

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
SPECIAL MEETING MINUTES
January 19, 2016**

MEMBERS PRESENT: Stephen Cushing, Chairman
Jonathan Henry
Jonathan Dickerson

ALSO PRESENT: Eileen Marum
Gwen Breault
Rob Zora, DPW Superintendent
Margot Stone
Tinker Saltonstall
Jean Perry (Wanderer)
Matthew Bernat (Sippican Week)
John Garcia (Standard Times)
Debra Paiva, secretary
Others who did not sign in

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

Approval of meeting minutes – January 5, 2016, January 8, 2016

Moved by Mr. Dickerson and seconded by Mr. Henry to move the minutes. VOTE: 3-0-0

ACTION ITEMS

Email and letter from Eileen Marum regarding parking on Mill Street

Eileen Marum was present to discuss her request to replace an existing 30 minute parking sign with a no parking tow zone sign at 41 Mill Street. She submitted photos and stated that several motor vehicles are parking in front of a 30 minute parking sign for lengthy amounts of time. Ms. Marum voiced concern that pedestrians are forced onto the street and also that oil trucks and trucks towing boats from 13 Atlantis Drive have to negotiate a narrow passage of road. Mr. Cushing asked if there is a management office at the site and was told no; however, Ms. Marum contacted the SK management office in New Hampshire and property manager Brandy Card has given full support for a no parking tow zone sign. Mr. Cushing stated that it was his understanding that the current sign was not installed by the Town and is not maintained by the Town. Mr. Dickerson stated the following: the sign is not in the town layout, it was installed by the developer when the project was constructed, the road is almost 22' wide and used to be two lanes, he personally does not see this is a problem other than a problem between neighbors, he does not support the request for a no parking zone, and he supports the recommendations of the police chief, fire chief and DPW superintendent. A memo from Chief Miller, indicating opposition to the request, was read into the record. Gwen Breault noted that other no parking signs are along Mill Street; Mr. Dickerson explained that those signs were put up when the nursing home parking lot was under construction and limited parking was available, and the signs should probably be reviewed by the police chief. Ms. Marum said the same resident is

parking in front of the 30 minute parking sign for hours and Mr. Cushing said it is up to the management company to address it with that resident. Ms. Marum said she was told that the sign was placed there by the Town and Mr. Zora said he has no knowledge of the sign being installed. She voiced concern for a large number of cars parking on and blocking the street. Mr. Henry suggested be deferred to the next meeting to allow him an opportunity to view the site and come up with a solution.

Moved by Mr. Henry and seconded by Mr. Dickerson to defer action to the next meeting. VOTE: 3-0-0

APPOINTMENTS

7:00 p.m. Todd Zell – Wave Restaurant, Inc., dba Brew Fish, application for pledge of liquor license

Mr. Zell told the selectmen that he recently refinanced and the pledge of the liquor license application is required as part of that process. The attorney handling the refinancing had submitted the application to the ABCC and it was sent back for the selectmen to review.

Moved by Mr. Dickerson and seconded by Mr. Henry to move the request. VOTE: 3-0-0

7:15 p.m. Collector/Treasurer Gary Carreiro – Discussion and vote regarding maximum useful life of equipment (fire truck)

Mr. Carreiro told the selectmen that the borrowing for the fire truck (approved at the May, 2015 Town Election) will be done in April and one of the stipulations set by bond counsel is the completion of a maximum useful life of equipment certificate. Mr. Carreiro explained how the useful life was determined. Language certifying the vote was read into the record.

Moved by Mr. Henry and seconded by Mr. Dickerson to approve the maximum useful life of the fire truck. VOTE: 3-0-0

ACTION ITEMS

Music Hall Advisory Committee (MHAC) recommendations/request for funds

MHAC members Margot Stone and Tinker Saltonstall were present to discuss the committee's recommendations and request for funds. A memo from Finance Director Judith Mooney and a memorandum from Town Counsel Jon Witten were reviewed and discussed as well. The following recommendations/requests were reviewed and discussed:

1. That the selectmen allow Music Hall coordinator Tami Daniel to approve committee expenditures. In her memo, Mrs. Mooney explained that the MHAC will actually approve the invoices at their meetings and Ms. Daniel will complete the bill vouchers and get all of the signatures required by M.G.L.

2. On July 7, 2015 the selectmen approved the committee's request to borrow \$10,000 from the Music Hall Restoration Fund to be used for expenses associated with the Elizabeth Taber Gala. The final cost of the Gala was \$10,961.12 and the sale of tickets raised \$9,860; the committee is recommending that the overage be withdrawn from the Restoration Fund. Ms. Mooney's comments, including a note that the event performance was top notch, were read into the record.

3. On August 4, 2015 the selectmen approved the committee's request to use \$5000 from the Endowment Fund for a landscaping project; however, \$5270.37 was spent. The committee is requesting an additional \$8000 to install a patio, complete the landscaping project, and pay for the \$270.37 overage. In her memo, Ms. Mooney noted that the Endowment Trust has gone from

more than \$150,000 to just under \$91,000 in four years' time. When Mr. Cushing voiced concern Mrs. Stone said that other than some small projects she does not believe that the Committee will be requesting future funds. She noted that the building is located in a central location and also is being used as a senior center. In his memo, Attorney Witten indicated that the project fell outside of the purposes of the Trust; it was agreed to take the request under advisement. Ms. Stone said it might be a better idea for the committee to come back in the spring and provide more details.

