

**MARION BOARD OF SELECTMEN  
WATER/SEWER COMMISSIONERS  
September 16, 2008  
Minutes**

The meeting was called to order at 7:00 p.m. Present were Chairman Jonathan F. Henry, Board members Roger F. Blanchette and Stephen M. Cushing and Town Administrator Paul F. Dawson. Also present were Lee Craver, Board of Health members Albin R. Johnson, III and Jason Reynolds, Regional Sanitarian Karen Walega, Board of Health candidates Elizabeth Dunn and John B. Howard, Helen G. Westergard, Carol Sanz, Julia Deane Crowley, Eunice Manduca, Kenneth J. Souza of *The Wanderer*, Andrea Smith of the *Tri-Town Observer*, Ruth Thompson of *The Sentinel* and Helene Craver, secretary.

**Mr. Cushing moved** the minutes of September 2, 2008; the motion was seconded and carried unanimously.

The Board discussed a request from Kenneth Souza, News Editor of *The Wanderer*, to appoint a representative from the Board for the first of a new series of programs on ORCTV called "Tri-Town Topics". It was agreed that Mr. Henry would represent the Board.

Mr. Dawson explained that one of the many requirements for securing approval for the extension of Littleneck Village was from the Natural Heritage and Endangered Species Program for a conservation restriction on a portion of the property to protect several endangered species, including box turtles. Mr. Dawson explained that the Natural Heritage and Endangered Species Program is prepared to give approval if the Town agrees to place an Article on the Annual Town Meeting Warrant to place a conservation restriction on a portion of the property outside the buildable area. Mr. Dawson explained that the Marion Conservation Commission cannot grant approval without approval from the Natural Heritage and Endangered Species Program. Mr. Cushing asked if they had an idea of the final language of the conservation restriction. Mr. Dawson said it would involve the wooded area and that portion in the velocity zone—not likely in any of the upland area. Mr. Henry said that this was not inconsistent with the plans they have to lease the land for a very long time as affordable housing and he didn't see how this would interfere with their intentions.

**Mr. Blanchette moved** that the Board of Selectmen approve the imposition of a conservation restriction on a parcel of land at 330 Wareham Street (Littleneck Village), pursuant to G. L., c. 186, ss 31-33, subject to the terms, conditions and precise location as required by the Commonwealth's Natural Heritage and Endangered Species Program and subject to approval of the Annual Town Meeting in May, 2009; the motion was seconded and carried unanimously.

The Board then met with Board of Health members Johnson and Reynolds and candidate Dunn. Mr. Henry briefly explained that Mrs. Dunn had to resign as a Board of Health member because the retirement board required this of her, as the Board

of Health receives a stipend; Mrs. Dunn will again run for the position in the May, 2009 elections. Mr. Johnson was concerned that the Board of Health's terms remain staggered, even though Mrs. Dunn's term will be interrupted. Mr. Dawson explained that Mrs. Dunn's unexpired term would be for two years and the other term would be for three, which would retain the staggered terms.

As both Boards had no further questions and Dr. Howard had not as yet arrived, the Selectmen continued their meeting.

Mr. Dawson reminded the Board that, on an annual basis, the Town is required to certify the sewer debt with the State as part of the Revolving Fund program. Mr. Henry listed that projects dating back to 2001, for a total of \$312,851.

Dr. Howard then met with Dr. Reynolds and Mr. Johnson and members of the Board for an interview for the Board of Health opening. Mr. Henry welcomed Dr. Howard and said that he was happy he was interested in applying for the position. Mr. Cushing asked why Dr. Howard was interested in applying. Dr. Howard said that he has cut back on his working hours to just his office practice, having given up his hospice work, so he now has time to volunteer and be more involved in the community. Mr. Cushing asked what Dr. Howard could bring to the Board of Health that is currently not available. Dr. Howard said that he came to this area in 1968 and knows the Town, the people and the culture. Dr. Howard said that he has dealt in primary care since 1972 and has been the Medical Examiner since 1976, affiliated with Tabor Academy and the county jails.

Mr. Johnson said that the Board of Health was surprised when a vacancy had been announced, as the Board of Health expected that Mrs. Dunn would simply be appointed following her resignation.

Dr. Reynolds asked Dr. Howard if he had any experience in public health. Dr. Howard listed his experience with E. coli issues with Tabor Academy's water supply, salmonella, hepatitis A, meningitis and health issues at the Old Rochester Regional School District. Dr. Howard also summarized his experiences with basic sanitation in Viet Nam. Dr. Reynolds asked Dr. Howard on which Town committees he had served. Dr. Howard explained that he had been the medical consultant to grades K-12 and on the ambulance study committee in the past. Dr. Reynolds asked if Dr. Howard understood why there was a vacancy. Dr. Howard said that he is one of those people who doesn't like to be in the newspaper for any reason; then he read that there was a controversy over the Board of Health vacancy and found this ironic; he knows and likes Mrs. Dunn and will not be offended in the least if she is reappointed.

