



108 Main St Carver MA 2330

## Meeting Minutes

Tape recorded by Robert Belbin

**Date:** February 4, 2013 **Time:** 6:04  
Agenda (exhibit A)

**Members Present:** Chairman Will Sinclair, Vice chairman Johanna Leighton, Secretary Robert Belbin, 1 vacant Gov. appointment.

**Members not present:** Treasurer Jack Franey (came in at 6:05)

**Public Present:** Jack Hunter Town Planner, Brian Abatiello, Steve Dewhurst.

### Item #1

**Appointment:** Stephen Dewhurst Website Committee Chair- In my role as Chair of the Website Committee, to discuss what facilities the website has in support of remote participation. In my role as Chair of the Website Committee, to discuss how your committee can use the website currently, and to discuss any enhancements your committee might want to see.

Sinclair: We invited Steve to chat with us. Steve had discussions with vice chair Johanna Leighton?

Dewhurst: I'm here to find out what I can do for you with respect to the website. Steve discussed his support for remote participation. Dewhurst discussed the capabilities of the Website. Dewhurst discussed the capability of utilizing public folder and someone using remote participation. Hunter explained it better. We have discussed with 32 different Town committees about their wants and needs their wish list. Is there something you want to augment a page or something, A form you want people to fill out and email to you.

Sinclair: We have taken a roll pushing that along. Vice chair man is working with the Town Administrator on policies. Fan of Town Website of Dennis.

Sinclair: How will the Website help us for remote participation? Johanna goes to Florida around this time? I'll wait until the nest agenda item.

Belbin: We are not part of the subscription service?

Dewhurst: I believe you are.

Belbin: explained what the subscription service is and how it works.

Dewhurst explained further on how to gain access to the Subscription page and information on the website. He went over how the subscription service sends the information to subscribers.

Belbin: who do you get that email form?

Dewhurst: The town of Carver. I'm not going to argue.

Belbin: I just want to make sure we are understanding here, When you send something by email under the laws it states you have to keep the Meta data. The email address, time, date, computer information.

Dewhurst: explained further about other towns and their subscription service and the security of our service. No body ever sees your Email address. Its encrypted and stored It exists for a micro second on a machine in California.

Belbin: who created this program?

Dewhurst: you know I did.

Belbin: under MGL 66 ss10 all email messages are subject to public access. And through the public records law.

Dewhurst: you are not a Lawyer and I am not a Lawyer that's by an opinion by Town council. There are 3 provisions in MGL those email messages are not.

Belbin: I just want to make sure the RDA is aware that our name is hooked up with this and its probally going to go to court. Belbin read the laws about Emails.

Franey: how long do you have to keep them?

Belbin: it depends on what they mean.

Belbin: I don't think we should be part of the subscription service for the RDA.

Sinclair: Why?

Belbin: I feel he developed a program that withholds information that has been requested.

Hunter: What bob is saying your emails are public record. Maybe if you can share the legal opinion. Then have Kathleen check the opinion.

Dewhurst: Your email is not stored anywhere. It is encrypted.

Belbin: that is the problem the encryption, it puts the RDA in a bad position.

Dewhurst: I came here to discuss the Website and convince the Board of Selectman to donate some equipment .I did not come here to argue the laws with someone who does not understand the Law And has been harassing me for months about this issue. Email after email, There's no personal issue (yelling). I haven't slept for 24 hours. Im pissed off that I have been working my butt off and a little group of people who have been harassing me for months for reasons I don't know why.

Belbin: with full disclosure the emails I have sent to him have consisted 3. I have not submitted anything since I filed a complaint.

Sinclair: We have not kept focused so we will move on.

Johanna: I have meet with Rick Lafond about Remote participation. We started on Friday to develop a policy. 8 towns have signed on to remote participation, no problems.

Steve Dewhurst left the meeting room.

## Item 2

**Appointment:** Stephen Dewhurst- In my role as a local business owner, to answer any questions you may have about the proposed gift from Semantics Consulting, Inc. to the town, and how it would interface with the operations of your committee.

Belbin: discussed the issue of donation of gift. Selectmen have not agreed to accept the gift.

Franey: the selectmen tabled it.

### **Item 3**

#### **Discuss, Approve and possible Vote on Regular Meeting minutes: January 7, 2013, October 23, 2012.**

Leighton: January 7, 2013 #1 questioned the letter to send to Selectmen asking to change their meeting minutes to change amount to \$500,000.00. Bob to write letter and send to Will Sinclair to be sent to Selectmen.

Motion by Johanna for chair to send a letter to Selectmen to change their meeting minutes to reflect the amount of \$500,000.00.

Seconded by Franey.

Sinclair: any further discussion, none, all in favor say AYE

Unanimous 4-0-0

Motion by Franey to approve January 7, 2013 meeting minutes.

Seconded by Leighton

Sinclair Motion and second any further discussion? None All in favor say AYE.

Unanimous. 4-0-0

Belbin: October 23, 2013, from Selectman's meeting not released, Franey state dthey were will be put on next agenda to be voted on.

