

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
MEETING MINUTES
April 5, 2016**

MEMBERS PRESENT: Stephen Cushing, Chairman
Jonathan Henry
Jonathan Dickerson

ALSO PRESENT: Judith Mooney, Acting Town Administrator
Gary Carreiro, Collector/Treasurer
Ray Pickles
Adam Murphy, Shellfish Officer
Christopher Bryant
Joseph Zora, Jr.
Jay Hiller
John Garcia (Standard Times)
Jean Perry (Wanderer)
Laura Pedulli (Sippican Week)
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 audio recorded by Town of Marion staff and also by Standard Times staff.

APPROVAL OF MEETING MINUTES - March 22, 2016

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

APPOINTMENT

7:05 p.m. – Collector/Treasurer Gary Carreiro – Signing of Bond Anticipation Note (BAN), Signing of Statement of Claim for Demolition Liens, Updated Financial Policies & Procedures

Updated Financial Policies & Procedures - During the 2015 audit, a typographical error to the MGL reference on page 8 of the Financial Policies and Procedures was discovered; the independent auditor recommended that the error be corrected.

Moved by Mr. Henry and seconded by Mr. Dickerson to change the OPEB fund provisions as stated. VOTE: 3-0-0

Signing of Statement of Claim for Demolition Liens - Mr. Carreiro explained the process required to place liens and recoup funds for the demolition of three burned, dangerous or dilapidated buildings.

Moved by Mr. Henry and seconded by Mr. Dickerson to move Plymouth County Registry of Deeds Book 1794, Page 345, in the amount of \$6170.00. VOTE: 3-0-0

Moved by Mr. Henry and seconded by Mr. Dickerson to move Plymouth County Registry of Deeds Book 3509, Page 118, in the amount of \$10,310.00. VOTE: 3-0-0

Moved by Mr. Henry and seconded by Mr. Dickerson to move Plymouth County Registry of Deeds Book 1291, Page 579, in the amount of \$6435.00. VOTE: 3-0-0

Bond Anticipation Note (BAN) – Mr. Carreiro explained that the BAN broke down to the following: Great Hill Water Tower - \$1,470,000, remediation of failed septic systems - \$42,000, sewer extension - \$240,000, and fire pumper truck- \$540,000, total \$2,292,000. Bids were taken today and the BAN was awarded to Unibank at a rate of 0.80%; the low interest rate is a result of the Town's designation as a Triple A community.

Moved by Mr. Dickerson and seconded by Mr. Henry to authorize the \$2,292,000 BAN as follows: Septic - \$42,000, Sewer Extension - \$240,000, Water Tower (Great Hill) - \$1,470,000, Fire Pumper - \$540,000, Total - \$2,292,000, at an interest rate of 0.80%. VOTE: 3-0-0

ACTION ITEMS

Request for appointment to Marion Pathways Committee – Derek Krein

Moved by Mr. Henry and seconded by Mr. Dickerson to move the appointment of Derek Krein to the Marion Pathways Committee. VOTE: 3-0-0

Request for appointment to Marion Pathways Committee – Lorraine Heffernan

Moved by Mr. Henry and seconded by Mr. Dickerson to move the appointment to the Marion Pathways Committee of Lorraine Heffernan. VOTE: 3-0-0

Request for appointment to Marion Affordable Housing Trust – William do Carmo

Moved by Mr. Henry and seconded by Mr. Dickerson to move the appointment of William do Carmo to the Marion Affordable Housing Trust. VOTE: 3-0-0

Proclamation – Arbor Day 2016

Arbor Day will be on April 29, 2016.

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

APPOINTMENT

7:20 p.m. – Public Hearing – Aquaculture License – Chris Bryant

Mr. Bryant was present for the public hearing; he currently operates a .5 acre grant and is applying for an additional .5 acre grant proposed to be located in Sprague's Cove south of Silvershell Beach.

Joseph Zora, Jr. said he was not opposed to the proposal but was concerned that the number of aquaculture grants would interfere with recreational shellfishing. He requested that the Shellfish Officer provide information indicating the areas favorable to shellfishing.

Abutter Ray Pickles noted that he had been notified of tonight's hearing but not of the Conservation Commission hearing. Mr. Bryant said that although he had not been aware that he was responsible for notifying abutters of the Conservation Commission hearing he had verbally informed Mr. Pickles of it, and the Conservation Commission would not be making a decision until May.

Mr. Pickles voiced concern that the proposed site is rocky and recommended that it be moved slightly. Mr. Bryant explained that the proposed site was actually the least rocky.

Mr. Pickles read a written statement from abutter Alison Hodges, 29 Beach Street, into the record. Ms. Hodges expressed concern for the impact on water quality at Silvershell Beach and also on wildlife living in the area. Mr. Bryant said Natural Heritage would be reviewing the application to make sure that no endangered species would be interfered with and also that wild and cultivated oysters improve water quality.

Mr. Pickles said he is not opposed to the proposal and the concerns are mostly related to water quality.

Mr. Dickerson said the beach is tested on a daily basis from June 15 to September 1. Mr. Pickles requested that the abutters be sent a letter informing them of the beach testing.

Shellfish Officer Adam Murphy provided the following information:

The proposed site is one of better locations for a grant;

The area is very limited and almost maxed out;

Due to eel grass he does not see other grants happening;

The only other concern the Harbormaster Department had would be if the grant would need to be moved as there is very little area for it to move without impeding recreational use;

Mr. Cushing asked if the grant would impede recreational shellfishing and was told no.

There were no further questions or comments.

