

CONTINUATION ANNUAL TOWN MEETING  
MONDAY JUNE 18, 2007

The 215<sup>th</sup> Continuation of the Annual Town Meeting of the Inhabitants of the Town of Carver was held on Monday, June 18<sup>th</sup>, 2007 at the Carver High School Auditorium at 7:00 P.M., pursuant to Warrant of the Board of Selectmen dated May 10<sup>th</sup> 2007. The meeting was called to order at 7:10 P.M., by the Moderator, John S. Murray, there being a quorum 75 present. The total registered voters at this time were 164. The appropriate counters were duly sworn to the faithful performance of their duties by the Moderator. The counters were as follows:

Marilyn Downing, Paul McDonald, John Rinella and John Syria

All members of the School Dept. were introduced as well as Town Counsel, Gregg Corbo, Town Administrator, Richard LaFond, Board of Selectmen, and all Department Heads.

Article 1.            defer to May 21, 2007

Article 2 – 11    defer to June 11, 2007

Article 12-15    defer to May 21, 2007

Article 16. to 21: defer to June 11<sup>th</sup>

Article 22            defer to May 21, 2007 .

Article 23.            defer to June 11<sup>th</sup>

Article 24.            defer to May 21, 2007

Article 25.    Upon motion duly made and seconded and motion made by Craig Weston, Fire Chief, it was a 2/3 vote (125 yes – 27 no) for the Town to raise and appropriate, the sum of One Million, One Hundred Thousand Dollars (\$1,100,000.00) for the purpose of contracting architectural services necessary for the design and construction of a new Fire Station and Police Station; and as funding source therefore, to authorize the Treasurer, with the approval of the Board of Selectmen, to issue bonds and notes therefore; provided, however, that the appropriation authorized hereunder shall be expressly contingent upon approval by the voters of the Town to assess taxes in excess of the amount allowed under Proposition 2 ½, so-called, for the amounts required to pay principal and interest on bonds or notes issued for the purposes set forth herein.

Selectmen recommended: 4-1abs.

Finance Committee: 2-2

Capital Outlay: 5-0

Article 26. Defeated (update the Town's wage and classification survey)

Article 27. Upon motion duly made and seconded and motion made by John K. Franey, Treasurer/Collector, it was Unanimously Voted for the Town to lease (3 year) the sum of Twenty Thousand, Six Hundred Dollars (\$20,600.00) for the purpose of upgrading the Town's financial management software (Treasurer's Receipts and Receivables.)

Selectmen recommended: 5-0

Finance Committee: 4-0

Capital Outlay: 5-0

Article 28. Upon motion duly made and seconded and motion made by John Rinella, Member Community Preservation Committee, it was Unanimously Voted for the Town to appropriate One Hundred Thousand Dollars (\$100,000.00) from the Community Preservation 2008 Estimated Annual Fund Revenues to help fund 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 Board of Selectmen in consultation with the Community Preservation Committee; and further, to authorize the Board of Selectmen to convey to the Commonwealth or a nonprofit, charitable corporation or foundation, a conservation restriction meeting the requirements of G.L. c.184.

Selectmen recommended: 5-0

Finance Committee: 4-0

Community Pres. Committee: Unanimously

Article 29. Upon motion duly made and seconded and motion made by John Rinella, Member, Community Preservation Committee, it was Unanimously Voted for the Town to appropriate Twenty-Seven Thousand Five Hundred Dollars (\$27,500.00) from the Community Preservation 2008 Estimated Annual Fund Revenues to hire a Historic Preservation Consultant to prepare a Historic Preservation Plan for the Town of Carver, including but not limited to the following: 1) an assessment of Carver's historic and prehistoric resources, including their identification and general state of preservation; 2) identification of issues and opportunities that effect the preservation of these resources; 3) an assessment of the status of historic preservation in the community of Carver, including existing preservation mechanisms, and the integration of historic preservation goals and objectives in other aspects of the Town's planning and development; 4) identification of priorities for preservation and development of an action plan for implementing priority preservation goals and objectives; 5) submittal of applications for registration for the prioritized top three unregistered historic properties and/or sites in Carver on the State and/or National Historic Registries as applicable; and 6) delineating activities that identify, document, preserve, and promote cultural resources associated with diverse minority, ethnic, social, and cultural groups and individuals who have

played a role in the history of Carver, said sums to be expended under the direction of Board of Selectmen in consultation with the Community Preservation Committee.

Selectmen recommended: 5-0

Finance Committee: 5-0

Community Pres. Committee: 9-0

Article 30. Upon motion duly made and seconded and motion made by John Rinella, it was So-Passed by Majority Vote for the Town to appropriate Twenty-Two Thousand Six Hundred Eighty Dollars ( \$22,680.00) from the Community Preservation 2008 Estimated Annual Fund Revenues to replace the old shutters and old custom shutter points on the Union Church on South Main Street in Carver with new period-piece architecturally-accurate replicas of shutters and custom shutter points including, but not limited to: provision of custom louvered trim over side windows and entry of Union Church; provision of templates, designs, material, fabrication, and paint for individual louvered arched trim pieces for 6 primary windows and above front entry doors and windows; purchase, painting and installation of 16 pairs of window shutters, all pursuant to a grant agreement with said Union Church; and further, to authorize the Board of Selectmen, in consultation with the Community Preservation Commission to enter into a grant agreement with said Union Church setting for the terms and conditions upon which said sums may be expended, provided, however, that said grant agreement shall include a requirement that the Town of Carver be granted a preservation restriction in the property meeting the requirements of G.L. c.180, and further, to authorize the Board of Selectmen to accept said restriction.

Selectmen recommended: 5-0

Finance Committee: 4-0

Community Pres. Committee: 9-0

Article 31. Upon motion duly made and seconded and motion made by John Rinella, Member, Community Preservation Committee, it was Unanimously Voted for the Town to appropriate Thirty Thousand (\$30,000.00) Dollars from the Community Preservation 2008 Estimated Annual Fund Revenues to hire an engineer and/or architect who specializes in the historic preservation of structures, such funds to be expended by the Board of Selectmen in consultation with the Marcus Atwood House Trustees. Said engineer and/or architect would be responsible for the following: 1) providing an assessment of the Marcus Atwood House from an engineering and historic-preservation perspective; 2) identifying any structural and/or building code deficiencies and/or violations in the building; 3) assessing the status of historic features either missing, in disrepair, or not in the context of the historic perspective of the original building; 4) identifying priorities for the preservation of this building from both a structural perspective and also from a historic perspective and developing an action plan for implementing these priorities; 5) identifying funding mechanisms to accomplish these priorities; and 6) developing a maintenance plan for the Marcus Atwood House.

Selectmen recommended: 5-0

Finance Committee: 4-0

Community Pres. Committee: 9-0

Article 32. Upon motion duly made and seconded and motion to amend by John Rinella, Member, Community Preservation Committee, it was So-Passed by Majority Vote for the Town to appropriate One Hundred, Fifty Seven Thousand, Five Hundred (\$157,500.00) Dollars from the Community Preservation 2008 Estimated Annual Fund Revenues to demolish the old tennis courts and to create new outdoor tennis courts and to create a new outdoor basketball court, for school and community use, at the Carver Middle School/High School complex, said sums to be expended under the direction of the Community Preservation Committee.

Selectmen recommended: 5-2 in favor

Finance Committee: 4-0

Community Pres. Committee: 9-0

Article 33. WITHDRAWN, Unanimously (demolish the old outdoor track and to create a new outdoor track, for school and community use)

Article 34. Upon motion duly made and seconded and motion made by John Rinella, Member, Community Preservation Committee, it was Unanimously Voted for the Town to transfer Sixty Four Thousand (\$64,000.00) Dollars from the FY08 Community Preservation Act Estimated Annual Fund Revenues to 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

