

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

December 21, 2010

Meeting Minutes

MEMBERS PRESENT: Roger Blanchette, Chairman
Stephen Cushing
Jonathan Henry, Clerk

ALSO PRESENT: Paul Dawson, Town Administrator
Jerry Garcia
Carol Sanz
Robert Zora
Chris Reagle (Sentinel)
Anne Kakley (Wanderer)
Debra Paiva, secretary

The meeting was called to order at 7:00 p.m.

NOTE: A list of the materials reviewed at the meeting shall be attached to these minutes.

Approval of Meeting Minutes

Moved by Mr. Cushing and seconded by Mr. Henry to approve the minutes of the December 7, 2010 meeting. VOTE: 3-0-0

APPOINTMENTS

Change of Manager – Kittansett Club, Jerry Garcia

Mr. Garcia said he's been manager of the Kittansett Club for nine years; this year it was discovered that the process required for change of manager was never completed. Mr. Dawson said the licensing paperwork never reflected the correct name and the first step is for Mr. Garcia to appear before the local licensing authority prior to final approval at the State level.

Moved by Mr. Cushing and seconded by Mr. Henry to approve the change of manager of the Kittansett Club to Jerry Garcia as manager. VOTE: 3-0-0

NOTE: Prior to the following discussion Mr. Blanchette explained that CDM representatives were invited to the meeting to discuss the large volume of non-sewer water that enters the sewage treatment system. Over the past several years the town has spent \$25,400,000 on upgrading the sewer system and it has been discovered that excessive rains result in the amount of water entering the treatment plant tripling. On a typical day 500,000 gallons enter the plant; last spring over ten days 1.5 million gallons per day entered the plant. Some of the water was from I&I but some was also from water in basements entering the system as opposed to the storm drain system.

The town is mandated to maintain a certain number of gallons pumped into Aucoot Cove and the ocean post-treatment. Over the past few years that number has been exceeded dramatically. If that water had not been pumped in the plant would be in compliance

with the State regulation. CDM was invited to discuss how to reduce the amount of water pumped into the system and how to go about it.

Discussion – Private I&I Removal Program – Robert Otoski, CDM, Shawn Syde, CDM, Rob Zora, DPW

CDM representatives Robert Otoski and Shawn Syde were present to discuss the scope of services relative to the private I&I removal program. During the presentation the following issues were addressed:

Flow entering the system – Volume should be limited to sanitary flow (from toilets, showers, dishwashers, washing machines.) Extra water has been entering the system through either broken pipes, sump pumps, or other means, placing a strain on the system and treatment plant and also adding costs. Heavy rainfall causes a significant strain on the system.

Identifying sources of flow - Inspections of plumbing will be conducted at approximately 250 locations in the Village area. The inspections will be in conjunction with the water and sewer improvements in the area.

Results of inspections – Disconnection of sump pumps or roof leaders to the system will be required. CDM has been working with DPW, Mr. Dawson, and the Board to develop a plan to assist residents in the removal of connections from the system. Some residents will be advised to disconnect their non-allowed sources of flow from the sewer system and then connect them to the Town drainage system.

Impact on the drainage system – CDM will be examining the drainage system to ensure that water is clean prior to discharge from the system.

Locations of proposed inspections – A map indicating the locations of the proposed inspections was submitted and described. The inspections will be done in two phases.

Inspection procedure – Approximately one month prior to the inspections a public meeting will be held to explain the program. Notification of the inspections will be done by newspaper advertisement, Town website, and door to door notification. The inspections will take approximately ten minutes and will be done by two individuals who will ask permission to enter the properties. Information regarding the progress of the program will be made available to the public by meetings, the Town website, and newspaper notices.

Carol Sanz asked if this plan has been approved; she was told it was informational at this point.

Mrs. Sanz asked if the locations proposed for inspection could be listed by street; Mr. Syde said the primary streets of focus will be Front Street from Route 6 to South Street, Hiller Street, Cottage Street from Spring Street to Front Street, Main Street from Route 6 to Water Street, South Street from Pleasant Street to Water Street, Converse Road from slightly north of Clark Street to Cove Street, Spring Street from Route 6 to Main Street, and Ryder Lane from Route 6 to Front Street.

Jerry Garcia asked if the inspections will be done at Tabor Academy and was told yes. He asked if the same two people will be inspecting Tabor Academy and was told yes.

Mr. Garcia asked if the inspections will move to different parts of Marion or be limited to the Village area; he was told the inspections will be limited to sewer areas.

