he find out the information from the Board of Assessors. Open Meeting Law complaint violations-explained the resolution. Suggested not discussing any topic on the Redevelopment Authority on agenda.

Unanticipated Items to be added to the agenda:

School Committee met last night and voted to make the request of the Board of Selectmen to make School Committee members special municipal employees. Chair asked for a vote if the Board would like to put the item on tonight's agenda.

Motion by Hewins to put the item on the agenda, second by Marrone. Vote 5-0

**Police Chief Duphily:** Public Safety Update on MCI Plymouth-Forestry Camp. On May 3<sup>rd</sup>, people admitted to the unsecure facility (for drug and alcohol rehabilitation, not because they have been committed of a crime) left the facility. Carver Police participated in two searches and he does not believe there was any danger to the public. Chief Duphily and TA have met with officials from the facility on measures they are taking to alleviate these scenarios in the future. They have increased staff, changed the footwear and fencing is in the process of being installed. Funding is needed for security improvements.

Motion by Marrone to have TA put together a letter to be sent to Senator Pacheco and Representative Gifford for the funding for proper security of the facility, second by Clarke. Vote 5-0.

Chief Duphily suggested residents contact the Plymouth County Sheriff's Department to notify them if you use your cell phone instead of a land line phone.

**Carver Recreation:** Planning for the future presentation by Mike Schultz & Mike Santos. TA stated that Town Meeting has voted funds to start a program. Currently there are very limited programs available.

Schultz has worked with many youth sports teams in town. There are currently one week camps that run independently outside of the Recreation Committee. There is a need for more programs and there needs to be people assigned specifically to facilitate these programs. The Recreation Committee is volunteers and is only 3 people which can only handle so much.

Schultz presented an organizational structure which would include a Director and Assistant Director. The common goal would be to offer a variety of activities for the community.

There would also be a Board that would govern the Department as well as seasonal help needed.

There is an online program myrec.com which would do schedules, online registrations and be an invaluable tool that would be the basis of a successful program. This would be an investment, but it would allow more programs to run without the overhead of needing staff for registrations and required forms.

A minimum of students would be required for each program so that no program would run without generating a profit and offset expenses in town such as maintenance of fields.

Research was done on what surrounding towns are doing for their programs and what towns would best mirror Carver. The best model found was Raynham.

They would like to pilot 3 programs this summer.

Clarke feels giving kids an alternative in addition to what is already being offered is a good opportunity for the community.

Hewins questioned if YPAC was contacted as they do offer week long summer programs.

Schultz stated that these are the things they still need to look into.

Robertson questioned if there were any financials that could be looked at. TA stated that the money at Town Meeting was established to spearhead the department and it is an opportunity to see what the interest is and they will have a better understanding next spring, after programs for several seasons have been offered.

TA also stated that fee assistance and scholarships would also be offered to make sure it is inclusive of the community.

**Recreation Committee Update:** Mary Ross, Chairman, gave update on the status of the committee. The ski program participants have dropped to 12. On April 9, the annual egg hunt was held and over 100 participants attended. The Forest St. field project is moving along successfully and they are meeting with the Community Preservation Committee soon to discuss

the next phase of the project. Spring leagues are underway and meetings have begun with Mike Schultz and Mike Santos to discuss plans with the future which include offering a variety of opportunities of all ages.

Jen Bogart stated the Committee would like to do more. She stated that the Committee was taken by surprise by the presentation by Schultz and Santos to the School Committee. At the Recreation Committee meeting in February, the TA came to the meeting to discuss the committee expanding its offerings and they had no knowledge as a Committee that research was being done without the knowledge of the Committee.

Dunham stated that it seems that it was done in stages in order to come up with the best plan, not that Committee members were being excluded. It had to go before Town meeting to see if the funding would be approved, but any miscommunication was certainly not unintentional. He feels the input of the Recreation Committee is extremely important.

TA stated that there was lack of communication, but there was also a lot of combined interest and pointed out that nothing is finalized, and the communication is taking place now.

Marrone stated that going forward it should be a joint effort and does not want things to get off to a rocky start.

