

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
August 21, 2012**

MEMBERS PRESENT: Stephen Cushing, Chairman
Jonathan Henry
Jonathan Dickerson, Clerk

ALSO PRESENT: Paul Dawson, Town Administrator
Mike Cormier
William Alphonse
John Ludes
George McTurk
Sherman Briggs
Norman Hills
Mike DeCicco (Standard Times)
Jennifer Heshion (Sippican Week)
Katy Fitzpatrick (The Wanderer)
Debra Paiva, secretary

The meeting was held at the Police Station and called to order at 7:00 p.m. Mr. Cushing announced that the meeting would be video recorded by ORCTV and audio recorded by Town of Marion staff. A list of the materials reviewed at the meeting shall be attached to these minutes.

Approval of Meeting Minutes

Moved by Mr. Dickerson and seconded by Mr. Henry to approve the minutes of the August 7, 2012 meeting. VOTE: 3-0-0

APPOINTMENTS

John Ludes – Discussion regarding Marion General Store parking lot

Mr. Ludes was present for this discussion. He has asked the Board of Assessors to take into consideration the amount of public parking used in the parking area and received a substantial discount. The parking lines need to be repainted and Mr. Ludes is requesting assistance with that from the Town. Mr. Henry asked Mr. Ludes if he wanted to sell the parking lot and was told that would require discussion with Mr. Cheney and a leaseback agreement. After discussion it was agreed that Mr. Dawson will ask Mr. Zora to provide an estimate of the cost to paint the parking lines and then he will provide that information to the Board.

ACTION ITEMS

185 Wareham Street – Conveyance to Habitat for Humanity

Mr. Dawson and Mr. McTurk described what has been done and what still remains to be done prior to start of construction. Mr. Cushing said the Selectmen will do what they can to keep the process moving forward as quickly as possible.

Moved by Mr. Henry and seconded by Mr. Dickerson that the Board of Selectmen, as authorized by Article 30 of the 2012 Annual Town Meeting, enter into an agreement with the Buzzards Bay Area Habitat for Humanity, Inc. for the purposes of conveying to the Buzzards Bay Area Habitat for Humanity, Inc., the land identified as "Parcel B" and containing 19,509 +/- square feet as shown on the plan prepared by Thomson Farland, scale 1"= 40', dated June 14, 2012 for the purpose of constructing one (1) single family, for sale dwelling unit, at a price affordable to a low or moderate income family as that term is defined by the Department of Housing and Community Development and, to provide access to said "Parcel B" and as further authorized by Article 30 of the 2012 Annual Town Meeting, convey an easement across, within or through the above noted land and any portion of the Town owned land located at 185 Wareham Street, Marion, Massachusetts, said easement to be shown on a plan for recording at the Plymouth County Registry of Deeds.

I further move that the Board of Selectmen: (1) require as a condition of the conveyances as described above, that the Buzzards Bay Area Habitat for Humanity, Inc. impose an affordable housing restriction pursuant to G.L. c. 184, s.31 on the dwelling to be constructed and that (2) the Buzzards Bay Area Habitat for Humanity, Inc. be responsible for the proper and lawful removal of the existing dwelling unit located on Parcel A on the above noted plan.

I further move that the Board of Selectmen delegate to the Town Administrator the authority to prepare plans and instruments necessary to accomplish the above noted items and cause to be recorded plans and instruments to complete the same. VOTE: 3-0-0

Discussion – Fireworks

Mr. Cushing said the responsibility of the fireworks had been placed under the umbrella of the Recreation Department and it's a job that can be overseen by one person but some type of committee should be formed to work under the Recreation Director. Mr. Henry said Mr. Dickerson should make a plan and let the Selectmen know what is required for the plan to work.

