

ANNUAL TOWN MEETING MINUTES

MONDAY, JUNE 16, 2014

The 222nd Annual Town Meeting of the Inhabitants of the Town of Carver was held on Monday, June 16, 2014 at the Carver High School Auditorium at 7:00 P.M., pursuant to a Warrant of the Board of Selectmen dated June 5, 2014. The meeting was called to order at 7:15 P.M. by the Moderator, Robert E. Bentley, there being a quorum 75 present. The total registered voters at this time were 244. Moderator, Robert E. Bentley, led the voters in the Pledge of Allegiance to the Flag and a moment of silence for our troops.

The appropriate tellers were duly sworn to their faithful performance of their duties by Town Clerk; Lynn A. Doyle. The tellers were as follows:
Ellen M. Blanchard, Leann D. McAllister, Stephen C. Pratt and Kevin R. Walsh

Members of the Finance Committee, Governance Committee, Capital Outlay Committee, Board of Selectmen and School Committee were introduced as well as School Superintendent; Liz Sorrell, Town Counsel; Gregg Corbo, Town Administrator; Michael Milanoski, Town Clerk; Lynn Doyle, Town Accountant; Meg LaMay, and Treasurer/Collector; Paula Nute.

Moderator; Robert E. Bentley reviewed the town meeting procedures and explained the changes to the format of the warrant.

Upon motion made by Moderator; Robert E. Bentley and hearing no objection it was So-Moved to accept the Town Meeting Guide as follows below and provided in the handouts, as the procedures to follow at this Annual Town Meeting:

What rules govern Town Meeting?

In Carver, the Moderator guides his actions by the parliamentary handbook used by most Massachusetts Moderators known as "Town Meeting Time" and the Massachusetts General Laws which are supplemented by "Robert's Rules of Order Newly Revised."

Who may speak at Town Meeting?

All of the town's registered voters, residents and taxpayers may speak on any article in the warrant. Persons who are not voters, residents or taxpayers of the town may address the Town Meeting only with the consent of a majority of those present. If you wish to speak, stand up, move to any available microphone and wait for the moderator to acknowledge you. When the Moderator acknowledges you, state your name and address. Speak about the topic being discussed. Don't speak about a previous topic (unless there is a motion to rescind or reconsider). Make your comments through the moderator, not directly to the Town Meeting.

Conduct of Speakers

Every person when about to speak shall rise, respectfully address the Moderator and wait until recognized by the Moderator, and in speaking shall address all comments to the Moderator, shall confine him/herself to the question under consideration and avoid personal attacks, inappropriate language, or uncivil conduct of any type. The Moderator may cut off any speaker who fails to adhere to this code of conduct. No person shall address the meeting without first being recognized by the Moderator and all persons shall, at the request of the Moderator, be silent.

Equal Opportunity for Debate

Unless otherwise approved by the Moderator, (a)no person shall speak more than twice on any motion except to correct a mistake or misstatement, or to answer a question, or to raise a Point of Order (unless the maker of the motion is answering relevant questions); (b)no person shall speak more than five minutes the first time they speak on any article and more than three minutes the second or subsequent time they speak on that article; (c) no person may yield their speaking time to another person; and (d) except to answer a question or to raise a Point of Order, no person shall speak for a second time on any motion until all persons wishing to speak for a first time on that motion have been recognized. Any persons who desire to make

lengthy presentations or use audio-visual aids are required to disclose such intentions to the Moderator not less than one week prior to the Town Meeting.

Limiting Debate

Any motion to move the question or cut off debate shall require a two-thirds vote and is not debatable or amendable. Acceptance of this motion is in the sole discretion of the Moderator, except the Moderator may refuse to accept a motion to move the question or cut off debate (a)when made by a speaker after said speaker has made any remarks concerning the merits of the question then pending or (b)if the Moderator deems the motion to be premature.

Voting Procedures at Town Meeting

When a two-thirds (2/3) vote of town meeting is required by statute, the Moderator shall make public declaration of the vote and a count need not be taken. The Moderator will count the vote any time it appears that a voice vote is too close to call. If any vote declared is immediately questioned by seven (7) or more voters, the Moderator shall verify it by polling the voters.

Motions

The Selectmen shall provide the Town Clerk all main motions in writing, or electronically, 24 hours before any Annual or Special Town Meeting, excepting only motions that are still under review or pending advice from Town Counsel. All other motions, including, but not limited to, Motions to Amend a previous Motion, shall be submitted in writing, unless otherwise allowed by the Moderator. A motion may be withdrawn by the mover. No motion to dissolve a Town Meeting shall be in order until every article in the Warrant has been duly acted upon at the meeting.

Motions to Reconsider

At any Annual or Special Town Meeting or adjournment thereof, a motion to reconsider any article on the Warrant may be made only once and must be made within two articles and at the same session on which the article was voted.

Town Administrator; Michael Milanoski explained the warrant packet handout and the PowerPoint presentation.

ARTICLE 1: ANNUAL TOWN REPORT

To act upon the reports of the various Town Officers as printed in the Annual Town Report for 2013, and to hear the reports of any Committee heretofore chosen and act thereon, and to abolish any special committee not submitting a report which is required to do so, unless otherwise voted, and to establish any new committee or take any other action related thereto.

BOARD OF SELECTMEN

ARTICLE 1: VOTE

Upon motion made by Richard Ward; Selectman and seconded, it was *Unanimously Voted* for the Town to approve Article 1 as printed in the warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 6-0

ARTICLE 2: UNPAID BILLS FROM PREVIOUS YEARS

To see if the Town will vote to transfer from available funds, a sum or sums of money, to be expended by the Town Administrator, to pay any unpaid bills from previous fiscal years, including but not limited to the bills listed below, or to take any other action related thereto.

Food Service Account	\$7,188.30
Norfolk Ram Group (*12 Storm Drain Article)	\$3,000.00
Police Injured on Duty	\$ 65.91
Police Salary	\$ 520.86

BOARD OF SELECTMEN

ARTICLE 2: VOTE

Upon motion made by Helen Marrone, Selectwoman and seconded, it was a *Four-Fifths vote, Unanimously Voted*, for the Town to transfer the sum of \$10,775.07 from available funds in #01-000-145-0058-5317 (financial disclosure account) for the purposes set forth in Article 2 of the Warrant.
Recommendation: Board of Selectmen 5-0, Finance Committee 5-0

ARTICLE 3: SUPPLEMENTAL APPROPRIATIONS FOR FISCAL 2014

To see if the Town will vote to transfer from available funds, a sum or sums of money, to be expended by the Town Administrator, needed by various departmental budgets and appropriations to complete the fiscal year ending June 30, 2014 or to decrease or otherwise adjust any budget line item as appropriated by the town at the Annual Town Meeting held on June 3rd, 2013 or the November 12, 2013 Special Town Meeting, or fund any other deficits, or to take any other action related thereto.

BOARD OF SELECTMEN		
<u>Amount</u>	<u>From</u>	<u>To</u>
\$3,421.08	June 2013 ATM A3 Recreation Salary	June 2013 ATM A3 Recreation Expense
\$4,000.00	June 2013 ATM A3 Town Audit	June 2013 ATM A3 Telephone Line
\$3,000.00	June 2013 ATM A3 Ply Cty Retirement	June 2013 ATM A3 Telephone Line
\$6,000.00	June 2013 ATM A3 Ply Cty Retirement	June 2013 ATM A3 Selectmen’s Expense
\$11,000	June 2013 ATM A3 Ply Cty Retirement	June 2013 ATM A3 Transfer to Capital Projects
\$10,800	June 2013 ATM A3 Health insurance	June 2013 ATM A3 Tax Lien Expense
\$16,000	June 2013 ATM A3 Town Administrator salary	June 2013 ATM A3 Unemployment
\$26,000	June 2013 ATM A3 Short-term debt interest	June 2013 ATM A3 Veteran’s Benefits
\$8,000	June 2013 ATM A3 Short-term debt interest	June 2013 ATM A3 Fire Salaries
\$6,116	June 2013 ATM A3 Health insurance	June 2013 ATM A3 Police Salaries
\$8,884	June 2013 ATM A3 Old Colony Vo-Tech	June 2013 ATM A3 Police Salaries
\$16,000	June 2013 ATM A3 Short-term debt interest	June 2013 ATM A3 Police Salaries
\$10,000	June 2013 ATM A3 Election salaries	June 2013 ATM A3 Police Salaries
\$14,000	June 2013 ATM A3 Town Administrator salary	June 2013 ATM A3 Police Salaries

