

Mr. Pacheco moves to amend the bill by substituting the following draft:-

“An Act authorizing the town of Carver to transfer certain real property, including water wells and a pumping station, to the Cranberry Village Residents Association, Inc. for water supply purposes.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding sections 15 and 15A of chapter 40 of the General Laws
2 and section 16 of chapter 30B of the General Laws, but subject to paragraphs (a), (b) and (g) of
3 said section 16 of said chapter 30B, the select board of the town of Carver, with the approval of
4 the department of environmental protection as required by the regulations of the department, may
5 convey all or a portion of the town's interests in certain real property and the water wells,
6 pumping station and other water infrastructure located thereon, to the Cranberry Village
7 Residents Association, Inc., a nonprofit corporation organized under chapter 180 of the General
8 Laws. The property to be conveyed is described in a deed to the town recorded in the Plymouth
9 county registry of deeds in book 8929, page 94. Consideration for the conveyance shall be \$1
10 and such other terms and conditions as the select board deems to be in the best interests of the
11 town including, but not limited to, a conservation restriction to be held by the conservation
12 commission pursuant to sections 31 to 33, inclusive of chapter 184 of the General Laws requiring
13 that the property be used in perpetuity solely for providing potable water to Cranberry Village
14 and such other uses as may be incidental or related to the use and protection of the property as a
15 potable water supply.

16 SECTION 2. This act shall take effect upon its passage.



CARVER SELECT BOARD

Robert H. Fennessy, Jr.
Town Administrator

Elaine Weston
*Assistant Town Administrator/
Human Resource Coordinator*

**108 Main Street
Carver, MA 02330
Telephone: 508-866-3401/Fax: 508-866-4213**

July 20, 2022

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the Carver Select Board, at their meeting held on Wednesday, July 20, 2022 at 12:30pm at the Carver Town Hall in meeting room #1, pursuant to M.G. L. Ch30A, §20b. There was a quorum present consisting of Chair Mark Townsend, Vice-Chair Sarah Hewins and members John Cotter and James Hoffman.

Cranberry Village Wells:

A motion was made by Hewins and second by Cotter to approve an act authorizing the town of Carver to transfer certain real property, including water wells and pumping station, to Cranberry Village Residents Association, Inc. for water supply purposes with the amendments recommended by the General Court and as set forth below.

Roll Call Vote:

Affirmative:

- Hoffman
- Hewins
- Townsend
- Cotter

ARTICLE 7: COLLECTIVE BARGAINING AGREEMENTS: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$154,860 to fund and implement the cost items of the first year of Collective Bargaining Agreements between the Town and its unions and/or for general collective bargaining settlement purposes, or take any other action relative thereto.

SELECT BOARD

INFORMATIONAL SUMMARY: This article is to fund collective bargaining agreements with the Clerical, Operations & Maintenance, and Dispatch Unions:

1. the sum of \$13,000 for salary costs and \$3000 for uniform costs for the collective bargaining agreement between the Town and the New England Police Benevolent Association, Dispatch Union;
2. the sum of \$87,525 for salary cost and \$375 for clothing costs for the collective bargaining agreement between the Town and the AFSCME Council 93, Local 1700, DPW Union; and
3. the sum of \$50,960 for salary cost for the collective bargaining agreement between the Town and the for the SEIU Local 888, Clerical Union.

PROPOSED MOTION: I move that the Town raise and appropriate the sum of \$154,860 from local receipts for the purpose of funding and implementing the first-year costs for the following three union contracts:

(Majority Vote Required)

Recommendation: Select Board 0-0

ARTICLE 8: TRANSFER OF OWNERSHIP OF THE CRANBERRY VILLAGE WELL:

To see if the Town will vote to authorize the Select Board to convey a parcel of land known as 86 Cranberry Road, described in a deed recorded with the Plymouth County Registry of Deeds in Book 8929, Page 94, and the water wells, pumping station, and other water infrastructure located thereon, to the Cranberry Village Residents Association, Inc. for the purpose of providing water to Cranberry Village, a manufactured housing community, and on such other terms and conditions as the Select Board deems to be in the best interest of the Town, and to execute any and all documents and instruments in furtherance of said article; and, further, to authorize the Select Board to petition the General Court for special legislation authorizing said conveyance, in the form set forth below, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Select Board to approve such amendments; or take any other action relative thereto.

The petition for special legislation shall take the following form:

AN ACT AUTHORIZING THE TOWN OF CARVER TO TRANSFER CERTAIN REAL PROPERTY,
INCLUDING WATER WELLS AND A PUMPING STATION THEREON TO THE CRANBERRY
VILLAGE RESIDENTS ASSOCIATION, INC.