Mr. Garcia noted that rainfall usually resulted in flooding conditions on Delano Road and was told one component of this program would be examining the storm drain system to ensure that it is able to accommodate new connections.

Mr. Dawson noted that a program for the reduction of I&I is a requirement of the Town's sewer discharge permit; this program is proactive and provides an option to residents.

Mr. Dawson said funds are available to handle some but not all tasks proposed by CDM. The funds are contained in the Sewer Department budget, along with some articles for I&I programs previously approved at Town Meeting.

Moved by Mr. Henry and seconded by Mr. Cushing to approve the implementation of Tasks 1 through 7A and then Task 8B in amounts not to exceed the amounts shown for each task. VOTE: 3-0-0

ACTION ITEMS

1. 2015 Oversight Committee – Appoint New Member

An email was received from Robert Wilson regarding appointment to the 2015 Oversight Committee. After discussion it was agreed to invite Mr. Wilson to meet with the Board at the January 4 meeting.

2. Water Abatement Requests Tremont Advent Christian Campground

A request dated December 13, 2010 from campground president David Robinson was reviewed. A memo from DPW Superintendent Robert Zora, dated December 17, 2010 contained the following information:

1. The request is for an abatement of the metered sewer charge due to a massive leak in the water pit.
2. The meter reading taken October 8, 2010 by Water Division staff was 0458580.
3. On October 19, 2010 Water Division were called to the property by the Police Department and the water was shut off due to the leak in the pit. The meter reading at that time was 0464980, resulting in a usage of 6400 cubic feet in 11 days.
4. The loss of 6400 cubic feet of water was most likely the result of the leak in the water pit; an abatement of the sewer charge would result in a credit of \$1031.68.
5. The leak does not account for the increase in consumption over the last three billings and Mr. Robinson was advised to check each dwelling for dripping faucets and leaking toilets.

Moved by Mr. Henry and seconded by Mr. Cushing to abate \$1031.68 in sewer charges. VOTE: 3-0-0

5 Olde Logging Road

A request dated December 9, 2010 from property owner Anne Burnett was reviewed. A memo from Mr. Zora dated December 20, 2010 contained the following information:

1. The meter reading taken by Water Division staff on November 3, 2010 was 118500.
2. The meter reading taken by Ms. Burnett on November 22, 2010 was 123075, resulting in a usage of 4,575 cubic feet in 19 days.

3. DPW staff advised Ms. Burnett that she should contact a plumber immediately. She indicated that a plumber had repaired a toilet one month prior. DPW staff informed her that fixtures must still be leaking and she should have them repaired as soon as possible. Moved by Mr. Henry and seconded by Mr. Cushing to not approve the request. VOTE: 3-0-0

39 Bullivant Farm Road

A request dated December 16, 2010 from property owner David Kelley was reviewed. Mr. Kelley does not agree with the policy that sewer is charged on 100% of water use and is requesting an adjustment of the sewer charges for the irrigation use. Mr. Kelley also indicated in his letter that he has questioned this policy in the past and was told by DPW staff that nothing could be done about the situation. A memo from Mr. Zora, dated December 20, 2010, contained the following information:

1. Mr. Kelley has been informed of the Town's policy that sewer use is based on 100% of water use.
2. The two options available for residents using large amounts of water for irrigation purposes are the installation of a separate water service with no indoor plumbing or the installation of an irrigation well.

Moved by Mr. Henry and seconded by Mr. Cushing to deny the water abatement request. VOTE: 3-0-0

0 Main Street

A request dated December 16, 2010 from property owner Robert Hanafee was reviewed. A memo from Mr. Zora dated December 20, 2010 contained the following information:

1. The Water Division realized there was an increase in consumption and verified the reading submitted.
2. In December the owner's daughter contacted DPW, questioning the high consumption. She stated that the house had been vacant and also that there were some irrigation leaks repaired over the summer. DPW staff asked that all fixtures in the house be checked for leaks as well.
3. An overnight check of the meter confirmed that the increase in use was due to an irrigation leak.
4. An adjustment of the sewer charge based on the average consumption for the account would result in a credit of \$3430.82.

Moved by Mr. Henry and seconded by Mr. Cushing to approve a credit of \$3430.82. VOTE: 3-0-0

NOTE: Mr. Henry recommended that future communications from DPW contain the name of the staff member performing the meter readings.

3. One-day, all alcohol license – Marion Social Club, clam boil (1/16/11)

This item will be placed on the January 4, 2011 meeting agenda.

4. Approve various CDM proposals

This was done earlier in the meeting.

