

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

January 22, 2008

Minutes

The meeting was called to order at 7:00 p.m. Present were Chairman Roger F. Blanchette, Board members Andrew N. Jeffrey and Jonathan F. Henry and Town Administrator Paul F. Dawson. Also present were Lee Craver, Kenneth J. Souza of *The Wanderer*, Ruth Thompson of *The Sentinel*, Andrea Smith of the *Tri-Town Observer*, Don Cuddy of the *Standard-Times*, Eunice Manduca, Superintendent of Public Works Robert C. Zora, CDM engineer Robert Otoski, Michael Baldwin, David A. Barrett, Town Accountant Judith Mooney, Finance Committee members Richard A. Kemp, Stephen M. Cushing and Alan Minard and Helene Craver, secretary.

Mr. Henry moved the minutes of January 8, 2008; the motion was seconded and carried unanimously.

Mr. Blanchette noted that the Board had received information at their January 8 meeting concerning a contract and two proposals from CDM regarding phosphorus removal, inflow and infiltration removal and plant capacity and that Messrs. Zora and Otoski were here to discuss the projects and costs. Mr. Otoski distributed information on the subjects to be discussed. Mr. Otoski explained that the first project was to determine how many additional connections could be hooked up to the sewage treatment plant. Mr. Otoski noted that the Town had challenged the Department of Environmental Protection on the allowed phosphorus levels, but that the Town needs to begin phosphorus removal to meet the requirements. Mr. Otoski reported that the wastewater treatment plant had been in operation for a period of time and they could use the data to determine the capacity of the plant without exceeding the permit limits.

A discussion followed regarding Mr. Henry's question of the plant capacity without regard to the State's permit limits. Mr. Otoski had difficulty grasping the question and concept. He referred to the reduction of the I&I, pounds of pollutants discharged and plant flows and loads. Mr. Jeffrey indicated that they were under a time constraint to know the number of additional connections, as the Board had promised to report to the Townspeople. Mr. Otoski explained the difficulty of separating plant flows and loads, because both drive different breaking points for the plant—the permit has a target discharge in terms of concentration and pounds. Mr. Otoski said that the State frequently becomes more stringent on the pounds limit when the flows are increased. Mr. Jeffrey indicated that they should go ahead with the first part of the study and perhaps do the additional work at a later time. Mr. Henry said that he wishes to know what the capacity of the plant is without expansion. Mr. Otoski said that if the Town were planning on a new source of sewer connections, they would want to know how the existing process is performing anyway before making any additional plans for expansion. Mr. Otoski said that the State would require the Town to treat the waste to a higher level if the flow increased, so that the total level of pounds remains unchanged. Mr. Blanchette asked if it were possible to have the State increase the discharge permit.

Mr. Otoski said that there would be more potential for having the State increase the gallonage than the pounds, chances of which would be close to zero.

Mr. Otoski explained that Task Order #3 relates to adding an SBR unit to the plant—drawings and cost estimates.

Mr. Otoski reported that the proposed contract was for I&I work (design, bidding and construction services) for the village loop. Mr. Zora said that the village loop water project is underway, with the roads ripped up and this is the ideal time to deal with the I&I. Mr. Otoski said that the pipes, some of which are the original clay pipes, would be replaced with tile pipes. Mr. Zora said that the property owner would be responsible for the pipe from the property line to the house. Mr. Blanchette asked how an assessment would be made that the homeowner must replace his section of the pipe. Mr. Zora said that they will be able to make that determination when they are working on the pipe replacement, as they already know that many substandard connections were made in the past. Mr. Jeffrey requested CDM add completion dates to the contract no later than April 30.

Mr. Jeffrey moved to sign the contract with CDM for the village I&I project; the motion was seconded and carried unanimously.

Dr. Kemp and Messrs. Cushing and Minard met with the Board to discuss the FY '09 budget. Dr. Kemp reported that the Finance Committee had met with the department heads to ask that all budgets be level funded. Dr. Kemp noted that he expects the deficit to be as much as \$1.1 or \$1.2 million, as the local receipts are decreasing and he anticipates the lottery funds to be lower in the coming year. Dr. Kemp said that, if the \$374,000 in free cash were used to help balance the budget in FY '09, he predicts disaster in FY '10. Dr. Kemp said that, after twenty-five years of Proposition 2½, balancing the budget is no longer sustainable and the Finance Committee has asked the department heads to present budgets with a 10% decrease, decreases in services and layoffs in personnel. Dr. Kemp reported that the Finance Committee has decided to use five-year projections with the help of Mr. Minard and his computer-generated charts and graphs. Dr. Kemp said that the Finance Committee is putting all departments, including the schools, on notice of the Town's concerns. Dr. Kemp said that the options are slashing everything by 10% or using the stabilization fund to balance the budget. Dr. Kemp said that there was one more option—a one-time operational override of a certain percentage, with the promise that the Town would not request any additional overrides for a period of five years.

Dr. Kemp proposed an "economic summit" to include the Selectmen, Finance Committee, Community Preservation Committee, school committees and the general public to discuss the Town's situation and direction. Mr. Blanchette said that he is an optimist and hopes that the economy will turn around—perhaps they won't have to take such drastic action. Mr. Jeffrey said that he very much likes the idea of a summit; we should start with that and inform people know of the situation. Mr. Henry said that, when he first ran for Selectman, he drafted a position paper, which included cuts and possible sources for additional revenues. Mr. Henry said that there was a lot of resistance to his ideas from the recipients of services. Mr. Henry commended the

Finance Committee for getting everyone involved; now is the time to act before the Town faces a crisis.

Mr. Dawson reported that the deadline for Warrant Articles for the Annual Town Meeting is February 29.

Mr. Dawson recalled that, several meetings ago, the Board requested Mr. Blanchette and himself to schedule meetings relating to the Emergency Medical Services and report back to the full Board. Mr. Dawson hoped that a report will be available for the February 5 meeting.

Correspondence was reviewed relating to the FY '09 budgets of the Carver/Marion/Wareham Regional Refuse Disposal District and Mattapoissett River Valley Water District.

A letter of resignation from Charles Bradley from the Bird Island Lighthouse Restoration Committee was received. The Board expressed appreciation for Mr. Bradley's past work and agreed to advertise for the opening.

Mr. Dawson indicated that, though it was not on the agenda, the Board had had discussions about hiring a new labor counsel for the Town. Mr. Dawson reported that he had received quotations from four law firms, including the current labor counsel and the current Town counsel; it is his recommendation that the Town hire Town counsel as labor counsel, based on an excellent working relationship, price (lowest) and the fact that Daley and Witten is adding another attorney to their staff, which should help with the work load. Mr. Henry said that he admires Mr. Witten, but would not recommend hiring him unless he hired more staff; with that understanding, this would be acceptable to him.

Mr. Jeffrey moved to approve the hiring of Jonathan Witten as labor counsel; the motion was seconded and carried unanimously.

Mr. Jeffrey moved to go into executive session at 8:37 p.m. to discuss litigation and not to return to open session; the motion was seconded and carried unanimously. Messrs. Blanchette, Jeffrey and Henry voting aye.

Respectfully submitted,

Date approved: 2/19/08


Jonathan F. Henry, Clerk