4. The committee is requesting to withdraw \$2000 annually from the Endowment Fund; the funds would be used for landscape maintenance. In their memos, Attorney Witten and Mrs. Mooney both expressed doubt that this item would fall within the intent of the Trust donor.

5. That Mr. Dickerson be appointed to the committee as a representative of the Recreation Department. After a discussion regarding the composition of the committee, it was agreed to table this request to a future meeting.

Moved by Mr. Henry and seconded by Mr. Dickerson to move item No. 1 to the extent that M.G.L. permits. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Henry to move item No. 2. VOTE: 3-0-0

Moved by Mr. Henry and seconded by Mr. Dickerson to approve the request to withdraw \$270.37 from the Endowment Fund to pay the additional costs of the landscaping project. VOTE: 3-0-0

Water/Sewer abatement request – 19 Pine Hill Lane

An application requesting an abatement of sewer charges was reviewed and discussed. Review of the information revealed the following:

- The problem occurred over two billing periods and was corrected 21 days into this period;
- There is an irrigation well at the property;
- Water Department staff noticed and notified the owner of very high water consumption;
- Subsequent to Water Department staff notifying the owner of a sharp increase in water consumption, it was determined that the irrigation system had been mistakenly connected to municipal water;
- 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 (\$508.19).

Moved by Mr. Henry and seconded by Mr. Dickerson to move the recommendation of the DPW Superintendent. VOTE: 3-0-0

One day alcohol license - VFW #2425 – Marion Firefighters Spaghetti Dinner – 5:00 p.m. – 8:00 p.m. (1/23/16)

Moved by Mr. Dickerson and seconded by Mr. Henry to move the request. VOTE: 3-0-0

ABCC – Estimated Seasonal Population

The estimated seasonal population was reviewed and briefly discussed. The seasonal population for 2016 (total of year round and summer residents) is expected to be 5838.

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

Sewer connection application – 475 Mill Street

This request was continued from the Board's January 19 meeting to allow information regarding an easement. Mr. Zora explained that the proposed connection was an agreement between two property owners and recommended a stipulation that an easement be recorded at the Registry of Deeds.

Moved by Mr. Henry and seconded by Mr. Dickerson to approve the request with the stipulation that a legal easement be granted and recorded at the Registry of Deeds prior to the approval for installation. VOTE: 3-0-0

Library Director request for designated parking spaces

At the request of Chief Miller, this was continued to the February 2 meeting.

Water/Sewer commitment - \$1448.09 – FRMA & Final Readings (1/7/16)

Moved by Mr. Henry and seconded by Mr. Dickerson to move the commitment. VOTE: 3-0-0

Review and execute CDM Smith annual on-call engineering contract

The selectmen reviewed a memo from Mr. Dawson requesting authorization to execute the FY16 on-call consulting agreement with CDM Smith; the value of the agreement will not exceed the \$30,000 appropriated by Town Meeting.

Moved by Mr. Henry and seconded by Mr. Dickerson to move the signed request from the Town Administrator. VOTE: 3-0-0

Request for approval to deficit spend DPW budget line items (Winter Overtime, Snow Services, Snow Removal Supplies)

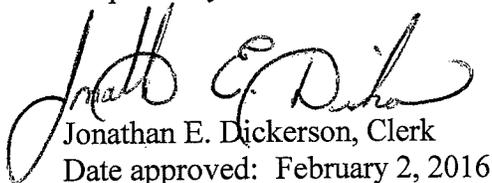
Mr. Zora explained that he normally comes before the selectmen with this request in February but has ordered additional supplies this year in order to avoid running out before the end of the winter.

Moved by Mr. Dickerson and seconded by Mr. Henry to move the request. VOTE: 3-0-0

Mr. Henry noted the recent passing of retired Deputy Fire Chief Peter Robertson.

Moved by Mr. Henry and seconded by Mr. Dickerson at 8:05 p.m. to adjourn. VOTE: 3-0-0

Respectfully submitted,


Jonathan E. Dickerson, Clerk
Date approved: February 2, 2016

RECEIVED
TOWN CLERK OF MARION, MA
2016 FEB - 3 A 11: 29

MARION BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – January 19, 2016

January 5, 2016, January 8, 2016 meeting minutes

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Memo from Marion Fireworks Committee requesting appointment of Nathan Vaughan

Letter from Jon Delli Priscoli regarding 91 Water Street water and sewer bill

Division of Marine Fisheries Annual Reissue of Closure Notice – North dock at Old Landing

Letter from Division of Marine Fisheries regarding Hammett's Cove South shellfishing classification

Letter from Buzzards Bay National Estuary Program regarding SNEP Water Quality grant application

Email from MMA regarding Public Records Law legislation

Request to connect to Town stormwater collection system – 57 Allen Street

Eversource Vegetation Management Plan, Utility Pruning of Circuit: 3-85-060

CIPC meeting agenda (1/14/16)