Finance Committee: 4-0

Comm. Preservation Committee: 9-0

Article 35. Upon motion duly made and seconded and motion made by John Rinella, Member Community Preservation Committee, it was Unanimously Voted for the Town to appropriate a sum of money from the FY08 Community Preservation Act Estimated Annual Fund Revenues that will bring the annual distribution total to 5% of the FY08 Community Preservation Fund Estimated Annual Fund Revenues, Thirty Two Thousand (\$32,000.00) Dollars, (an amount finalized by the Town Accountant) 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: 5-0

Finance Committee: 4-0

Community Preservation Committee: 9-0

Article 36. Upon motion duly made and seconded and motion made by John Rinella, Member, Community Preservation Committee, it was Unanimously Voted for the Town to transfer Two Hundred Six Thousand, Three Hundred Twenty (\$206,320.00) Dollars from the FY08 Community Preservation Act Estimated Annual Fund Revenues to the Community Preservation Fund Unrestricted Reserve Account.

Selectmen recommended: 5-0

Finance Committee: 4-0

Community Pres. Committee: 9-0

Article 37. defer to May 21, 2007

Article 38 - 39 defer to June 11<sup>th</sup> 2007

Article 40 & 44 defer to May 21, 2007.

Article 45. Defeated (Camping By-Law)

Article 46 – 58 defer to May 21, 2007

Article 59. Upon motion duly made and seconded and motion to amend by John K. Franey, Treasurer/Collector, it was So-Passed by Majority Vote for Town to approve the following Special Legislation.

AN ACT ESTABLISHING  
THE NORTH CARVER WATER DISTRICT

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared essential for the benefit of the people of the Town of Carver, in order that there be an increase in their welfare, prosperity, and an improvement in their living conditions, that the Town through its Commission establish an economical and efficient water supply and distribution system within the North Carver Water District (as defined herein); that accurate, appropriate, and self-sustaining fees, rates and charges for the water supply, treatment, and distribution provided by the District be established; that all consumers of such service, public and private, taxpayer and tax exempt, pay their fair share of the costs of such service; that the water supply and distribution system of the District be operated in a modern, efficient and financially self-sustaining manner to further its sound financial, environmental and physical condition; that conservation of water sources be encouraged; and that the Town be provided a means to purchase, construct and maintain a potable water supply and distribution system and insure the continued availability of potable water at sufficient rates, charges and fees; all to the public benefit and good, and to the extent and in the manner provided herein.

SECTION 2. This act shall be known and may be cited as the North Carver Water District Act.

SECTION 3. As used in this act, the following words shall, unless the context otherwise requires, have the following meanings:

“bonds” or “bond,” shall mean general obligation bonds, notes and other obligations or evidences of indebtedness that the Town or the District are hereby authorized to issue from time to time, upon a two-thirds vote, to pay capital costs of the District, which shall be issued for a term, exclusive of the term of any bond anticipation notes, not exceeding 40 years, and which shall otherwise be issued in accordance with the provisions of Chapter 44 of the General Laws. Any bonds issued in accordance with this act shall be arranged so that for each issue the amounts payable in the several years for principal and interest combined shall be as nearly equal as practicable in the opinion of the officers authorized to issue said bonds or, in the alternative, in accordance with a schedule providing a more rapid amortization of principal.

“Commission”, shall mean the Commissioners of the North Carver Water District established herein or, if the Commission shall terminate, the board, body or Commission succeeding to the principal functions thereof, or whatever body, person or persons to whom the powers given by this chapter to the Commission shall be transferred by law. “capital costs” shall mean any extension, improvement or enlargement of the water works system of the District or to any other project of the District financed under the provisions of this chapter; all or any part of the cost of acquisition, construction, reconstruction, alteration, and remodeling of such works, including, without limiting the generality of the foregoing, costs of labor, materials, machinery and equipment, the acquisition of interests in land, structures, and all rights of any kind in real and personal property, costs of demolition or relocation, costs of removal or relocation of any public utilities facilities, financing charges and expenses, interest prior to, during and for a period after completion of such work, reserves for debt service and other capital and current expenses, costs of architectural, engineering, financial, legal and consulting services, costs of plans, specifications, appraisals, surveys, inspections, financial and feasibility studies, expenses of organization, administration and operations prior to the commencement of and during such work, costs of equipment and supplies and advance training of operating personnel and other expenses of completing and commencing operation of such work, working capital, and other necessary or incidental expenses to the acquisition, construction, financing and placing in operation of such work.