**Mr. Johnson moved** the appointment of Mrs. Dunn for the remainder of her elected term.

Mr. Dawson reminded the Boards that the vacant term expires at the May, 2009 elections.

The motion was amended, seconded and carried unanimously.

Mr. Henry thanked Dr. Howard for stepping forward; and stated that it is nice to know that he is willing to give back to the community. Mr. Henry said that there are associate members to the Finance Committee and Zoning Board of Appeals; perhaps this position could be created for the Board of Health.

Mr. Dawson reported that Wayne Cunningham submitted the high bid of \$3,100 for the Harbormaster's surplus motor.

Mr. Dawson reminded the Board that the Tri-Town Selectmen's meeting is scheduled for September 24 at 6:30 at Old Rochester Regional.

It was agreed that Mr. Blanchette would move Article S1 at the Special Town Meeting, Mr. Henry Article S2, Mr. Cushing Article S3 and Mr. Blanchette Article S4.

Mr. Dawson recalled that, some time ago, there were discussions regarding property that was given to the Town through the will of Chester Vose, which consisted of a 20% interest in several parcels in Wareham. Mr. Dawson reported that he had discussed this with Town Counsel, who advised that, before the Town began the procurement process, they would require an offer from the person who holds the other 80% interest. Mr. Henry asked how the Town would finance the appraisals of the property. Mr. Dawson said that they would request a transfer from the reserve fund, as the Town expects to recoup more than it spends. Mr. Blanchette said that it was his concern that this offer is low (\$50,000). Mr. Dawson reminded the Board that the offer from the seller was \$12,000 last year. Mr. Dawson noted that this process is required by law—they must proceed with an appraisal. Mr. Cushing agreed that this would protect the interests of the Town.

**Mr. Blanchette moved** to proceed with the recommendations of the Town Administrator; the motion was seconded and carried unanimously.

Mrs. Dunn asked if the money could be set aside to the Chester Vose Fund if the land were to be sold. Mr. Dawson explained that the Vose Fund is a trust and, by law, money cannot be added to it.

Mr. Dawson reported that the Council on Aging would like permission to place advertising on the van to help fund the replacement of the handicapped van; Mr. Dawson suggested the Board consider this as an action item at the next meeting. Mr. Henry remarked that, if the Council on Aging raises money through advertising, it cannot be earmarked for the van. Mr. Dawson said that the money could be collected through the Council on Aging revolving fund. Mr. Blanchette asked if the Council on Aging receives donations. Mr. Dawson said that they very routinely receive donations and that it was hoped this plea would spur further donations to prevent the replacement van becoming a burden on the taxpayers. Mr. Blanchette expressed the hope that someone would step forward to support the van in the same way the VFW Post #2425 supports the Town ambulance. Mr. Henry summarized the sense of the Board to be supportive to the campaign to replace the Council on Aging van. Mr. Dawson explained that the Council on Aging hoped not to have to request an appropriation for the full amount of the replacement van, but to attempt to raise as much as they could by donation. Mr. Henry requested the Council stay in touch with the Board before any final

the Board before any final decisions are made, but to continue with an attempt to locate a sponsor for the advertising.

**Mr. Blanchette moved** to close portions of Front, Main, Spring and Cottage Streets to vehicular traffic for the Hallowe'en Parade on Friday, October 31; the motion was seconded and carried unanimously.

**Mr. Cushing moved** a water commitment dated September 15, 2008 for \$8,000; the motion was seconded and carried unanimously.

**Mr. Blanchette moved** a water commitment dated September 12, 2008 for \$3,515.49; the motion was seconded and carried unanimously.

Mr. Blanchette said that it was nearly a year since they had had a discussion on the water and sewer rates; at that time, they had agreed to hold an annual discussion on the rates. Mr. Dawson reported that he and the Town Accountant had begun the process of determining the status of the water and sewer accounts. Mr. Blanchette said that this should be made public, especially in light of the upcoming phase 2 of the water and sewer extensions two years from now. Mr. Blanchette said that the Town might have enough money to continue the program without raising the water and sewer rates. It was agreed to invite the Water/Sewer Rate Review Team to an upcoming meeting for a status report.

**Mr. Cushing moved** to adjourn at 8:02 p.m.; the motion was seconded and carried unanimously.

Respectfully submitted,



Stephen M. Cushing, Clerk

Date approved: