

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
MEETING MINUTES
August 18, 2015**

MEMBERS PRESENT: Stephen Cushing, Chairman
Jonathan Dickerson

MEMBERS ABSENT: Jonathan Henry

ALSO PRESENT: Paul Dawson, Town Administrator
Jon Gregory (Tata & Howard)
Judith Mooney
Rob Zora
Rebecca Carvalho
David Pierce
Paul Magee
John Garcia (Standard Times)
Matthew Bernat (Sippican Week)
Jean Perry (Wanderer)
Christine Reagle (Sentinel)
Debra Paiva, secretary

The meeting was called to order at 7:00 p.m. in the police station conference room. 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 will be attached to these minutes.

Approval of Meeting Minutes – August 4, 2015

Moved by Mr. Dickerson and seconded by Mr. Cushing to move the minutes. VOTE: 2-0-0

APPOINTMENTS

7:05 p.m. Rob Zora, Judith Mooney, Tata & Howard representatives – Discussion regarding water rate study

Staff members Rob Zora and Mrs. Mooney were present with Rebecca Carvalho and consulting engineer Jon Gregory to review the recently completed water rate study. Every year the committee examines the water and sewer rates to be aware when the rates need to be adjusted. This year the committee is making a recommendation for a rate adjustment, 3 years later than what was predicted in 2007. During the discussion the following information was provided:

Water

The committee is recommending that the base charge be increased 2.5% annually for the next three years. A 3% increase is recommended in the second and third tiers for the current fiscal year (FY16), further increased in the following years, and then in 2018 a 15% increase is recommended. The majority of the users are in the first tier and aside from the base rate there will be no increase.

Sewer

A 2.5% increase in base charges is recommended along with a 10% increase in all tiers this year. The sewer rate increase is based on actual costs and contracts and does not anticipate the results of the NPDES permit. There will another sewer rate adjustment needed next year. It was agreed that the Board will meet at the Music Hall on August 25 at 7:00 p.m. to determine what action to take and also to provide information to rate payers.

ACTION ITEMS

One day all alcohol license – Marion Social Club, steak dinner – 12 noon – 4:00 p.m. (9/13/15)

Moved by Mr. Dickerson and seconded by Mr. Cushing to move the request. VOTE: 2-0-0

One day all alcohol license – Marion Social Club, clambake – 12 noon – 4:00 p.m. (10/18/15)

Moved by Mr. Dickerson and seconded by Mr. Cushing to move the request. VOTE: 2-0-0

Email from Water Committee chairman requesting appointment of Fire Chief to Water Committee

Water committee chairman David Pierce has requested that Fire Chief Jackvony be appointed to the Water Committee to fill the vacancy left when Chief Joyce retired. Mr. Dawson stated that Chief Jackvony is aware of the request and is willing to serve.

Moved by Mr. Dickerson and seconded by Mr. Cushing to move the appointment of Chief Brian Jackvony to the Water Committee. VOTE: 2-0-0

Request for water/sewer abatement – 14 Wianno Road

An application for an abatement of water/sewer charges for 14 Wianno Road was reviewed and discussed. Review of the information revealed the following:

- The increase in water consumption was caused by a pipe that burst underneath the dwelling.
- The leak occurred on March 2 and was repaired on March 3.
- The water was not consciously used and did not enter the sewer system.
- The Department of Public Works recommended the granting of an abatement of the sewer charges of \$118.82.

Moved by Mr. Dickerson and seconded by Mr. Cushing to move the abatement. VOTE: 2-0-0

Request for water/sewer abatement – 24 Ichabod Lane

An application for an abatement of water/sewer charges for 24 Ichabod Lane was reviewed and discussed. Review of the information revealed the following:

- The increase in water consumption was caused by an outside faucet that leaked from March 5 to April 2.
- The faucet was buried beneath a large amount of snow and the owners were not aware of the leak.
- Water Department staff noticed the leak during a meter reading.
- When staff was unable to contact the owners they contacted a friend of the owners who was able to locate and turn off the faucet.
- The Town of Marion's Water Division Rules and Regulations, Section 2.3, states that all water that passes through the meter will be billed to the property owner.
- The Department of Public Works indicated that there is no basis to recommend an abatement.

Moved by Mr. Dickerson and seconded by Mr. Cushing to deny the abatement. VOTE: 2-0-0

Request for appointment as Constable – Paul H. Magee

Mr. Magee was present for this discussion. Another applicant requesting to be appointed as constable was unable to attend. Mr. Dawson suggested that this request and the one following shortly be tabled and considered at the same time.

Longtime constable Russ Tinkham was recently injured in a car accident but wants to continue to serve; Mr. Dawson recommended that the selectmen provide him additional time to submit his application. Another constable, William Alphonse, has not renewed, creating a vacancy.

Mr. Cushing said he has known Chief Magee for a long time and had no questions for him. Mr. Dickerson noted that Chief Magee used to be a police officer in Marion and he is familiar with the town and the residents.

Moved by Mr. Dickerson and seconded by Mr. Cushing to move the appointment of Paul Magee as constable for the Town of Marion. VOTE: 2-0-0

Request for appointment to Tree/Parks Committee – David Pierce

Mr. Pierce’s application was reviewed and briefly discussed; the committee chair supports the appointment.

Moved by Mr. Dickerson and seconded by Mr. Cushing to move the appointment of David Pierce to the Tree and Parks Committee. VOTE: 2-0-0

It was agreed that at the next meeting the Board would discuss the appointment of a selectmen representative to the Tree/Parks Committee.

Request for appointment as Constable – Joseph Latimer

Due to the appointment of Chief Magee as constable, this item was passed over.

Authorize chair to sign – Title VI/Nondiscrimination Assurance Requirement

MassDOT now requires recipients of funding (Chapter 91, grants, etc.) to ensure that all participants comply with Title VI (Civil Rights Act). Mr. Dawson explained that the Town of Marion, through its policies and procedures, is in compliance with Title VI.

Moved by Mr. Dickerson and seconded by Mr. Cushing to authorize the Chairman of the Board of Selectmen to sign on behalf of the Town of Marion per the requirements of the Civil Rights Act of 1964. VOTE: 2-0-0

Bird Island easement, right of entry

Mr. Dawson explained that Home Rule Petition H.3571 has gone into law and the selectmen now have the authority to approve and sign the easement and right of entry document.

Moved by Mr. Dickerson and seconded by Mr. Cushing:

Whereas the Army Corps of Engineers and the Department of Fish and Game are undertaking a project to manage and protect habitat for species listed for protection under the federal and Massachusetts Endangered Species Acts on property including Bird Island in Marion;

Whereas to accomplish this project the Department of Fish and Game requires a Natural Resources Management and Protection Easement from the Town as the owner of Bird Island;

Whereas Town Meeting authorized the grant of such easement on May 11, 2015;

Whereas the General Court enacted legislation authorizing the Town to grant such Easement, and such legislation has been signed by the Governor;

Whereas the Town supports the goals and purposes of the Bird Island Restoration Project;

I move that the Board approve and endorse the Easement Deed, conveying a permanent Natural Resources Management and Protection Easement to the Department of Fish and Game for the purposes of the Bird Island Restoration Project.

I further move that we approve and endorse the related documents entitled “Right of Entry for Construction – Bird Island Restoration Project” and the “Statement of Intent to Donate Property and Waiver of Rights under Appraisal.”

Water/sewer commitment - \$766.07 – final readings (8/11/15)

Moved by Mr. Dickerson and seconded by Mr. Cushing to move the commitment. VOTE: 2-0-0

Reappointments

The applicant is Dale Jones and he is requesting reappointment to the Water Committee and also as Emergency Management Deputy Director.

Moved by Mr. Dickerson and seconded by Mr. Cushing to move the reappointments. VOTE: 2-0-0

One day wine & malt license – VFW #2425 – October Fest 11:00 a.m. – 8:00 p.m. (9/12/15)

Moved by Mr. Dickerson and seconded by Mr. Cushing to move the request. VOTE: 2-0-0

One day all alcohol license – VFW #2425 – Ham & Bean Supper & Raffle 6:00 p.m. – 10:00 p.m. (9/26/15)

Moved by Mr. Dickerson and seconded by Mr. Cushing to move the request. VOTE: 2-0-0

Discussion regarding September 1 meeting

The next meeting of the Board will be on September 1; however, Mr. Dawson will be on vacation and Mr. Dickerson is unable to attend. It was agreed that the meeting be rescheduled to September 8 at the Police Station.

