

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
October 16, 2007
Agenda**

SIGNING OF WARRANTS

APPROVAL OF MINUTES of October 2, 2007

APPOINTMENTS: 7:05 p.m. Lighthouse Liquors license transfer
 7:15 p.m. Executive session for the purpose of discussing
 ongoing litigation
 7:30 p.m. John Rockwell re bike path

ACTION ITEMS: 1. Signing of Warrant, Special Town Meeting
 2. Signing of Sewer Rate Relief application
 3. Christmas Stroll—street closure
 4. Signing of deed to Natural Resource Conservation Service
 ("Goldovitz" land)
 5. Signing of all-alcohol licenses to Marion Social Club, 12/10 &
 12/1 and to VFW Post #2425, 11/3

TOWN

ADMINISTRATOR:

Report—

1. Update on Music Hall north wall repointing
2. Village Loop update
3. Discussion of disposition of Papageorge property
4. Selectmen's annual party (December or January?)

Correspondence—

- a. From Marion Art Center re Hallowe'en Parade
- b. Invitation to Plymouth Co. Selectmen's Assoc. meeting
- c. From Comcast re ORR educational access channel
- d. From Comcast re channel line up changes
- e. Notice, Municipal Coalition for Affordable Housing seminar

COMMITTEE UPDATE, if necessary

ANY OTHER MATTERS TO COME BEFORE THE BOARD

**MARION BOARD OF SELECTMEN
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October 16, 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, Stephen M. Cushing, Carol Sanz, Eunice Manduca, John Rockwell, Patricia Aleks of *The Wanderer*, Andrea Smith of the *Tri-Town Observer*, Town Counsel Jonathan Witten, John Rockwell, Lighthouse Liquors buyer Serah Dube, attorney for the buyer John C. O'Neil and attorney for the seller Harold F. Moody, Jr., seller Dennis Paulding, others who may not have signed in and Helene Craver, secretary.

Mr. Henry moved the minutes of October 2, 2007; the motion was seconded and carried unanimously.

At 7:05 p.m., Mr. O'Neil noted that his client had not arrived for the scheduled license transfer hearing, but that he expected her at any time. Mr. Henry recommended waiting until the principals were present before opening the hearing.

Mr. Dawson reported on the repointing and repairs to the north wall of the Music Hall. Mr. Dawson reported that a preconstruction meeting will be held tomorrow with the successful bidder, JSS.

Mr. Dawson reported that work has begun on the Village Loop project, with work on Route #6, as required by Mass. Highway. Mr. Dawson noted that work seems to be progressing fairly smoothly with a normal number of complaints.

Mr. Dawson recalled that, several months ago, the Board met in executive session to discuss a property in Wareham ("Papageorge property") in which the Town has an interest. Mr. Dawson stated that the property is connected to the estate of Chester Vose, to which property the Town has inherited a 20% interest. Mr. Dawson reported that an individual has acquired all interest in the property except for the Town's and has made an offer to the Town to acquire the remaining interest. Mr. Dawson explained that he has consulted with Town Counsel on the disposition of the property and was advised that the process must go through the State's 30B provisions for the disposition of real property. Mr. Witten agreed with Mr. Dawson's assessment and added that, during negotiations, he had indications that the property may have significant value and that the next step is to secure the probate process. Mr. Witten said that probate would determine the Town's exact share and an appraisal could then follow. Mr. Dawson reported that the title search of the property took three years and that the attorneys have not shared their appraisal with the Town. Mr. Dawson said that an alternative plan would be to use the assessed value of the property, which may be low. Mr. Dawson said that the original offer from the property owner to the Town was \$12,000. It was agreed that an appraisal and survey of the property would be undertaken.

The hearing on the transfer of the Lighthouse Liquors package store license from Paulding to Dube was opened at 7:25 p.m. Mr. O'Neil explained that Miss Dube was the sole shareholder in the company. Mr. Henry asked if Miss Dube planned to live on the premises; Miss Dube said she was. Mr. O'Neil said that there would be no new construction and the hours would remain the same.

Mr. Jeffrey moved to approve the all-alcohol package store license transfer; the motion was seconded and carried unanimously.

Mr. Henry moved to go into executive session at 7:28 p.m. for the purpose of discussing litigation; the motion was seconded and carried unanimously, Messrs. Henry, Blanchette and Jeffrey voting aye.

The open session was reconvened at 8:15 p.m.

Mr. Rockwell, a member of the Circulation Committee (bike path planning) discussed the plans currently underway to pave a section of County Road because the Town of Wareham will be installing a water and sewer lines. Mr. Rockwell expressed his concerns regarding the State's design plans for the road. Mr. Rockwell outlined the research his committee had done on sidewalks/bike paths and noted that County Road is prominent in the plans. Mr. Rockwell noted that the current plans discount his committee's plans for the bike path connection from Mattapoisett to Wareham. Mr. Rockwell said that the current plans encourage traffic to increase speed and is unsafe for pedestrians and bicyclists. Mr. Rockwell said that the bike path committee would like to be a part of the design of the road and could pursue grant money to design a road which would be conducive to both motorized and pedestrian traffic. Mr. Rockwell pointed out that this project may be eligible for 90% federal funding as part of the bike path to the Cape Cod Canal. Mr. Rockwell said that the Town owns all but 300' of the road. Mr. Henry asked if this could be purchased from Community Preservation Committee funds. Mr. Rockwell said it could and negotiations for the land are underway.

Mr. Dawson said that there may be a conflict between the Bike Path Committee plan and the contract for the County Road contract the Board voted for the 25% design phase with the engineers. It was agreed that the engineers would be invited back in to discuss the options for County Road, as well as members of the Bike Path Committee.

Mr. Dawson briefly summarized the six Articles on the Town Meeting Warrant for the Special Town Meeting to be held November 5, 2007.

Mr. Henry moved to sign the Warrant; the motion was seconded and carried unanimously.

Mr. Jeffrey moved to approve the requested road closures for the annual Christmas Stroll; the motion was seconded and carried unanimously.

Mr. Henry moved to approve one-day, all-alcohol licenses for the Marion Social Club for December 1 and 10 and to VFW Post #2425 for November 3, 2007; the motion was seconded and carried unanimously.

A brief discussion followed on the Selectmen's annual holiday party and whether it should be delayed until January. It was agreed that it should be held in December this year.

The Board noted plans for the annual Hallowe'en Parade, which will be held on Wednesday, October 31 at 4:00 p.m. at the Music Hall.

Mr. Jeffrey moved to adjourn at 9:02 p.m.; the motion was seconded and carried unanimously.

Respectfully submitted,


Jonathan F. Henry, Clerk

Date approved: 11/6/07