Moved by Mr. Henry and seconded by Mr. Dickerson to move the application of Christopher Bryant dated January 11, 2016 for the propagation plan as proposed. VOTE: 3-0-0

ACTION ITEMS

Water/Sewer abatement request – 4 Olde Logging Road

An application for an abatement of water/sewer charges at 4 Olde Logging Road and comments from the DPW Superintendent were reviewed and discussed. Property owner Paula Riggi was present for this discussion as well. Review of the information revealed the following:

- In April, 2012 the meter stopped sending a signal.
- Twelve bills were estimated.
- Included with each of the 12 bills was a letter indicating that the bill was estimated due to inability to obtain a meter reading and also a request that the property owner contact the Department of Public Works.
- In addition to the letters included with the bills, notices were left at the property and DPW staff attempted to contact the property owner by telephone.
- The property owner contacted DPW staff on January 29, 2016 and made an appointment to replace the meter.
- The meter was read and it was determined that the account had been overestimated by 19,829 cubic feet.
- The Department of Public Works recommended going back one year and granting an abatement of \$1706.35.

Moved by Mr. Henry and seconded by Mr. Dickerson to move the request and grant an abatement of \$1706.35. VOTE: 3-0-0

Request regarding Marion Village Estates water meters

Marion Village Estates owner Ken Steen has requested that the existing meters serving the three apartment buildings be replaced with meters to serve each apartment. DPW Superintendent provided a memo to the selectmen explaining that he believes the only viable option is that the existing meters remain and the property owner install sub-meters for each apartment. After discussion it was agreed that the selectmen would take no action.

Discussion regarding Parlowtown Road

On February 8 Joseph Zora, Jr. and Jay Hiller met with the selectmen and requested the removal of obstructions on Parlowtown Road. Mr. Zora recently sent a letter requesting that the selectmen respond to the request by April 10, 2016. Mrs. Mooney told the selectmen that Attorney Witten is reviewing the materials submitted by Mr. Zora.

One day all alcohol license – Marion Art Center Fundraiser at the Music Hall – 6:00 p.m. – 11:00 p.m. (5/6/16)

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

Disclosure of appearance of conflict of interest

A member of the Zoning Board of Appeals, Michelle Ouellette, has submitted a disclosure of appearance of conflict of interest to the selectmen as they are her appointing authority.

Annual Town Meeting warrant amendment

Mrs. Mooney told the selectmen that the amendment consisted of one small calculation change and the addition of an article explaining the debt exclusion ballot question.

Moved by Mr. Henry and seconded by Mr. Dickerson to accept the amendment to the Annual Town Meeting warrant. VOTE: 3-0-0

Water/Sewer commitment – Final Readings & Misc. Run - \$2609.13 (3/31/16)

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

Discussion regarding Marion Pathways Design Services RFP

Mrs. Mooney told the selectmen that the contract is still in progress. Mr. Zora requested that the Parlowtown Road issue be resolved prior to the issuance of the contract.

CORRESPONDENCE

Retirement letter – Dale Jones

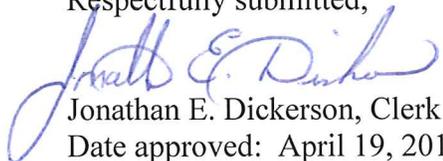
Dale Jones has retired from Marion Fire/EMS. The selectmen described Mr. Jones' dedication, versatility, and commitment and agreed to send him a letter thanking him for his years of service.

Chapter 90 Funds

Mrs. Mooney announced that the Town of Marion will receive \$170,608 in Chapter 90 funds for FY17.

Moved by Mr. Henry and seconded by Mr. Dickerson at 8:30 p.m. to adjourn. VOTE: 3-0-0

Respectfully submitted,


Jonathan E. Dickerson, Clerk

Date approved: April 19, 2016

RECEIVED
TOWN CLERK OF MARION, MA
2016 APR 20 A 8:51

MARION BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – April 5, 2016

Meeting Minutes – March 22, 2016

Bond Anticipation Note (BAN), Statement of Claim for Demolition Liens, Updated Financial Policies & Procedures

Aquaculture License application – Chris Bryant

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Request for appointment to Marion Affordable Housing Trust – William do Carmo

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Request regarding Marion Village Estates water meters

Proclamation – Arbor Day 2016

Letter regarding Parlowtown Road

1 day all alcohol license – Marion Art Center Fundraiser at the Music Hall – 6:00 p.m. – 11:00 p.m. (5/6/16)

Disclosure of appearance of conflict of interest – M. Ouellette

Water/sewer commitment – \$2609.13, final readings & misc. run (3/31/16)

Letter of resignation – W. Dale Jones

ORCTV Notice of Annual Meeting and Studio Kitchen Open House at ORRHHS

Department of Public Utilities Notice of Filing, Public Hearing, and Procedural Conference

ZBA request for comments – 240 Converse Road

ZBA request for comments – 248 Converse Road

Letter from Town Clerk requesting increase for registrar

Memo from Town Clerk requesting copy of Marion Personnel Bylaw

ZBA notice of decision – Tabor Academy

Letter from MassDot regarding State Highway sweeping

Letter from DEP regarding 2016 Sustainable Materials Recovery Program Municipal Grant application

FIOS TV channel lineup, rate card, sample customer bill

Letter from American Tower regarding Tower Site No. 305012

Letter regarding walkway to improve access to beach

ZBA notice of decision – 313 Wareham Street

Copy of Town of Wareham letter of appointment (S. Shippey, Alternate Local Building Inspector)

OTHER BOARDS

Planning Board Meeting Agenda (4/4/16)

Planning Board Meeting Agenda (4/13/16)