“current expenses”, the District’s current expenses, whether or not annually recurring, of maintaining, repairing and operating the water works system and any other properties of the District, including, without limiting the generality of the foregoing, administrative, debt service, general system payments and other employee benefits, engineering expenses for maintenance, operation and repairs, legal, financial and auditing expenses, insurance and surety bond premiums, fees and expenses of trustees and paying agents, payments to others for services rendered to the District, taxes or fees which may be lawfully imposed

upon the District or its income or operations or the property under its control, and other current expenses required or permitted by law to be paid by the District, including the funding of reasonable reserves for maintenance, repair, replacements or operations.

“District”, the North Carver Water District as established herein.

“Local Appointing Authority”, the Board of Selectmen of the Town of Carver.

“municipality” or “Town”, the Town of Carver, Massachusetts.

“District service area”, the area as shown on the map of the District on file in the Town clerk’s office as may be amended by a majority vote of the Commission and a majority vote of the Local Appointing Authority.

“revenues”, all revenues, rates, fees, charges, rents and other receipts derived from the operation of the water works system and all other properties of the District, including, without limiting the generality of the foregoing, bond proceeds of bonds issued on behalf of the District, proceeds of any grant or loan to the District, investment earnings and the proceeds of insurance, condemnation, sale or other disposition of properties.

“water works system”, the water supply and distribution system in the District service area and under the jurisdiction, ownership, control and regulation of the District including, without limiting the generality of the foregoing, all plants, works, instrumentalities or parts thereof, lands, easements, rights in land, water and flowage rights, approaches, water courses, rights of way, contract rights, franchises and privileges, all connections, dams, wells, reservoirs, water mains and pipe lines, equipment, buildings, structures, vehicles, standpipes, tanks, conduits, meters, hydrants, fire connections, fixtures, purification, filtration and treatment works and other adjuncts thereto, and any other property or interests in property, real or personal, incidental to and included in such water supply and distribution system, and all facilities, betterment, extensions, improvements and enlargements thereto and to or for the water supply therefore hereafter constructed or acquired.

SECTION 4. There is hereby created the North Carver Water District. The Commission is hereby constituted and the exercise by the Commission of the powers conferred by this chapter shall be deemed and held to be the performance of an essential public function. The Commission shall not be subject to the supervision of the municipality or of any department, Commission, board, bureau, or agency of the municipality except to the extent and in the manner provided in this chapter.

Except as otherwise provided in this chapter, the powers of the Commission shall be exercised by a board of three members to be elected by the voters of the Town for overlapping three-year terms. Vacancies shall be filled in accordance with section 11 Chapter 41 of the Massachusetts General Laws. Provided, however that at the first annual election occurring at least 64 days after the effective date of this act, the initial members of the Commission shall be elected to one, two and three year terms, with the

candidate receiving the highest number of votes to serve for a three-year term, the candidate with the second highest number of votes two-year term, and the candidate with the third highest number of votes serving for a one-year term. Until the initial members of the Commission are elected in accordance with this paragraph, the Board of Selectmen shall appoint three members, each of whom shall be registered voters of the Town. Two members of the Commission shall constitute a quorum and the affirmative vote of two members shall be necessary for any action taken by vote of the Commission. Any such action shall take effect immediately unless otherwise provided and need not be published or posted.