Water commitment - \$600, New Service (8/7/12)

Moved by Mr. Henry and seconded by Mr. Dickerson to approve. VOTE: 3-0-0

Water commitment - \$3750, Final Readings (8/7/12)

Moved by Mr. Henry and seconded by Mr. Dickerson to approve. VOTE: 3-0-0

Water commitment - \$450, Misc. Bills (7/19/12)

Moved by Mr. Henry and seconded by Mr. Dickerson to approve. VOTE: 3-0-0

Common victualler application – Hangman Coffee Hut

Moved by Mr. Henry and seconded by Mr. Dickerson to approve. VOTE: 3-0-0

Constable application – William Alphonse

Mr. Alphonse was present for this discussion. He told the Board that he has been a constable in New Bedford for six years, his appointment expires September 27, and to continue working for the Department of Revenue he is required to be appointed constable in his town of residence. Mr. Dawson explained that the Town of Marion has two constables and there are no vacancies. Mr. Dickerson asked Mr. Alphonse if he had discussed this with Chief Miller and was told no. It was agreed that Mr. Dawson will research the issue further prior to the Board making a decision.

One day wine & malt license, VFW – Town Party, 3:00 p.m. – 10:00 p.m. (8/25/12)
Moved by Mr. Henry and seconded by Mr. Dickerson to approve. VOTE: 3-0-0

One day all alcohol license, VFW – Baby Shower, 1:00 p.m. – 6:00 p.m. (8/26/12)
Moved by Mr. Dickerson and seconded by Mr. Henry to approve. VOTE: 3-0-0

One day all alcohol license, VFW – Scholarship Fundraiser, 1:00 p.m. – 8:00 p.m. (9/8/12)
Moved by Mr. Dickerson and seconded by Mr. Henry to approve. VOTE: 3-0-0

One day wine & malt license, Habitat for Humanity – Fundraiser at Sippican Tennis Club, 6:00 p.m. – 9:00 p.m. (9/28/12)
Moved by Mr. Dickerson and seconded by Mr. Henry to approve. VOTE: 3-0-0

TOWN ADMINISTRATOR REPORT

Update – Sprague’s Cove

Mr. Dawson told the Board that since the August 7 meeting the following has occurred:

He and Mr. Hills met on August 14 and discussed the process to correct what went wrong.

Mr. Hills has written a response to the emails from John Rockwell that were discussed at the August 7 meeting. Mr. Hills’ response has been forwarded to Town Counsel for review.

A scope of work has been developed and is in the process of getting done.

He has had a discussion with representatives of the Friends of Silvershell Beach and is scheduling a meeting of the interested parties.

At the next meeting the Board will probably be asked to accept a gift that will be put into the donation account to pay for the work.

Mr. Dawson said he is satisfied with the progress that has been made up to this date.

Mr. Cushing asked Mr. Briggs who will develop an ongoing maintenance plan; Mr. Briggs said the Conservation Commission would be glad to do it.

Mr. Dickerson asked the status of the fence that had been taken down. Mr. Briggs said it was being repaired at Marion Fence and he was hoping another step in the cleanup could be done before putting the fence back up. Mr. Dawson said that will be discussed at the upcoming meeting of the interested parties.

Update – Natural History Museum

Architect Charles Van Voorhis has submitted a proposal to prepare drawings and specifications for the ceiling repair and also to administer the construction contract for a lump sum of \$1500. He does not believe that the cost of the repair work will exceed \$25,000. Mr. Dawson said the insurance company is researching whether the cost of the drawings will be covered but he recommended, and the Board agreed, to move forward with Mr. Van Voorhis' proposal.

Discussion and vote – Energy Management Services

The Board discussed a proposal submitted by a company named Source One to manage the Town's energy services. Mr. Dawson recommended that the services agreed to at this point in time be limited to the procurement of electricity as outlined in Task 1 of the proposal. The annual cost of the three year contract is \$3500 and is not paid directly but added to the rate paid in the electric bill; an immediate savings of 25%-30% is expected. Mr. Dawson is seeking the Board's approval to move forward with the contract.

