



COMMONWEALTH OF MASSACHUSETTS
Town of Carver
2018 ANNUAL TOWN MEETING MINUTES

The 226th Annual Town Meeting of the Inhabitants of the Town of Carver was held on Tuesday, April 24, 2018 at the Carver High School Auditorium at 6:30 P.M., pursuant to a Warrant of the Board of Selectmen dated April 12, 2018. The meeting was called to order at 6:36 P.M. by the Moderator, Robert E. Bentley, there being a quorum 150 present. The total registered voters at this time were 313. Moderator, Robert E. Bentley, led the voters in the Pledge of Allegiance to the Flag and a moment of silence for our troops.

High School Sophomore Haley Spiewakowski sang the National Anthem.

The tellers were duly sworn to their faithful performance of their duties by Town Clerk; Lynn A. Doyle. The tellers were as follows: Jenn Dowding, Paul Frongillo, Savery Moore and Maureen Townsend.

Members of the School Committee, Board of Selectmen, Finance Committee and Capital Outlay Committee were introduced as well as School Superintendent; Scott Knief, Town Counsel; Gregg Corbo, Town Administrator; Michael Milanoski, Town Clerk; Lynn Doyle, Town Accountant; Meg LaMay and Treasurer/Collector Lori Henault.

Moderator Bentley reviewed the Town Meeting Procedures.

POINT OF ORDER by Bob Belbin 26 Gate St. to follow Robert's Rules of Order in place of the town meeting procedures that were voted down at last year's town meeting. Town Counsel; Gregg Corbo explained the Moderator is chief residing officer at town meeting and is entitled to establish the rules to be followed.

MOTION made by Selectman; Alan Dunham and seconded that the Moderator be allowed to call the outcome of any article requiring a two-thirds vote by voice vote. **Motion FAILED 121 (No) To 119 (Yes)**

ARTICLE 1: ANNUAL TOWN REPORT

To act upon the reports of the various Town Officers as printed in the Annual Town Report for 2017, and to hear the reports of any Committee heretofore chosen and act thereon; 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

INFORMATIONAL SUMMARY: This article asks the Town Meeting to accept the reports of the Town Officers that are printed in the Annual Town Report for 2017 and provides an opportunity for Boards and Committees to present a report directly to the Annual Town Meeting. Copies of the Town Report are available in the Town Clerk's Office and the Office of the Board of Selectmen.

PROPOSED MOTION: I move that the Town approve the 2017 Annual report.
(Majority Vote Required)

Recommendation: Bd. of Selectmen 5-0, Finance Committee: 7-0

ARTICLE 1: VOTE

MOTION made by Selectman; Alan Dunham and seconded that the Town approve the 2017 Annual report.
Motion SO VOTED UNANIMOUSLY

MOTION TO RECONSIDER Article 1 by Bob Belbin and seconded. **Motion FAILED**

ARTICLE 2: SUPPLEMENTAL APPROPRIATIONS FOR FISCAL 2018

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 for various departmental budgets for the remainder of the fiscal year ending June 30, 2018, or to decrease or otherwise adjust any budget line item as appropriated by the Town at the Annual Town Meeting held on April 11, 2017, or to fund any other deficits for fiscal year 2018, or to take any other action related thereto.

BOARD OF SELECTMEN

*INFORMATIONAL SUMMARY: The Town Financial Policy #2 provides in part, **“The Town will avoid all budgetary procedures that balance current expenditures at the expense of meeting future years’ expenses, such as postponing expenditures....”** This article proposes transfers from various departmental budgets that the Finance Director has determined to have surplus funds to cover a projected deficit in stated account.*

PROPOSED MOTION: I move that the Town make the Fiscal Year 2018 budget transfers shown below:

From:	To:	Amount
<i>Accounts listed below</i>	<i>Snow & Ice Deficit</i>	
Landfill Post-closure Receipts Reserved for Appropriation		\$19,675.00
Road Machinery Reserve		151.77
Rec Reserve – State Aid to Library		<u>1,381.24</u>
	TOTAL:	\$21,208.01

PENDING SNOW AND ICE

(Majority Vote Required)

Recommendation: Bd. of Selectmen 5-0, Finance Committee 8-0

ARTICLE 2: VOTE

MOTION made by Finance Director Meg LaMay and seconded that the Town make the Fiscal Year 2018 budget transfers shown below:

From:	To:	Amount
<i>Accounts listed below</i>	<i>Snow & Ice Deficit</i>	
Landfill Post-closure Receipts Reserved for Appropriation		\$19,675.00
Road Machinery Reserve		151.77
Rec Reserve – State Aid to Library		<u>1,381.24</u>
	TOTAL:	\$21,208.01

PENDING SNOW AND ICE

Motion SO VOTED UNANIMOUSLY

ARTICLE 3: ALLOCATION OF FUNDS FROM FISCAL 2018 FREE CASH

To see if the Town will vote to transfer from free cash, in the amounts and for the purposes specified below, including all incidental and related costs:

<u>Transfer to:</u>	<u>Amount (not to exceed)</u>
A. Town / School Special Education Reserve Fund	\$117,983
B. Town Wide – Snow and Ice	\$100,000
C. DEP Water Line Extension due to North Carver Landfill	\$300,000
D. Permitting/GIS/Tracking Software, purchase and install	\$40,000
E. Fire Squad Truck, supplement appropriation under Article 7, ATM 2015	\$30,000
F. Summer recreation programs	\$20,000
G. <u>North Carver Water District for well and infrastructure debt FY19</u>	<u>\$250,000</u>
TOTAL	\$857,983

And further, in connection with the transfer in Part C above, to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Board of Selectmen shall deem in the best interests of the Town, permanent and/or temporary easements, for waterline and utility purposes, including but not limited to, to construction, alteration, maintenance, improvement, repair and/or replacement of water mains, hydrants, curb stops, and individual water lines and utilities, and for slope, grading, drainage and landscaping purposes, said easements to be located on the parcels of land shown on the plans as may be amended, said plans on file with the Town Clerk;

and, to authorize the Town Administrator, in consultation with the Capital Outlay Committee Chair, to expend the funds transferred hereunder in the most fiscally responsible manner and to manage all approved projects, from planning and design to procurement, including negotiation of contracts and change orders, and to authorize the Town Administrator to take such additional action as may be necessary to carry-out the votes taken hereunder.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: Per the Town's Financial Policies, fund balances are only to be used for one-time expenditures as they are not reoccurring expenses. This article includes the following that are consistent with the Carver Town Meeting's Financial Policies:

- A. The School Special Education Reserve is to protect mid-year anomalies that may occur out of the reasonable control of the School District. For example, a student who moves into Carver that has special needs and that could not be accommodated within the district would need to be transported to and from an out of district special tuition based school designed to meet that students specialized needs that could result in a cost to the district of potentially \$100,000 per student. Without this specialized fund, the school would be forced to potentially lay off a teacher midyear for each new student as the school is required to provide these specialized services for these students. This fund would only pay for those costs on a one-time basis as they will be incorporated into the next year's annual budget.*
- B. Town-wide \$100,000 for the Snow & Ice deficit*
- C. Water Main Extension--- The extension of the Plymouth St. water main is required to provide a municipal water supply to homes that may be potentially affected by the chemical 1,4 dioxane that are below DEP limits. The extension is to begin at 169 Plymouth St. (old church/new condo project) to Pine City Rd. which is approximately 1600 ft. and will provide "tie in" services to up to 16 homes. The construction of the water main will consist of the installation of a 4" water main, hydrants, curb stops, and individual water lines to the affected homes. This appropriation will be for costs related to the*

project, including but not limited to design, engineering, permitting and construction costs, as well as for obtaining any easements needed to conduct work on private property.

- D. The Department of Planning, Environment and Permitting is focused on undertaking initiatives that will improve the customer's experience and streamline administrative controls in order to operate more efficiently. The Department is leading the Town's effort to procure an online electronic permitting software that will allow customers to submit applications and pay fees online. This software will reduce the amount of paper submitted and stored in the Planning Offices, and minimize the time required for staff to print, copy and assemble content contained in meeting packets for Planning Board members. The online accounting system will further decrease the amount of time Department staff commits to balancing the cash register at the close of each business day. To compliment the progress that will be made with improving our processes, the Department intends to purchase hardware components, such as tablets or computer notebooks for Planning Board members and Building Inspectors. The members and inspectors will be able to receive information in real-time, including inspection appointments and meeting packets. This equipment will use the proposed GIS and E-Permitting software to provide the Town with the data and information needed to quickly and safely make a decision.*
- E. At the Annual Town Meeting in April 2015, the Town authorized a borrowing of \$1.8 million to purchase, outfit and equip three new fire engines and to rehabilitate engine number 4. The Fire Department also received a donation from Southern Sky Renewable Energy in the amount of \$30,000 to off-set this purchase. The donation, however, was inadvertently rolled into Free Cash at the end of the last Fiscal Year and the Fire Department Operating Account was used for the off-set. This transfer is intended to replenish the Fire Department Operating Account.*
- F. The Recreation Committee has implemented consistent programs to the community and the rollout of a website by paying a stipend for someone to seek out, plan and offer a variety of activities for all ages, while working in tandem with the Recreation Committee. The stipend will be paid again this year to ensure the interest is consistent and the need for a part-time Recreation employee exists.*
- G. An amount of \$250,000 for the NCWD Enterprise Fund is intended to close an anticipated FY2019 revenue deficit to cover capital debt costs that is an obligation of the Town. The NCWD continues to explore options to increase revenue in an effort to reduce the Town subsidy.*

In article 6 an amount of \$831,736 is also being requested out of Free Cash to be used toward the Middle High School Track and Field project.