The Commission shall annually elect one of its members as chair. The Commission may establish, with the approval of the Local Appointing Authority and The Town, by majority vote of its Town Meeting a reasonable annual compensation for its members for attendance upon the business of the Commission. In addition, each member may be reimbursed for all reasonable and necessary expenses incurred in the discharge of official duties as approved by the Commission. In accordance with Chapter Two Hundred and Sixty-Eight A, the Commission shall be deemed to be a municipal agency and the members of the Commission shall be deemed to be special municipal employees. The provisions of Sections Twenty-Three A to Twenty-Three C, inclusive, of Chapter Thirty-Nine shall apply to all meetings of the Commission and Section Ten of Chapter Sixty-Six relating to the availability of public records as defined in Clause Twenty-Sixth of Section Seven of Chapter Four shall apply to the Commission.

The District shall be deemed to be a public employer within the meaning of Chapter Two Hundred and Fifty-Eight. The members, officers and employees of the District shall be deemed to be public employees within the meaning of Chapter Two Hundred and Fifty-Eight. The District shall be liable in tort for defects in a public way to the same extent as the municipality under Chapter Eighty-Four.

The District Commissioners and its employees shall be subject to the provisions of Chapter One Hundred and Fifty E, to the extent said provisions are applicable, and for purposes of said Chapter, the District shall be considered an “employer” or “public employer” as defined therein.

Section 5. The Commission may appoint, employ and determine the compensation, duties and conditions of employment of a superintendent, who shall not be a member of the Commission and who shall serve at the pleasure of the Commission; provided, however, that the Commission may bind itself by contract to employ a superintendent, but no such contract may be for a period of more than five years. Said contract must be approved by the Local Appointing Authority. The superintendent shall be the chief operating officer of the District and shall administer and direct its affairs as authorized or approved by the Commission and shall have such of the powers and perform such of the duties of the Commission as the Commission may from time to time have delegated to the superintendent and not recalled. The superintendent or his or her designee as approved by the Commission shall be the Secretary of the Commission and shall keep a record of the proceedings of the Commission and shall be custodian of all books, and documents and

papers filed with the District. The superintendent and any other officer designated by the Commission for this purpose, each alone, may cause copies to be made of all minutes and other records and documents of the District and may give certificates to the effect that such copies are true copies, and all persons dealing with the District may rely upon such certificates.

The Commission may from time to time hire, transfer or otherwise appoint or employ legal counsel, financial advisors and consultants as it deems necessary and determine their duties.

The Commission may purchase insurance on behalf of itself and any of its members, officers, employees, or agents against any liability arising out of their status as such, whether or not the Commission would have the power to indemnify them against such liability.

The Commission shall operate on a fiscal year commencing July first unless otherwise provided by the Commission.

SECTION 6. The Commission shall have all the rights and powers necessary or convenient to carry out and effectuate this act, including, but without limiting the generality of the foregoing, the rights and powers:

(a) to adopt rules, regulations, and procedures in connection with the performance of its functions and duties, and regarding the use of, and connection to, the water works system. The Commission may, by regulation, provide for civil penalties not to exceed \$5,000 for the violation of any rule, order, or regulation of the Commission, which penalties shall enure to the Town. The Commission may further assess fines for each violation of its rules and regulations in accordance with Section Twenty-One of Chapter Forty of the General Laws;

(b) to maintain an office in the Town at such place or places as it may determine;

(c) on behalf of the District, or on behalf of the Town upon the approval of the Local Appointing Authority, to apply for, receive, accept, administer, expend and comply with the conditions, obligations and requirements respecting any grant, gift, loan, including without limitation any grant, gift or loan from agencies of local, state and federal governments, donation or appropriation of any property or money in aid of the purposes of the Commission and to accept contributions of money, property, labor or other things of value;

(d) to acquire in the name of the District, or on behalf of the Town with the approval of the Local Appointing Authority, by purchase, lease, lease-purchase, sale and leaseback, gift or devise, or to obtain options for the acquisition of any property, real or personal, tangible or intangible, or any interest therein, in the exercise of its powers and the performance of its duties;

(e) with the approval of the Local Appointing Authority, to acquire, sell, lease, mortgage, exchange, transfer or otherwise dispose of, or to grant options for any such purposes with respect to any property held by it, including real or personal, tangible or intangible property, or any interest therein, consistent with all requirements of the General Laws; provided, however, that no lease, mortgage, exchange, transfer or other disposal of real property shall be permitted without the affirmative vote of the Town at a duly called and held Town meeting to consider the same;