### **Item 4**

#### **Discuss, Approve and possible Vote on Executive Session January 17, 2012**

Not ready yet. Jack Hunter did find the meeting minutes, he will copy them for the next meeting to be voted on.

### **Item 5**

#### **Discuss, Approve and possible Vote on Buckman Park financials**

Jack Franey left to get financials, Franey questioned why financial report was not on agenda. Belbin apologized for the omission. Will be included next month on the agenda.

Jack Franey returned. He discussed the financials for Buckman Park and handed out documents for financials. Exhibit B

### **Item 6**

#### **Buckman Park: transfer to Town Account a sum of money to be voted**

Motion by Belbin to \$737.00 to Buckman Park donation account.

Second by Franey

Sinclair: Motion made and second further discussion, All in favor say AYE  
Unanimous 4-0-0

**Item 7**

**Discuss, Approve and possible Vote on Document: Block Grant lien of \$915.00**

Jack Hunter explained the reason not done was the wrong font was used. It has been corrected and waiting for it to be returned from the registry of deeds.

Johanna: The check was already cashed.

Sinclair: I want the actual document. The lien with our name on it.

**Item 8**

**Discuss and possible Policy and Procedures: Sub Committee rules**

Johanna: #9 apologized for the Sub committee policy not done yet.

**Item 9**

**Discuss and possible Vote Annual Report and Letter to the Newspaper**

Johanna: given to me it as to be done by end of the month. Will get with Jack Franey for financials and bring back to RDA next month.

Jack Hunter: I have always incorporated it into mine, but that's fine. Due February 28.

**Item 10**

**Discuss Member issues/Comments**

Sinclair: Keep personal issues out of it. Stay more focused on what we are working on. With Steve Dewhurst leaving when we had 2 items to be discussed.

Belbin: made some changes didn't send it to everyone; go in line with the laws. Will bring to next meeting. Discussed procedures for filing. Chairman to approve agenda. Sub-committee filing. RDA project form introduced. Exhibit C  
Will read the form for the record.

**Item 11**

**Discuss and possible vote on the 0 Wade St Soil Testing Project and the Sub Committee disposition.**

Belbin discussed reason for him leaving the room for this discussion. Filing of Ethic form. And contacted the Ethics Board, they suggested me to not vote on this.

Belbin left the room.

Sinclair: Bob took on this project to do soil testing on Wade St. Now he has conflicts because of actions by the Board of Selectmen. We always have 2 people on subcommittees, bob cannot. We have Brian a resident and future member; we need another member to fill bobs shoes. Who is going to do that?

Leighton: I'm not.

Sinclair: If it doesn't is going to go down in flames.

Franey: you can do it.

Sinclair: I'm not going to do it. I voted against it, I stand firm I'm not in favor of moving forward with this witch hunt.

Leighton: that's a problem, Jacks not going to run, that's 2 months.

Franey: I have a potential conflict because of Treasurer/Tax Collector.

Sinclair: it leaves it up to you Johanna, are you going to take it or we are going to set our next agenda to dissolve the sub committee or someone come up with a better idea.

Franey: does it have to be 2 members or can it be 2 residents?

Sinclair: it could be 2 residents if members do not want to be part of this. I will say this, the vote for the board was 3-1 to move forward with this. What you are doing is gathering estimates from proposed people to do testing of this site. You are not doing anything else, you are not asking for money or any other stuff. There is a misnomer that we are paying to clean this site. I still stand today that the site is not filthy, the site is not dirty, and until some one tells me that it is, it's clean.

Leighton: then why do we have to get soil testing if we are not going any further with it?

Sinclair: That is what the Board voted to do.

Discussion about reason for the conflict.

Jack Hunter: I would be willing to help Brian to get estimates. I have already talked to a few LSP's about this. We are getting close on how much it is going to cost. If you ever voted for it to do it.

Franey: Yea, because we have to see what it is going to cost.

Sinclair: Brian what is your thoughts on this, you are the only standing member on this subcommittee? Do you think its worth walking down this road? Do you think its not worth walking down this road?

Brian: I don't think its worth walking down this road, because I don't think this site is filthy? I have had my water tested, other residents have had their water tested and our water is fine. I just had someone come over and change out my filters and they have never seen cleaner water.

Franey: where are they alleging the pollution is.

Leighton: Maybe that lady, whats her face,

Brian: Mrs Boulay.

Leighton: Mrs Boulay saw those trucks came in, the honey pots, to me If you want to put a honey pot in my back yard you can, you're fertilizing it.

Brian: I just think its, If you want to have the Eagle Scouts go over there and clean it out I think we can do it for free. I don't think we need to bother with the soil testing. I think it just came out of:

Leighton: frustration.

Brian: Lets just call it frustration of members of the community who scared themselves into, saying we should have this done. It escalated into having this done. That's how I feel. I don't feel its worth spending the towns money to spend \$2000.00 to \$4000.00 to testing something we already know.

Franey: Is it sewage that was dumped out there?

Leighton: I think she said, Oil, honey pots,

Franey: I thought it was Sewage?

Leighton: I call it honey pots.