Approve and execute employment contract with Associate Assessor

Selectmen reviewed the contract that was negotiated by the Board of Assessors and includes a 2% pay increase and a change in language under sick leave (from sick days to sick hours.)

Moved by Mr. Cushing and seconded by Mr. Dickerson to approve the employment contract with the Associate Assessor. VOTE: 2-0-0

Award contract – Music Hall repointing

Mr. Dawson recommended that the contract be awarded to WPI Construction of Webster. He noted that the apparent low bidder failed to follow the requirements of the bidding process and was disqualified. The low bidder is now WPI construction, with a base bid of \$37,000 and \$2000 for Alternate No. 1, repairs to the parapet at the front of the building. Lack of funding will not allow for Alternate No. 2, power washing of the building. The contract requires that the work will be completed by the end of the September.

Mr. Dawson recommended that the contract in the base bid of \$37,000 plus \$2000 for Alternate No. 1 be awarded to WPI Construction of Webster, Massachusetts.

Moved by Mr. Dickerson and seconded by Mr. Cushing to award the contract to WPI Construction of Webster, Massachusetts. VOTE: 2-0-0

Approve and execute contract for auditing services

The annual contract for Lynch, Malloy and Marini to perform the Town audit was reviewed and briefly discussed. The contract is not to exceed \$28,500.

Moved by Mr. Cushing and seconded by Mr. Dickerson to approve the contract with the stipulation that the Chairman will sign. VOTE: 2-0-0

TOWN ADMINISTRATOR

Update – Home Rule Petition H.3571 (Bird Island Special Legislation)

As stated earlier, H.3571 has gone into law.

Progress Report – Great Hill Water Tank

Mr. Dawson provided an update of the activities completed between July 31, 2015 and August 13, 2015 at the Great Hill Water Tank construction project.

Discussion – Drinking Water sample results of August 11, 2015

Mr. Dawson provided the following information:

- On August 11 drinking water samples were taken
- Total coliform hits were reported at 4 locations (Silvershell sewer station, Point Road water tank, Mill Street water tank, Benson Brook water tank)
- DEP and Tata & Howard were contacted and consulted throughout the process
- The tanks were chlorinated immediately with DEP in agreement
- August 14 resampling resulted in total coliform hits at 3 locations (635 Mill Street, 49 Front Street, 43 Lewis Street)
- There was never e coli in the water and a boil water order was never necessary
- As of today the results from the follow up testing appear to be clean
- Mr. Zora said an annual sanitary survey was previously done and some seams in the fiberglass covers at Mill Street and Point Road tanks needed to be caulked and a screen at the Point Road tank needed to be replaced; the repairs have been done
- An announcement will be placed in the newspaper

Discussion of potential service agreement regarding unemployment insurance

Mr. Dawson described a service agreement that would provide assistance in processing and monitoring unemployment insurance claims. The proposal would cost \$510 per quarter for the company to act as the Town's agent in all matters regarding unemployment insurance claims. Mr. Dawson requested that the selectmen authorize him to execute a one year contract at a cost of per \$510 per quarter/\$2040 per year.

Moved by Mr. Dickerson and seconded by Mr. Cushing to authorize the Town Administrator to sign a contract on behalf of the Town. VOTE: 2-0-0

Renovation of gazebo

Two years ago the selectmen authorized repairs to the Town House gazebo; the Facilities Department recently completed the repairs and a plaque dedicating the gazebo to longtime employee Helene Craver has been delivered.

CORRESPONDENCE

The following correspondence items were briefly discussed:

#9 – Email from Mattapoisett Town Administrator regarding Tri-Town Selectmen representative on ORR contract negotiations

It was agreed that Mr. Dawson will send a letter to Mattapoissett's Town Administrator indicating that the Marion selectmen support Paul Silva's appointment serving as the Tri-Town representative.