PROPOSED MOTION: I move that the Town approve Article 3 as set forth in the Warrant.
(2/3s Vote Required)

Recommendation: Bd. of Selectmen 5-0, Finance Committee 7-1

ARTICLE 3: VOTE

MOTION made by Selectman Alan Dunham and seconded for the Town to approve Article 3 as set forth in the Warrant.

MOTION TO AMEND by Bob Belbin and seconded for the Town to separate each letter (section) in Article 3.
Motion FAILED

Kim Shea, 148 Plymouth St., expressed concern for the potential of a betterment to be charged to the residents. She also agreed the Article should be broken down and each section should be voted separately.

Milanoski explained that before the Town can impose a betterment it would have to be approved at Town Meeting. He pointed out there is nothing in the Warrant that asks for a betterment. When it is a Department of Environmental Protection (DEP) initiative, the Town must take care of the issue said Milanoski.

Several residents inquired how long the Town had known about the contaminate problem in North Carver and why they were not informed before Town Meeting. Milanoski explained the Town had known about this since May of 2017. The 1,4 dioxane is below DEP limits and the proposed action is a preemptive action to avoid future problems.

Cornelius Shea, 148 Plymouth St., requested the Town restart the filtration system that has been off for the past year. Milanoski explained the filtration system that is currently there does not treat this chemical. There is no requirement or plan to restart the old system he said. DEP does not want the Town to restart the filtration system, but they do want the Town to install a new water line. The new pipeline will decommission the current system. The report is available at the Board of Health regarding the properties affected.

Motion *FAILED TWO-THIRDS VOTE 175 (YES) AND 91 (NO)*

MOTION TO RECONSIDER Article 3 made by Selectman Ronald Clarke and seconded.

POINT OF ORDER by Bob Belbin inquiring if Ronald Clarke initially voted in favor or against the original motion? Belbin was reminded that Carver Town Meeting does not follow Robert's Rules of Order and anyone can make a motion to reconsider an article.

Fire Chief Weston and School Superintendent Scott Knief requested Article 3 to be broken down into the letter sections for the purpose of moving forward with important budget decisions.

Motion TO RECONSIDER ARTICLE 3 *SO VOTED UNANIMOUSLY.*

MOTION TO AMEND by Selectman Ron Clarke and seconded for the Town to divide up Article 3 by letters (sections) and vote on them individually. **Motion *SO VOTED UNANIMOUSLY.***

Town Meeting was reminded that letter C requires a two-thirds vote.

- **ARTICLE 3: SECTION A**

MOTION made by Selectman Ronald Clarke and seconded for the Town to approve Article 3, Section A as set forth in the Warrant. **Motion *SO VOTED UNANIMOUSLY.***

- **ARTICLE 3: SECTION B**

MOTION made by Selectman Ronald Clarke and seconded for the Town to approve Article 3, Section B as set forth in the Warrant. **Motion *SO VOTED UNANIMOUSLY.***

- **ARTICLE 3: SECTION C**

MOTION TO AMEND ARTICLE 3: SECTION C made by Selectman Alan Dunham and seconded for the Town to delete the following paragraph:

“And further, in connection with the transfer in Part C above, to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Board of Selectmen shall deem in the best interests of the Town, permanent and/or temporary easements, for waterline and utility purposes, including but not limited to, to construction, alteration, maintenance, improvement, repair and/or replacement of water mains, hydrants, curb stops, and individual water lines

and utilities, and for slope, grading, drainage and landscaping purposes, said easements to be located on the parcels of land shown on the plans as may be amended, said plans on file with the Town Clerk;”

Milanoski explained that this paragraph is for the Town to except an easement from the property owners, that easement is what requires a 2/3 vote. The approval of the \$300,000.00 does not require a 2/3 vote.

Motion to Amend *DECLARED PASSED BY MODERATOR*

Voice Vote *CHALLENGED BY 7 VOTERS.*

Motion to Amend *PASSED TWO-THIRDS VOTE - 161 (YES) AND 72 (NO)*

MOTION TO AMEND made by Bob Belbin for the Town to add “*No betterment or tie in fees to any extension of water line and the Board of Selectmen oversee any expenses of monies for this project.*”
Motion to Amend *SO VOTED UNANIMOUSLY.*

MOTION made by Selectman Alan Dunham and seconded for the Town to approve Article 3, Section C as amended. **Motion Declared *SO VOTED by the Moderator***

- **ARTICLE 3: SECTION D**

MOTION made by Selectman Alan Dunham and seconded for the Town to approve Article 3, Section D as written in the Warrant. **Motion *SO VOTED UNANIMOUSLY.***

- **ARTICLE 3: SECTION E**

MOTION made by Selectman Alan Dunham and seconded for the Town to approve Article 3, Section E as written in the Warrant. **Motion *SO VOTED UNANIMOUSLY.***

- **ARTICLE 3: SECTION F**

MOTION made by Selectman Alan Dunham and seconded for the Town to approve Article 3, Section F as written in the Warrant.

MOTION to AMEND made by Jennifer Bogart, 116 Cranberry Rd. and seconded for the Town to move the money from Article 3 to Article 4 Part D and increase the Recreation Committee budget from \$20,000 to \$40,000. **Motion Declared *OUT OF ORDER by the Moderator***

Motion for Article 3, Section F Declared *SO VOTED by the Moderator*

- **ARTICLE 3: SECTION G**

MOTION made by Selectman Alan Dunham and seconded for the Town to approve Article 3, Section G as written in the Warrant. **Motion *SO VOTED UNANIMOUSLY.***

ARTICLE 4: FISCAL YEAR 2019 OPERATING BUDGETS FOR TOWN AND ENTERPRISE FUNDS; FUNDING FOR OPEB TRUST, AND STABILIZATION FUNDS; ESTABLISHMENT OF REVOLVING FUND SPENDING LIMITS.

To see if the Town will vote to raise and appropriate or transfer from available funds or otherwise provide the following sums to fix the salaries and compensation of Elected Officers, for the payment of Personnel Services, Expenses, Capital Outlays, Debt Service, OPEB Trust Fund, Capital Stabilization, Stabilization Fund, and otherwise, of Town Departments, Water Enterprise Funds, Water Betterment Debt Stabilization Fund, and to

modify the FY19 Wage and Salary Pay Scale, Wage & Salary Classification Plan for Elected and Non-union Employees, and Organizational Chart for all positions, and appropriate the difference between the levy net and the levy limit to the General Stabilization Fund, and to establish spending limits for the Town's revolving funds, all as specified below:

PART A

Approve FY19 Town-Wide Organizational Chart, Wage & Salary Pay Scale and Wage & Salary Classification Plan for Elected & Non-union Employees (See Appendix A, B & C)

PART B

Operating Budget (Funded from Taxation and Transfers from Available Funds), see budget detail in Appendix D and E for Informational Purposes

<u>Category</u>	<u>Amount (not to exceed)</u>
Town-Wide Shared Budget	
Shared Budget (Snow & Ice, Old Colony Vo-Tech, excluded debt, transfer etc.)	\$5,922,044
General Government Budget	
General Government Budget (salaries & expenditures)	\$2,546,572
Public Safety (salaries & expenditures)	\$2,833,770
Public Works and Facilities (salaries & expenditures)	\$1,120,702
Human Services (salaries & expenditures)	\$380,924
Culture and Recreation (salaries & expenditures)	\$427,119
Benefits and other town shared cost	<u>\$2,517,586</u>
TOTAL:	\$9,826,673

General Government Budget paid directly by fees

General Government Budget (salaries & expenditures funded by EMS/EMA/Indirect cost)\$860,303

School Budget

School General Budget (salaries & expenditures) \$23,259,768

PART C

Enterprise Funds (*funded from receipts*)

North Carver Water District FY 18 (salary, expenses, capital, debt, etc.)	\$274,906
Cranberry Village FY 18 (salary, expenses, capital, debt, etc.)	\$35,099

PART D

To see if the Town will vote, pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E½ as most recently amended, to establish the annual spending limits set forth below for the revolving funds listed in the Town Bylaw entitled, "Revolving Funds", approved under Article 9 of the April 11, 2017 Annual Town Meeting, which funds may be expended without further appropriation for the purposes defined therein, with such expenditure limits to be applicable for each fiscal year until such time as Town Meeting votes, prior to July 1 for the ensuing fiscal year, to increase the same; provided, however, that in accordance with state law, the Board of Selectmen, with the approval of the Finance Committee, increase the limit for that fiscal year only

Revolving Fund	Spending Limit
Library Fines and Passports	\$15,000
Council on Aging Nutrition	\$30,000
Earth Removal Fees	\$215,000
Fire Dept. Revolving Acct for Fire Prevention/Code Enforcement	\$40,000
Recreation Committee	\$20,000
Solar Net Metering Credits	\$360,000

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY:

Article 4 is divided into four parts.

- *Part A is a non-monetary portion of the article establishing the salaries and compensation of elected and appointed Town officials and employees and for Town Meeting to approve the employee organizational chart;*
- *Part B presents the Town-wide shared cost, the Town's operating budget broken into four categories, Town's operating paid by fee for service, and the School's operating budget. The 10-year pro-forma in appendix D includes \$7,278,679 for expenditures of which \$1,331,636 are direct assessments from the state or overlay account that the Town never receives. These assessment amounts are removed from Carver's "Cherry Sheet", the listing of amounts the Town receives as state aid, prior to the Town receiving these funds and therefore are not part of the budget approval.*
- *Part C are the annual budgets for the North Carver Water District and Cranberry Village Enterprise Funds.*
- *Part D establishes annual spending limits for the Town's revolving funds as set forth in the General Bylaw provision adopted at the April 11, 2017 Annual Town Meeting.*

The 2014 Annual Town Meeting approved a modified "bottom-line budget", with a line-by-line breakdown by department provided in Appendix E for informational purposes. We have again set forth in Appendix E, a summary of the detailed line-item budget approved by the Board of Selectmen and Finance Committee that must be followed by all departments. Once Town Meeting establishes the budget for each identified category, the Town Administrator and Finance Director, with the approval of the Board of Selectmen, will be able to allocate the funding amongst the various line items in each such category as needed during the course of the fiscal year to most efficiently manage operational requirements. The School Committee as detailed in the Town Audit is also required to vote on budget transfers within its School General Budget as approved by the School Committee.

PROPOSED MOTION: I move that the Town approve amendments to the Town-Wide Organizational Chart for FY19, as set forth in Appendix A, the Town-Wide FY19 Wage and Salary Pay Scale, as set forth in Appendix B and the Town-Wide Wage and Salary Classification Plan for Elected and Non-Union Employees for FY19, as set forth in Appendix C;

and, that the Town raise and appropriate the sum of \$39,008,484, transfer from Ambulance Receipts Reserved for Appropriation the sum of \$770,800, transfer from Entergy Grant the sum of \$10,000, transfer from the North Carver Water District receipts the sum of \$51,603, transfer from Cranberry Village receipts the sum of

\$12,900 and transfer from Cemetery Receipts Reserved for Appropriation the sum of \$15,000, all to be allocated for the Town's Operating budget as set forth in Article 4, Part B of the Warrant;

and, that the Town appropriate the sum of \$274,906 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 FY19; to transfer from North Carver Water District Retained Earnings the sum of \$35,099 from Estimated Water Receipts – Cranberry Village to pay the salaries, expenses, capital, debt and other expenditures of the Cranberry Village Enterprise Fund for FY19, and to authorize the Board of Selectmen, upon recommendation of the Town's financial staff, to allocate amounts within each such enterprise fund, respectively, to maximize fiscal efficiency and operations;

and further, to transfer the difference between the net levy and levy limit to the general stabilization fund and to authorize the Board of Selectmen, upon recommendation of the Town's financial staff, to allocate amounts within each such category to maximize fiscal efficiency and operations, provided, however, that any transfer between categories, other than as may be allowed under G.L. c.44, §33B(b) during the last two months of the fiscal year, shall require approval by Town Meeting;

and that the Town vote to establish annual spending limits for the Town's revolving funds as set forth in Part D of Article 4 of the Warrant.

(Majority Vote Required)

Recommendation: Part A: Bd. of Selectmen 4-0-1. (Hewins does not agree with Part A)

Planning Board 5-0

Parts B-D: Bd. of Selectmen 5-0, Planning Board 6-0,

School Committee: 5-0 for School Budget

ARTICLE 4: VOTE

MOTION made by Selectman Alan Dunham and seconded for the Town to move the proposed motion as written in the Warrant.

Corrections were made to the Board "Recommendations" as follows:

- The Planning Board did not vote on this article and should not have been listed.
- The Finance Committee voted on this article and should have been listed as follows:
Part A: 5-0 and Part B-D 6-0.
- Selectwoman Sarah Hewins corrected that she did not agree with the town-wide organizational chart only in Part A. Not the entire Part A as indicated in parenthesis.
- School Committee's vote was 4-0, not 5-0.

Motion SO VOTED UNANIMOUSLY.

ARTICLE 5: CAPITAL IMPROVEMENTS BUDGET

Part A: Debt Retirement

To see if the Town will vote to rescind the following amounts that have been authorized to be borrowed, but no longer needed for the purpose for which they were initially approved: \$655,000 from Article 1 from Special Town Meeting held on 12/11/06 for Land Acquisition, and \$30,000 from Article 7B from Annual Town Meeting held on April 13, 2015, for Fire Engine Repair and;

Part B: Capital Improvement Projects

To see if the Town will vote to transfer from the FY18 ambulance fund the sum of \$25,000 to reimburse the Capital Reserve Account and to close out the following capital projects and transfer the following: \$4,062.62 from Article 1 from STM 9/30/96 Town Hall Addition, the sums of \$31,930 septic system,

\$4,000.05 John Deer Tractor, \$777.50 (2) 77 passenger buses, \$8,702 (2) mini vans, and \$5,012 (2) double deck convection ovens from Article 8 from ATM 6/14/10 to be applied to Part M below, and to transfer from the Capital and Debt Stabilization Fund the sum of \$3,336,911.33 for the following purposes and for all costs incidental and related thereto as specified below:

Purpose	Amount (not to exceed)
a. Maintenance Front End Loader - replace 554, purchase and equip	\$175,000
b. Ceiling Tiles in Corridors and Lobby MHS, purchase and install	\$75,000
c. Replace Exterior Siding Town Hall, purchase and install	\$40,000
d. Utility Vehicle Middle High School, purchase and equip	\$35,000
e. FY18 -Fire/Police Equipment	\$40,000
f. Police Portable speed signs, LIDAR, used motorcycle purchase and equip	\$12,500
g. Police Cruiser Replacement, purchase and equip	\$44,500
h. Town-wide Technology Upgrades	\$199,000
i. Capital Reserve Account (ATM 2014, Art 15)	\$500,000
j. Replace School 71 Passenger bus, purchase and equip	\$75,000
k. School cafeteria equipment	\$15,000
l. Annual reduction in debt exclusion for new elementary school (solar)	\$100,000
m. Debt Service, Lease Payments, Interest, Project Mgt, Disclosure Statement, TW Capital Network Implementation and Oversight, Town-Wide Maintenance Contract	\$2,080,395
TOTAL	\$3,391,395

Part : C Borrowing Authorization - Library:

To see if the Town will vote to appropriate the sum set forth below for the purposes indicated, including all incidental and related costs and cost over-run contingency:

- Replacement of the Library HVAC system, and upgrade and associated repairs to the building: \$1,100,000;

Part D: Borrowing Authorization – Police Station:

To see if the Town will vote to appropriate the sum set forth below for the purposes indicated, including all incidental and related costs:

- Police Station building, design, construct, furnish, equip: \$4,900,000.

And to meet the appropriations described in Part C & D above, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said total amount under and pursuant to M.G.L. c. 44, §7 or 8, or any other enabling authority, and to issue bonds and notes therefor; provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20 thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

and, to authorize the Town Administrator, in consultation with the Capital Outlay Committee Chair, to expend the funds appropriated hereunder for capital improvements, capital projects and/or purchase of capital equipment in the most fiscally responsible manner and to manage all approved projects, from planning and

design to procurement, including negotiation of contracts and change orders, and to authorize the Town Administrator to take such additional action as may be necessary to carry-out the votes taken hereunder.

CAPITAL OUTLAY COMMITTEE AND BOARD OF SELECTMEN

INFORMATIONAL SUMMARY:

Part A: In 2006, the Town authorized a borrowing in the amount of \$7,000,000 to acquire land for North Carver Water District and Cole Property, and in 2015, the Town authorized a borrowing in the amount of \$1,800,000 to purchase equipment for the Fire Department. Because the projects came in under budget, the entire amount of the authorized borrowing was not needed. Rescinding this unused borrowing authority will improve the Town's bond rating and will improve the Town's overall financial position.

Part B: The Capital Outlay Committee works within a Capital Improvement Plan, a 10-year fiscal planning process that identifies long-term improvements to the Town's infrastructure and facilities as presented in Appendix F. This article would provide for the funding for various capital projects and equipment for Town departments to be funded from amounts previously set aside in the Capital and Debt Stabilization Fund for such purposes.

Part C: Seeks authorization to borrow \$1,100,000 to design and construct upgrades for the HVAC system for the entire Library building that is at the end of its' design life.

Part D. Seeks authorization to borrow \$4,900,000 to design and build a new police station building. Since 2005 the Town of Carver has commissioned three separate studies of the current Police facility. The results of those studies have consistently indicated that the building is outdated, undersized, "fortress-like", inadequate and in need of being replaced. The lobby is small, uninviting and provides little privacy for citizens to speak with officers out of view of others in the lobby. Storage space is at a premium with items stored in hallways and in the breakroom. The holding cells are outdated and during the annual state inspection issues regarding their use are raised in the official report. The booking room, used to process arrestees does provide for safe interaction between officers and those being processed.

Just last month, a study done by the MRI Group, reaffirmed the deficiencies within the current building and the necessity to build a new Police Station.

A Capital Building Stabilization program has been established to fund the new Police Facility, without increasing local taxes.

The Police Station Advisory Building Committee has been formed and has put forward a request for proposal to hire an Owner's Project Manager and soon after an Architectural Designer. Once hired, this committee will begin to tour other police facilities and work with the OPM, Designer, and your Officers to design a station appropriate to the needs of the department and community, now and into the future.

The appropriated monies, will be used to facilitate the design, construction, closeout and other necessary items for the complete construction of a new Police Facility.

PROPOSED MOTIONS:

Part A: I move that the Town rescind the amounts as set forth in Part A of Article 5 in the Warrant.

Part B: I move that the approve Part B of Article 5 as set forth in the Warrant; and to authorize the Town Administrator, in consultation with the Capital Outlay Committee Chair, to expend the funds appropriated hereunder for capital improvements, capital projects and/or purchase of capital equipment in the most fiscally responsible manner and to manage all approved projects, from planning and design to procurement, including negotiation of contracts and change orders, and to authorize the Town Administrator to take such additional action as may be necessary to carry-out the votes taken hereunder

Part C: I move that the Town appropriate the sum of \$1,100,000 to design, construct and upgrades to the Library HVAC system, and associated repairs to the building, and to meet the appropriation the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said amount under and pursuant to M.G.L. c. 44, §§7 or 8, or any other enabling authority, and to issue bonds and notes therefor; provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20 thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and, to authorize the Town Administrator, in consultation with the Capital Outlay Committee Chair, to expend the funds appropriated hereunder in the most fiscally responsible manner and to manage the approved project, from planning and design to procurement, including negotiation of contracts and change orders, and to authorize the Town Administrator to take such additional action as may be necessary to carry-out the votes taken hereunder,

Part D: I move that the Town appropriate the sum of \$4,900,000 to design, construct, furnish and equip a new police station, and to meet the appropriation the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said amount under and pursuant to M.G.L. c. 44, §§7 or 8, or any other enabling authority, and to issue bonds and notes therefor; provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20 thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and, to authorize the Town Administrator, in consultation with the Capital Outlay Committee Chair, to expend the funds appropriated hereunder in the most fiscally responsible manner and to manage the approved project, from planning and design to procurement, including negotiation of contracts and change orders, and to authorize the Town Administrator to take such additional action as may be necessary to carry-out the votes taken hereunder,

(2/3s Vote Required)

Recommendation: Bd. of Selectmen 5-0, Finance Committee Part A & B 8-0; Part C 6-2; Part D 7-1, Capital Outlay Committee 4-0

ARTICLE 5: VOTE

MOTION made by Selectman Alan Dunham and seconded for the Town to approve the article as written in the Warrant under the **proposed motions**.

MOTION TO AMEND made by Selectman Alan Dunham and seconded for the Town to consider Parts A, B, C, & D separately. **Motion To Amend PASSED.**

- **ARTICLE 5: PART A**

MOTION made by Selectman Alan Dunham and seconded for the Town to move the proposed motion for Part A as written in the Warrant. **Motion SO VOTED UNANIMOUSLY**

- **ARTICLE 5: PART B**

MOTION made by Selectman Alan Dunham and seconded for the Town to move the proposed motion for Part B as written in the Warrant. **Motion SO VOTED UNANIMOUSLY**

School Building Committee Chair; Richard Ward and the school building project manager Chad Crittenden gave a brief update on the status of the new school and invited the Town to say “good-bye” to the old elementary school on June 9th.

- **ARTICLE 5: PART C**

MOTION made by Selectman Alan Dunham and seconded for the Town to move the proposed motion for Part C as written in the Warrant. **Motion PASSED TWO-THIRDS VOTE - 181 (YES)/39 (NO)**

- **ARTICLE 5: PART D**

MOTION made by Selectman Alan Dunham and seconded for the Town to move the proposed motion for Part D as written in the Warrant. **Motion PASSED TWO-THIRDS VOTE - SO VOTED UNANIMOUSLY**

Police Chief Duphily and Police Station Building Committee Chair Bill Harriman explained the research and work that went into evaluating the need for a new police station.

ARTICLE 6: COMMUNITY PRESERVATION COMMITTEE REPORT & RECOMMENDATIONS

Part A:

To see if the Town will vote to hear and act on recommendations by the Community Preservation Committee for Fiscal Year 2019 and, appropriate and/or reserve a sum or sums of money from the Community Preservation Fund Fiscal Year 2019 estimated annual revenues for the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee and in accordance with the provisions of G.L. c.44B, §6, for open space, land for recreational use, historic resources and community housing, and debt service on prior approved projects, and further, to transfer from the Community Preservation Fund for proposed projects recommended by the Community Preservation Committee, and for all incidental and related expenses, as follows:

Appropriations:

a) From FY19 estimated revenues for Committee Administrative Expenses	\$29,126
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Reserves

b) From FY19 estimated revenues for the Track & Football Field Debt Service (open space)	\$350,000
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c) From FY19 estimated revenues for Community Housing Reserve	\$58,252
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d) <u>From FY19 estimated revenues for Historic Reserve</u>	<u>\$58,252</u>
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TOTAL	\$466,504
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Part B: to amend the vote taken under Article #1 of the December 1, 2015 Special Town Meeting , for the Elementary School by rescinding the borrowing authorization thereunder in the amount of \$1,000,000 and transferring the sum of \$791,078 from Community Preservation Undesignated Funds for such purposes and,

Part C: to replace the existing Middle High School Track and Football Field at 60 South Meadow Road, Carver, Massachusetts, including but not limited to site work, drainage, irrigation, and all incidental and related costs, and to appropriate from the Community Preservation Fund the sum of \$3,225,000 for such purposes, and as funding therefor, transfer the sum of \$300,000 from Community Preservation Undesignated Funds, and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow \$2,925,000 pursuant to G.L. c. 44B, §11, G. L. c.44 §§7 or 8, or any other enabling authority, and to issue bonds and notes therefor; while such bonds or notes will be general obligation bonds of the Town, it is anticipated that the amounts required to repay

the principal and interest thereon will be from the Community Preservation Fund; and further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20 thereby reducing the amount authorized to be borrowed to pay such costs by a like amount

Part D: and to transfer from Free Cash the amount of \$831,736 for the field replacement project authorized under Part C above, as well as any non-CPA eligible elements thereof.

and further, to authorize the Town Administrator, in consultation with the Community Preservation Committee Chairperson, to expend such funds in the most fiscally responsible manner and to manage the approved project, from planning and design to procurement, including negotiation of contracts and change orders, with regular updates to the Board of Selectmen, and to authorize the Town Administrator to take such additional action as may be necessary to carry out the vote to be taken hereunder.

COMMUNITY PRESERVATION COMMITTEE

INFORMATIONAL SUMMARY: Under the Community Preservation Act, the Community Preservation Committee is required to make these recommendations to Annual Town Meeting as to how the Community Preservation funds raised through local taxation and state matching funds are to be spent.

The current track and field at the Middle High School is in need of significant repairs. The track is significantly deteriorated and unsafe. At this time the school is not hosting any track meets based upon the condition of the track. The press box is also in a state of disrepair and unsafe. Reconstruction of the track and press box has been on the Capital Outlay plan for several years. The football field has significant drainage issues. Town Meeting allocated \$283,499 through the Community Preservation Committee to complete a feasibility study for replacing the track and field in 2017. The Town also created a Field Study Committee made up of representatives from the town, school and community to review the feasibility study and make a proposal to the Community Preservation Committee and town to fund the project.

The Field Study Committee began meeting in September of 2017 and met on a regular basis through January of 2018 culminating with a joint meeting of the Field Study Committee and Community Preservation Committee for a public hearing on the proposed project. The Field Study Committee started by selecting Activitas as the designer for the project through a public bidding process. The Field Study Committee then began to meet regularly with Activitas to develop plans and proposals for the project. The Field Study Committee determined that the number of proposed usages of the field by the school as well as the community would support a turf field. The original cost estimates on the project came in at \$5.4 million. Over several months, the committee worked with the designer to reduce costs and develop a proposal that would meet the needs of the community and be cost effective. The current proposal of \$4,056,736 would fund mobilization and site work, a new track, a turf field, lighting, bleachers, and landscaping improvements. Add alternates include a press-box and a foundation for a support building if the project comes in under budget. The bids were received and they are within the allotted amount.

With regard to the borrowing the CPC committee agreed to a 10 year borrowing authorization that would be their primary project for the community over this timeframe but they would still have other funds available to do other projects. The monies appropriated under Part D are for field project costs not eligible for funder under the CPA.

PROPOSED MOTION: I move that the Town approve Article 6 as set forth in the Warrant.
(2/3s Vote Required)

*Recommendation: Bd. of Selectmen 5-0, Finance Committee 8-0,
Community Preservation Committee 7-1*

ARTICLE 6: VOTE

MOTION made by Selectman Alan Dunham and seconded for the Town to approve Article 6 as set forth in the Warrant. **Motion SO VOTED UNANIMOUSLY**

ARTICLE 7: MGL Acceptance

Part A:

To see if the Town will vote to adopt the provisions of Massachusetts General Law, Chapter 40, Section 22F, to authorize municipal boards and officers to fix reasonable fees for issuance of licenses, permits and certificates and for services rendered.

Part B:

To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 39, Section 23D, in its present form and as subsequently amended, for boards, committees, or commissions holding adjudicatory hearings in the Town, which statute provides that when a public body holds an adjudicatory hearing any member thereof shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received, provided that before any such vote, the member shall certify in writing that the member has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY:

Part A: The adoption of M.G.L. Chapter 40, Section 22F by Town Meeting would authorize Town boards and officers to establish reasonable fees for issuance of licenses, permits and certificates and for services rendered within their respective jurisdictions, with the proceeds remaining with the Town.

Part B: Under a provision of Massachusetts law known as the Mullin Rule, all members of town boards, committees or commissions must have attended all hearing sessions to be eligible to vote on a final ruling on an adjudicatory hearing. Since, on occasion, several hearings on separate dates may precede a final vote, travel or other obligations of volunteer members may prevent all members from being available to attend all hearings on a particular matter. In these circumstances, the board, committee, or commission may be precluded from issuing a final ruling if a quorum of eligible voting members cannot be assembled. While this is not a regular occurrence, we have been faced with this issue in the past, especially in cases of long and legally complex matters. Currently, we are required to repeat the process in order to attain the proper voting quorum, to the great waste of time and effort by members, town officials, and parties to the matter. The local acceptance provision of Massachusetts law referred to in this article permits a member who has had to miss one hearing to nonetheless vote on the final decision provided that the missing evidence has been reviewed so that all voting members have the same basis for its ruling.

Massachusetts General Laws, Chapter 39, Section 23D, states:

(a) Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the

matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

(b) By ordinance or by-law, a city or town may adopt minimum additional requirements for attendance at scheduled board, committee, and commission hearings under this section.

PROPOSED MOTIONS:

PART A:

I move that the Town vote to adopt the provisions of Massachusetts General Law, Chapter 40, Section 22F, to authorize municipal boards and officers to fix reasonable fees for issuance of licenses, permits and certificates and for services rendered.