Bogart stated that she doesn't feel the meetings have been transparent and meetings have been held with the Chairman, not the full committee and for that reason does not feel there is sufficient communication.

Kelly DiCarli stated that Mary Ross is passionate about the committee and puts forth a lot of effort for the Town. She would like to move forward with transparency and would like all committee members to be included in all emails, meetings and correspondence so everyone is on the same page and to move forward to make the future planning successful.

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

\$3,000,000 short-term borrowing for Middle High School Accelerated Repair Program for the boilers, roof, windows and water filtration system.

Finance Director Meg LaMay explained that this is for one year and they will revisit what the market looks like next year. Once the next fiscal year starts, it will be determined if we need to go out for long-term borrowing.

Motion by Marrone to approve the sale of a \$3,000,000 2% General Obligation Bond Anticipation Notes (the "Notes") of the Town dated May 26, 2017, and payable May 25, 2018, to Oppenheimer & Co. at par and accrued interest plus a premium of \$24,851.

Further voted that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 3, 2017 and a final

Official Statement dated May 10, 2017, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further voted that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further voted that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes.

Further voted that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes,

Second by Clarke. TA stated that the interest rate went out to bid and the lowest is 1.1693%

Vote 5-0.

Motion by Clarke to appoint Marrone as the clerk of the Board of Selectmen for the documents, second by Robertson. Vote 5-0.

**LaMay requested a transfer to Veteran's Benefits** of \$32,000 from the Retirement Account. Motion to approve by Marrone, second by Clarke. Vote 5-0.

**Update on Treasurer/Collector Position:** Out of 5 interviewees, there are 2 final candidates which are being researched and considered for the position. The Chairman of the Finance Committee and the Chairman of the Capital Outlay Committee will be consulted. The Board of Selectmen has 15 days to reject the candidate.

The consultant has developed a training maintenance and the candidate will be required to attend Treasurer/Collector certification process.

Motion by Clarke, to approve the appointment upon consultation with the Finance Committee Chairman and Capital Outlay Chairman, for any Board members that have any issues with the appointment to bring that issue to the Chairman who will call a special meeting, interim Treasurer/Collector is Carol McCoy, second by Marrone. Vote 5-0.

**Unanticipated Item:** Designating a municipal employee as a Special Municipal Employee: Dunham stated Town Finance Department Employee Stephanie Clougherty was elected to the

School Committee. Once, the Clougherty was sworn in, the State Ethics Board 'clock' started and the Board of Selectmen has 30 days to designate the entire School Committee as Special Municipal Employees and if not, Clougherty would have to decide if she would like to take the seat on the School Committee or retain employment with the Town.

TA stated that it is a State Ethics Law that you cannot hold two paying positions in the Town. He stated it is not about an individual, it is about how the Town operates. Under current State Law, if you are a teacher in the same town, you cannot be on the School Committee. You can however, by State Law, be a Selectmen and an employee, but the Town of Carver voted you cannot hold both positions.

Hewins stated that it doesn't lower State Ethics standards you can hold a position in Town and be elected.

Clougherty has been speaking with the State Ethics Commission and does not feel that the ethics standards would be lowered.

LaMay stated that the Finance Department needs objectivity and no related party. Any position in Finance approaches the department as a 3<sup>rd</sup> party and has to have no bias.

Dunham stated that the Board can take action and then rescind it and this could set a precedent that could be unfavorable for the Town for the future.

LaMay stated that the Finance Department is tricky and you have to have no bias in it.

TA stated that the Finance Director and Town Administrator are opposed.

Hewins motion to approve the School Committee members as Special Municipal Employees, second by Clarke.

Marrone questioned why this issue wasn't vetted before the election, and questioned if people will have to recuse themselves from all budgetary related votes. Clougherty stated they would not have to recuse themselves from budgetary votes. Marrone is concerned that this will change the dynamic of how the School Committee votes.

Selectmen Dunham, Marrone & Clarke all stated that this does not have anything to do with the person involved, but any person in this position would be perceived as having a conflict or a potential bias and not all people may have the same compassion and dedication to the Town as Clougherty.

Clarke stated that the Town has worked hard to get transparency back and avoiding any type of conflict is paramount. The recommendation of the Finance Director also carries weight and is taken in to account.