ARTICLE 3: VOTE

Upon motion made by Alan Dunham, Selectman and seconded, it was Unanimously Voted for the Town to make the Fiscal Year 2014 budget transfers shown below:

<u>Amount</u>	<u>From</u>	<u>To</u>
\$3,421.08	June 2013 ATM A3 Recreation Salary	June 2013 ATM A3 Recreation Expense
\$4,000.00	June 2013 ATM A3 Town Audit	June 2013 ATM A3 Telephone Line
\$3,000.00	June 2013 ATM A3 Ply Cty Retirement	June 2013 ATM A3 Telephone Line
\$6,000.00	June 2013 ATM A3 Ply Cty Retirement	June 2013 ATM A3 Selectmen’s Expense
\$11,000	June 2013 ATM A3 Ply Cty Retirement	June 2013 ATM A3 Transfer to Capital Projects
\$10,800	June 2013 ATM A3 Health insurance	June 2013 ATM A3 Tax Lien Expense
\$16,000	June 2013 ATM A3 Town Administrator salary	June 2013 ATM A3 Unemployment
\$26,000	June 2013 ATM A3 Short-term debt interest	June 2013 ATM A3 Veteran’s Benefits
\$8,000	June 2013 ATM A3 Short-term debt interest	June 2013 ATM A3 Fire Salaries
\$6,116	June 2013 ATM A3 Health insurance	June 2013 ATM A3 Police Salaries
\$8,884	June 2013 ATM A3 Old Colony Vo-Tech	June 2013 ATM A3 Police Salaries
\$16,000	June 2013 ATM A3 Short-term debt interest	June 2013 ATM A3 Police Salaries
\$10,000	June 2013 ATM A3 Election salaries	June 2013 ATM A3 Police Salaries
\$14,000	June 2013 ATM A3 Town Administrator salary	June 2013 ATM A3 Police Salaries

Recommendation: Board of Selectmen 5-0, Finance Committee 5-0

ARTICLE 4: RESOLUTION – TOWN MEETING SUPPORT TOWN OF CARVER FINANCIAL MANAGEMENT POLICIES

To see if the Town will vote to adopt the following nonbinding resolution: That Town Meeting is fully supportive of the Town of Carver's Financial Management Policy as voted by the Board of Selectmen on February 28, 2014, as may be amended from time to time, including increasing the Town's Stabilization Funds, and developing a financial plan to fully fund the Town's unfunded debt obligations, a copy of which policies is available in the offices of the Town Clerk and Board of Selectmen, and published on the Town's Web Site, and further, that the Town Administrator be encouraged to implement these policies, all with the goal of securing a AA+ bond rating, or take any other action related thereto.

BOARD OF SELECTMEN

ARTICLE 4: VOTE

Upon motion made by Ronald Clarke, Selectman and seconded, it was ***So-Passed by Majority Vote*** for the Town to adopt the non-binding resolution set forth in Article 4 of the Warrant and Appendix A of the Warrant.

Recommendation: Board of Selectmen 4-0, Finance Committee 3-3

ARTICLE 5: CREATION OF STABILIZATION AND OTHER POST-EMPLOYMENT BENEFITS LIABILITY TRUST FUNDS

To see if the Town will vote to establish the following special purpose stabilization funds in accordance with the provisions of Massachusetts General Laws Chapter 40, Section 5B:

- Water Betterment / Debt Service Stabilization Fund
- Capital and Debt Stabilization Fund,

And further, that the Town vote to accept the provisions of G.L. c.32B, §20 and create an Other Post-Employment Benefits Liability Trust Fund, or take any other action related thereto.

BOARD OF SELECTMEN

ARTICLE 5: VOTE

Upon motion made by Richard Ward, Selectman and seconded, it was a ***Two-Thirds vote, Unanimously Voted***, for the Town to create the two special purpose stabilization funds, and accept G.L. c.32B, §20, creating an Other Post-Employment Benefits Fund, all as set forth in Article 5 in the warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 5-0

ARTICLE 6: ALLOCATION OF FUNDS FOR ONE TIME COST

To see if the Town will vote to transfer from free cash for Unemployment Expenses, Snow and Ice, North Carver Water District, Chapter 90 Highway Capital Projects and the Stabilization Fund, as specified below, or take any other action related thereto.

- A. One Hundred Thousand Dollars (\$100,000) for one-time restructuring cost for unemployment expenses in FY15;
- B. Two Hundred Ninety-nine Thousand Three Hundred and Forty Six Dollars (\$299,346) to fund Snow and Ice overage in FY14;
- C. One Hundred Eighty Thousand Dollars (\$180,000) to the North Carver Water District Enterprise Fund for FY 15 and;
- D. Forty-Nine Thousand Five Hundred and four Dollars (\$49,504) to the Chapter 90 Highway Improvement account for a deficit due to state reimbursement shortfalls in FY14 and;
- E. Thirty Thousand Dollars (\$30,000) to the Stabilization Fund in accordance with Massachusetts General Laws, Chapter 40, Section 5B for FY14.

BOARD OF SELECTMEN

ARTICLE 6: VOTE

Upon motion made by Sarah Hewins, Selectwoman and seconded, it was a ***Two-Thirds vote, Unanimously Voted***, for the Town to approve Article 6 as set forth in the Warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 5-0

ARTICLE 7: DEPARTMENT OF PUBLIC WORKS SPECIAL ACT

To see if the Town will vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth below, to place the Department of Public Works under the supervision of a Director of Public Works, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

SECTION 1. Chapter 585 of the acts of 1971 is hereby repealed.

SECTION 2. Department of Public Works. There shall be in the town of Carver a department of public works which shall have all the powers and duties from time to time vested by the general laws, town bylaws or special act in the following boards, departments and offices, or in boards, departments and offices having corresponding powers and duties in the town of Carver, all of which powers and duties were previously held by the board of public works created under the provisions of said chapter 585, to wit: park commissioners, cemetery commissions, tree warden, highway surveyor, and gypsy moth superintendent. Said department may be responsible for such other matters as the town may, as the Town Administrator, with the approval of the Board of Selectmen may determine, from time by time, including but not limited to facilities maintenance, wastewater and storm water treatment and disposal, refuse removal and recycling, any other provisions of law to the contrary notwithstanding.

SECTION 3. Divisions of Department of Public Works. Said department may consist of one or more divisions, including but not limited to a park division, cemetery division, street division and tree and moth division, or may be organized in such other manner as the town administrator, with the approval of the board of selectmen, may determine.

SECTION 4. Director of Department of Public Works. Appointment. Said department shall be under the supervision of a director, who shall be appointed by the town administrator of said town of Carver, subject to the provisions of the bylaws of said town of Carver, as they may be amended from time to time, applicable to the appointment by the town administrator of other officers of the town, which, as of the effective date of this act, allow the board of selectmen, within 15 days of notice of said appointment, to reject the same. The town administrator, with the approval of the board of selectmen of said town of Carver, may establish an employment contract with said director for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, reimbursement for expenses incurred in the performance of the duties of office, liability insurance and conditions of discipline, termination, dismissal, reappointment, performance standards and leave.

SECTION 5. Director of Department of Public Works. Powers and Duties. Said director shall exercise and perform, under the direction and supervision of the town administrator, all of the powers, rights and duties to be exercised by the department in section 2 of this act, subject, however, to any such policy directives as may be issued from time to time by the board of selectmen. The director shall be responsible for the efficient exercise and performance of such powers, rights and duties, and shall hold office subject to the will of the town administrator, in consultation with said board of selectmen. Said director shall hold no other elective or appointive office in the town and shall not be engaged in any other business or occupation. The director shall give to the town a bond with a surety company authorized to transact business in the commonwealth as surety for the faithful performance of the director's duties, in such sum and upon such conditions as the town administrator shall require. Said director shall report to the town administrator as to the doings of the office at such times as said administrator may require.

SECTION 6. Lawful Successor of former Board of Public Works and Superintendent of Public Works Created by Chapter 585 of the Acts of 1971. No contracts or liabilities in force upon the effective date of this act shall be affected by the repeal of said chapter 585 of the Acts of 1971, and the department of public works and director of public works created hereunder shall in all respects be the lawful successor of such offices and department so abolished by repeal of said chapter 585. All records, property and equipment whatsoever of any office, department, or part thereof assigned under said chapter 585, shall by operation of law be so assigned to the department and director created hereunder.