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of sections fifteen and fifteen A of chapter 40 of the General Laws and section sixteen of chapter 30B of the General Laws, or any other applicable law, the town of Carver, acting by its select board, upon the granting of approval by the Department of Environmental Protection as required by the regulations of said department, is hereby authorized and empowered to convey all or any portion of the town's interests in certain real property and the water wells, pumping station, and other water infrastructure located thereon, said property described in a deed recorded with the Plymouth County registry of deeds in book 8929, page 94, to the Cranberry Village Residents Association, Inc., a Massachusetts non-profit association organized under chapter 180 of the General Laws, established for the purpose of owning, operating and maintaining a manufactured housing community, for consideration of \$1.00, and subject to such terms and conditions as the select board deems to be in the best interests of the town, which shall include at least a deed restriction requiring that the

property shall be used in perpetuity solely for the purpose of providing potable water to Cranberry Village and such uses as are incidental or related to the use and protection of the property as a potable water supply.

SECTION 2. The deed effectuating the conveyance authorized in section 1 shall provide that if the parcel ceases to be used for the purposes set forth in section 1 for more than one (1) continuous year, unless such cessation is caused by an uncontrollable force or natural disaster not within the power of the grantee or its assignee, title to the parcel shall, at the election of the town of Carver select board, revert to the town if the town: (i) provides the grantee or its assignee with written notification and an opportunity to cure; and (ii) records a notice of the reversion in the Plymouth County registry of deeds. In the event of reversion under this section, the parcel shall be held by the town for general municipal purposes.

SECTION 3. This act shall take effect upon its passage.

SELECT BOARD

INFORMATIONAL SUMMARY: The Cranberry Village well was gifted to the Town in the 1980's. The Town expends resources to maintain the well. This article is requesting that the well go back to the ownership and control of Cranberry Village before it becomes more of a liability to the Town.

PROPOSED MOTION: I move that the Town approve Article 8 as set forth in the Warrant.

(Majority Vote Required)

Recommendation: Select Board 4-1

ARTICLE 9: ACCEPTANCE OF GREEN PARK WAY:

To see if the Town will vote to accept as a public way the roadway known as Green Park Way, from Main Street (Route 58) to an intersection with Montello Street, all as shown on a plan entitled "Plan of Road in the Town of Carver, Mass. Plymouth County Showing Location of Basements for the Purpose of Reconstructing Montello Street and Green Park Way at Main Street for the Town of Carver," dated March 22, 2022 (*Appendix D*), prepared by VHB, and on file with the Town Clerk, and authorize the Select Board to acquire, by gift, purchase, and/or eminent domain, the fee to and/or easements in Green Park Way) for all purposes for which public ways are used in the Town of Carver and any drainage, utility and/or other easements related thereto, or to take any other action related thereto.

SELECT BOARD

INFORMATIONAL SUMMARY: Full ownership in the land within the layout of the way, will provide the municipality and the public the requisite rights (Appendix D)

PROPOSED MOTION: I move that the Town approve Article 9 as set forth in the Warrant.

(Two-Thirds Vote Required)

Recommendation: Select Board 5-0

ARTICLE 10: TABLE OF DIMENSIONAL REQUIREMENTS – BUILDING HEIGHT IN GREEN BUSINESS PARK (GBP):

To see if the Town will vote to amend the Carver Zoning Bylaw, Section 2320. Table of Dimensional Requirements, Maximum Building Height (feet) to increase the maximum Building Height in the Green Business Park Zoning District from forty (40) feet to a maximum Building Height of sixty-five (65) feet, and by amending the language of footnote numbers 11 and 12 in the Max. Building Height column of said Table, as shown below with text additions shown in bold and deletions in strikethrough, or take any other action relative thereto.

~~11 If a building contains more than two (2) stories, then this minimum requirement shall be increased by twenty-five (25) feet per story for each story that the building exceeds two stories in height up to a maximum setback requirement of two hundred (200) feet. For example, a building containing three (3) stories shall not be located closer than seventy-five (75) feet from the boundary line of the District and a building containing four (4) stories shall not be located closer than one hundred (100) feet from the boundary line of the District. Where a building or improvement is not divided into stories, a story shall be considered fifteen (15) feet in height. Notwithstanding anything to the contrary in this Zoning Bylaw, Building Height shall mean the vertical distance measured from the mean finished grade of the~~