PART B:

Move that the Town vote to accept the provisions of Massachusetts General Laws, Chapter 39, Section 23D, in its present form and as subsequently amended, for boards, committees, or commissions holding adjudicatory hearings, which statute provides that when a public body holds an adjudicatory hearing any member thereof shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received, provided that before any such vote, the member shall certify in writing that the member has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof

(Majority Vote Required)

Recommendation: Board of Selectmen 5-0, Finance Committee 8-0

ARTICLE 7: VOTE

MOTION made by Selectman Alan Dunham and seconded for the Town to approve Article 7 as set forth under proposed motions in the Warrant.

Treasurer/Collector Lori Henault explained that the fees in Carver are very low in comparison to other towns in Plymouth County. Raising the fees for municipal lien certificates could bring in an additional \$7,500 to the Town.

Milanoski explained Part B would allow an active member of a board or committee to still have a vote at a hearing they may have been unable to attend due to unexpected circumstances such as illness or job demands.

Selectwoman Hewins and Town Counsel Corbo reminded Town Meeting that all potential fee increases would have to be voted on by a board or committee at a duly noticed public meeting prior to any increase.

Motion *FAILED*

ZONING ARTICLES SPONSORED BY PLANNING BOARD

ARTICLE 8: ARTIFICIAL LIGHTING

To amend Section 3347 of the Town of Carver Zoning Bylaw to allow artificial lighting up to 20 feet in height.

Section 3347 shall read (strikethrough text to be deleted bold text to be inserted):

3347. All artificial lighting shall be not more than ~~eleven (11)~~ **twenty (20)** feet in height in pedestrian areas, and ~~fifteen (15)~~ **twenty (20)** feet in parking lots, and shall be arranged and shielded so as to prevent direct glare from the light source onto any public way or any other property. The Planning Board shall require the applicant to provide a photometric lighting plan for all parking facilities which are used at night shall to determine if the parking facility will be lighted as evenly and fully as possible. The Planning Board shall require the applicant to provide the type and wattage of all proposed lighting for the parking areas.

INFORMATIONAL SUMMARY:

- Section 3347 – Parking Lot Lights. This proposal will allow the height of parking lot lights to be increased from 15’ to 20’

PROPOSED MOTION: I move that the Town vote to approve Article #8 as written.

Recommendation: Bd. of Selectmen 5-0, Planning Board 4-0

ARTICLE 8: VOTE

MOTION made by Planning Board Chair Bruce Maki and seconded for the Town to approve Article 8 as set forth in the Warrant.

Planning Board member William Sinclair noted new LED systems allow better control of the lighting.

Motion PASSED TWO-THIRDS VOTE - 83 (YES) AND 23 (NO)

ARTICLE 9: BATTERY STORAGE

To amend Section 2230, Use Regulation Schedule to include “battery storage” by special permit issued by the Planning Board in the RA, HC, GB, VB, V, GBP, IA, IB, IC, AP, SSID zoning districts:

The following shall be added to Section 2230:

Principal Use	USE REGULATION SCHEDULE										
C. INDUSTRIAL	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Battery Storage	SP*Y	SP*Y	SP*Y	SP*Y	SP*Y	SP*Y	SP*Y	SP*Y	SP*Y	SP*Y	SP*Y

INFORMATIONAL SUMMARY:

- Section 2230 – Use Regulation Schedule. This proposal inserts Battery Storage into the allowable uses.

PROPOSED MOTION: I move that the Town vote to approve Article #9 as written.

Recommendation: Bd. of Selectmen 5-0, Planning Board 4-0

ARTICLE 9: VOTE

MOTION made by Planning Board Chair Bruce Maki and seconded for the Town to approve Article 9 as set forth in the Warrant.

Steve Pratt, 16 Weston St., asked if there was a definition of “battery storage” in the by-laws. Will Sinclair explained there is no definition at this time and that this article is for the purpose of getting the wording on the “Use Chart”. It is new technology coming into the area that the Planning Board is working on establishing a by-law for. As it is right now, they could go anywhere.

MOTION TO AMEND made by Cornelius Shea and seconded for the Town to remove RA from principal use in Article 9 Battery Storage.

Milanoski explained the Motion to Amend would be detrimental to the future financial impact to the Town, because the new battery storage technology is for primary use, not for residential C, D type batteries. This by-law is meant for storage of commercial batteries. The storage facilities cannot be put just anywhere. They need to be along the transmission lines that run through the Town. Carver is an ideal location said Milanoski and this is a huge economic benefit to our town. There is an applicant presently interested and the Planning Board is trying to get ahead of it. The site is about 3 acres and it is zoned residential. The project will be \$100 to \$150 million which will be assessed for taxes by the Town.

Matthew Keniston, 9 Center St. spoke in favor of this article.

Corbo explained the description of “essential services” in the Zoning By-Law. Essential Services are permitted as of right in all districts right now. The idea is to create a category for this type of service so the applicant would have to go before the Planning Board to obtain a permit and the Board would have better control to help protect the Town.

Motion To Amend *FAILED*

MOTION TO AMEND made by Jennifer Bogart and seconded for the Town to add the language that makes battery storage not allowed in the Resident or the Village Districts only until the Town adopts a battery storage by-law or overlay district at which time it would change to by special permit.

Moderator Ruled Motion “*OUT OF THE SCOPE OF THE ARTICLE*”

Motion for Article 9 *PASSED TWO-THIRDS VOTE - 92 (YES) AND 14 (NO)*

ARTICLE 10: GROUND MOUNTED SOLAR SETBACK

To amend Section 3580 of the Town of Carver Zoning Bylaw, Large-Scale Ground Mounted Solar Photovoltaic Installations, by adjusting setback distances in Section 3580.25.1 and adding a sub-section “Nuisance” to Section 3580.50, Abandonment or Decommissioning”.

Section 3580.25.1 shall read (bold text to be inserted):

3580.25.1. Setbacks. For LSGMSPI, front, side, and rear setbacks shall be at least 50 feet on the applicant's property; provided, however, that where the lot is located in a Residential-Agricultural district, the setbacks shall not be less than 200 feet on the applicant's property. LSGMSPI shall be provided with 200 foot setbacks on all lot lines abutting the Residential-Agricultural district, regardless of the zoning designated for the proposed site. Vegetated screening shall be provided for a minimum of 50% of the specified setback. **The Planning Board may reduce the required**

screening and may reduce the required setbacks to a distance not less than 50 feet provided the LSGMSPI can achieve adequate screening to abutting and adjacent properties. The Planning Board shall not reduce any required screening or required setbacks without taking into consideration abutting uses, topography and impact to the neighborhood.

Every abutting property shall be visually and acoustically screened from the installation through either existing vegetation or new plantings of not less than 8 feet in height at the time of planting staggered at a spacing of no more than 8 feet apart throughout the required setback dimensions. All required plantings shall be maintained throughout the project's life, and replaced as necessary. As an alternate to providing the required screening through vegetation, it is acceptable to increase the setback to 600 feet on the applicant's property while providing an acceptable alternate screening such as a stockade fence and single row of vegetation in close proximity to the project.

The provided screening shall obscure from view on all sides at least 50% or 100% if the project is located in the Residential-Agricultural zoning district, of the project from adjacent properties, including upper levels of existing structures at the time of construction, within three years of the start of construction or earthwork activities. Security fences, roadways, and equipment shall not be placed within the required setback, except for that which is required to access the site from an adjacent roadway, or to transmit the generated power to the grid. Access roads and transmission lines shall be placed in such a manner as to not create an unobstructed view of the project from adjacent property lines.

Section 3580.50. shall be inserted as follows:

Any LSGMSPI which has been abandoned consistent with Section 3580.52 of this bylaw and not removed within 120 days after the date of discontinued operations and/or is not maintaining required screening pursuant to the Bylaw shall be considered a nuisance and detrimental to the neighborhood. The Town may enter the property and physically remove the installation. The costs for the removal may be charged to the property owner and/or owner of the LSGMSPI. In addition to the foregoing remedy, whoever fails to remove an abandoned LSGMSPI shall be liable to a fine of not more than one hundred dollars (\$100.00) for each violation. As an alternative, the enforcing authority may utilize the non-criminal disposition procedure under Article XX of these bylaws. The penalty under the non-criminal disposition procedure for each violation shall be one hundred dollars (\$100.00). Each violation shall constitute a separate offense. Each day that any such violation continues shall constitute a separate offense.

INFORMATIONAL SUMMARY:

- Section 3580 – Large Scale Ground Mounted Solar Photovoltaic Installations. This proposal changes the setback requirement from 200' within applicant's property line to minimum 300' from nearest residential structure. Section 3580.50.1 – Nuisance. This proposal will allow the Town to assess fines for Solar Installations that are not compliant with maintaining special permit conditions, including landscaping.

PROPOSED MOTION: I move that the Town vote to approve Article #10 as written.

Recommendation: Bd. of Selectmen 5-0, Planning Board 3-0

ARTICLE 10: VOTE

MOTION made by Planning Board Chair Bruce Maki and seconded for the Town to approve Article 10 as set forth in the Warrant.

Selectwoman Helen Marrone corrected the board "Recommendations" stating she had voted "No" and the vote for Board of Selectmen should reflect 4-1, not 5-0.

POINT OF ORDER made by James O'Brien stating he sat on the original by-law committee for this by-law and does not agree with the proposed wording. It is a "grey" by-law, he said.

William Sinclair quoted the existing Solar By-law that he said helps regulate the concerns mentioned by O'Brien.

3580.60. Special Permit for LSGMPI. In the event that a Special Permit is required for a LSGMPI, the planning board may grant a Special Permit if the following conditions are met:

1. Such use will not nullify or substantially derogate from the intent or purpose of this bylaw;
2. Such use will not constitute a nuisance;
3. Such use will not adversely affect the neighborhood in which it is sited;
4. Such use complies with the standards for site plan review as spelled out in this bylaw;
5. The Planning Board may also provide for other conditions that it deems necessary.

Dunham urged the body to vote against the article.

Kim Shea stated there is too much ambiguity in this wording.