SECTION 7. Transitional Provisions. Upon the effective date of this act, the offices of board of public works and superintendent of public works created by said chapter 585 are hereby abolished. The incumbent members of the board of public works holding office as of the effective date of this act shall constitute an advisory committee to the town administrator and director of public works appointed hereunder, and may have a voice, but no vote, on the matters falling within the jurisdiction of the department, and such members may serve for a period equivalent to the remainder of their elected term or their sooner vacating of the position. The incumbent appointed superintendent of public works as of the effective date of this act shall serve as a temporary director of public works, until such time as a permanent appointment is made in accordance with section 4 of this act.

SECTION 8. This act shall take effect upon passage.

Or take any action related thereto.

BOARD OF SELECTMEN FOR THE GOVERNANCE COMMITTEE

ARTICLE 7: VOTE

Motion to amend by Robert Belbin and seconded, it was *Unanimously Voted* to “*Capitalize “Board of Selectmen” in Section #3. “Town” in Section 4. “Town Administrator” in Section #4. “Town Administrator” Section 5. “Director” in Section 5. “Chapter” Section 6. “Department of Public Works” Section 6.*”

Upon motion made by Helen Marrone, Selectwoman and seconded, it was *Declared by the Moderator, So-Passed as Amended* for the Town to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation relative to the Department of Public Works and approve Article 7, all as set forth in the Warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 4-0

SPECIAL RECOGNITION

Steven Gray presented a special commendation from the House of Representatives to John D. Kelley for his years of service as a Department of Public Works Commissioner.

ARTICLE 8: TREASURER – COLLECTOR SPECIAL ACT

To see if the Town will vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth below, creating the appointed position of Treasurer-Collector; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

An Act Relative to the Position of Treasurer-Collector in the Town of Carver

SECTION 1. Notwithstanding section 1B of chapter 41 of the General Laws or any other general or special law to the contrary, there shall be in the town of Carver the appointed office of treasurer-collector, which office shall have all the powers, duties, and responsibilities of and be subject to the liabilities and penalties conferred and imposed by law on the offices of treasurer and collector under the general laws.

SECTION 2. Appointment of such treasurer-collector shall be made by the town administrator of said town, in consultation with the chairpersons of the finance, capital outlay committees, and Town Accountant, subject to the provisions of the bylaws of said town of Carver, as they may be amended from time to time, applicable to the appointment by the town administrator of other officers of the town, which, as of the effective date of this act, allow the board of selectmen, within 15 days of notice of said appointment, to reject the same. The town administrator, with the approval of the board of selectmen of said town of Carver, may establish an employment contract for a period of up to three years with the treasurer-collector for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, reimbursement for expenses incurred in the performance of the duties of office, liability insurance and conditions of discipline, termination, dismissal, reappointment, performance standards and leave.

SECTION 3. Upon the effective date of this act, the position of elected treasurer and collector shall be abolished and the elected incumbent serving at the time of passage of this Act shall serve for the remaining time, or her sooner vacating of office. No contracts or liabilities in force on the effective date of this act shall be affected by abolition of the elected office of treasurer and collector and consolidation of certain financial functions of the town as provided for herein, and the appointed office created hereunder shall in all respects be the lawful successor of the elected offices so abolished or consolidated.

SECTION 4. This act shall take effect upon passage.

Or take any action related thereto.

BOARD OF SELECTMEN FOR THE GOVERNANCE COMMITTEE

ARTICLE 8: VOTE

Upon motion made to amend by Robert Belbin and seconded, it was *Unanimously Voted* to “*fix spelling errors in the article*”.

Upon motion made to amend by Andrew Cardarelli and seconded, it was *So-Passed by Marjority Vote* to add “*Section 5 – The Carver Board of Selectmen will have 15 days to veto any potential disciplinary actions or termination of the Carver Treasurer-Collector.*”

Upon motion made by Alan Dunham, Board of Selectmen and seconded, it was ***Declared by the Moderator, So-Passed as Amended*** for the Town to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation relative to the position of Treasurer/Collector and approve Article 8, all as set forth in the Warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 4-0

ARTICLE 9: BOARD OF HEALTH SPECIAL ACT

To see if the Town will vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth below, creating an appointed Board of Health; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

An Act Relative to the Board of Health in the Town of Carver

SECTION 1. Notwithstanding section 1B of chapter 41 of the General Laws or any other general or special law to the contrary, there shall be in the town of Carver the appointed office of Board of Health, consisting of three members appointed by the Town Administrator, which Board shall have all the powers, duties, and responsibilities of and be subject to the liabilities and penalties conferred and imposed by law on boards of health under the general laws and the bylaws of the Town.

SECTION 2. Appointment of such Board of Health members shall be made by the town administrator of said town, in consultation with the Board of Selectmen, subject to the provisions of the bylaws of said town of Carver, as they may be amended from time to time, applicable to the appointment by the town administrator of other officers of the town, which, as of the effective date of this act, allow the board of selectmen, within 15 days of notice of said appointment, to reject the same.

SECTION 3. Upon the effective date of this act, the position of elected board of health member shall be abolished and the elected incumbents serving at the time of passage of this Act shall serve for the remaining time, or their sooner vacating of office. No contracts or liabilities in force on the effective date of this act shall be affected by abolition of the elected board of health, and the appointed board created hereunder shall in all respects be the lawful successor of the elected offices so abolished.

SECTION 4. This act shall take effect upon passage.

Or take any action related thereto.

BOARD OF SELECTMEN FOR THE GOVERNANCE COMMITTEE

ARTICLE 9: VOTE

Upon motion made to amend by Robert Belbin and seconded, it was ***Unanimously Voted*** to “***fix spelling errors and punctuations errors in article #9***”.

Upon motion made by Ronald Clarke, Board of Selectmen and seconded, it was ***Declared Not Passed by the Moderator***, for the Town to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation relative to the Board of Health and approve Article 9, all as set forth in the Warrant as amended.

Recommendation: Board of Selectmen 3-2, Finance Committee 4-0

ARTICLE 10: OPERATING BUDGETS FOR TOWN AND ENTERPRISE FUND; FUNDING FOR OPEB TRUST AND STABILIZATION FUNDS

To see if the Town will vote to raise and appropriate funds to fix salaries and compensation of Elected Officers, and to see what sums the Town will vote to raise and appropriate or transfer from available funds or otherwise, for the payment of Personnel Services, Expenses, Capital Outlays, Debt Service, OPEB Trust Fund, Capital Stabilization, Stabilization Fund, and otherwise, of Town Departments, Water and Sewer Enterprise Funds, and to modify the FY15 Salary and Wage Classification Table, and Compensation and Classification Schedule, and Employee Organizational Chart for all positions, or to take any other action related thereto.

PART A

**Approve Amendments to FY 15 Salary and Wage Classification Table and Compensation and Classification Schedule and Employee Organizational Chart (See Appendix)
(Majority Vote Required)**

PART B

Operating Budget (Funded from Taxation and Transfers from Available Funds) and

Town General Budget

General Government (salaries & expenditures)	\$2,001,386
Public Safety (salaries & expenditures)	\$3,146,986
Human Services (salaries & expenditures)	\$458,335
Culture, & Recreation (salaries & expenditures)	\$376,099
School General Budget (salaries & expenditures)	\$15,018,043
Facilities (4,000 accounts)	\$1,710,936
School Benefits (5,000 accounts)	\$4,777,897
Shared Budget Expenses (Infrastructure, debt, pension, insurance etc.)	\$4,950,624

PART C

Operating Transfers (Funded from Taxation)

OPEB Trust Fund	\$25,000
Town Stabilization Fund	\$25,000
Capital Stabilization Fund	\$1,946,593
NCWD Enterprise Fund Fund	\$65,643

TOTAL Operating Budget **\$34,502,542**

PART D

North Carver Water District and Cranberry Village Enterprise Fund

NCWD Enterprise Budget FY 15 (salary, expenses, capital, debt, etc.) (Funded from receipts)	\$335,592
Cranberry Village Enterprise Budget FY 15 (salary, expenses, capital, debt, etc.) (Funded from receipts)	\$66,725

BOARD OF SELECTMEN

Moderator, Robert E. Bentley, read the following statement from the Expanded Information Summary pertaining to Article 10, Parts A, B, C and D included in the 2014 Annual Town Meeting Materials Handout:

EXPANDED INFORMATIONAL SUMMARY:

There will be four motions presented tonight, each addressing a different Part. The motion under Part A will be to approve salary and classification as well as an organizational chart, all as shown in Appendices B through D of the Warrant.