(f) to enter onto any land within the District service area to make surveys, borings, soundings and examinations thereon, provided that the Commission shall make reimbursements for any injury or actual damage resulting to such lands and premises caused by any act of its authorized agents or employees and shall so far as possible restore the land to the same condition as prior to making of such surveys, borings, soundings and examinations; and to acquire by eminent domain any interest in real property within the District service area in the name of the Commission in accordance with the provisions of Chapters Seventy-Nine and Chapter Eighty A of the General Laws or any alternative method provided by law; provided, however, that the Commission shall not exercise the power of eminent domain without the prior approval of the Town and the Local Appointing Authority. The Commission may order the removal or relocation of any conduits, pipes, wires, poles or other property located in public ways or places or in or upon private lands, which it deems to interfere with the laying out, construction or operation of any water system project, and the proper authorities shall grant new locations for any such structure so removed or relocated, and the owner thereof shall be compensated by the Commission for the reasonable costs of such removal or relocation. Such orders, to the extent specified therein, shall be deemed a revocation of the right or license to maintain such tracks, pipes, conduits, wires, poles or other property in such public ways or places, and the private owner of any such structures in public ways or lands shall comply with any such order of the Commission relating to any such structure in public ways or lands. If any such owner shall fail to comply with any such order of the Commission relating to any such structure in public ways and places within a reasonable time, to be fixed in the order, the Commission may discontinue and remove such tracks, conduits, pipes, wires, poles or other property, and may relocate the same, and the cost of such discontinuance, removal or relocation shall be repaid to the Commission by the owner. No such discontinuance, removal or relocation shall entitle the owner of the property thus affected to any damages on account thereof, except for reimbursement of cost provided for above. This section shall not apply to facilities on property of the Commonwealth under the control of the Department of Highways or the Metropolitan District Commission or installed under licenses or permits granted by said department or Commission, except with its approval;

(g) to contract for and purchase water supply, treatment and distribution services from, and to provide such services to, any person, private or public corporation or public instrumentality within or without the District service area or to another Town, as the Commission shall determine to be in the best interests of the District, to the Commonwealth or to the federal government when necessary or convenient for the operation of the water system;

(h) to construct, improve, extend, enlarge, maintain and repair the water works system;

(i) to use monies borrowed or appropriated by the Town for the purposes of this act;

(j) to make contracts of every name and nature and to execute and deliver all instruments necessary or convenient for carrying out any of its purposes, provided, however, that such contracts shall be subject to all applicable provisions of G.L. c. 30B.;

(k) to exercise the powers and privileges of, and to be subject to limitations upon towns and cities provided by the provisions of Sections One to Twenty-Four, inclusive, and Twenty-Seven to Twenty-Nine, inclusive, of Chapter Eighty-Three of the General Laws, insofar as such provisions may be applicable and are consistent with the provisions of this act;

(l) to create an overall water policy and plan for the District;

(m) to do all things necessary, convenient or desirable for carrying out the purposes of this act or the powers expressly granted or necessarily implied in this act;

(n) consistent with the Constitution and Laws of the Commonwealth, the Commission shall have such other powers as may be necessary for or incident to carrying out the foregoing powers and the accomplishment of the purposes of this act; provided, however, that nothing in this act shall impose any duty on the Commission to maintain groundwater levels within or without the boundaries of the Town.

(o) The Commission is hereby authorized to enter into one or more intermunicipal agreements with other governmental entities for the provision of water services. Such intermunicipal agreements shall comply with the requirements of G.L. c. 40, s. 4A, except that no further vote of the Carver Town Meeting shall be required.”

