

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
February 15, 2011
Meeting Minutes**

MEMBERS PRESENT: Stephen Cushing
Jonathan Henry, Clerk

MEMBERS ABSENT: Roger Blanchette, Chairman

ALSO PRESENT: Paul Dawson, Town Administrator
Eunice Manduca
Laura Pedulli (Wanderer)
Debra Paiva, secretary

The meeting was called to order at 7:00 p.m. Mr. Cushing announced that the meeting would be televised, video recorded by ORCTV, and audio recorded by Town of Marion staff.

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

Approval of Meeting Minutes

Moved by Mr. Henry and seconded by Mr. Cushing to approve the minutes of the February 1, 2011 meeting. VOTE: 2-0-0

ACTION ITEMS

1. One day, all alcohol license – Marion Social Club, steak dinner (3/6/11)

Moved by Mr. Henry and seconded by Mr. Cushing to approve the one day all alcohol license for a steak dinner at the Marion Social Club on March 6, 2011. VOTE: 2-0-0

2. Discussion – Alternate Building Inspector

The recent appointment of Mr. Shippey as Building Commissioner made available the position of Alternate Building Inspector. Mr. Shippey is recommending that Andrew Bobola be appointed alternate building inspector to cover inspections when Mr. Shippey is absent due to vacation or illness. Mr. Bobola is the Building Commissioner for the Town of Mattapoisett. It was agreed to take this under advisement and place it on the March 1 meeting agenda.

3. Appointment as Assistant Harbormaster – Paul Hyde

Harbormaster Michael Cormier has requested the appointment of Paul Hyde as part-time Assistant Harbormaster. It was agreed to take this under advisement and place it on the March 1 meeting agenda.

4. Approve Tata & Howard engineering contract regarding ongoing perchlorate issue

The Department of Environmental Protection has issued a unilateral administrative order to remedy the perchlorate issue discovered in September. The well has been shut off and not used since September; ongoing testing has indicated significant drops in the perchlorate level. A proposed scope of services has been developed with the Town's water engineers, including determining the source of perchlorate and complying with the

unilateral administrative order. The total amount of the contract is \$57,500; the source of funding would be currently appropriated funds from the Water Reserve built into the Enterprise Fund budget. Mr. Henry voiced concern that abutting private wells in the Town of Rochester might be impacted and was told the Town of Rochester is not a public water supplier, the Town of Marion has no jurisdiction to order the testing of the private wells, and the Town of Rochester has no local bylaw that allows for mandatory testing. The Board will be meeting with the Rochester Board of Selectmen to share the information found.

Moved by Mr. Henry and seconded by Mr. Cushing to accept the contract with Tata & Howard to investigate the ongoing perchlorate issues in the amount of \$57,500. VOTE: 2-0-0

5. Vote – Estimated seasonal population – Alcoholic Beverages Control Commission

This action is required in the event the Board wishes to issue a seasonal alcohol license. The vote is required to be taken prior to March 1 and submitted to ABCC prior to March 31.

Moved by Mr. Henry and seconded by Mr. Cushing to adopt the provisions of MGL Chapter 138, Section 17, to estimate the temporary resident population of the Town of Marion as of July 10, 2011 to be 7500. VOTE: 2-0-0

6. Approve deficit spending – DPW Snow & Ice Budget

The request is to allow deficit spending in the snow and ice budget. This request is due to the unusually snowy conditions this winter. The current deficit is approximately \$34,000 and will probably be closer to \$45,000 once all of the invoices have been received.

Moved by Mr. Henry and seconded by Mr. Cushing to adopt the recommendation of the DPW Superintendant to allow deficit spending in the line item shown. VOTE: 2-0-0

TOWN ADMINISTRATOR REPORT

1. Update – Rentumis property

Mr. Dawson said the purchase of the Rentumis property in Rochester has been completed. The purchase, approved by Town Meeting, was done through the Coalition for Buzzards Bay. All that remains is the issuance of a conservation restriction. The 52 acres will be used for well preservation and potential well development.

2. Discussion – Ambulance billing policy

The Board was provided the proposed ambulance billing policy and rates for 2011. Mr. Dawson explained that the proposed billing rates format is different due to Medicare's recent restructuring of rate bundling. One item on the proposed list (SCT, Specialty Care Transport) will be removed as it would require a change in the services currently provided. Mr. Henry asked if a decision could be delayed until Mr. Blanchette is present and was told yes. Mr. Cushing asked if the rates are increased and was told it was a modest increase. Mr. Dawson reminded the Board that the rates were not increased in 2010. It was agreed that this will be placed on the April 5 meeting agenda.