Part B is to establish the Town's operating budget for the upcoming fiscal year. Part B as printed in the warrant includes 9 general categories, which you will be asked to approve, with each category constituting a separate appropriation with the exception of the three school categories which will be combined into one thereby granting the school committee more authority on how they spend their funds.

This process is in contrast to that used previously. In years past, Town Meeting approved the budget on a line-by-line basis, with each line item considered as a separate and specific appropriation, or, in other words, Town Meeting approved a line-item budget. In order to transfer funds between lines, Town Meeting approval was necessary, subject to limited exceptions.

This year, however, we will be asking you to approve bottom-line budgets for the 5 general categories shown in Part B for the town and one for the school. In order to explain how we arrived at these numbers, and for informational purposes only, a line-by-line breakdown by department is shown in Appendix F similar to what has been presented in the past. Appendix F is a summary of the detailed line item budget that was approved by the Board of Selectmen and Finance Committee that must be followed by all departments. Once the bottom-line budget is established for each category, the Town's financial staff with the approval of the Board of Selectmen will be able to allocate the funding amongst the various line items in each category as may be necessary during the course of the fiscal year to most efficiently manage operational requirements. In this way, the Town budget will work very much like the school budget works, and we will not need to return to Town Meeting to do transfers in each category. However, it may be necessary to return to Town Meeting for authority to do transfers between categories.

Because we are not asking for a vote on each budget line item, the Moderator will not read each line in appendix F and ask for holds, as he has done in the past. Instead, the Moderator will read each of the categories in the warrant and after reading each category, ask if there are any questions or amendments. If an amendment is made and approved by Town Meeting that vote will be a separate appropriation, and such funds will not be able to be used for another purpose or otherwise transferred without approval by Town Meeting.

It is our hope that by proceeding in this fashion we will be able to take advantage of operating efficiencies, provide Town government with financial flexibility needed to respond to unexpected changes such as increases in fuel prices and overtime needs, and avoid the need for additional Town Meetings during the course of the year. But any change will require Board of Selectmen approval of individual budgets.

ARTICLE 10, PART ‘A’ VOTE

Town Administrator; Michael Milanoski explained the Fiscal Year 2015 Forecast shown in Appendix E, the Final Operating Budget shown in Appendix F and further expounded upon Appendix’s B, C, and D all of which were included in the handout.

Town Administrator; Michael Milanoski advised amending Appendix D to include the Board of Health Commissioners total stipend of \$2,100.00, since Article 9 did not pass.

Upon motion made by Richard Ward, Selectman and seconded, it was ***So-Passed by Majority Vote*** for the Town to amend Appendix D under Elected Officials by adding the “***Board of Health Commission, each member - \$750.00***”.

Upon motion made by Richard Ward, Selectman and seconded, it was ***So-Passed as Amended*** for the Town to approve amendments to the FY15 Salary and Wage Classification Table, Compensation and Classification Schedule and the Employee Organizational Chart as set forth in Appendix B, Appendix C and Appendix D, respectively.

Recommendation: Board of Selectmen 4-0, Finance Committee 4-0

ARTICLE 10, PART ‘B’ VOTE:

Upon motion made by Richard Ward, Selectman and seconded, it was ***Unanimously Voted*** for the Town to raise and appropriate the sum of \$31,843,854, transfer from Ambulance Receipts Reserved for Appropriation the sum of \$565,227, transfer from Entergy Grant the sum of \$20,000, and transfer from Cemetery Receipts Reserved for Appropriation the sum of \$11,225, all to be allocated for the Town’s Operating budget as follows:

Town Budget

General Government (salaries & expenditures)	\$2,001,386
Public Safety (salaries & expenditures)	\$3,146,986
Human Services (salaries & expenditures)	\$458,335
Culture, & Recreation (salaries & expenditures)	\$376,099
Shared Budget Expenses (Infrastructure, debt, pension, insurance etc.)	\$4,950,624

Recommendation: Board of Selectmen 4-0, Finance Committee 5-0

School Budget

School General Budget (salaries & expenditures)	\$21,506,876
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Recommendation: Board of Selectmen 4-0, Finance Committee-Vote Not Taken, School Committee 5-0

ARTICLE 10, PART ‘C’ VOTE:

Upon motion made by Richard Ward, Selectman and seconded, it was a ***Two-Thirds Vote, Unanimously Voted***, for the Town to raise and appropriate \$2,008,574, transfer from Septic Betterments the sum of \$11,101, transfer from Ambulance Receipts the sum of \$42,561, the total amount of \$2,062,236 to be allocated as follows:

OPEB Trust Fund	\$25,000
Town Stabilization Fund	\$25,000
Capital Stabilization Fund	\$1,946,593
NCWD Enterprise Fund	\$65,643

Recommendation: Board of Selectmen 5-0, Finance Committee 5-0

ARTICLE 10, PART 'D' VOTE:

Upon motion made by Richard Ward, Selectman and seconded, it was *Unanimously Voted* for the Town to appropriate the sum of \$335,592 from Estimated Water Receipts – North Carver Water to pay the salaries, expenses, capital, debt and other expenditures for the North Carver Water District Enterprise fund for Fiscal Year 2015 and further to appropriate the sum of \$66,725 from Estimated Water Receipts – Cranberry Village to pay the salaries, expenses, capital, debt and other expenditures of the Cranberry Village Enterprise Fund for Fiscal Year 2015.

Recommendation: Board of Selectmen 5-0, Finance Committee 5-0

SPECIAL RECOGNITION

Town Meeting attendees recognized recently retired Conservation Agent, Sarah Hewins, for her fifteen years of service to the town.

ARTICLE 11: 3% DISCOUNT

To see if the Town will vote to revoke its acceptance of the provisions of Massachusetts General Laws, Chapter 59, Section 58, the so-called 3% Discount Law, or take any other action related thereto.

TREASURER / COLLECTOR

ARTICLE 11: VOTE

Upon motion made by Paula Nute, Treasurer/Tax Collector and seconded, it was *So-Passed by Majority Vote* for the Town to revoke its acceptance of the provisions of Massachusetts General Laws, Chapter 59, Section 58.

Recommendation: Board of Selectmen 5-0, Finance Committee 0-6

ARTICLE 12: ACCEPTANCE OF LOCAL-OPTION MEALS TAX.

To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 64L, Section 2 to authorize the Town to impose a local sales tax upon the sale of restaurant meals originating within the Town by any vendor at a rate of .75% of the gross receipts of the vendor from the sale of restaurant meals, to take effect on October 1, 2014, or take any other action related thereto.

BOARD OF SELECTMEN

ARTICLE 12: VOTE

Upon motion made by Sarah Hewins, Selectwoman and seconded, it was *So-Passed by Majority Vote, 129 Yay and 73 Nay*, for the Town to accept the provisions of Massachusetts General Laws, Chapter 64L, section 2 to authorize the Town to impose a local sales tax upon the sale of restaurant meals originating within the Town by any vendor at a rate of .75% of the gross receipts of the vendor from the sale of restaurant meals, to take effect on October 1, 2014.

Recommendation: Board of Selectmen 5-0, Finance Committee 5-0

ARTICLE 13: SOLAR PAYMENT IN LIEU OF TAX AGREEMENTS AND LEASE

To see if the Town will vote in accordance with Massachusetts General Laws Chapter 59, section 38H to authorize the Board of Selectmen to enter into two Payment In Lieu of Taxes (PILOT) Agreements as set forth below:

- (1) Southern Sky Renewable Energy for a period of thirty (30) years, and to approve said agreement under which Southern Sky Renewable Energy will pay the Town a sum of money per year relative to two parcels totaling 20 acres +/- of land located at 0 North Main Street, Carver, related to the proposed construction and operation of a solar photovoltaic power plant with an expected nameplate capacity of approximately 1.5 to 2.0 megawatts, said Tax Agreement is on file in the Town Clerk's Office, and further, to transfer said property from the Board of Selectmen for landfill purposes or such other purposes for which the property may be held, to the Board of Selectmen for such purposes and also for the purposes of leasing, and to authorize the Board of Selectmen to lease said property upon such terms and conditions and for such consideration as the Board shall deem appropriate, and, in connection therewith, to authorize the Board to execute instruments and take such other action as may be needed to effectuate the purposes of this vote;
- (2) Borrego for a period of thirty (30) years, and to approve said agreement under which GLC (MA) Acushnet – Purchase Street LLC will pay the Town a sum of money per year relative to one parcel totaling 7.3 +/- of land located at 0 Purchase Street, Carver, related to the proposed construction and operation of a solar photovoltaic power plant with an expected nameplate capacity of approximately 1.0 megawatts, said Tax Agreement is on file in the Town Clerk's Office,

or take any other action related thereto.