SECTION 7. In addition to the powers of the Commission otherwise provided herein, the Commission shall have the following powers and shall be subject to the following limitations:

(a) The Commission is authorized and empowered to fix, revise, charge, collect and abate fees, rates, rents, assessments, delinquency charges and other charges for water supply and distribution and other services, facilities and commodities furnished or supplied by it. Subject to paragraph (c), fees, rates, rents, assessments, delinquency charges and other charges of general application shall be adopted and, as necessary, revised by the Commission at least annually in accordance with procedures to be established by the Commission for assuring that interested persons are afforded notice and an opportunity to present data, views and arguments. The Commission shall hold at least one public hearing on its schedule of fees, rates and charges or any revision thereof prior to adoption, notice of which shall be delivered to the Local Appointing Authority and be published in a newspaper of general circulation in the Town in advance of the hearing. No later than the date of such hearing, the Commission shall make available to the public the proposed schedule of fees, rates and charges. The Commission may combine its fees, rates and other charges for services provided by it in a single schedule of charges. Fees, rates, rents, assessments, abatements, and other charges established by the Commission shall not be subject to supervision or regulation by any department, division, commission, board, bureau, or agency of the Commonwealth or any of its political subdivisions.

(b) Subject to paragraph (e), the fees, rates, rents, assessments and other charges established by the Commission in accordance with paragraph (a) shall be so fixed and adjusted in respect to the aggregate thereof so as to provide revenues at least sufficient (i) to pay the current expenses of the Commission, (ii) to pay the principal of, premium, if any, and interest on bonds issued by the Town or the District for costs as the same become due and payable, (iii) to create and maintain such reasonable reserves as may be reasonably required by the Commission or by any trust agreement or resolution securing bonds issued by the Town on account of capital costs, (iv) to provide funds for paying the cost of all necessary repairs, replacements and renewals of the water system and (v) to pay or provide for any amounts which the Commission may be obligated to pay or provide for by law or contract including any resolution or contract with or for the benefit of the holders of bonds issued for the Commission. The annual operating budget of the Commission shall be submitted to the Local Appointing Authority for review and recommendation, and all funds expended by the Commission shall be subject to appropriation by the Town. Once an appropriation on account of the District has been approved by the Town, the Commission may allocate the use of such amounts as they shall, in their sole discretion, determine.

(c) The Commission shall undertake a study and examination of its estimated expenses and costs of constructing, maintaining, operating and improving the system, and shall prior to one year after the effective date of this act promulgate in accordance with paragraph (a) a schedule of fees, rents, rates and other charges sufficient thereafter to satisfy the requirements of paragraph (b). Such schedule shall become effective upon promulgation. Such schedule shall provide for the metering, monitoring and other measuring of, and charging for, water supply services provided by the Commission to consumers of such services in the Town, including municipal property, the Commonwealth and all independent agencies and authorities of the Town and the commonwealth, and any exemptions from such charges provided to the Commonwealth or the Town under any general or special law, are hereby declared inapplicable as of the date such schedule shall be in force; provided, however, that no betterment or special assessment shall be made by the Commission under the authority of Chapters Forty or Eighty of the General Laws or any other provision of law against property owned by the Commonwealth or any political subdivision of the Commonwealth,

(d) The Commission shall have the benefit, without further acceptance of any sections of said Chapter Eighty, to the extent applicable and consistent with this act. Applications for abatements in accordance with said Chapter Eighty shall be made within thirty days after the date of such demand. Upon written application, the Commission shall issue lien certificates in accordance with Section Twenty-Three of Chapter Sixty of the General Laws. No recordation of certificates issued by the Town pursuant to said Section Twenty-Three of said Chapter Sixty shall affect liens for the unpaid fees, rates, rents, assessments, and other charges of the Commission.

In lieu of betterments, the Commission may also make special assessments under Chapter 40 Section 42G of the General Laws to specific properties.

(e) The Town is hereby authorized to establish an Enterprise Fund in accordance with the provisions of Section Fifty-Three F1/2 of Chapter Forty-Four of the General Laws for the operation of the water supply system. All revenues of the District, including all amounts appropriated by the Town on account of the District, shall be held in the care and custody of the Treasurer of the Town and shall be disbursed only upon the approval and execution of a warrant by the Local Appointing Authority.