5. Water Commitment - \$3850.17, dated 12/17/10

Moved by Mr. Henry and seconded by Mr. Cushing to approve the water commitment for \$3850.17, dated December 17, 2010. VOTE: 3-0-0

6. Credit Memorandum - \$274.65, dated 12/20/10

Moved by Mr. Henry and seconded by Mr. Cushing to approve the credit memorandum for \$274.65, dated December 20, 2010. VOTE: 3-0-0

7. Credit Memorandum - \$8323.98, dated 12/17/10

No vote was required as the request was approved at the December 7 meeting.

TOWN ADMINISTRATOR

1. Audit Proposals

A recent Request for Proposals for independent auditing services resulted in the receipt of three proposals. Mr. Dawson recommended that the contract be awarded to the lowest bidder, Malloy, Lynch, Bienvenue, LLP, of Norwell, in an amount not to exceed \$78,000, over three years (FY10 - \$25,000, FY11 - \$26,000, FY12 - \$27,000).

The proposal for FY10 is \$25,000, FY11 could be as high as \$26,000 and as low as \$23,000, and FY12 could be as high as \$27,000 and as low as \$24,000. The exact amounts for FY11 and FY12 will not be known until it's determined whether the Town will be awarded Federal stimulus funds, requiring a single audit. The other two proposals (\$80,900 and \$88,500) were firm and did not provide the price ranges included in the lowest bid.

Mr. Henry voiced concern that the Town has had a local firm providing this service satisfactorily for a number of years and that the firm could lose the contract over an amount that could be as low as \$2900. Mr. Blanchette said four years ago he brought up the fact that the town has had the same auditing firm for years and he believes that this should go out to bid every three years. He noted that the other two firms have more municipal experience than the one currently used by the town.

Mr. Blanchette suggested awarding the contract amount in the lower range (\$72,000) and in the event that Federal funding is awarded the outstanding funds would need to be added to the contract.

Moved by Mr. Cushing and seconded by Mr. Henry to enter into a contract with Malloy, Lynch, Bienvenue for the purpose of independent auditing, in a figure not to exceed \$72,000. VOTE: 3-0-0

2. Tri-Town Selectmen Meeting – January 12, 2011

Mr. Dawson announced that the rescheduled meeting of the Tri-Town Selectmen will be Wednesday, January 12, 2011, 7:00 p.m. at the Old Rochester Regional media room. Mr. Blanchette asked if Marion is the host and was told yes.

3. Discussion – Recreation Director Vacancy

Mr. Dawson said seven responses have been received for the position of Recreation Director; Board members will be provided copies prior to the January 4 meeting.

Jerry Garcia said he did not see any information regarding the vacancy and asked when the ad for the vacancy was published; he was told December 10.

4. Motor vehicle accident

A motor vehicle accident involving a Marion police cruiser occurred on County Road during yesterday's snowstorm. The police officer and operator of the other vehicle received very minor injuries.

CORRESPONDENCE

a. Letter from Division of Marine Fisheries (12/2/10)

The letter indicated that Middle River is open to shellfishing from December 1 to March 31.

b. Letter from CMW Regional Refuse Disposal (12/6/10)

The letter indicated that as a result of the District's work with Covanta Energy of SEMASS, Marion's budget assessment this year will be \$0.

c. Letter from Joseph F. Napoli (12/21/10)

In his letter, Mr. Napoli expressed gratitude and praise for Emergency Medical Services and the personnel who responded to a recent incident at his home.

Moved by Mr. Cushing and seconded by Mr. Henry at 8:35 p.m. to adjourn. VOTE: 3-0-0

Respectfully submitted,


Jonathan F. Henry, Clerk

Date approved: 1/18/11

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TOWN CLERK OF MARION, MA
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December 21, 2010**

DOCUMENTS REVIEWED AT MEETING

Change of Manager Forms – Kittansett Club
Request for appointment to 2015 Oversight Committee – Robert Wilson
Request for water abatement – Tremont Advent Christian Campground
Request for water abatement – 5 Olde Logging Road
Request for water abatement – 39 Bullivant Farm Road
Request for water abatement – 0 Main Street
Water Commitment - \$3850.17, dated December 17, 2010
Credit Memorandum - \$274.65, dated December 20, 2010
Credit Memorandum - \$8323.98, dated December 17, 2010
Memo from Mr. Dawson, dated December 21, 2010, regarding Independent Auditor RFP
Letter from Division of Marine Fisheries, dated December 2, 2010
Letter from CMW Regional Refuse Disposal District, dated December 6, 2010
Letter from Joseph F. Napoli, dated December 21, 2010