BOARD OF SELECTMEN

ARTICLE 13: VOTE

Town Administrator; Michael Milanoski explained the reasoning behind Article 13.

A Point of Order was recognized by the Moderator:

Robert Belbin inquired if the town should be voting on a Pilot for a Landfill Overlay District before voting on the article for Landfill Overlay District in Article 23 in the event that Article 23 fails it would make Article 13 null and void.

The Town Administrator agreed that if the future article 23 failed and that's not allowed as an overlay use than it would not apply to this.

Upon motion made by Phil Shannon, Resident of Leland Way, and seconded it was declared out of order by Moderator; Robert E. Bentley based on Town Counsel; Gregg Corbo's opinion for the Town of Carver to require that all hardware installed, including TV panels, inverters, mountain systems and batteries for the solar photovoltaic power plant projects listed in Article 13, Sections 1 and 2 will comply with the Buy American Act.

Clarification was offered and given by Town Counsel, the Town Administrator, the Town Planner and the Assessor for the out of order motion imposed on Mr. Shannon.

Town Administrator; Michael Milanoski explained the first project in the article is a landfill the Town owns that has no economic value to the town, but could have a lease value of about \$26,000 per year. The second project, Borrego Solar, is on private land that the Town does not control, but is trying to get a guaranteed tax agreement that best protects the Town.

Upon motion made by Michelle Cohen, resident of Leland Way, and seconded, it was ***Declared by the Moderator to vote on the first and second sections of this article separately.***

ARTICLE 13: SECTION '1' VOTE

Upon motion made by Alan Dunham, Selectman and seconded, it was a ***Two-Thirds Vote Declared Passed by the Moderator***; Robert E. Bentley, for the Town to authorize the Board of Selectmen to enter into the Payment in Lieu of Tax agreements specified and approve Article 13, Section 1 as printed in the warrant.

ARTICLE 13: SECTION '2' VOTE

Upon motion made by Alan Dunham, Selectman and seconded, it was ***So-Passed by Majority Vote, 88 YAY and 67 NAY***, for the Town to authorize the Board of Selectmen to enter into the Payment in Lieu of Tax agreements specified and approve Article 13, Section 2 as printed in the warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 4-1

ARTICLE 14: COLLECTIVE BARGAINING AGREEMENTS

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund and implement the cost items of the first year of Collective Bargaining Agreements, if any, between the Town and its unions and/or for general collective bargaining settlement purposes, or take any other action related thereto.

BOARD OF SELECTMEN

ARTICLE 14: VOTE

Upon motion made by Ronald Clarke, Selectman and seconded, it was ***Unanimously Voted*** for the Town to Table Article 14 indefinitely.

Recommendation: Board of Selectmen table, Finance Committee table

ARTICLE 15: CAPITAL IMPROVEMENTS BUDGET

To see if the Town will vote to transfer from available funds including Capital Stabilization Fund, a sum or sums of money to fund various capital improvements, capital projects and/or capital equipment for the various departments, boards, commissions and agencies of the Town, as listed below, or take any other action related thereto.

Funded from Capital and Debt Stabilization Fund

Town	FY 15 Debt	\$363,520
Town	Leases	\$351,555
Town	Transfer to Capital Projects Fund	\$259,160
Police	Computer System Update	\$ 30,000
COA	Oven / Range	\$ 8,000
School	Double Stack Ovens- Elementary School	\$ 12,000
School	100 iPad Computer Upgrade	\$100,000
Town	Capital Maintenance, Repair and Replacement, expenditures to be approved by Capital Outlay Committee	\$100,000
Total Transfer and Funded from Capital and Debt Stabilization Fund		\$1,128,134

Funded from Ambulance Receipts Reserved for Appropriation

EMS	2 EKG monitors	\$62,000
Total Transfer and Funded from Ambulance Receipts Reserved for Appropriation		\$62,000

CAPITAL OUTLAY COMMITTEE

ARTICLE 15: VOTE

Upon motion made by Sarah Hewins, Selectwoman, and seconded, it was *Unanimously Voted as Amended* for the Town to approve Article 15 in the warrant with the total transfer and funded from Capital and Debt Stabilization Fund total amended as set forth below:

Funded from Capital and Debt Stabilization Fund

Town	FY 15 Debt	\$363,520
Town	Leases	\$351,555
Town	Transfer to Capital Projects Fund	\$259,160
Police	Computer System Update	\$30,000
COA	Oven / Range	\$ 8,000
School	Double Stack Ovens- Elementary School	\$12,000
School	100 iPad Computer Upgrade	\$100,000
Town	Capital Maintenance, Repair and Replacement, expenditures to be approved by Capital Outlay Committee & Finance Committee	\$100,000
Total Transfer and Funded from Capital and Debt Stabilization Fund		\$1,224,235

AND

Funded from Ambulance Receipts Reserved for Appropriation

EMS	2 EKG monitors	\$62,000
Total Transfer and Funded from Ambulance Receipts Reserved for Appropriation		\$62,000

Recommendation: Board of Selectmen 5-0, Finance Committee 5-0, Capital Outlay Committee 5-0

ARTICLE 16: FIRE STATION PROJECT

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, including the Capital Building Stabilization Fund, a sum or sums of money to be expended under the direction of the Town Administrator with the approval of the Fire Station Building Committee for the hiring of an owners project manager, cover preliminary project development expenses, and design work for the construction of a new Fire Station and Training Facility at 99 Main Street, and further to authorize the Town Administrator to enter into agreements and take any other actions necessary to effectuate the purposes of this vote, or take any other action related thereto.

BOARD OF SELECTMEN

ARTICLE 16: VOTE

Upon motion made by Helen Marrone, Selectwoman and seconded, it was a *Two-Thirds Vote, Unanimously Voted*, for the Town to transfer the sum of \$250,000 from the Capital Building Stabilization Fund for hiring an owners project manager, cover preliminary project development expenses, and design work for the construction of a new Fire Station and Training Facility at 99 Main Street and to approve article 16 as set forth in the warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 6-0

ARTICLE 17: MSBA ELEMENTARY SCHOOL PROJECT FEASIBILITY STUDY

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the Town Administrator with the approval of the Elementary School Building Committee for a feasibility study for rehabilitation, reconstruction or addition to the existing elementary school buildings located at 85 Main Street, Carver, Massachusetts, and/or the construction of a new elementary school at one of the following locations: 85 Main Street or 60 South Meadow Road, Carver, Massachusetts, or at some other location, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, or take any other action related thereto.