Motion for Article 10 *FAILED TWO-THIRDS VOTE - 11 (YES) AND 90 (NO)*

MOTION made and seconded for the Town to adjourn Town Meeting until 6:30 p.m. tomorrow evening.

Motion To Adjourn FAILED.

ARTICLE 11: RECREATIONAL –USE MARIJUANA ESTABLISHMENTS

To amend the Town of Carver Zoning Bylaw for purposes of regulating recreational-use marijuana establishments within the Town, including establishments for the cultivation, processing, testing, product manufacturing and retail sale of recreational-use marijuana establishments, which uses shall be allowed pursuant to the issuance of a special permit and site plan approval within a designated marijuana overlay district. And to further amend the Town of Carver Zoning Bylaw by adding a new Section – Medical Marijuana Cultivation/Processing Overlay District at the end of Section 4700, Adult Uses, a new subsection as follows, and further, to authorize the Town Clerk to make such revisions to the numbering and lettering of such subsection to ensure conformity with the Zoning By-law.

Section 5000 shall be inserted as follows:

Section 5000 – Marijuana Overlay District Bylaw

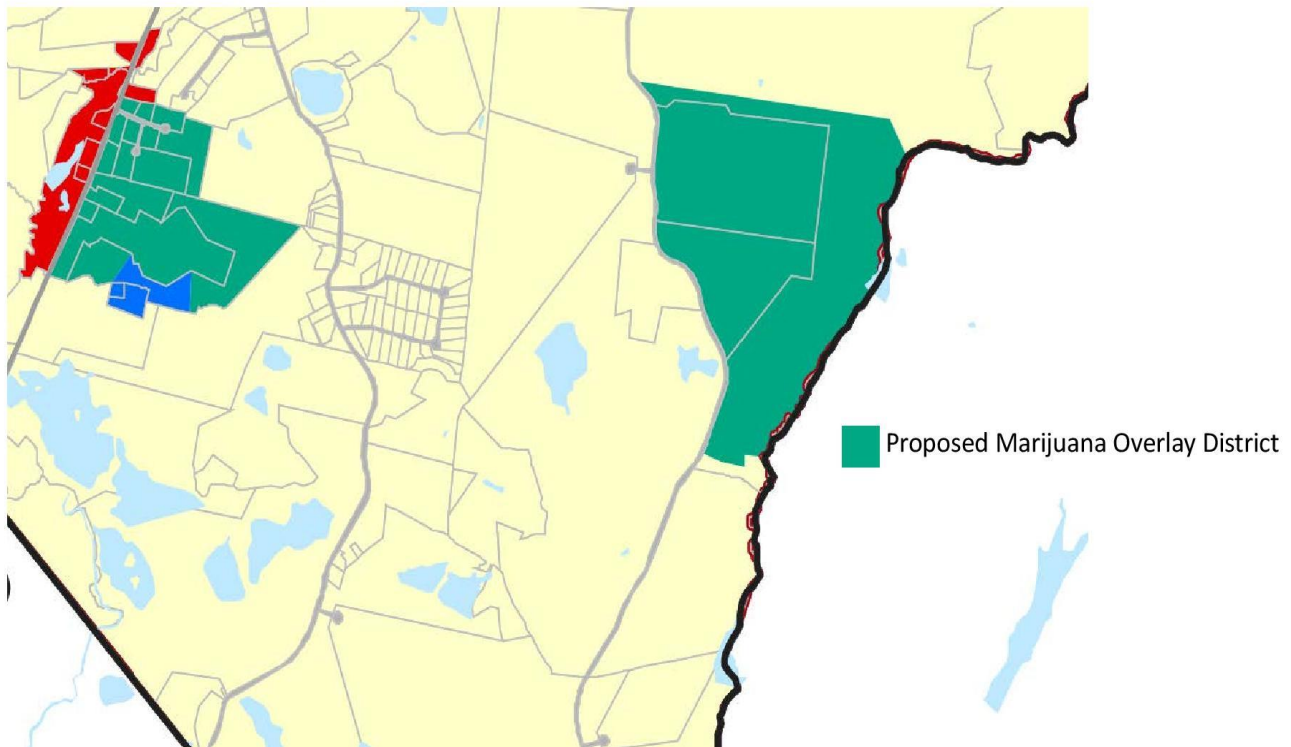
Section 5000.1- Purpose

To provide for the placement of Non-Medical Marijuana Establishments, in accordance with An Act To Ensure Safe Access to Marijuana, c.55 of the Acts of 2017 and all regulations which have or may be issued by the Cannabis Control Commission, including, but not limited to 935 CMR 500.00 implementing this Act, in locations suitable for such uses, which will minimize adverse impacts of Non-Medical Marijuana Establishments on adjacent properties, residential neighborhoods, schools, playgrounds, public beaches and other locations where minors congregate by regulating the siting, design, placement, security, and removal of Non-Medical Marijuana Establishments.

Section 5000.2 – Establishment

The Marijuana Overlay District ("MOD") is established as an overlay district. The boundaries of the MOD are shown on the Zoning Map on file with the Town Clerk and shall comprise the following parcels, as set forth on the maps of the Town Board of Assessors:

Town of Carver, Massachusetts
Office of Planning and Community Development



Marijuana Overlay District

Assessors Map 131

Lot 2-4 Partial

Lot 4-2

Lot 4-3



Marijuana Overlay District

Assessors Map 127

Lots A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, 6, 8, 10, 10-1, 11 Partial

Within the MOD, all requirements of the underlying zoning district remain in effect, except where these regulations provide an alternative to such requirements. Land within the MOD may be used for (1) any state-licensed Non-Medical Adult Use Marijuana Establishment, including cultivation, processing, independent testing laboratory, product manufacturing, and retail sales, in which case the requirements set forth in this section shall apply; or (2) a use allowed in the underlying district, in which case the requirements of the underlying district shall apply. If the provisions of the MOD are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the MOD conflict with the requirements of the underlying district, the requirements of the MOD shall control.

Section 5000.3 - Definitions

Where not expressly defined in the Zoning Bylaws, terms used in the MOD Bylaw shall be interpreted as defined in G.L. c.94I and G.L. c.94G and any regulations issued by the Cannabis Control Commission implementing these laws, and otherwise by their plain language.

a. Independent Testing Laboratory means a laboratory that is licensed by the Cannabis Control Commission pursuant to 935 CMR 500.000 with respect to the regulation of the Adult Use of Marijuana that is: (i) accredited to the most current International Organization for Standardization 17025 by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the commission; (ii) independent financially from any medical marijuana treatment center or any licensee or marijuana establishment for which it conducts a test; and (iii) qualified to test marijuana in compliance with 935 CMR 500.160 and M.G.L. c.94C, § 34.

b. Marijuana Cultivator means an entity licensed by the Cannabis Control Commission pursuant to 935 CMR 500.000 with respect to the regulation of the Adult Use of Marijuana to cultivate, process and package marijuana, to deliver marijuana to Marijuana Establishments and to transfer marijuana to other Marijuana Establishments, but not to consumers.

- c. Marijuana Delivery-Only Retailer means an entity licensed by the Cannabis Control Commission pursuant to 935 CMR 500.000 with respect to the regulation of the Adult Use of Marijuana that does not provide a retail location accessible to the public, but is authorized to deliver directly from a marijuana cultivator facility, craft marijuana cultivator cooperative facility, marijuana product manufacturer facility, or micro-business.
- d. Marijuana Establishment means a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of marijuana-related business licensed by the Cannabis Control Commission pursuant to 935 CMR 500.000 with respect to the regulation of the Adult Use of Marijuana.
- e. Marijuana Product Manufacturer means an entity licensed by the Cannabis Control Commission pursuant to 935 CMR 500.000 with respect to the regulation of the Adult Use of Marijuana to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to Marijuana Establishments and to transfer marijuana and marijuana products to other Marijuana Establishments, but not to consumers.
- f. Marijuana Retailer means an entity licensed by the Cannabis Control Commission pursuant to 935 CMR 500.000 with respect to the regulation of the Adult Use of Marijuana to purchase and deliver marijuana and marijuana products from Marijuana Establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to Marijuana Establishments and to consumers.
- g. Medical Marijuana Treatment Center means an entity licensed by the Department of Public Health or the Cannabis Control Commission under a medical use marijuana license that acquires, cultivates, possesses, processes, transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials for the benefit of registered qualifying patients or their personal caregivers in the treatment of debilitating medical conditions or the symptoms thereof.

Section 5000.4 - Number of Licenses

Only 2 (a number over 20% of the package store licenses in Town) Marijuana Retailers will be allowed to operate in the MOD at one time.

Section 5000.5 – Location and Dimensional Controls

- 1. Non-Medical Marijuana Establishments may be permitted in the MOD pursuant to a Special Permit and Site Plan Approval.
- 2. Non-Medical Marijuana Establishments may not be located within 500 feet of the following pre-existing uses:
 - a. Public or private school providing education in kindergarten or grades 1 through 12;
 - b. State-licensed Child Care Facility;
 - c. Library, playground, public park, public beach, youth center; or similar facility in which minors commonly congregate.

The distance under this section shall be measured in a straight line from the nearest point of the property line of the protected uses identified above to the nearest point of the property line of the proposed Non-Medical Marijuana Establishment.

3. Cultivation and processing facilities located within the MOD shall be separated from adjacent uses by a 50-foot buffer strip, unless the applicant can demonstrate, and the Planning Board finds, that adequate buffering can be provided in a narrower buffer strip.
4. Non-Medical Marijuana Establishments shall be located only in a permanent building and not within any mobile facility. All sales shall be conducted either within the building or by home delivery pursuant to applicable state regulations.
5. Unless explicitly stated otherwise, Non-Medical Marijuana Establishments shall conform to the dimensional requirements applicable to non-residential uses within the underlying zoning district.
6. Non-Medical Marijuana Establishments shall conform to the signage requirements of Section 3500 of the Zoning Bylaw. The Planning Board may impose additional restrictions on signage, as appropriate, to mitigate any aesthetic impacts.