#12 – Resignation from ZBA – Joanna Wheeler

#13 – Resignation as Registrar of Voters – Teresa Mattson

Ms. Wheeler and Ms. Mattson will be sent letters thanking them for their service.

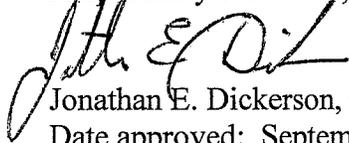
#16 – Letter from Richard Poznysz

Mr. Dawson recently visited Richard Poznysz, the operator of the bog located upstream of the Grassi Bog; he said while it is obvious that a large amount of water came downstream, it is doubtful that it was due to a release by Mr. Poznysz. Mr. Zora recommended that the new plan for the Grassi Bog be reviewed by CDM Smith and the selectmen agreed. He also recommended that any changes made in the field be approved by the engineers. The letter sent out to the abutters prior to the last meeting has been corrected and a copy will be provided to the selectmen. Mr. Dawson said Plymouth County Mosquito Control has inspected and will be spraying the area.

Mr. Pierce mentioned an Article that he will be submitting to the Special Town Meeting; he was told information the deadline to submit articles will be September 4 and asked to provide information regarding the best treatment and the cost.

At 8:11 p.m. the Board voted to enter into Executive Session for strategy related to collective bargaining. The Board will not be returning to regular session. A roll call vote was taken with all members voting aye.

Respectfully submitted,



Jonathan E. Dickerson, Clerk

Date approved: September 8, 2015

RECEIVED
TOWN CLERK OF MARION, MA
2015 SEP - 9 P 3: 20

MARION BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – August 18, 2015

August 4, 2015 meeting minutes

Information regarding current water rates and proposed rate increases

One day all alcohol license – Marion Social Club, steak dinner – 12 noon – 4:00 p.m. (9/13/15)

One day all alcohol license – Marion Social Club, clambake – 12 noon – 4:00 p.m. (10/13/15)

Email from Water Committee chairman request appointment of Fire Chief to Water Committee

Request for water/sewer abatement – 11 Wianno Road

Request for water/sewer abatement – 24 Ichabod Lane

Request for appointment as Constable – Paul H. Magee

Request for appointment to Tree Park Committee – David Pierce

Request for appointment as Constable – Joseph Latimer

MassDot Title VI/Nondiscrimination Assurance form

Bird Island easement and right of entry documents

Water & Sewer commitment – final readings - \$766.07 (8/11/15)

Reappointment list dated 8/18/15

One day wine & malt license – VFW #2425 – October Fest 11:00 a.m. – 8:00 p.m. (9/12/15)

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Employment contract – Associate Assessor

Award contract – Music Hall repointing

Home Rule Petition H.3571

Progress report – Great Hill Water Tank

Potential service agreement – unemployment insurance

CORRESPONDENCE

ZBA request for comments – 16 Cottage Street

ZBA request for comments – 460 Front Street

ZBA decision – First Congregational Church appeal of Building Permit for 16 Cottage Street

Invitation – Mass for Public Safety Personnel and Families (10/4/15)

Copy of letter from DMF regarding shellfish propagation permit #153331

Letter from Dept. of Communications & Cable regarding Verizon cable license expiration date

Letter from Dept. of Energy Resources regarding Municipal Load Aggregation Plan

ABCC advisory regarding Guidelines for Extension of Premises to Patio and Outdoor Areas

Email from Mattapoisett Town Administrator regarding Tri Town Selectmen representative on ORR contract negotiations

Letter from DMF regarding shellfish propagation permit #166957

Request for water/sewer abatement – 15 Bass Point Road

Resignation from ZBA – Joanna Wheeler

Resignation as Registrar of Voters – Teresa Mattson

Email from SRPEDD regarding Baystate Roads Stormwater Management Workshops – Stormwater Utilities

Email from David Pierce thanking BOS for appreciation events

Letter from cranberry bog operator Richard Poznysz regarding Grassi bog

Letter from Judith Rosbe regarding Music Hall

OTHER BOARDS

Agenda – Planning Board (8/10/15)

Agenda – Planning Board (8/17/15)