BOARD OF SELECTMEN

ARTICLE 17: VOTE

Upon motion made by Barry Struski, Chairman, School Committee and seconded, it was a ***Two-Thirds Vote, Unanimously Voted***, for the Town to appropriate the sum of \$410,000 for the purpose of paying costs of a feasibility study for the Carver Elementary School, which study may include, but not be limited to rehabilitation, reconstruction or addition to the existing elementary school building located at 85 Main Street, Carver, Massachusetts, and/or the construction of a new elementary school at one of the following locations: 85 Main Street or 60 South Meadow Road, Carver, Massachusetts or at some other location, including the payment of all costs incidental and related thereto, said amount to be expended under the direction of the Town Administrator with the approval of the Elementary School Building Committee and for which the Town may be eligible for a grant from the Massachusetts School Building Authority. To meet this appropriation, to transfer the sum of \$298,470.21 from the Capital Building Stabilization Fund, \$11,971.04 from the unused balance of funds appropriated pursuant to Article 12 of the May 2008 Annual Town Meeting, and \$99,558.75 from the unused balance of funds appropriated pursuant to Article 5 of the November 8, 2010 Special Town Meeting. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

Recommendation: Board of Selectmen 5-0, Finance Committee 4-0, School Committee 5-0

ARTICLE 18: REVOLVING ACCOUNTS

To see if the Town will vote to re-authorize the establishment of the following Revolving Accounts in accordance with Massachusetts General Laws, Chapter 44, §53E ½:

1. Library Fines and Passport Revolving Account to which shall be deposited monies from overdue fines, damaged/lost books levies and passport revenues and from which the Director may make expenditures for the purpose of purchasing library materials. Expenditures for FY2015 from such fund not to exceed Twelve Thousand Dollars (\$12,000.00). (By the Library Trustees)
2. Transportation Revolving Account for the Council on Aging which in addition to items provided by said statute shall provide: (1) for payment of transportation needs, vehicles, repairs, maintenance, fuel lubricants, insurance (but not including insurance of any of the Greater Attleboro Taunton Regional Authority ("GATRA") vehicles used by the Council on Aging) and salaries and expenses for part-time employees used relative thereto: (2) that departmental receipts consisting of reimbursement of GATRA of transportation expenditures, fares and all other receipts, shall be credited to the revolving fund: (3) that the Council on Aging Director shall be authorized to expend from such fund: and (4) that the total amount which may be expended from such fund during FY2015 shall be One Hundred Thousand Dollars (\$110,000.00) in accordance with the contract between the Town through its Council on Aging and GATRA. (By the Council on Aging)
3. Council on Aging Nutrition Revolving Account for the purpose of depositing receipts from the lunch and Meals on Wheels programs, and any other Council on Aging sponsored meal functions to be expended by the Council on Aging for lunches, Meals on Wheels programs, and other Council on Aging sponsored meal functions, not to exceed Thirty Thousand Dollars (\$30,000.00). (By the Council on Aging)
4. Earth Removal Fee Revolving Account to which shall be deposited fees collected for earth removal inspections for the purpose of making road repairs not to exceed One Hundred Twenty Five Thousand Dollars (\$125,000.00) for FY2015, said funds shall be under the direction of the Earth Removal Committee (By the Earth Removal Committee)
5. Marcus Atwood House Revolving Account for rental and other fees collected for the use of the Marcus Atwood House to be used for the ongoing maintenance, and upkeep expenses for the Marcus Atwood House, said sums to be under the direction of the Marcus Atwood House Trustees.

Expenditures for FY2015 from such funds not to exceed Twelve Thousand Dollars (\$12,000.00).
(By the Marcus Atwood House Trustees)

6. Cole Property Maintenance Revolving Account for receipts and other fees collected for the upkeep and maintenance of Town-owned cranberry bogs on the 221 acre Town-owned property known as the “Cole Property,” and for the maintenance, upgrading and construction of trails and general maintenance and land stewardship on said 221 acre Town-owned “Cole Property,” said sums to be under the direction of the Conservation Commission and Agricultural Commission. Expenditures for FY2015 from such funds not to exceed Twenty Thousand Dollars (\$20,000.00). (By the Conservation Commission/Agricultural Commission)
7. Fire Department Revolving Account for Fire Prevention / Code Enforcement revenue and reimbursable incidents allowed under Massachusetts General Laws Chapter 21E involving hazardous materials releases. Receipts generated shall be deposited into this revolving fund and expenditures to replace, repair or purchase equipment and supplies and to fund administrative and firefighter wage expenses associated with Fire Prevention / Code Enforcement activities and fire operations and responses to hazardous material incidents, said sums to be under the direction of the Fire Chief. Expenditures for FY 2015 not to exceed Forty Thousand Dollars (\$40,000.00). (By the Fire Chief)
8. Recreation Committee revolving account to collect and disburse of funds for services provided to Town residents for recreation activities, said funds are to be under the jurisdiction of the Recreation Committee. Expenditures for FY 2015 not to exceed Twenty Thousand Dollars (\$20,000.00). (By the Recreation Committee)
9. Municipal Insurance Revolving Account to which shall be deposited reimbursements from insurers for Injured on Duty medical claims, and from which the Town, through the Board of Selectmen, may make expenditures for the purposes of paying for said claims. Expenditures for FY 2015 from such fund shall not exceed One Hundred Thousand Dollars (\$100,000.00). (By the Board of Selectmen)

or take any other action related thereto.

ARTICLE 18: VOTE

Upon motion made by Sarah Hewins, Selectwoman, and seconded, it was *Unanimously Voted* for the Town to reauthorize the several revolving accounts of the Town, all as specified in Article 18 of Warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 6-0

ARTICLE 19: MASSACHUSETTS DEPT. OF TRANSPORTATION EASEMENTS

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money, to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise the fee and/or permanent and temporary easements in certain parcels of land, adjacent to and/or contiguous to Route 58 (Main Street), as depicted on a plan entitled “Massachusetts Department of Transportation Highway Division Preliminary Right of Way Plans Main Street (Route 58) in the Town of Carver Plymouth County,” revised through November 8, 2013, as may be amended, on file with the Town Clerk, and the fee and/or permanent and temporary easements in parcels of land located within 200 feet of said parcels, as such additional areas may be shown on said plan, as hereinafter revised, for public way purposes, including, without limitation, drainage, utility, slope, grading and construction of improvements and structures, and other related purposes, which will enable the Town to undertake the Route 58 (Main Street) improvement project, or take any action relative thereto.

BOARD OF SELECTMEN

ARTICLE 19: VOTE

Upon motion made by Ronald Clarke, Selectman, it was *Unanimously Voted* for the Town to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise the fee and/or permanent and temporary easements in certain parcels of land, adjacent to and/or contiguous to Route 58 (Main Street), as depicted on a plan entitled “Massachusetts Department of Transportation Highway Division Preliminary Right of Way Plans Main Street (Route 58) in the Town of Carver Plymouth County,” revised through November 8, 2013, as may be amended, on file with the Town Clerk, and the fee and/or permanent and temporary easements in parcels of land located within 200 feet of said parcels, as such additional areas may be shown on said plan, as hereinafter revised, for public way purposes, including, without limitation, drainage, utility, slope, grading and construction of improvements and structures, and other related purposes, which will enable the Town to undertake the Route 58 (Main Street) improvement project and as funding therefor, to authorize the Board of Selectmen to expend a sum or sums of money from funds allocated to the town pursuant to the Commonwealth Chapter 90 program. (ROW plans are available for viewing in the Town Administrator’s office).

Recommendation: Board of Selectmen 5-0, Finance Committee 4-2

ARTICLE 20: COMMUNITY PRESERVATION COMMITTEE REPORT & RECOMMENDATIONS

To see if the Town will vote to hear and act on recommendations by the Community Preservation Committee for Fiscal Year 2015 pursuant to Chapter 44B of the General Laws, also known as the Community Preservation Act; to implement such recommendations by appropriating and/or reserving a sum or sums of money from the Community Preservation Fund established pursuant to such Act for the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee and for open space, land for recreational use, historic resources and community housing as permitted by law; and as may be needed, to authorize the Board of Selectmen, with the approval of the Community Preservation Committee, to acquire by purchase, gift or eminent domain such real property interests in the name of or enforceable by the Town, acting by and through the Board of Selectmen or such other Town board as the Board of Selectmen may designate, including real property interests in the form of permanent affordable housing restrictions, historical preservation restrictions and conservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing; or to take any action related thereto.

COMMUNITY PRESERVATION COMMITTEE

Appropriations:

- A. From FY2015 estimated revenues for Committee Administrative expenses \$17,835
- B. From FY2015 estimated revenues for debt service – Cole Property \$109,810
- C. From FY2015 estimated revenues Grant – Crystal Lake Community Garden Committee for the purpose of funding the Crystal Lake Community Garden \$14,000
- D. From FY2015 estimated revenues Carver Municipal Playground Committee for the purpose of restoring and rehabilitating the playground in Carver Center \$54,147
- E. From FY2015 estimated revenues Town Clerk – Preservation of Town records dating back to 1790. \$71,067

Reserves:

- F. From FY2015 estimated revenues for Community Housing Reserve \$35,670
- (Majority Vote Required)**

ARTICLE 20: VOTE

Upon motion to amend made by Sarah Hewins, Selectwoman, and seconded, it was Unanimously Voted for the Town to amend Article 20, Section D, to fund that section to the amount of \$48,591.76 from Community Preservation FY 2015 Estimated Annual Fund Revenues.

