

ANNUAL TOWN MEETING
Monday, June 6, 2011

The 219th Annual Town Meeting of the Inhabitants of the Town of Carver was held on Monday, June 6, 2011 at the Carver High School Auditorium at 7:00 P.M., pursuant to a Warrant of the Board of Selectmen dated May 16, 2011. The meeting was called to order by the Moderator, John S. Murray, there being a quorum 75 present. The total registered voters at this time were 266. The Moderator led the voters in the Pledge of Allegiance to the flag. The appropriate tellers were duly sworn to their faithful performance of their duties by the Town Clerk. The tellers were as follows:

Ellen Blanchard, Vincent Nocera, Peter Sullivan and Kevin Walsh

Article 1. Upon motion duly made and seconded and motion made by John Anglely, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to hear the report of any standing committee, 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. The following committee reported: Daniel Ryan, Chairman of the Town Buildings Study Committee requested to continue and change the name to the Capital Building Committee, it was Unanimously Voted.

Article 2. Upon motion duly made and seconded and motion made by John Anglely, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to fix the salaries of Elected Town Officers in accordance with General Laws, Chapter 41, and Section 108 as amended, namely:

	<u>Current Salary</u>	<u>Proposed Salary</u>
Treasurer/Collector	\$ 72,170.33	\$72,170.33
Town Clerk	\$ 61,027.50	\$61,277.50
Moderator	\$ 250.00	\$ 250.00
Chairman, Board of Selectmen	\$ 900.00	\$ 900.00
Board of Selectmen all other Members (each)	\$ 775.00	\$ 775.00
Board of Assessors, each member	\$ 750.00	\$ 750.00
Board of Public Works, each member	\$ 500.00	\$ 500.00
Planning Board, each member	\$ 700.00	\$ 700.00
Board of Health, each member	\$ 700.00	\$ 700.00
Library Trustees, each member	\$ 250.00	\$ 250.00

Chairman, School Committee	\$ 1,500.00	\$ 750.00
School Committee, each member	\$ 1,200.00	\$ 600.00

This Article is not an appropriation. Appropriation will be made within the respective department budgets.

Selectmen recommended: 4-0-1
Finance committee: 5-0

Article 3. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was So-Passed by Majority Vote for the Town to raise and appropriate, Thirty Million, Six Hundred Eighty Two Thousand, Eight Hundred Thirty One (\$30,682,831.00) Dollars, and transfer from Ambulance Receipts Five Hundred Nineteen Thousand, Five Hundred Forty Six (\$519,546.00) Dollars, transfer from Water Enterprise Fifty Nine Thousand, Eight Hundred Two (\$59,802.00) Dollars, transfer from Septic Betterments Eleven Thousand, One Hundred One (\$11,101.00) Dollars, transfer from Entergy Grant Five Thousand (\$5,000.00) Dollars, for a total budget of Thirty One Million, Two Hundred Seventy Eight Thousand, Two Hundred Eighty (\$31,278,280.00) Dollars to defray Town charges from July 1, 2011 to June 30, 2012 as set forth in the budget contained in “Recommendations of the Board of Selectmen and Finance Committee”, which report is on file with the Town Clerk.

Selectmen recommended: 4-0-1
Finance Committee recommended: 5-0

Article 4. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was So Passed for the Town to transfer from the North Carver Water District Enterprise Fund, Four Hundred Thirty Eight Thousand, Nine Hundred Thirteen (\$438,913.00) Dollars for the purpose of funding operating expenses and debt service requirements of the North Carver Water District.

Selectmen recommended: Unanimously
Finance Committee recommended: No-action

Article 5. Unanimously withdrawn (bargaining agreement Police Union)

Article 6. Unanimously withdrawn (bargaining agreement Dispatcher’s Union)

Article 7. Unanimously withdrawn (bargaining agreement Clerical Union)

Article 8. Unanimously withdrawn (bargaining agreement DPW Union)

Article 9. Unanimously withdrawn (cost of living non-union)

Selectmen recommended: 5-0

CAPITAL EXPENDITURES:

Article 10. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to raise and appropriate, transfer from available funds, borrow or lease sums of money for the purpose of funding the following capital expenditures:

Vote to authorize the capital outlay expenditures totaling Nine Hundred Fifty Thousand, Five Hundred (\$950,500.00) Dollars and appropriate the following:

First years lease payments of Ninety Eight Thousand, Forty Four (\$98,044.00) Dollars; Eighty Three Thousand, Seven Hundred Eight (\$83,708.00) Dollars to come from Free Cash, Fourteen Thousand, Three Hundred Thirty Six (\$14,336.00) Dollars to be transferred from the Ambulance Receipts Reserved Account.