Section 5000.6 – Special Permit

1. Procedure: The Planning Board shall be the Special Permit Granting Authority (SPGA) and shall conduct Site Plan Review for an applicant for a Non-Medical Marijuana Establishment.
 - a. Application: In addition to the materials submission requirements of Section 3100 and Section 5300, the applicant shall also include:
 - i. A detailed floor plan of the premises of the proposed Non-Medical Marijuana Establishment that identifies the square footage available and describes the functional areas of the facility;
 - ii. detailed site plans that include the following information:
 1. Compliance with the requirements for parking and loading spaces, for lot size, frontage, yards and heights and coverage of buildings, signage and all other provisions of this Bylaw;
 2. Convenience and safety of vehicular and pedestrian movement on the site to provide secure and safe access and egress for clients and employees arriving to and from the site;
 3. Convenience and safety of vehicular and pedestrian movement off the site, if vehicular and pedestrian traffic off-site can reasonably be expected be substantially affected by on-site changes;
 4. Adequacy as to the arrangement and the number of parking and loading spaces in relation to the proposed use of the premises, including designated parking for home delivery vehicle(s), as applicable;
 5. Site design such that it provides convenient, secure and safe access and egress for clients and employees arriving to and from the site.
 6. Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping; and
 7. Adequacy of water supply, surface and subsurface drainage and light.
 - iii. a description of the security measures, including employee security policies;

- iv. a copy of the emergency procedures;
- v. a copy of proposed waste disposal procedures; and
- vi. a copy of all licensing materials issued by the Cannabis Control Commission, and any materials submitted to these entities by the applicant for purposes of seeking licensing to confirm that all information provided to the Planning Board is consistent with information provided to the Cannabis Control Commission, as applicable.
- vii. a notarized statement signed by the Non-Medical Marijuana Establishment organization's Chief Executive Officer disclosing all of its designated owners, including officers, directors, partners, managers, 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 all such responsible individual persons.

b. The SPGA shall refer copies of the application to all Town departments and boards/commissions, including but not limited to the Building Department, Fire Department, Police Department, Board of Health, and the Conservation Commission.

c. After notice and public hearing in accordance with Section 3100 and Section 5300 of the Bylaw and consideration of application materials, consultant reviews, public comments, and the recommendations of other town boards and departments, the SPGA may act upon such a permit and request for site plan approval.

2. Special Permit Conditions on Non-Medical Marijuana Establishments: The SPGA shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise serve the purpose of this section. In addition to any specific conditions applicable to the applicant's Non-Medical Marijuana Establishment, the SPGA may include the following conditions in any special permit granted under this Bylaw:

a. Hours of Operation, but if none are specified in the special permit, hours of operation shall be limited to 9:00 a.m. – 8:00 p.m.

b. The use shall not generate outside odors from the cultivation or processing of marijuana and marijuana products.

c. A Security Plan shall be required for all Non-Medical Marijuana Establishments, which shall be subject to approval by the Fire and Police Chiefs and submitted to the Planning Board.

d. The permit holder shall provide to the Zoning Enforcement Officer and Chief of the Police Department, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.

e. Non-Medical Marijuana Establishment may not operate, and the special permit will not be valid, until the applicant has obtained all licenses and permits issued by the Commonwealth of Massachusetts and any of its agencies for the facility.

- f. Non-Medical Marijuana Establishments may not operate, and the special permit will not be valid, until the applicant has entered into a Host Community Agreement with the Town relative to any facility permitted under this Bylaw.
- g. A special permit granted under this Section shall have a term limited to the duration of the applicant's ownership and use of the premises as a Non-Medical Marijuana Establishment. A special permit may be transferred only with the approval of the Planning Board in the form of an amendment to the special permit.
- h. The special permit shall lapse upon the expiration or termination of the applicant's license by the Cannabis Control Commission.
- i. The permit holder shall notify the Zoning Enforcement Officer and SPGA in writing within 48 hours of the cessation of operation of the Non-Medical Marijuana Establishment's expiration or termination of the permit holder's license with the Cannabis Control Commission.
- j. No outside storage is permitted.
- k. If the applicant is not the owner of the property, the applicant shall supply express written permission from the property owner.

Section 5000.7 - Prohibition Against On-Site Consumption

No marijuana shall be smoked, eaten, or otherwise consumed or ingested in public or on the premises of a Non-Medical Marijuana Establishment absent a positive vote by ballot question presented to the voters of the city or town at a biennial state election pursuant to G.L. c.94G, s.3(b).

Section 5000.8 - Prohibition Against Nuisances

No use shall be allowed in the MOD which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive sound or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

Section 5000.9 - Abandonment and Discontinuance of Use

1. A Non-Medical Marijuana Establishment shall be required to remove all material, plants, equipment, signs and other paraphernalia upon registration or licensure revocation, expiration, termination, transfer to another controlling entity relocation to a new site and any other cessation of operation as regulated by the Cannabis Control Commission. Such removal will be in compliance with 105 CMR 725.105 (J), (O.) and regulations from the CCC; and
2. A Special Permit granted hereunder shall lapse if the applicant ceases marijuana establishment operations for a period of ninety (90) days and/or if the applicant's license by the Cannabis Control Commission has been revoked, expires, is terminated, is transferred to another controlling entity or is relocated to a new site;

Section 5000.10 - Severability

The provisions of this Bylaw are severable. If any provision, paragraph, sentence, or clause of this Bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Bylaw.

INFORMATIONAL SUMMARY:

- Section 5000 – Adult Use Marijuana. This proposal creates the allowable district for Adult Use Marijuana cultivation, process, testing, manufacturing and retail sale.

PROPOSED MOTION: I move that the Town vote to approve Article #11 as written.

Recommendation: Bd. of Selectmen 5-0, Planning Board 3-0

ARTICLE 11: VOTE

MOTION made by Planning Board Chair Bruce Maki and seconded for the Town to approve Article 11 as set forth in the Warrant.

MOTION to AMEND made by Bob Belbin for the Town to expand the overlay district.

Moderator Ruled Amendment “OUT OF THE SCOPE OF THE ARTICLE”

Belbin requested a legal opinion on if he could not make changes because the words “or take any other action relative thereto” were not included as part of this article? Atty. Corbo explained the purpose of the Town Meeting Warrant is to provide the voters with notice of subjects to be acted on at Town Meeting. The Planning Board is also required to provide public hearings for Zoning changes before a zoning bylaw can be brought to Town Meeting. A proposed change must be within the scope of what was heard by the Planning Board & within the scope of the Town Meeting Warrant. It is not fair notice to the voters to make these type of changes on Town Meeting floor. Corbo recommends the Moderator rule the amendment “out of the scope of this article”.

Motion for Article 11 FAILED TWO-THIRDS VOTE - 51 (YES) AND 38 (NO)

ARTICLE 12: EXTEND TEMPORARY MORATORIUM ON NON-MEDICAL OR RECREATIONAL MARIJUANA ESTABLISHMENTS

To amend Section 4970 of the Town of Carver Zoning Bylaw by extending the temporary moratorium on non-medical or recreational marijuana establishments in the Town through June 30, 2018.

Section 4970 shall read (strikethrough text to be deleted bold text to be inserted):

4970. TEMPORARY MORATORIUM ON NON-MEDICAL OR RECREATIONAL MARIJUANA ESTABLISHMENTS

4970.1 Purpose.

By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. The law provides that it is effective on December 15, 2016 and as amended on December 30, 2016 via Chapter 351 of the Acts of 2016, requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses on April 1, 2018. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments.

Currently, a Non-Medical or Recreational Marijuana Establishment (hereafter, a “Marijuana Establishment”), as defined in G.L. c. 94G, §1, is not specifically addressed in the Town’s Zoning Bylaw. The regulation of Recreational Marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Marijuana Establishments and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Marijuana Establishments and other uses related to the regulation of recreational marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Marijuana Establishments so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to adopt provisions of the Zoning Bylaw in a manner consistent with sound land use planning goals and objectives.

4970.2 Temporary Moratorium.

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Marijuana Establishments as defined in G.L. c. 94G, §1. The moratorium shall be in effect through ~~June 30, 2018~~ **June 30, 2019 or until such time as the Town adopts Zoning Bylaw amendments that regulate Recreational Marijuana Establishments, whichever occurs earlier**. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, consider the Cannabis Control Commission regulations regarding Marijuana Establishments and related uses, determine whether the town shall restrict the use of land for any, or all, licenses Marijuana Establishments, determine whether the town will prohibit on-site consumption at Marijuana Establishments and shall consider adopting new provisions of the Zoning Bylaw to address the impact and operation of Marijuana Establishments and related uses.

4970.3 Severability.

The provisions of this by-law are severable. If any provision, paragraph, sentence, or clause of this Bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

Or take any other action related thereto.

PLANNING BOARD

INFORMATIONAL SUMMARY:

- Section 4970 – Moratorium on Non-Medical Marijuana. This proposal will extend the moratorium in town until June 30, 2019.

PROPOSED MOTION: I move that the Town vote to approve Article #12 as written.

(2/3s Vote Required)

Recommendation: Bd. of Selectmen 5-0, Planning Board 4-0

ARTICLE 12: VOTE

MOTION made by Planning Board Chair Bruce Maki and seconded for the Town to approve Article 12 as set forth in the Warrant and as read with the year **2019** in the 1st paragraph instead of 2018.