Dunham stated that although there is not a question of the person in the position now, it may be down the road.

Clougherty stated that the Mass. State Ethics Commission does not see a conflict with holding both positions. She stated that she tried to do her due diligence and has tried to be as transparent as possible.

Marrone stated that it is setting a precedent for future issues like this.

Vote 1-4 Motion failed

**Carver Redevelopment Authority plan** approved by the Department of Housing and Community Development.

**Local Emergency Planning Committee Meeting:** 5/23/17 at 10am

**Middle High School Track/Soccer/Football Field Committee:** There is a project manager and now a landscape engineer needs to be hired. Gary Garretson, Mary Ross and Andrew Soliwada will be on a committee along with TA and Scott Knief to work thru the process along with public forums for input.

Motion by Clarke to appoint the Committee as listed, second by Robertson. Vote 5-0

**Update on Fee Schedule** review proposed for June Board of Selectmen meeting.

The Regional Refuse District is disbanding and now the Town will be assessed a fee for dumping. The transfer station fee will need to be looked at to offset the costs.

**Board of Selectmen Update:**

**Hewins:** Memorial Day Parade begins at 9:30 am at the Sons of Veteran's Hall

**Marrone:** Attended YPAC fundraiser and praised them for a tremendous job. The Plymouth County budget meeting was postponed.

**Robertson:** Encouraged participation in the parade. It used to begin at 1pm and the time was changed and participation has increased.

**Dunham:** Sportsmen's Club scholarship breakfast at 7:30am. Eagle Scout Connor Skinner has been doing a lot of work on the bandstand in Shurtleff Park.

**Clarke:** Memorial Day Parade is a great way for the community to come together. YPAC is looking to grow the program and they are looking for help. It takes place 2:05 to 6:00pm.

**Cultural Council Appointments** Motion to approve appointment of James Philip by Marrone, second by Clarke. Vote 5-0.

**Chapter 61A First Right of Refusal:** Great Meadow Dr.- Rich Serkey This land was developed as part of an Earth Removal project and did not go thru the correct channels and the documentation is looking to be corrected. Motion by Marrone to exercise the Town's first right of refusal, second by Clarke. Vote 5-0.

**Support for the DHCD's appointment on the Redevelopment Authority.** The Town Clerk informed the Board that member Charles Boulay, Jr. officially resigned from his position on the Redevelopment Authority. The Board will allow until May 31 to receive applicant for appointment and will appoint a member in consultation with the Redevelopment Authority.

**Ratify Town Administrator's contract:** Contract change extended contract by one year.  
Motion to approve by Clark, second by Marrone. Vote 4-1 (Hewins opposed)

**Board of Selectmen/Town Administrator Goals and Objective:** Board members to submit goals and objectives to Elaine Weston by June 7 to compile and distribute.

**Chairman/Vice-Chairman Authorization:** Motion by Marrone to authorize the Chairman or Vice-Chairman to approve requests for a One Day Special License or Use of Town Property in the absence of a meeting that occurs before the event date, second by Hewins. Vote 5-0.

**Minutes of 4/24/17:** Motion to approve minutes by Clarke, second by Robertson. Vote 4-1-0  
Hewins abstain.

**One Day Special Licenses:** Motion by Clarke to approve request for Edaville One Day Special Licenses for 5/20/17, 6/17/17, 7/15/17, 8/5/17, 8/19/17, 9/16/17 & 10/21/17, second by Marrone. Vote 5-0.

**Appointment not foreseen 48 hrs. in advance:** Motion to appoint Janet O'Connor to the Carver Cultural Council, by Marrone, second by Hewins. Vote 5-0.

**Use of Town Property:** Motion by Clarke to approve use of Gazebo for Carver Girl Scouts 6/5/17 5pm-7pm, second by Hewins. Vote 5-0.

Next Meetings: Joint meeting with School Committee tentatively scheduled for 6/29, 6/27, 8/1, 9/5, 10/3, 11/7, 12/5

No Executive Session held.

Motion to adjourn at 9:45pm by Clarke, second by Robertson. Vote 5-0.