Upon motion made by Zachary Swain, Community Preservation Committee member and seconded, it was ***Unanimously Voted as Amended*** for the Town to appropriate from Community Preservation FY 2015 Estimated Annual Fund Revenues as set forth in Article 20 of the warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 5-0

ARTICLE 21: TOWN CLERK OFFICE HOURS

To see if the Town will vote in accordance with Massachusetts General Laws, Chapter 41, Section 110A, to authorize the Town Clerk’s Office to remain closed on Saturdays and to treat Saturdays as a legal holiday for the purposes of calculating the time frame for filing matters in the Town, or take any other action related thereto.

TOWN CLERK

ARTICLE 21: VOTE

Upon motion made by Ronald Clarke, Selectman and seconded, it was ***Unanimously Voted*** for the Town to authorize the Town’s Clerk’s Office to remain closed on Saturdays, as set forth in article 21 of the Warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 5-0

ARTICLE 22: ACCEPT PUBLIC WAY

To see if the Town will vote to accept the layout as a public way of the road known as Morrissey Drive, as heretofore laid out by the Board of Selectmen, and as shown on a plan entitled “Morrissey Drive Acceptance Plan”, dated May 5, 2014, prepared by the Office of Planning and Community Development, said plan on file with the Town Clerk, and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent

domain, the fee or a lesser interest in said road and any related easements shown on the plan, or take any other action relative thereto.

PLANNING BOARD

ARTICLE 22: VOTE

Point of Order recognized by moderator.

Motion made by Robert Belbin and seconded to take no action on Articles 22, 23, 24 and 25 of the Planning Board Articles at this town meeting for what Mr. Belbin considers to be the town’s failure to provide the proper notice to the public and the documentation for review prior to the hearings for these articles.

Moderator ruled the motion out of order stating there was an opinion from Town Counsel maintaining the process followed was appropriate.

Motion made by Robert Belbin to suspend the rule. Motion failed to be seconded.

Motion made by Robert Belbin to take no action on Article 22. Motion failed to be seconded.

Upon motion made by Rosemarie Hanlon, Chair, Planning Board, and seconded, it was a ***Two-Thirds Vote Declared Passed by the moderator*** for the Town to accept the layout as a public way the road known as Morrissey Drive, and approve Article 22 as set forth in the warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 6-0

ARTICLE 23: LANDFILL OVERLAY DISTRICT

To see if the Town vote to amend the Carver Zoning Bylaw, by adding a new Section 4680; and by amending the Zoning Map and other provisions of the Zoning Bylaw accordingly, as set forth below, or take any action related thereto:

- 1. Amend Sec. 2110 to add: “(6) Landfill Overlay District”
- 2. Add a new ”Section 4680 Landfill Overlay District” as follows:

4680.1 Purpose. The purpose of the Landfill Overlay District (LOD) is to regulate Large Scale Ground Mounted Solar Photovoltaic Installations (LSGMSPI) within the LOD.

4680.2 Applicability. The LOD is defined as the area designated “Landfill Overlay District” shown on the Zoning Map. The LOD shall be construed as an overlay district. All requirements of the underlying zoning district(s) shall remain in full force and effect, except where the requirements of the LOD are more restrictive or provide for uses or structures not otherwise available in the underlying district; in such cases, the requirements of the LOD shall supersede the underlying zoning regulations.

4680.3 Uses. Large Scale Ground Mounted Solar Photovoltaic Installations (LSGMSPI) shall be allowed within the LOD by Special Permit from the Planning Board. All requirements for LSGMSPI listed in Sec. 3580.20-3580.60 of the Carver Zoning By Laws shall apply to a LSGMSPI in the Landfill Overlay District. However if the proposed LSGMSPI abuts a water body which is zoned residential, the Planning Board may waive the setback requirements from the water body not less than 100 feet.

- 3. Amend the Zoning Map, to add the Landfill Overlay District, consisting of the following parcels: Map 16, Parcel 12 and Map 16 Parcel 13.

PLANNING BOARD

ARTICLE 23: VOTE

Motion to amend made by Robert Belbin to delete part of 4680.3 where the planning board may waive the setback requirement from a water body not less than 100 feet and add the setbacks of the landfill overlay districts will be 100 feet from a lot line and a water body a vegetative screening should be provided of a minimum of 50% of the specified setbacks facing the roadway or residence. Motion failed to be seconded.

Upon motion made by Rosemarie Hanlon, Chair, Planning Board, and seconded, it was a ***Two-Thirds Vote Declared Passed by the moderator*** for the Town to amend the Zoning Bylaws and Map as set forth in Article 23 of the Warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 6-0

ARTICLE 24: INTERNALLY LIT SIGNS

To see if the Town will vote to amend Article III, Section 3570 of the Carver Zoning ByLaws by inserting in Section 3570 the words shown in **boldface** below, or take any other action related thereto:

3570. Special Permit to Exceed Dimensional **and Lighting** Requirements for Signs. The Carver Planning Board, acting as the Special Permit Granting Authority, may issue a Special Permit to exceed the number and size of signs **and to allow “internally lit” signs** within the HC, BG, V, **VA, GBP, IC**, IA, IB and AP zoning districts. The Board’s decision shall be based upon the following criteria:

3571. Signs are compatible with surrounding Neighborhood.

3572. Signs are not considered visual pollution.

3573. There is no obstruction to traffic, and or public safety.

3574. Amount and number of signs will be of a benefit to the community as a whole.

PLANNING BOARD

Recommendation: Board of Selectmen 4-0, Finance Committee 6-0

ARTICLE 24: VOTE

Upon motion to amend made by Robert Belbin and seconded, it was *So-Passed* to “**delete BA and VA from Article 24, Section 3570 and include in section 3570 the- HC (Highway Commercial), IA (Industrial A), IB (Industrial B), AP (Airport) districts**”.

Upon motion made by Rosemarie Hanlon, Chair, Planning Board, and seconded, it was a *Two-Thirds Vote Declared Passed by the moderator* for the Town to amend the Zoning Bylaws as set forth in Article 24 of the Warrant as amended.

Recommendation: Board of Selectmen 4-0, Finance Committee 6-0

ARTICLE 25: MEDICAL MARIJUANA

To see if the Town will vote to amend the Carver Zoning Bylaw by deleting Section 4950 in its entirety and by inserting a new Section 4950, Special Requirements for Medical Marijuana Facilities, for the purpose of allowing and regulating the location of these facilities in the Town of Carver, and by amending other provisions of the Zoning Bylaw accordingly, as set forth below, or take any action related thereto:

- Amend Section 2230, use Regulation, Schedule B. Commercial, by adding to the end of the existing uses: “Registered Marijuana Dispensaries”, “SP” in the IA district and a new note +++ stating: “See Section 4950”.
- Amend Section 2300, Dimensional Requirements, by adding a note “d” to the column headed IA district, stating: “Registered Marijuana Dispensaries, see Section 4950.”
- Delete the text and title of the existing Section 4950 and insert in place thereof the following:

4950 Special Requirements for Registered Marijuana Dispensaries

4950.1 Purposes

4950.1.1 To provide for the establishment of Registered Marijuana Dispensaries in appropriate places and under strict conditions in accordance with the passage of the Humanitarian Medical Use of Marijuana Act, Massachusetts General Laws, Chapter 94C, App. 1-1, as approved by the voters as Question #3 on the November, 2012 state ballot (hereinafter referred-to as the “Act”).

4950.1.2 To minimize the adverse impacts of Registered Marijuana Dispensaries on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said Facilities.

4950.1.3 To regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Registered Marijuana Dispensaries.

4950.2 Applicability

4950.2.1 The commercial cultivation, unless it meets the requirements for an agricultural exemption under Massachusetts General Laws, Chapter 40A Section 3, production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless a special permit for a Registered Marijuana Dispensary is issued under this Section 4950.

4950.2.2. No Registered Marijuana Dispensary shall be established except in compliance with the provisions of this Section 4950.

4950.2.3 Nothing in this Bylaw shall be construed to supersede federal and state laws governing the sale and

distribution of narcotic drugs.

4950.2.4 If any provision of this Section or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this Section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Section are severable.

4950.3 *Definitions*

Registered Marijuana Dispensary – Shall mean a “Medical marijuana treatment center” to mean a not-for-profit entity, as defined by Massachusetts law only, registered under this law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers. These facilities shall be located inside a structure or building.