Motion for Article 12 PASSED TWO-THIRDS VOTE WITH 90(YES) AND 4 (NO)

ARTICLE 13: HOME RULE PETITONS REQUIRING LEGISLATIVE AND GOVERNOR APPROVAL

Senior Tax Relief Home Rule Petition

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 create Senior Tax Relief in the Town of Carver; 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 Creating Senior Tax Relief in the Town of Carver

SECTION 1. Notwithstanding any other general or special law to the contrary, and subject sections 2 to 10, inclusive, the Town of Carver shall reduce the property taxes due on any qualifying property by the sum of \$500.00 except that there shall be a dollar cap on the total exemptions granted pursuant to this act equal to 0.5 percent of the fiscal year's total residential property tax levy for the Town of Carver with the total exemption amount granted pursuant to this act allocated proportionally within the tax levy on all residential taxpayers. In the event that the dollar cap is reached, any reduction shall be reduced proportionally. In no case shall the property taxes due on such property be reduced below zero This reduction shall be in addition to any exemption or abatement allowable under the General Laws.

SECTION 2. Real property classified as Class one, residential, in the Town of Carver shall qualify for the exemption under section 1 if: (i) the property is owned by a person 65 years of age or older and occupied as his or her domicile; (ii) the property is owned jointly by a person and his or her spouse, either of whom is 65 years of age or older, and occupied by the person as his or her domicile, (iii) the property is owned jointly by persons who are not spouses, either of whom is 65 years of age or older and occupies the property as his or her domicile; or (iv) the property is held as life estate by a person 65 years of age or older and occupied by the person as his or her domicile; provided, that the property is a single family dwelling. For purposes of this act, the age of the qualifying person(s) shall be as of July 1 of the fiscal year for which the exemption is being requested.

SECTION 3. Notwithstanding section 2 of this act, real property classified as Class one, residential, in the Town of Carver of soldiers and sailors who are veterans, as defined in clause forty-three of section 7 of chapter 4 and whose last discharge or release from the armed forces was under other than dishonorable conditions, and who are 62 years of age or older, shall qualify for the exemption under section 1 if: (i) the property is owned by such veteran and occupied as his or her domicile; (ii) the property is owned jointly by such veteran and his or her spouse and occupied by such veteran as his or her domicile; (iii) the property is owned jointly by persons who are not spouses, either of whom is such veteran and occupies the property as his or her domicile; or (iv) the property is held as life estate by such veteran and occupied as his or her domicile; provided, that the property is a single family dwelling. For purposes of this act, the age of the qualifying person(s) shall be as of July 1 of the fiscal year for which the exemption is being requested.

SECTION 4. The exemption under section 1 may be granted if (i) the person has been a resident of the Town of Carver for longer than 6 months of each of the previous 10 years; (ii) the taxpayer's total income, as defined in subsection (k) of section 6 of chapter 62 of the General Laws, does not exceed 60% of the median income for the Town of Carver as reported for the relevant Fiscal Year by the United States Census Bureau; for households with more than one member, the total income, calculated pursuant to subsection (k) of section 6 of chapter 62 of the General Laws, does not exceed 60% of the median income for the Town of Carver as reported for the relevant Fiscal Year by the United States Census Bureau.

SECTION 5. Improvements upon a qualifying residential property that result in an increase in the assessed value of the property and corresponding increase in tax liability that are made during a year in which the person

is entitled to an exemption under section 1, shall be subject to taxation at the tax rate in effect on the date of the improvement on the assessed value of the improvement.

SECTION 6. A person who seeks to qualify for the exemption under section 1 shall file with the Board of Assessors an application for abatement on a form to be adopted by the Board of Assessors and available at the assessor's office with the supporting documentation as described in the application. The application shall be filed by December 1st each year for which the applicant seeks the exemption for the fiscal year commencing the following July 1.

SECTION 7. Acceptance of this act by the Town of Carver shall be by an affirmative vote of a majority of the voters at any regular or special election at which the question of acceptance was placed on the ballot and, if necessary, by approval of the appropriate override. This act shall become effective on the thirtieth day following the affirmative vote.

SECTION 8. The acceptance of this act may be revoked by an affirmative vote of a majority of the voters at any regular or special town election at which the question of revocation has been placed on the ballot by a two-thirds vote of then sitting members of the Board of Selectmen. Revocation of this act shall become effective on the thirtieth day following that affirmative vote.

SECTION 9. Acceptance of this act by the Town of Carver shall automatically expire after 3 years of implementation unless reaffirmed by the affirmative vote of a majority of the voters at a town meeting, provided that any vote to reaffirm this act shall specify the term for which the act will remain in effect and may further include any amendments within the scope of the general public objectives of this act.

SECTION 10. This act shall not apply to betterments, special assessments, surcharges or the like, assessed in addition to real property tax on the qualifying property.

SECTION 11. This act shall take effect upon passage.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: This article asks the Town Meeting to authorize the Board of Selectmen to petition the General Court for a special act to allow for the reduction in real property taxes in the amount of \$500.00 for qualifying Seniors, 65 years of age and over and veterans (soldiers and sailors) 62 years of age and older that qualify based on residency of at least 6 months of every year for the past 10 years and income that is not more than 60% of the median income for the Town. The total amount of the reductions granted is limited to .5% of the total residential property tax levy for the town, having a total value of \$88,253 in FY 17. In the event that the dollar cap is reached, the total reduction shall be reduced proportionally. The total amount of the reductions granted is proportionally assessed on all non-qualifying residential taxpayers within the Town.

PROPOSED MOTION: I move that the Town vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation creating senior tax relief in the Town of Carver, as set forth in Article 13 of the Warrant.

(Majority Vote Required)

Recommendation: Bd. of Selectmen 5-0, Finance Committee 8-0

ARTICLE 13: VOTE

MOTION made by Selectman Ron Clarke and seconded for the Town to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation creating senior tax relief in the Town of Carver, as set forth in Article 13 of the Warrant. **Motion SO VOTED UNANIMOUSLY**

ARTICLE 14: MONEY PETITION ARTICLES

- A. To see if the Town of Carver will vote to raise and appropriate or transfer from available funds the sum of \$5,000 to support to the Young Peoples' Alliance of Carver, Inc. for services of drug and substance abuse prevention programs and other after school programs for the youth and families of the Town of Carver.
- B. To see if 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 vote to raise and appropriate, or transfer from available funds, the sum of Five Thousand Dollars (\$5,000.00) to support the Plymouth Area Coalition for the Homeless, Inc. in their services to homelessness and other low income families.
- D. Health Imperatives' VIOLENCE INTERVENTION AND PREVENTION PROGRAMS requests \$6,000 from the Town of Carver for services provided to survivors of sexual assault and domestic violence in Fiscal year 2018
- E. To ask the Town of Carver to vote to raise or appropriate or transfer from available funds the sum of \$4,000 for services with South Coastal County Legal Services for free legal services in civil matters to low-income and elderly residents.

VARIOUS PETITIONED ARTICLES

or take any other action related thereto.

INFORMATIONAL SUMMARY: The above funding requests have been properly petitioned for inclusion in the Town of Carver's Annual Town Meeting.

PROPOSED MOTION: I move that the Town raise and appropriate the total sum of \$25,000 as grants for the purposes and in the amounts specified in Article 14 of the Warrant.

(Majority Vote Required)

Recommendation: Bd. of Selectmen – 5-0, Finance Committee 8-0

ARTICLE 14: VOTE

MOTION made by Selectman Alan Dunham and seconded for the Town to raise and appropriate the total sum of \$25,000 as grants for the purposes and in the amounts specified in Article 14 of the Warrant.

Representatives from South Shore Community Action Council and the Young People's Alliance of Carver spoke on behalf of their services to the Carver residents.

Motion SO VOTED UNANIMOUSLY

ARTICLE 15: NON-MONEY PETITION ARTICLES:

- A. To see if the Town of Carver will vote to amend the Financial Management Policy #4 by changing the percent from 7.5% to 5%. The proposed new policy would read:

The Town will maintain a General Stabilization Fund as its main financial reserve in the event of an emergency or extraordinary need. It shall strive to maintain a balance in the General Stabilization Fund of 5% of its town's annual revenue at all times. Any funds over-5% shall be returned to the operational budget.

The following sentence would be deleted:

~~If the fund falls below 7.5% the town will transfer future free cash or other one time money to refund the General Stabilization Fund.~~

B. To see if the Town will vote to amend the Financial Management Policy, Policy Statement #5, by changing 10% to 7.5% and striking language as follows:

~~With the creation of a capital and debt stabilization fund, Carver will transfer one time revenue, new personal property revenue compounded into a fund to pay for internal debt service and one time capital projects through a 2/3 vote of town meeting.~~

The Town will work to program and maintain 10%-7.5% of its annual revenue for infrastructure investment annually into the capital and debt stabilization fund. This will include payment for all internal debt and funding the debt stabilization fund. Debt roll-off and funding below 10% 7.5% will be reallocated to a capital stabilization fund. The Town should strive to issue debt for shorter periods than the maximum allowable.

VARIOUS PETITIONED ARTICLES

or take any other action related thereto.

INFORMATIONAL SUMMARY: The above requests have been properly petitioned for inclusion in the Town of Carver's Annual Town Meeting.

PROPOSED MOTION: I move that the Town take no action on Article 15 of the Warrant.
(Majority Vote Required)

Recommendation: Bd. of Selectmen 0-5, Finance Committee 0-8

ARTICLE 15: VOTE

MOTION made by Selectman Alan Dunham and seconded for the Town to approve Article 15 of the Warrant with the understanding that both the Board of Selectmen and Finance Committee have voted against the article.

MOTION TO AMEND made by Tammy Johnson and seconded for the Town to separate Parts A and B in Article 15.

Motion To Amend FAILED

Motion for Article 15 FAILED

Upon motion made by Moderator; Robert Bentley and seconded it was ***Unanimously Voted*** to adjourn sine die the Annual Town Meeting at 12:00 P.M.

A True Record, Attest:

Lynn A. Doyle
Town Clerk