

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS**

September 4, 2007

Minutes

The meeting was called to order at 7:00 p.m. Present were Chairman Roger F. Blanchette, Board members Andrew N. Jeffrey and Jonathan F. Henry and Town Administrator Paul F. Dawson. Also present were Lee Craver, Kenneth J. Souza of *The Wanderer*, Andrea Smith of the *Tri-Town Observer*, Ruth Thompson of *The Sentinel*, Don Cuddy of the *Standard-Times*, Leighton Peck and Pompeo Casale of Earth Tech, representatives of VFW Post #2425 and concerned residents Rodney Hunt, Joseph and Lucy Napoli, Rita MacLeod, Robert Demeo, Helen G. Westergard, Joseph P. Zora, Joanne Inman, Belmiro J. Barros, Jr., Ronald Barros and Christopher Byron, representatives of the Buzzards Bay National Estuaries Program Joseph Costa, Bernadette Taber and John Rockwell. Also present were Stephen M. Cushing, Carol Sanz, Albin Johnson, others who did not sign in and Helene Craver, secretary.

At 7:04 p.m., Mr. Blanchette explained that the Board would go into executive session briefly and would return into open session shortly.

Mr. Jeffrey moved to go into executive session for the purpose of discussing negotiations with non-union personnel; the motion was seconded and carried unanimously, Messrs. Blanchette, Jeffrey and Henry voting aye.

At 7:16 p.m., the Board returned into open session with the representatives from the Buzzards Bay National Estuaries Program, who presented their plans for stormwater remediation at Old Landing. Dr. Costa explained that his group provides technical assistance and planning for Coastal Zone Management. Dr. Costa noted that, in December 2006, Marion applied for and received a stormwater remediation grant for the Old Landing area, where pollution is migrating from Front Street and Ryder Lane and eventually ending up in the bay in an untreated manner. Dr. Costa said that the \$15,000 grant is for the development and design for the site; they have worked with the Town to identify possible solutions. Dr. Costa listed bacteria, sediments, heavy metals, pesticides, fertilizers and petroleum products as some of the matter which is escaping into the bay. Dr. Costa explained that there isn't much land with which to work, there are high water tables and the discharge pipe is below mean sea level. Dr. Costa said that their conclusions included reducing the pavement area wherever possible and installing tree boxes and biofilter areas. Dr. Costa indicated that both Tabor Academy and Burr Brothers have donated land to be used for the biofilter.

Mr. Blanchette said that the key to the project is that the memorial park at Old Landing not be disturbed in any way; Dr. Costa agreed that the park would not be disturbed. At the request of the Selectmen, Dr. Costa outlined several options resulting from studying the area and the resulting trade offs of each. Dr. Costa was concerned that, if this project wasn't acceptable, he didn't want to develop a plan that wouldn't be used. Mr. Blanchette said that this was a good opportunity to remediate the stormwater run off, as the Town would be repaving the streets as part of the "village loop" repiping project. Mr. Jeffrey explained that the federal government will mandate, over a period of time, that municipalities address stormwater run off when their discharge permits

expire. Dr. Costa said that the Town's permit expires in 2008 and this is an excellent opportunity to alleviate the run-off problems in this area at low cost to the Town.

Mr. Jeffrey asked why there was a perceived longer-than-normal time for the plantings to be established at Island Wharf? Dr. Costa explained that the plantings were placed very late in the first season and the second season was dry; the Town should make sure plantings are factored in when a project is planned.

Mr. Blanchette noted that Island Wharf ran over budget by "horrendous" amounts and the Town had to absorb the cost at the expense of other Town budgets; a proper bidding process should be in place. Dr. Costa said that this was an excellent point—the Town should consider putting the project out to bid before the application for funding. Ms. Taber also noted that the grant was for a limited amount of time, which required the job to be completed in a relatively short period. Dr. Costa observed that the project was rushed and related that they rely upon the Town to work with the engineers as they don't get involved in the bid process.

Mr. Napoli recalled that he first heard of the Old Landing project in early March and, when he met with Mr. Dawson, he was told that there were three possible sites for the stormwater remediation, Old Landing being only one of the three. Mr. Napoli asked why Old Landing has been chosen over the other two sites. Mr. Henry explained that Old Landing is the lowest elevation for the treatment. Mr. Blanchette said that they have been given assurances that the memorial park will not be touched under any conditions, as most of the land for the biofilter and tree boxes has been donated by Burr Brothers and Tabor Academy. There was emphatic agreement that the memorial park would not be disturbed in any way.

Mr. Blanchette suggested that, once the plans are finalized, another informational meeting be held so everyone would be able to review the plans before proceeding. The other members and Dr. Costa agreed.

Mr. Napoli again asked about the other two sites. Mr. Dawson recalled that, at a meeting in March with Mr. Rockwell, two other sites were mentioned. Dr. Costa explained that three different stormwater pipes were mentioned, but Marion has only submitted one grant application, as those other projects fell through, but will still have to be addressed in the future. Dr. Costa said that they don't define which projects the towns apply for—the application was for this site only. Mr. Napoli said that is his concern—they were told one thing and are now hearing something else, as they were assured that nothing would be done at the park. Mr. Jeffrey said that all three sites will have to be addressed, but it was determined that the memorial park area would have the biggest impact. Mr. Blanchette said that they are not talking about the park, only the parameters and that not one blade of grass is to be touched. Mr. Napoli said that he only wants to be certain that what is proposed is followed.

Others present offered various remarks, ideas and criticisms. Dr. Costa indicated that the Town has "lots of problems"—this is one place to start. Mr. Blanchette reiterated that the sewer project with the resulting disruption of the streets and sidewalks is where the work will be done and why this project has been chosen, as it will save money. Dr. Costa explained that the State is responsible for Route #6—the Town should not spend money on State roads. Mrs. Sanz asked if the Town must spend

money for the plan, or has that expense been covered by the grant? Mr. Blanchette explained that the \$15,000 grant is the money for the plan—beyond that, more grant applications are needed to do the project. Dr. Costa explained that grant monies are available and they will help in the application process.

Mr. Blanchette said that he wants everyone to be involved in everything we do and he thinks these types of meetings are critical and important. Mr. Blanchette said that, if the Town doesn't get the grant, they won't go ahead with the project. Mrs. Sanz asked if the project at Island Wharf is working properly—why start another until we're sure the first one is working? Mr. Henry said that these projects need maintenance—he has watched the deterioration himself, as heavy rain run off goes through the system. Dr. Costa said that grant money could be found to monitor the project at Island Wharf, although enough of the systems have been built that most don't need monitoring. Dr. Costa said that there will be a grant program in September—the Town should apply with the health agent.

Following discussion regarding Route #6 flooding, Dr. Costa said that he would commit to contacting the State Department of Public Works.

The Board then met with Messrs. Peck and Casale of Earth Tech to discuss the County Road repaving project. Mr. Peck described the project as a three-town initiative which runs north to south from I-495 to I-195 and is an excellent regional project. Mr. Peck advised Rochester and Marion to participate in the initiative, as the road is eligible for State and federal funding. Mr. Peck reported that both Wareham and Rochester had agreed to participate to the 25% of design level and requested that Marion do the same. Mr. Peck further outlined the 25% level, which would include a set of drawings of existing conditions and general understanding of the improvements for the project. Mr. Peck outlined each town's portion of the project as 51% for Wareham, 29% for Marion and 20% for Rochester. There was some discussion concerning which town would be responsible for the bridge and its cost; no definitive costs were determined. Mr. Peck also outlined the process for approval and funding of the project. Mr. Peck explained that Marion's share of the 25% level would be \$31,750. Mr. Jeffrey asked who would be overseeing the project? He suggested that a committee be formed of representatives of all three towns. Mr. Peck agreed. It was also agreed that the three towns' Town Administrators be given the responsibility of the overall project.

Mr. Henry moved to commit to the 25% level, or \$31,750; the motion was seconded.

Mr. Jeffrey added with the caveat that the Town Administrator contact the other two towns and report back to the Board at the next meeting.

Mr. Dawson reiterated the approximate sums to which each town has committed; Mr. Peck explained that the other two towns have already signed an agreement and appropriated the funds.

The motion carried unanimously.