Moved by Mr. Henry and seconded by Mr. Dickerson to accept the recommendation of the Town Administrator on utilizing the services of Source One for electrical account management and further to delegate authority to the Town Administrator. VOTE: 3-0-0

Discussion regarding rental of Atlantis Drive facility

Mr. Dawson explained that this rental agreement will be exempt from procurement laws. Mr. Cormier said he has been approached with a request to use a small section (500 square feet) of the building for boat repairs and also an area outside for the storage of boats. Mr. Dawson said the goal of the rentals is to mitigate the loss of tax revenue that occurred when the building was accepted as a gift. An annual lease would include provisions for revocation in the event the building is needed to be used as a temporary Town Hall. If the Board approves of the rental Mr. Dawson will bring back a lease for them to sign at the next meeting; Mr. Henry requested the addition of language explaining that the lease will run for one year at a time and the tenant might be required to leave.

Moved by Mr. Henry and seconded by Mr. Dickerson to approve. VOTE: 3-0-0

Discussion regarding date for Special Town Meeting

Mr. Dawson and the Selectmen discussed the date of the Special Town Meeting.

Moved by Mr. Dickerson and seconded by Mr. Henry to accept November 26, 2012 as the date for Special Town Meeting. VOTE: 3-0-0

CORRESPONDENCE

Reading of the correspondence into the record was waived with the following exceptions:

#1 – Memo from Marion energy Management Committee regarding Energy Audit of Town Facilities

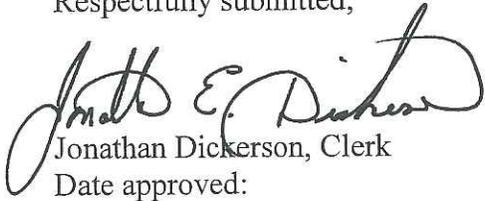
The Energy Management Committee will be meeting with the Board on September 4 to discuss the energy audit.

#3 – Notice of Intent to Sell Chapter 61B land – Map 21, Lots 1A & 7 (8/14/12)

Mr. Dawson explained that he does not expect the Board will be seeing this as an action item.

Moved by Mr. Henry and seconded by Mr. Dickerson at 8:27 p.m. to adjourn and enter into Executive Session for discussion of litigation and contract negotiations with non-Union personnel. The Board will not be returning to regular session. A roll call vote was taken with all members voting aye.

Respectfully submitted,



Jonathan Dickerson, Clerk
Date approved:

09-05-12 08:32 RC

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WATER/SEWER COMMISSIONERS**

DOCUMENTS REVIEWED AT MEETING – August 21, 2012

Meeting minutes – August 7, 2012

Letter from John Ludes and tax information related to the General Store parking lot

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Constable application – William Alphonse

One day wine & malt license, VFW - Town Party, 3:00 p.m. – 10:00 p.m. (8/25/12)

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(9/8/12)

One day wine & malt license, Habitat for Humanity - Fundraiser at Sippican Tennis Club,
6:00 p.m. – 9:00 p.m. (9/28/12)

Memo from Norman Hills regarding Sprague's Cove (8/10/12)

Letter from Durland/Van Voorhis regarding repair of Natural History Museum ceiling (8/21/12)

Proposal for energy management services submitted by SourceOne

Memo from Mr. Dawson regarding date for Special Town Meeting

Memo from Marion Energy Management Committee regarding Energy Audit of Town
Facilities

Notice from Department of Telecommunications and Cable of 9/12/12 hearing

Notice of Intent to Sell Chapter 61B land – Map 21, Lots 1A & 7 (8/14/12)

Email from MMA announcing upcoming Legislative Breakfast meetings

Email from MMA announcing upcoming Selectmen's Association Regional meeting

AGENDAS & MEETING MINUTES - OTHER BOARDS & COMMISSIONS

August 22, 2012 meeting agenda – Conservation Commission

ZBA meeting minutes – 5/17/12, 5/10/12, 12/15/11, 9/15/11, 8/25/11, 7/28/11