Marijuana for Medical Use – Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions as set forth in the Act and Department of Public Health (“DPH”) Regulations, 105 CMR 725.000

Marijuana – The same substance defined as “marihuana” under Massachusetts General Laws, Chapter 94C.

4950.4 *Eligible Locations for Registered Marijuana Dispensaries.*

4950.4.1 Registered Marijuana Dispensaries, other than agricultural operations meeting exemption standards under Massachusetts General Laws, Chapter 40A, Section 3, may be allowed by Special Permit from the Carver Planning Board in the Industrial “A” Zoning District provided the dispensary meets the requirements of this Section 4950.

4950.5 *General Requirements and Conditions for all Registered Marijuana Dispensaries.*

4950.5.1 All non-exempt Registered Marijuana Dispensaries shall be contained within a building or structure.

4950.5.2 No Registered Marijuana Dispensary shall have a gross floor area of less than 2,500 square feet or in excess of 20,000 square feet and must meet all local, state and federal building and health and safety standards.

4950.5.3 A Registered Marijuana Dispensary shall not be located in buildings that contain any medical doctor’s offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.

4950.5.4 The hours of operation of Registered Marijuana Dispensaries shall be set by the Special Permit Granting Authority, but in no event shall said Facilities be open for retail business between the hours of 7:00 PM and 8:00 AM.

4950.5.5 No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Registered Marijuana Dispensary.

4950.5.6 No Registered Marijuana Dispensary shall be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.

4950.5.7 Signage for the Registered Marijuana Dispensary shall include the following language: “Registration card issued by the MA Department of Public Health required.” The required text shall be a minimum of two inches in height.

4950.5.8 Registered Marijuana Dispensaries shall provide the Carver Police Department, Building Commissioner and the Planning Board with the names, phone numbers and email addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the establishment.

4950.6 *Special Permit Requirements*

4950.6.1 A Registered Marijuana Dispensary shall only be allowed by special permit from the Carver Planning Board in accordance with Massachusetts General Laws, Chapter 40A, section 9, subject to the following statements, regulations, requirements, conditions and limitations.

4950.6.2 A special permit for a Registered Marijuana Dispensary shall be limited to one or more of the following uses that shall be prescribed by the Planning Board:

- a) cultivation of Marijuana for Medical Use (horticulture) except that sites protected under Massachusetts General Laws, Chapter 40A, Section 3 shall not require a special permit;
- b) processing and packaging of Marijuana for Medical Use, including Marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products; and/or
- c) retail sale or distribution of Marijuana for Medical Use to Qualifying Patients and any other persons so permitted by DPH regulations.

4950.6.3 In addition to the application requirements set forth in Sections 4950.5 and 4950.6 of this Bylaw, a special permit application for a Registered Marijuana Dispensary shall include the following:

- a) the name and address of each owner of the dispensary;
- b) copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the facility;
- c) evidence of the Applicant's right to use the site of the facility for the facility, such as a deed, or lease;
- d) if the Applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, Administrators, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
- e) a certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
- f) Proposed security measures for the Registered Marijuana Dispensary, including lighting, fencing, gates and alarms, and the like, to ensure the safety of persons and to protect the premises from theft.

4950.6.4 Mandatory Findings. The Planning Board shall not issue a special permit for a Registered Marijuana Dispensary unless it finds that:

- a) the facility is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, §11;
- b) the facility demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and
- c) the Applicant has satisfied all of the conditions and requirements of Sections 4950.5 and 4950.6 herein;

4950.6.5 Annual Reporting. Each Registered Marijuana Dispensary permitted under this Bylaw shall as a condition of its special permit file an annual report to and appear before the Special Permit Granting Authority and the Town Clerk no later than January 31st, providing a copy of all current applicable state licenses for the facility and/or its owners and demonstrate continued compliance with the conditions of the Special Permit.

4950.6.6 A special permit granted under this Section shall have a term limited to the duration of the applicant's ownership of the premises as a Registered Marijuana Dispensary. A special permit may be transferred only with the approval of the Special Permit Granting Authority in the form of an amendment to the special permit with all information required in this Section 4950.

4950.6.7 The Board shall require the applicant to post a bond or other form of security acceptable to the Board prior to obtaining a building permit. The purpose of the bond or other security is to cover costs for the removal of the Registered Marijuana Dispensary in the event the Town must remove the facility. The value of the bond or other security shall be based upon the ability to completely remove all the items noted in 4950.7.2 and properly clean the facility at prevailing wages. The value of the bond shall be developed based upon the applicant providing the Planning Board with three (3) written bids to meet the noted requirements. An incentive factor of 1.5 shall be applied to all bonds to ensure compliance and adequate funds for the town to remove the facility at prevailing wages.

4950.7 Abandonment or Discontinuance of Use

4950.7.1 A special permit shall lapse if not exercised within one year of issuance.

4950.7.2 A Registered Marijuana Dispensary shall be required to remove all material, plants equipment and other paraphernalia:

- a) prior to surrendering its state issued licenses or permits; or
- b) within six months of ceasing operations; whichever comes first.

BOARD OF HEALTH

ARTICLE 25: VOTE

Motion to Amend made by Robert Belbin to “*add the districts under section 4950.1 industrial B (IB), Industrial C, General Business, Airport and Highway Commercial as options for those*”.

Motion ruled out of order by moderator.

Upon motion made by Rosemarie Hanlon, Chair, Planning Board, and seconded, it was a ***Two-Thirds Vote Declared Passed by the moderator*** for the Town to amend the Zoning Bylaws as set forth in Article 25 of the Warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 6-0

Article 26: ACCEPT SIDE WALK EASEMENT – PINE STREET

To see if the Town will vote to authorize the Board of Selectmen to acquire an easement for a sidewalk from EDA-E1, LLC, by purchase, gift, eminent domain or otherwise, on property located on Pine Street in the Town of Carver, as shown on a plan entitled “Proposed Sidewalk Easement Prepared for Edaville U.S.A. Located in Carver, Massachusetts”, dated April 23, 2014, prepared by Arthur F. Borden & Associates, Inc., a copy of which plan is on file with the Town Clerk’s Office, or take any other action related thereto.

PLANNING BOARD

Article 26: VOTE

Upon motion made by Rosemarie Hanlon, Chair, Planning Board, and seconded, it was ***Unanimously Voted*** for the Town to authorize the Board of Selectmen to acquire a sidewalk easement on Pine Street as set forth in Article 26 of the Warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 6-0

Article 27: PETITION ARTICLES

To see if the town will vote to raise and appropriate or transfer from available funds, a sum or sums of money to support the following petitioned articles:

- A. Health Imperatives’ A NEW DAY (formerly Womensplace Crisis Center) requests \$5,000 from the Town of Carver for services provided to survivors of sexual assault and their families in Fiscal Year 2014
- B. South Shore Community Action Council, Inc. is requesting that the Town of Carver vote to raise and appropriate, or transfer from available funds, the sum of Five Thousand Dollars (\$5,000.00) to South Shore Community Action Council, Inc. for services to low income families and elderly residents in the Town of Carver.
- C. To see if the Town of Carver will vote to raise and appropriate or transfer from available funds the sum of \$4,000 to support South Coastal Counties Legal Services, Inc.’s continued free legal services in civil matters to low-income and elderly families, or take any action thereon.
- D. To see if the town will vote to raise, appropriate, or transfer from available funds, a sum of money to support the Plymouth Coalition for the Homeless, Inc. in their services to the homeless and other low income families. Amount Requested: \$5,000.00
- E. To ask the Town of Carver to vote to raise or appropriate or transfer from available funds the sum of \$3,000 to contract with South Shore Women’s Resource Center for domestic violence intervention and prevention services for its residents.

or take any other action related thereto.

VARIOUS PETITIONED ARTICLES

Article 27: VOTE

Upon motion made by Richard Ward, Chair, Selectman, and seconded, it was ***Unanimously Voted*** for the Town to raise and appropriate the total sum of \$22,000 as grants for the purposes and in the amounts specified in Article 27 of the Warrant.

Recommendation: Board of Selectmen 5-0, Finance Committee 6-0

Upon motion made by Moderator; Robert Bentley and seconded it was ***Unanimously Voted*** to adjourn the Annual Town Meeting at 11:47 P.M.

A True Record, Attest:

Lynn A. Doyle
Town Clerk