

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

March 18, 2008

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*, Stephen M. Cushing, Treasurer/Collector Gary Carreiro, Bill Letsky of Virtual Town Hall, Carol Sanz, Superintendent of Public Works Robert C. Zora, Eunice Manduca, Finance Committee Chairman Richard A. Kemp, Planning Board Co-Chairmen Joseph Napoli and Peter Winters, Zoning Board of Appeals Chairman Robert Wedge, Town Counsel Jon Witten and Helene Craver, secretary.

Mr. Jeffrey moved the minutes of February 19, 2008; the motion was seconded and carried unanimously.

Mr. Carreiro met with the Board for bond signing for the inflow and infiltration project. Mr. Henry, as Clerk, read the following into the minutes:

"I, the Clerk of the Board of Selectmen of the Town of Marion, Massachusetts, certify that, at a meeting of the Board held March 18, 2008, at which meeting all members of the Board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the Board in my custody:

- "Voted:
1. That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$381,571 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed April 22, 2002 (Article 10) to replace the prepaid portion of the Town's \$8,614,087 Water Pollution Abatement Bond dated November 16, 2005 and issued to the Massachusetts Water Pollution Abatement Trust (the "Trust") for the construction of sewers and other water pollution control facilities project identified in such vote (the "Project");
 2. that each Bond shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price determined pursuant to the Bond Purchase Agreement;
 3. that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond, and to execute a Bond Purchase Agreement with the Trust with respect to the sale of the Bonds, such date, form and maturities and the specific interest rate or rates of the Bonds to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds;

4. that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and
5. that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Bond Purchase Agreement and of the Project Regulatory Agreement relating to the Project.

"I further certify that the vote was adopted at meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date and time of the meeting was filed with the Town Clerk and a copy thereof posted in the office of the Town Clerk or on the principal official bulletin board of the Town at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G. L., c. 39, s. 23B, as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date."

Dated: March 18, 2008

/s/ Jonathan F. Henry
Clerk of the Board of Selectmen

The Board then met with Mr. Letsky, who said that the new web site would be live in the next week or two, and the goal is to make it welcoming and easy to navigate and get information.

The web site was demonstrated by Mr. Letsky.

The Board then met with Dr. Kemp, who reminded the Board that the Town had held an "economic summit", because the Finance Committee is very concerned about the budget for this and ensuing years. Dr. Kemp said that he was happy to report that they didn't anticipate any lay offs in the coming fiscal year. Dr. Kemp reported that the Finance Committee had met with most of the department heads; they started with level funding.

Dr. Kemp reported that the Department of Education has made some changes to lessen the impact of the assessed value and taken into account per-capita income, which assists the Town with the school assessments.

Dr. Kemp said that new growth has been limited to \$75,000 and that excise taxes are down, as people are not buying new vehicles.

Dr. Kemp reported that the Department of Public Works has requested a replacement rubbish truck at a cost of \$185,000, which was unanticipated, so the Finance Committee is looking into alternative plans, possibly having rubbish picked up by an outside contractor. Dr. Kemp explained that the rubbish collection will be an area that will be studied over the next several months.

Dr. Kemp briefly discussed the need to have approximately \$1 million in the stabilization fund and the transferring of various other sources of income into the operating budget.

Dr. Kemp said that they were exploring the possibility of charging \$25.00 for resident stickers and \$50.00 for guest passes.

Dr. Kemp noted that Rochester will be signing a contract with an outside contractor for recycling, rather than sharing this project with Marion, which necessitates Marion's looking at alternatives. Dr. Kemp explained that the whole rubbish collection/recycling area would be researched for financial implications.

It was agreed that several of the Finance Committee recommendations would be researched with discussion and possible action for the next meeting.

Mrs. Sanz asked if the voters will have the opportunity to vote on the rubbish truck at the Annual Town Meeting. Dr. Kemp said that it would be included in the operational budget, but a decision as to whether or not to contract for rubbish removal would be made at a later date and the budget amended.

Mr. Jeffrey moved a one-day, all-alcohol license for the Marion Social Club for April 13, 2008; the motion was seconded and carried unanimously.

Mr. Henry recused himself from the following discussion. Mr. Dawson explained that the Marion Affordable Housing Trust had recently sought bids for repairs to the caretaker's cottage at Littleneck Village and the low bidder was Jonathan F. Henry. Mr. Dawson explained that the law requires the Board, as appointing authority, to grant an exemption from MGL, ch. 268A, section 20D to allow Mr. Henry to do the work.

Mr. Jeffrey moved to grant the exemption; the motion was seconded and carried, Mr. Henry not voting.

Mr. Dawson reported on the Village Loop repiping project and a proposed change in the State's offering Keno to all existing lottery ticket agents.

Mr. Henry moved that the Board has no objection to Keno; the motion was seconded and carried unanimously.

Mr. Jeffrey moved to go into executive session at 8:35 p.m. to discuss litigation and union negotiations and not to return to open session following the executive session; the motion was seconded and carried unanimously, Messrs. Blanchette, Jeffrey and Henry voting aye.

Respectfully submitted,



Jonathan F. Henry, Clerk

Date approved: