

**MARION BOARD OF SELECTMEN  
WATER/SEWER COMMISSIONERS  
September 18, 2012**

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

**ALSO PRESENT:** Paul Dawson, Town Administrator  
David Pierce  
Robert Zora  
Carol Sanz  
Attorney Joseph Perry  
Chris Reagle (Sentinel)  
Mike DeCicco (Standard Times)  
Jennifer Heshion (Sippican Week)  
Katy Fitzpatrick (The Wanderer)  
Debra Paiva, secretary

The meeting was called to order at 7:01 p.m. Mr. Cushing announced that the meeting would be televised, 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 September 4, 2012 and September 12, 2012 meetings. VOTE: 3-0-0

**APPOINTMENTS**

**Rob Zora – DPW update**

Mr. Zora met with the Board as part of the continuing series of department updates. During the discussion the following issues were addressed.

**Highway Division**

Staff vacancies: The process to fill two vacancies is underway.

Sprague's Cove: The area will be mowed this month for no charge by the Town of Rochester and it should take one day. In the future the mowing will be done three times each year, will be contracted out, and could be combined with the annual mowing of the landfill cap. Mr. Zora estimated that the cost of the mowing will be \$1500-\$2000 and the purchase of a new mower would not be cost effective.

Ongoing work: Mr. Zora predicted that the gas line will be run into 13 Atlantis Drive before winter and also that the grindings will be placed on Washburn Park Road before winter.

**Water Division**

Meter Conversion Program  
Quarterly readings and billing  
Perchlorate/west wells

Mary's Pond wells  
Water District  
Draft Water Rules and Regulations  
Upcoming Great Hill water tank inspection

### **Sewer**

Treatment plant - CDM Smith will be providing a cost estimate for major equipment replacement over the next ten years  
Lining of lagoons  
Buzzards Bay Coalition report regarding the lagoons  
Cost of removing sludge and heavy metals from the lagoons  
Engineering assessment to identify options and the cost involved  
Effluent line  
Plant expansion

### **Roads**

Pavement Management Program contract with CDM Smith  
A meeting is planned with representatives from the Finance Committee, Capital Improvements Planning Committee, Mr. Dickerson, and Mr. Dawson to discuss a coordination of efforts.

### **Hydrants**

Mr. Zora described the process required to repair the hydrant in Rochester and the hydrant on Delano Road. He hopes to have the work done within the next two weeks.

Mr. Cushing thanked Mr. Zora for the mowing done by DPW staff on Route 6. Mr. Zora said the vegetation had grown so high it was causing a visual issue. Mr. Dickerson had contacted Representative Straus, who contacted the State highway department and was told they were low on staff. Mr. Dawson said that while the State highway department was responsible for the mowing they were not going to do it and the vegetation growth became a safety concern.

### **ACTION ITEMS**

**One day wine & malt license – Gleason Family YMCA Annual Wine Tasting at the Music Hall, 6:00 p.m. – 9:00 p.m. (10/19/12)**

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

**One day all alcohol license – Marion Social Club Steak Dinner, 12:00 noon – 4:00 p.m. (9/23/12)**

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

**One day all alcohol license – Marion Social Club Clambake, 12:00 noon – 4:00 p.m. (10/21/12)**

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

**Constable Application – William Alphonse**

At a previous meeting Mr. Alphonse appeared before the Board and explained that in order to continue working for the Department of Revenue he was required to be a constable in the town he resides in. The Town of Marion has two constables and Mr. Dawson's research revealed that the Board was not prohibited from appointing an additional constable. Mr. Alphonse has stated that his intention is to limit work to Department of Revenue assignments.

Moved by Mr. Henry and seconded by Mr. Dickerson to appoint Mr. Alphonse Constable. VOTE: 3-0-0

**Notice of Intent to Sell Chapter 61B land – Map 21, Lots 1A & 7 (Carr Family Bogs)**

Attorney Joseph Perry was present for this conversation. Correspondence has been received from the Trustees or Reservation indicating that they will be the recipient of the land and will continue to operate it in Chapter 61B; Town Counsel has confirmed that there is no conversion. Mr. Dawson recommends that the Board, relying on the letter from the Trustees of Reservation, take no action as there is no conversion or right of first refusal.

Moved by Mr. Henry and seconded by Mr. Dickerson that the Board take no action on the conversion of the Carr Family land, relying on the input letter from the Trustees of Reservation that subject conversion is not required because it will continue to be operated in Chapter 61B, Section 9. VOTE: 3-0-0

**Purchase and Sales Agreement – 185 Wareham Street**

Attorney Witten was present to explain the draft agreement.

He told the Board that the plan referenced in first paragraph will be revised to allow a corrected description of the meets and bounds.

Habitat for Humanity is responsible for the safe removal of the structure and access to the property is needed. Attorney Witten advised a temporary license to allow the removal and requested the he and Mr. Dawson be allowed to work out that license. The license will be replaced at Town Meeting with an easement.

The agreement contains three conditions:

- There will be a permanent affordable housing restriction
- One single family dwelling will be constructed on the property
- Habitat for Humanity will be responsible for the removal of the existing single family dwelling

Moved by Mr. Henry and seconded by Mr. Dickerson that the Board of Selectmen vote to authorize the execution of the Purchase and Sales Agreement as between the Town of Marion and the Buzzards Bay Area Habitat for Humanity, Inc. as it relates to the gift conveyance of Parcel B shown on a Plan of Land Recorded in the Plymouth County Registry of Deeds in Plan Book 57, page 333 and, subject to the language as drafted by the Town Administrator with the assistance of Town Counsel, grant a temporary license to Buzzards Bay Area Habitat for Humanity, Inc. for the sole and exclusive purpose of access and egress to Parcel A as shown on said plan while the structure on Parcel A is being lawfully removed, all according to the terms and conditions as set forth in the above noted Purchase and Sales Agreement. It was further moved that the Chairman of

the Board of Selectmen be authorized to sign the Purchase and Sales Agreement on behalf of the Town. VOTE: 3-0-0

#### **TOWN ADMINISTRATOR**

##### **Appointed Committee Handbook**

The Board members were provided copies of a draft appointed committee handbook that will be discussed at their next meeting.

##### **General Store Parking Lot**

The Board reviewed quotes from two companies for the restriping of the parking lot. One of the companies recommends seal coating and filling of cracks as well. Mr. Dawson suggested inviting Mr. Ludes to the next meeting to discuss the work, the possibility of the Town taking over the parking lot, and the use of public funds to maintain private property.

##### **Update – Natural History Museum**

The following progress has been made on the ceiling repair:

A structural engineer has submitted recommendations that Mr. Van Voorhis is incorporating into the specifications

Many of the engineer's recommendations will bring the ceiling up to code and that cost will be covered under the insurance policy

The Museum Trustees and Executive Director are working on securing grants and CPC funds; the money received would be used for costs not covered by insurance.

##### **Upcoming FEMA meeting**

FEMA will hold an informational meeting to discuss revisions to the recently approved flood plain maps. The meeting will be held September 25, 6:00 p.m. at ORR High School.

##### **Draft Water Division Rules & Regulations**

Board members were provided with copies of draft rules and regulations; a meeting will be held with representatives from Tata & Howard present to discuss the rules.

##### **Letter of Support for Baywatch Financing**

In February the Board signed a letter supporting the developer's application for tax credits for the project. The request was not successful and the developer is submitting an updated application indicating that the project has been approved. Mr. Dawson has received a request from the developer for a new letter of support signed by the Board.

Moved by Mr. Henry and seconded by Mr. Dickerson to approve the letter of support.  
VOTE: 3-0-0

#### **CORRESPONDENCE**

Reading of the correspondence into the record was waived with the following exceptions:  
#11 – Letter regarding sewer connection

The owners of 8 Emil's Way are considering the installation of a new septic system and ask if there are plans to extend the sewer to their road. The following topics were discussed:

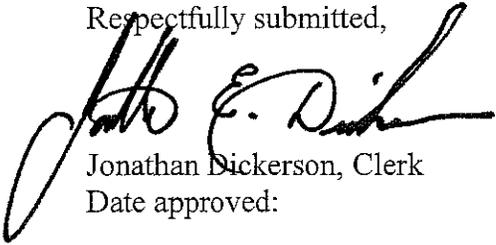
- Expansion of Tabor Academy
- Availability of connections
- Future sewer allocations
- Treatment plant capacity design
- Authority of Board of Health
- Identifying failed septic systems

#2 – Letter regarding lack of handrails and exterior stairways

The Building Commissioner has a copy of this letter and Mr. Dawson will discuss it with him tomorrow.

Moved by Mr. Dickerson and seconded by Mr. Henry at 8:39 p.m. to adjourn and enter into Executive Session for the purpose of discussing ongoing litigation and to consider the purchase of interest in real property. 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:

RECEIVED  
TOWN CLERK OF MARION, MA  
2012 OCT - 3 8 36

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

**DOCUMENTS REVIEWED AT MEETING – September 18, 2012**

Meeting minutes – September 4, 2012, September 12, 2012  
One day wine & malt license – Gleason Family YMCA Annual Wine Tasting at the Music Hall, 6:00 p.m. – 9:00 p.m. (10/19/12)  
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Constable application – William Alphonse  
Notice of Intent to sell Chapter 61B land – Map 21, Lots 1A & 7 - Carr Family Bogs  
Letter from The Trustees of Reservations regarding Chapter 61B notice for land off County Road (8/21/12)  
Purchase & Sales Agreement – 185 Wareham Street  
Draft Appointed Committee Handbook  
Price estimates for striping of General Store parking lot  
Draft Water Division Rules & Regulations  
Letter from FEMA regarding 17 Dexter Road (8/30/12)  
Letter from R. Wingate regarding exterior stairways (9/3/12)  
Copy of letter to Conservation Commission regarding 19 Shawondasse Road (9/4/12)  
Letter from Comcast regarding channel lineup (9/5/12)  
Email from MMA regarding Board of Directors (9/10/12)  
Letter from Mass. Dept. of Telecommunications and Cable regarding Verizon License expiration in 2016 (9/5/12)  
Abutter notification of filing with Conservation Commission (185 Wareham Street)  
Email from J. Fox regarding rental of Atlantis Drive facility (8/30/12)  
Plymouth County tax assessment  
Letter from Covanta regarding upcoming meetings (8/31/12)  
Letter from Stephen & Diane Cook regarding sewer connection  
CIPC meeting agenda (9/6/12)  
Conservation Commission meeting agenda (9/12/12)  
Meeting minutes – Upper Cape Cod Technical School Committee (7/30/12)