(f) Any water supply system, as defined in section three, shall be subject to the rules and regulations of the Town, applicable laws of the Commonwealth and any approvals required there under.

(g) The activities of the Commission shall be consistent with the official planning documents adopted from time to time by the Town Boards and Commissions.

(h) The Commission shall not be required to connect any home, facility, or lot to the water supply system.

SECTION 8. Although any bonds or notes issued by the Town or the District on account of capital costs are expected to be repaid through revenues of the District as hereinabove described, any bonds or notes of the Town issued to pay capital costs shall nevertheless constitute a pledge of the Town's full faith and credit.

SECTION 9. Insofar as the provisions of this act are inconsistent with the provisions of any general or special law, administrative order or regulation, or law of the Town other than rules and regulations of the Board of Health, the provisions of this act shall be controlling.

SECTION 10. This act, being necessary for the welfare of the Town and its inhabitants, shall be liberally construed to effect its purposes.

SECTION 11. This act shall be construed in all respects so as to meet all constitutional requirements. In carrying out the purposes and provisions of this act, all steps shall be taken which are necessary to meet constitutional requirements whether or not such steps are required by statute.

SECTION 12. This act shall take effect upon its passage.  
Approved \_\_\_\_\_.

Selectmen recommended: 5-0  
Finance Committee: No-Action  
IDC: 6-0

Article 60. Defeated. (Noise By-Law)

Article 61. Upon motion duly made and seconded and motion by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to take from Free-Cash the sum of Four Thousand (\$4,000.00) Dollars to Womansplace Crisis Center for Fiscal Year 2008 in lieu of services provided to sexual assault survivors and their families.

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

Article 62. Upon motion duly made and seconded and motion by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to take from Free Cash the sum of Three Thousand (\$3,000.00) Dollars to contract with South Shore Women's Resource Center for domestic violence intervention and prevention services for its residents.

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

Article 63. Upon motion duly made and seconded and motion by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to take from Free Cash the sum of Three Thousand (\$3,000.00) Dollars to support South Coastal Counties Legal Services, Inc.'s continued free legal services in civil matters to low-income families and their children.

Selectmen recommended: 5-0

Finance Committee: 4-0

Article 64. 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 the sum of Four Thousand Five Hundred (\$4,500.00) Dollars to support the Plymouth Area Coalition For the Homeless in their continuing efforts to assist homeless and low-income families by providing shelter, food, and clothing.

Selectmen recommended: 5-0

Finance Committee: 4-0

Article 65. Upon motion duly made and seconded and motion by John Angley, Chairman, Board of Selectmen, it was Unanimously Voted for the Town to take from Free Cash the sum of Four Thousand (\$4,000.00) Dollars to South Shore Community Action Council, Inc. for services to low-income families and elderly residents in the Town of Carver.

Selectmen recommended: 5-0

Finance Committee: 4-0

Article 66. Withdrawn. (Boy Scouts, Troop #48 for the repair and maintenance of the bathrooms at Shurtleff Park )

Article 67. Upon motion duly made and seconded and motion by Steven Pratt, resident, it was Unanimously Voted for the Town to take from Free Cash the sum of Three Thousand (\$3,000.00) Dollars for the Carver Boy Scouts, Troop #48 for the repair and maintenance of the Civil War Monument, as an Eagle Scout Project to be under the direction of the Buildings and Grounds Superintendent.

Selectmen recommended: 5-0

Finance Committee: 4-0

Article 68. Upon motion duly made and seconded and motion by Steven Pratt, petition by resident, it was Unanimously Voted for the Town to take from Free Cash the sum of Three Thousand (\$3,000.00) Dollars for the Carver Boy Scouts, Troop #48 for the development and building of a handicapped access ramp at Sampson's Pond to be under the direction of the Highway Superintendent.

Selectmen recommended: 5-0

Finance Committee: 4-0

Upon motion duly made and seconded and motion made by John S. Murray, Moderator, it was Unanimously Voted to resolve at 11:10 P.M.

A true record. Attest:

Jean F. McGillicuddy  
Town Clerk, CMC/CMMC