Sinclair: I take the roll from the only sitting committee member subcommittee member that we not move forward with this. What is the pleasure of the Board to dissolve the sub committee in the investigation of soil testing of supposedly contamination of Wade St. Property?

Franey: you already gone in front of the Board of Selectmen to get their permission, you know the Selectmen, the way they are?

Sinclair: you wanted to be one, remember?

Franey: I know. By a hair.

Leighton: tell me the sequence now.

Brian: I stood in front of the BOS a few weeks ago.

Sinclair: we can do this really quick. Ill propose this: Ill entertain a motion to do this, to dissolve the subcommittee on the 0 Wade St property. Anyone want to make a motion?

Leighton: I will make that motion, but have a problem with Jack Franey, if you turn property over to the selectmen and they have accepted it, its their responsibility in total. They didn't change this with us? It was Bob Belbin that made up that. Right?

Franey: we are doing it as a gift for the town. So now we are going to renege on that gift.

Sinclair: who is doing what gift? We never gifted anything.

Franey: Well you proposed going on the property to get estimates. Proposals with the idea to possibly do the work.

Sinclair: first of all for clarification, I was dead against this committee and in the minutes it was to allow Bob Belbin and Brian to entertain proposals from LSP for what it would take to test this property. That's all it was. It wasn't anything about expending any money. Or anything like that. There was a misnomer up at the selectmen's office that thinks we are paying.

Franey: That there was an expectation that the Redevelopment will pay for it.

Sinclair: ill tell you again, that wasn't what was voted on by the board. I board did vote to allow this process to go through 3-1. I'm suggesting that bob has to step aside that someone to join Brian. Brian has stated he thinks it's not worth walking this road. My proposal to the committee was to dissolve the subcommittee. Anyone want to make that proposal?

Franey: you didn't think it was worth walking it but you got on the committee anyhow?

Brian: I was put on the committee because you needed a 2<sup>nd</sup>.

Franey: he's turning into a politician already.

Sinclair: sounds familiar.

Brian: my feeling at the time I was going through this. the motions to find out how much it was going to cost, because my understanding that this board was going to vote on what findings we found of how much money it was going to cost.

Franey: they was an expectation or potential to pay for it.

Brian: yes.

Franey: depending on the cost.

Sinclair: I will agree to disagree with you.

Brian: that was the expectation. I was under the impression that that is what you were going to do.

Sinclair: I don't want to belatter this, either we are going to dissolve this sub committee or not. If we are not we need someone to step up with Brian to move forward. Let's make a decision and move on.

Leighton: I move to make a vote to dissolve the subcommittee.

Sinclair: do we have a second? To dissolve. I can make that second. Franey: even though you voted against it.

Sinclair: yup, it's a new motion on the table. I will second to move to dissolve.

Sinclair: there is a motion and second to dissolve, any further discussion? None  
Brian: well I did have a conversation with Mike O'Donnell about this particular item that he said that one way or another the town wants to make sure the property is clean. If anything were to come to happen.  
Franey: he said that with you separately?  
Brian: Yes. That the trust of the property, my felling is that the trust is built that is should be put in the trusts hand to come up with a plan to pay for it. Contamination.  
Franey: I don't think they can use CPA money.  
Hunter: If they were to use it for housing or recreation.  
Sinclair: I am struggling with the blighted site. We don't know if its blighted site, we cannot go under that criteria. We don't have a blighted site. Lets find another way, we've done other projects that was in the best interests for the community. Is this in the best interest of the community?  
Franey: It is.  
Sinclair: what your telling me Brian the conversation with the Chairman of the Board of Selectman that if there is a potential, would that be in our best to get proposals from LSP and in no way are we going to pay for it. That's my opinion.  
Franey: that's not what I understood last time.  
Sinclair: Well it's clear in the minutes. That we were just going for  
Leighton: why would you go through all that trouble?  
Sinclair: The motion on the table is to dissolve the sub committee say AYE.  
Sinclair AYE, Leighton Aye, Franey Opposed.

2-1-0

Sinclair: so we dissolve.

### **Item 12 Public Comment**

Sinclair: Public comment,  
Hunter: ya, Jon Cotter to get out of here  
None

### **Item 13 Next meeting discussion and vote**

Sinclair: motion to adjourn?  
Franey so moved.  
Leighton: I second it, will all these months conflict with the Finance committee?  
Franey: They meet the first and third. As long as you are outta here at 7pm.  
Leighton: is that going to conflict with us?  
Franey: we can meet upstairs in the Selectman's conference room.  
Sinclair: Motion and second to adjourn all those in favor say AYE.  
Unanimous 3-0-0 Belbin not in room to vote.

Belbin made a list of our meeting dates. Post then online. First Monday of month.  
Approve only until August at 6pm for meetings.

Meeting Minutes: Feb 4, 2013, October 23, 2012, Executive Session January 17,2012  
Treasurer's report, Annual report to DHCD.

**Motion to adjourn by  
Seconded by  
Sinclair: All in favor to adjourn say AYE?  
Sinclair, Franey, Leighton 3-0-0 Belbin not in room**

Exhibits:

- A- Agenda
- B- Buckman Park Financials
- C- RDA project form