CORRESPONDENCE

a. Letter from FEMA regarding effective date of Flood Insurance Rate Maps (1/24/11)

The letter announced that the new FEMA maps will be effective June or July of 2012.

b. Email from Julia Olsiewski regarding Great Hill Wind turbine project (1/31/11)

The email stated opposition to the Great Hill wind turbine.

c. Email from Robert Nau regarding Great Hill Wind turbine project (1/31/11)

The email stated opposition to the Great Hill wind turbine.

d. Email from Roger Reiser regarding Great Hill Wind turbine project (2/1/11)

The email stated opposition to the Great Hill wind turbine.

e. Letter from Coalition for Buzzards Bay regarding Bouchard B-120 spill (1/20/11)

The letter was copied to the Board and was regarding the Bouchard oil spill proposed consent decree.

f. DEP notification of waterways application for 17 Moorings Road (1/28/11)

The letter was notification of an application to replace an existing float located at 17 Moorings Road.

g. Verizon Annual complaint filing (1/31/11)

Verizon is required to file with the Department of Telecommunication and Cable and Issuing Authorities an annual report of the complaints regarding FiOS TV service.

h. Memo from Mattapoissett Herring Inspector regarding annual herring meeting (2/1/11)

The letter was notification of the Annual Herring Meeting (February 22, 7:20 p.m., Mattapoissett Town Hall first floor conference room).

i. Notification of service updates – Xfinity (2/1/11)

The letter was notification of service updates.

j. Email notification of upcoming MMA Spring Legislative Breakfast Meetings (2/1/11)

The email announced upcoming meetings.

k. Ruling regarding insubstantial change – Baywatch Realty Trust v. Marion Board of Appeals (1/21/11)

The Housing Appeals Court's recent decision found in favor of Baywatch Realty Trust that the proposed change was insubstantial.

l. Letter from Massachusetts Emergency Management Agency (1/21/11)

The letter described recent changes to Mutual Aid laws.

m. Letter from AFSCME Council 93 regarding collective bargaining (2/3/11)

The letter indicated that the DPW Union is ready to begin negotiations.

n. Letter from Department of Housing & Community Development regarding approval of Housing Production Plan (2/7/11)

The letter was notification that the recent Housing Production Plan submitted by the Town has received DHCD approval.

o. Letter from Director of Recreation regarding Youth Basketball Championship game (2/15/11)

The letter was an invitation for the Board to attend the Marion Recreation Youth Basketball Championship game held Thursday, March 3, at 6:00 p.m. at ORRHS.

p. Copy of letter from Building Commissioner regarding 177 Spring Street (2/15/11)

The letter was sent to the owner of the property in response to a partial roof collapse.

q. Notification from Board of Sheet Metal Examiners regarding 271 CMR (undated)

The letter was notification of a requirement for permits when sheet metal work is done. The regulations go into effect on February 19.

AGENDAS AND MEETING MINUTES RECEIVED FROM BOARDS AND COMMISSIONS

The following meeting agendas and minutes have been received:

Conservation Commission – February 9, 2011 meeting agenda

Conservation Commission – February 23, 2011 meeting agenda

January 13, 2011 Meeting minutes – Upper Cape Cod Regional Technical School District Committee

OTHER BUSINESS

Mr. Henry announced that longtime SRPEDD planner Roland Hebert recently passed away and said Mr. Hebert will be sorely missed.

Moved by Mr. Henry and seconded by Mr. Cushing at 7:45 p.m. to go into Executive Session for the purpose of discussing strategy for upcoming collective bargaining. The Board will not go back into Regular Session after Executive Session. VOTE: 2-0-0
A roll call vote was taken, with Mr. Henry and Mr. Cushing voting yes.

Respectfully submitted,


Jonathan F. Henry, Clerk

Date approved: 2/1/11

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DOCUMENTS REVIEWED AT MEETING

One day all alcohol license – Marion Social Club – steak dinner (3/6/11)
Letter from Building Commissioner regarding alternate Building Inspector (2/1/11)
Letter from Harbormaster regarding part-time Assistant Harbormaster (2/4/11)
Department of Environmental Protection Unilateral Administrative Order (2/4/11)
Proposed Scope of Services and Project Budget, East and West Well Perchlorate Study (2/14/11)
Letter to ABCC regarding seasonal population (2/15/11)
Memo from DPW Superintendant regarding snow and ice removal budget (2/11/11)
Memo from Mr. Dawson regarding 2011 Ambulance Billing Policy (draft policy attached) (2/8/11)
Letter from FEMA regarding effective date of Flood Insurance Rate Maps (1/24/11)
Email from Julia Olsiewski regarding Great Hill Wind turbine project (1/31/11)
Email from Robert Nau regarding Great Hill Wind turbine project (1/31/11)
Email from Roger Reiser regarding Great Hill Wind turbine project (2/1/11)
Letter from Coalition for Buzzards Bay regarding Bouchard B-120 spill (1/20/11)
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