Two Hundred Sixty Thousand, Five Hundred (\$260,500.00) Dollars to make outright purchase on the capital items with One Hundred Ninety Five Thousand, Five Hundred (\$195,500.00) Dollars, coming from Free Cash, Fifteen Thousand (\$15,000.00) to be transferred from the School Lunch Fund and Fifty Thousand (\$50,000.00) Dollars to be transferred from the Ambulance Receipts Reserved Account.

Selectmen recommended: Unanimously
Finance Committee recommended: 0-2 approve
Capital Outlay recommended: Unanimously

Article 11. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to approve the \$2,500,000 borrowing authorized by the Old Colony Regional Vocational Technical High School District, for the purpose of paying costs of replacement of the Old Colony School Building urethane foam roof and renovation of the existing science laboratory located at 476 North Avenue Rochester, Massachusetts, including the payment of all costs incidental or related thereto, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said sum to be expended at the direction of the District School Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-four and sixteen one hundredths percent (54.16%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA, and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA.

Selectmen recommended: Unanimously
Finance Committee: 5-0

Article 12. Upon motion duly made and seconded and motion to amend by John Cotter, Chairman, Finance Committee, it was Unanimously Voted for the Town to transfer Seventy Thousand (\$70,000.00) Dollars from Overlay Surplus Account and raise and appropriate an additional Ten Thousand (\$10,000.00) Dollars to the Capital Building Stabilization Fund.

Selectmen recommended: Unanimously

Finance Committee recommended: No-vote

Article 13. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was So-Passed for the Town to close out the Receipts Reserved Wetlands Account and transfer the balance of Three Thousand Six Hundred and Five Dollars and Three Cents (\$3,605.03) from that account to the Wetlands Protection Fee Revolving Account.

Selectmen recommended: 4-0-1

Conservation Committee recommended: 7-0-0

Article 14. Withdrawn (EPA stormwater)

Article 15. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was So-Passed for the Town to take from Free Cash Thirty Thousand (\$30,000.00) Dollars to demolish 17 Green Street (map 16-4-0-E), formerly known as the “Grange Hall”.

Selectmen recommended: Unanimously

Finance Committee recommended: 3-2

Article 16. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to transfer the sum of Ten Thousand Six Hundred Ninety Dollars (\$10,690.00) from the sale of lots accounts in Central, Lakenham and Union Cemeteries and also vote to transfer the sum of Four Thousand Three Hundred and Ten (\$4,310.00) Dollars from the Expendable Trust Funds (cemetery perpetual care accounts only) for the purpose of meeting charges against the cemetery fund in the Town Treasury.

Selectmen recommended: Unanimously

Finance Committee recommended: 5-0

Article 17. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to transfer from other funds Four Thousand Thirty Two, Ninety One (\$432,091.00) Dollars which may be used for State Aid Construction and Improvements under the Acts of 2009, Chapter 90 apportionment to meet the State’s share of the cost of the work reimbursement received there from to be paid to the treasurer.

Selectmen recommended: 5-0

Finance Committee recommended: 5-0

Article 18. Upon motion duly made and seconded and motion made by Peter Donnelly, Department of Public Works, it was Unanimously Voted for the Town to take from Free Cash the sum of Seven Thousand, Five Hundred (\$7,500.00) Dollars for the purpose of Repairing Private Ways under Chapter #40, Section 6N as amended of the Mass. General Laws to be under the direction of the Department of Public Works.

Selectmen recommend: Unanimously

Finance Committee recommended: Unanimously

Article 19. Upon motion duly made and seconded and motion made by John Anglely, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to take from Free Cash One Thousand (\$1,000.00) Dollars to increase the funding of the lease to replace the current postage mailing system. The present system is outdated and in need of major repairs. This increased funding will be added to and become part of the Equipment Rental line item within the Treasurer/Collector Budget.

Selectmen recommended: Unanimously

Finance Committee recommended: 5-0

Article 20. Upon motion duly made and seconded and motion made by John Anglely, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to take from Free Cash Five Hundred (\$500.00) Dollars for the purpose of meeting expenses associated with Old Home Day, said sums to be expended under the direction of the Board of Selectmen.

Selectmen recommended: Unanimously

Finance Committee recommended: 5-0

Article 21. Upon motion duly made and seconded and motion made by John Anglely, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to take from Free Cash One Hundred Seventy-Five (\$175.00) Dollars to be expended by the Trustees for Plymouth County Cooperative Extension Service, and choose Dorothy Anglely as Director in accordance with the provisions of M.G.L. Chapter 128 §41 and 42, said expenditure to be under the director of the Board of Selectmen.

Selectmen recommended: Unanimously

Finance Committee recommended: 5-0

Article 22. Upon motion duly made and seconded and motion made by John Anglely, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to take from Free Cash Eleven Thousand (\$11,000.00) Dollars to fund the Carver Visiting Nurse Division of The Visiting Nurse Association of Cape Cod (Cape Cod VNA) budget for professional services for the Fiscal Year 2012.

Selectmen recommended: Unanimously

Finance Committee recommended: 5-0

Article 23. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to take from Free Cash Seven Thousand (\$7,000.00) Dollars for the purpose of continuing maintenance and other expenses of the Marcus Atwood House.

Selectmen recommended: Unanimously
Finance Committee recommended: 5-0

Article 24. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to change the name of the Industrial Development Commission (IDC) to the Business Development Commission (BDC).

Selectmen recommended: Unanimously
Finance Committee recommended: 5-0

Article 25. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to authorize the establishment of a Business Development Commission (BDC) revolving account in accordance with Massachusetts General Laws, Chapter 44, Section 53E1/2 to which shall be deposited monies from fees collected from website listings from which the BDC may make expenditures for the purpose of promoting and updating the website to increase local business interest. Such funds are to be expended under the jurisdiction of the Business Development Commission. Expenditures for FY2012 not to exceed Ten Thousand (\$10,000.00) Dollars.

Selectmen recommended: Unanimously
Finance Committee recommended: 5-0

Article 26. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to rescind its acceptance of Massachusetts General Laws, Chapter 44, Section 53E as to the offset receipts account for the upkeep and maintenance of the so-called "Cole Property", which was created by the Town's vote under Article 45 of the 2008 Annual Town Meeting.

Selectmen recommended: Unanimously
Finance Committee recommended:

Article 27. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to re-authorize the establishment of the following Revolving Accounts in accordance with Massachusetts General Laws, Chapter 44, §53E ½:

- 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 replacing damaged or lost materials. Expenditures for FY2012 from such fund not to exceed Twelve Thousand Dollars (\$12,000.00)

(By Library Trustees)

- 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 relate 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 FY2012 shall be One Hundred Thousand Dollars (\$100,000.00) in accordance with the contract between the Town through its Council on Aging and GATRA.

(By Council on Aging)

- 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.) or take any other action relative thereto.

(By Council on Aging)

- 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 Thousand Dollars (\$100,000.00) for FY2012. Expenditures shall be under the direction of the Earth Removal Committee.

(By Earth Removal Committee)

- Wiring, Plumbing and Gas Permit Fee Revolving Account to use Seventy-Five Percent (75%) of Wiring, Plumbing, and Gas permit fees collected to pay the wages of those Inspectors. Expenditures for FY2012 from such fund not to exceed One Hundred Thousand Dollars (\$100,000.00). Expenditures shall be under the direction of the Building Commissioner.

(By Board of Selectmen)

- 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 Marcus Atwood House, said sums to be under the direction of the Marcus Atwood House Trustees. Expenditures for FY2012 from such funds not to exceed Twelve Thousand Dollars (\$12,000.00).

(By Marcus Atwood House Trustees)

- 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 FY2112 from such funds not to exceed Twenty Thousand Dollars (\$20,000.00)

(By Conservation Commission/Agricultural Commission)

- Fire Department Revolving Account for 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 & supplies and to fund administrative and call firefighter wage expenses associated with fire operations and responses to hazardous material incidents, said sums to be under the direction of the Fire Chief. Expenditures for FY 2012 not to exceed Thirty Thousand Dollars (\$30,000.00).

(By Fire Department)

- Recreation Committee revolving account to collect and disburse of funds for services provided to Town residents for recreation activities. Such funds are to be expended under the jurisdiction of the Recreation Committee. Expenditures for FY 2012 not to exceed Twenty Thousand Dollars (\$20,000.00).

(By Recreation Committee)

Selectmen recommended on Cole Property: 3-2

Selectmen recommended: Unanimously on all others

Finance Committee recommended: 5-0

COMMUNITY PRESERVATION FUND ARTICLES:

Article 28. Unanimously Withdrawn (repair bridges Cole Property)

Article 29. Failed (Assistance Program support 1st time home buyers)

Article 30. Failed (Rescue Program foreclosures)

Article 31. Upon motion duly made and seconded and motion made by Robert Bentley, Chairman, Community Preservation Committee, it was So-Passed for the Town to appropriate One Hundred and Forty Three Thousand, Nine Hundred Fifty (\$143,950.00) Dollars from the Community Preservation FY 2012 Estimated Annual Fund Revenues to continue the historic restoration of the Marcus Atwood House. Funds are expected to be used for re-wiring the building to meet current building codes. Said sums to be expended under the direction of the Community Preservation Committee in consultation with the Marcus Atwood House Trustees and the Board of Selectmen.

Selectmen recommended: Unanimously

Finance Committee recommended: 5-0

Community Preservation Committee: 6-0

Article 32. Upon motion duly made and seconded and motion made by Robert Bentley, Chairman, Community Preservation Committee, it was So-Passed for the Town to appropriate a One Hundred Nineteen Thousand, Six Hundred Twenty (\$119,620.00) Dollars from the Community Preservation FY 2012 Undesignated Fund Balance to make the required annual debt service payment on the purchase of +/-98 acres of land known as the western portion of the Cole property as referred to as Parcel 1 in Article 1 at the Special Town Meeting held on December 11, 2006, which purchase was authorized thereunder, said sums to be expended under the direction of the Community Preservation Committee in consultation with the Conservation Commission and the Board of Selectmen.

Selectmen recommended: 4-0-1

Finance Committee recommended: 5-0

Community Preservation Committee: 6-0

Article 33. Upon motion duly made and seconded and motion made by Robert Bentley, Chairman, Community Preservation Committee, it was So-Passed for the Town to transfer Forty Five Thousand Fifty (\$45,050.00) Dollars from the FY12 Community Preservation Act Estimated Annual Fund Revenues to the Community Preservation Fund and the Community Housing Reserve to meet the requirement that 10% of the Estimated Annual Fund Revenues be spent or set aside for future spending for each of the three purposes of the Community Preservation Act.

Selectmen recommended: 5-0-0

Finance Committee recommended: 5-0

Community Preservation Committee: 6-0

Article 34. Upon motion duly made and seconded and motion made by Robert Bentley, Chairman, Community Preservation Committee, it was Unanimously Voted for the Town to appropriate a sum of money from the FY12 Community Preservation Act Estimated Annual Fund Revenues that will bring the annual distribution total to 5% of the FY12 Community Preservation Fund Estimated Annual Fund Revenues of Twenty Two Thousand, Five Hundred Twenty Five (\$22,525.00) Dollars for the purpose of meeting annual operating expenses of the Community Preservation Committee. Funds not expended in the Fiscal Year shall be returned to the general Community Preservation Act account.

Selectmen recommended: Unanimously

Finance Committee recommended: 5-0

Community Preservation Committee recommended: 6-0

Article 35. Upon motion duly made and seconded and motion made by Robert Bentley, Chairman, Community Preservation Committee, it was Unanimously Voted for the Town to transfer Two Thousand Thirty Eight, Nine Hundred Seventy Five (\$238,975.00) Dollars from the FY 12 Community Preservation Act Estimated Annual Fund Revenues to the Community Preservation Fund Unrestricted Reserve Account.

Selectmen recommended: Unanimously

Finance Committee recommended: 5-0

Community Preservation Committee: 6-0

Article 36. Upon motion duly made and seconded and motion to amend by Robert Bentley, Chairman, Community Preservation Committee, it was So-Passed for the Town to appropriate Two Hundred and Six Thousand (\$206,000.00) Dollars from the Community Preservation FY 2012 Undesignated Fund Balance to continue the historic restoration of the Marcus Atwood House. Funds are expected to be used for re-roofing. Said sums to be expended under the direction of the Community Preservation Committee in consultation with the Marcus Atwood House Trustees and the Board of Selectmen.

Community Preservation Committee recommended: 6-0

NON-MONEY ARTICLES

Article 37. Upon motion duly made and seconded and motion made by John K. Franey, Treasurer/Collector, it was Unanimously Voted for the Town pursuant to M.G.L. Chapter 60A, Section 1, to accept the provisions of paragraph 8, to exempt from motor vehicle excise any resident who is in active and full-time military service as a member in the armed forces of the United States or the national guard, army or air, of any state, and has been deployed or stationed outside the territorial boundaries of the continental United States for a period of at least 45 days in the calendar year of the exemption, beginning January 1, 2011.

Selectmen recommended: Unanimously
Finance Committee recommended: 5-0

Upon motion duly made and seconded and motion made by John S. Murray, Moderator, it was Unanimously Voted to adjourn at 11:00 P.M. and to continue to June 14, 2011 starting with Article 38.

A true record. Attest:

Jean F. McGillicuddy ,CMC/CMMC
Town Clerk