Mr. Dawson indicated that Mr. Henry wished to discuss the Fire Department ladder truck at this meeting and reported that the bid process had resulted in a bid on a

ladder truck from Brindlee Mountain for \$171,000; the area of focus centers around how we go about examining this piece of equipment and whether or not we need to hire an independent consultant/inspector. Mr. Dawson reported that Brindlee Mountain offers a two-year warranty on the equipment, with a \$3,000 deductible. Mr. Dawson said that he could argue for either side of whether or not to hire a consultant, but his recommendation is to go forward with the warranty, inspection and underwriters laboratory examination of the equipment, as he isn't convinced that the consultant is worth the expense. Mr. Dawson reported that Brindlee Mountain will pay the cost of sending two people to Alabama to inspect the apparatus and he feels we are getting the best guaranty for a used piece of equipment. It was determined that the consultant would charge \$5,000 for the inspection. Mr. Jeffrey said that he didn't feel this was a necessary expense in this case. Mr. Blanchette asked if the Town had two people who were qualified at the consultant level to inspect the truck. Chief Guerzoni said that they wouldn't be at the same level of expertise. Mr. Henry argued that the specialized inspection offered by the consultant would not be duplicated by the underwriters; for example, the consultant would do extensive oil analyses. Mr. Henry urged the Town obtain a price for a consultant and perhaps substitute sending the consultant in place of two members of the Fire Department at Brindlee Mountain's expense. Mr. Henry stated that this was an extremely complex piece of equipment, which should be inspected by knowledgeable people, and this would be money well spent. Mr. Blanchette asked, if we send a consultant, would underwriters still inspect the truck? Mr. Dawson said it would. Mr. Jeffrey said that he would like to hear from the Chief as to his feelings. Chief Guerzoni said that he didn't feel comfortable asking for the extra costs of a consultant. Mr. Jeffrey asked what was allocated for the equipment? Mr. Dawson said that it was \$160,000. Mr. Jeffrey noted that they already have to request additional funding. Chief Guerzoni said that they would also have to request funds to lift part of Station #1's ceiling to accommodate the truck. Mr. Blanchette said that it would be prudent to hire a consultant and the Town will be scheduling a Special Town Meeting in the fall anyway. Mr. Jeffrey said that his recommendation would be to put together a complete package of all the expenses related to going forward with the truck purchase. Mr. Dawson was concerned about moving ahead on the truck purchase and said that he would develop a request for proposals for the consultant.

Mr. Blanchette announced that, during the executive session, the Board had voted unanimously to hire Gary Carreiro as the new appointed Treasurer/Collector, and that he will be beginning work on September 24.

Mr. Henry moved the appointments of Jack Beck, Eric Coble, Christopher Collins, Jill Durkee, Pamela Evans, Reginald Foster, Thomas Owens, Gerald Thornell and Anthony Ucci as members of the Fireworks Committee, all terms to expire September 30, 2008; the motion was seconded and carried unanimously.

Mr. Henry moved the appointment of Mark Oien as a paramedic with the Emergency Medical Services; the motion was seconded and carried unanimously.

The Board received notification of the pending retirement of Sergeant Larry D. Savery, who has been with the Marion Police Department for thirty years. Chief

Lincoln W. Miller recommended that Sergeant Savery be appointed a Special Police Officer, effective September 30, 2007.

Mr. Henry moved to accept the Chief's recommendations; the motion was seconded.

Mr. Henry said that he has known Sergeant Savery all his life, as they grew up together in Marion. Mr. Henry commended Sergeant Savery for his outstanding service, his sense of humor and his great family. Noting that Sergeant Savery's son has joined the Marion Police Department, Mr. Henry said that Sergeant Savery has set a fine example. Mr. Jeffrey agreed and suggested the Town publicly commend Sergeant Savery at the upcoming Special Town Meeting.

The motion carried unanimously.

Regarding the traffic on Ryder's Lane, it was agreed that further study was needed and that the Police Chief further discuss this the Board.

David Pierce of the Wind Power Study Committee had written to request that the Committee's name be changed to "Marion Wind Power and Renewable Resources Energy Committee". Mr. Jeffrey requested that the members of the Committee meet with the Board before making any changes.

Mr. Jeffrey moved the minutes of August 21 and 28, 2007; the motion was seconded and carried unanimously.

Mr. Dawson suggested the Board set November 5 as the date for a Special Town Meeting, with Articles to be submitted by September 21.

Mr. Henry moved to set November 5 for a Special Town Meeting and that all Articles be submitted by September 21; the motion was seconded and carried unanimously.

Mr. Dawson reminded the Board that interviews for the Building Commissioner position are scheduled for September 5 and 12; the public is invited, but the names of the interviewees will be protected until the date of the interviews.

Mr. Dawson reported that, to comply with good business practices, he will send out requests for proposals for auditing the Town's financial records, as this has not been done in a number of years. The Board agreed with this proposal.

Mr. Jeffrey moved to adjourn at 9:40 p.m.; the motion was seconded and carried unanimously.

Respectfully submitted,

Date approved: 9/18/07


Jonathan F. Henry, Clerk