

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
November 15, 2011**

MEMBERS PRESENT: Jonathan Henry, Chairman
Roger Blanchette
Stephen Cushing, Clerk

ALSO PRESENT: Paul Dawson, Town Administrator
Police Chief Miller
Officer Jeffrey Habicht
Eunice Manduca
Steve Gonsalves
Alan Minard
Steve Grima
Carol Sanz
Laura Ryan Shachoy
Margie Baldwin
Carol Amick
Sherman Briggs
Norman Hills
Laura Pedulli (Wanderer)
Jennifer Heshion (Sippican Week)
Debra Paiva, secretary

The meeting was called to order at 7:00 p.m. Mr. Henry 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. Blanchette and seconded by Mr. Cushing to approve the minutes of the November 1, 2011 meeting. VOTE: 3-0-0

APPOINTMENTS

Chief Miller, Student Officer Jeffrey Habicht – Appointment of Student Officer Habicht as full time officer

Chief Miller requested the appointment of Student Officer Habicht as full time officer on a probationary basis effective December 2.

Moved by Mr. Cushing and seconded by Mr. Blanchette to approve the recommendation of the Police Chief. VOTE: 3-0-0

Chief Miller said the paperwork required for FEMA reimbursement of expenses related to Hurricane Irene has been completed and he anticipates receipt of 75% (approximately \$85,000) of storm related expenses, including cleanup of debris. He thanked Ms. Mooney for her assistance with the paperwork.

Public Hearing – Board of Assessors Classification Hearing

The Assessors have requested that the hearing be continued to allow receipt of certifications from the Department of Revenue. Mr. Dawson announced that the hearing will be continued until Wednesday, November 30, at 4:00 p.m., at the regular meeting of the Board of Assessors.

Moved by Mr. Cushing and seconded by Mr. Blanchette to continue the public hearing to November 30, 2011 at 4:00 p.m. VOTE: 3-0-0

CDM – Update on sewer lagoons

Shawn Syde and Bernadette Cole of CDM were present to submit their findings regarding the Buzzards Bay Coalition's (BBC) report that nitrogen was leaching from the sewer lagoons into the groundwater. A copy of their presentation is attached to these meeting minutes.

During the presentation the following issues were addressed:

Description of the history and construction of the lagoons

Description of the 2005 upgrade of the wastewater treatment plant (WWTP)

Wastewater treatment and discharge process

Water testing methods and health indexes for Aucoot Cove and Sippican Harbor

Potential sources of nitrogen to Marion's coastal waters

Testing methods used in the BBC report

Findings and recommendations contained in the BBC report

CDM's comments on the BBC report (leakage rate appears overestimated, nitrogen measurements in vicinity of WWTP reflect development in area, nitrogen load to groundwater from lagoons appears overestimated, groundwater travel times and receiving waters should be reconsidered, nitrogen reaching receiving waters appears overestimated)

Mr. Henry said his first concern is for the efficiency of the plant; he was told the plant is operating as it was designed and is a modern, efficient plant that is very good at removing nitrogen.

Mr. Henry asked if nitrogen could be reduced prior to reaching the treatment plant and was told not as far as what is reaching the plant. Ms. Cole said other measures include reduction of lawn fertilizer, cleaning up after dogs, and not feeding animals in places where they would congregate and leave fecal matter where it can't be handled by the environment. He asked if the Town should consider a requirement for industrial pretreatment. Mr. Syde said Marion currently is not considered an industrial pretreatment community but the Town is in the process of revising the sewer use regulations and they will include more stringent industrial requirements.

Mr. Blanchette said the revised sewer use regulations should address on a town-wide basis the discharge of sump pumps. He asked if the compost pile released nitrogen; Ms. Cole explained that composting should be done in a location where it won't contribute to receiving waters and where the stormwater is managed.

Mr. Minard asked what the nitrogen concentration was at the WWTP outlet and was told approximately 3 milligrams per liter, which is very low.

Mr. Henry asked if the sludge in the lagoons needed to be removed; Mr. Syde said there is only 6"-12" of sludge as it naturally degrades. Mr. Henry asked if heating the wastewater slightly would increase the rate of decomposition of the sludge. Mr. Syde said he could not answer that question but would look into it.

Mr. Blanchette commented on the thoroughness of the report and thanked Mr. Syde and Ms. Cole.

Eunice Manduca noted that Mr. Syde was able to explain the high cost of the sewer.

Mark Rasmussen of the Buzzards Bay Coalition said he would like Mr. Nelson to meet with CDM to discuss some of the information contained in the report.

ACTION ITEMS

Vote – Ambulance abatement request – Andrew Godfrey

Mr. Dawson provided the background of the request. In his letter, Mr. Godfrey indicated that his child was transported from Silvershell Beach without parental consent; Mr. Dawson provided a copy of the consent form signed by Mrs. Godfrey. In addition, the police officer present at the scene has informed Mr. Dawson that Mrs. Godfrey agreed to the transport.

Mr. Dawson has been informed by the billing company that the insurance company has applied the fee to a deductible; should the Board waive the bill it will remain credited to the deductible.

Moved by Mr. Cushing and seconded by Mr. Blanchette to deny the request. VOTE: 3-0-0

Declare surplus property – School Department

The Board reviewed a 15 page list of property to be declared surplus; the list was submitted by the School Department.

Moved by Mr. Blanchette and seconded by Mr. Cushing to declare as surplus the listing of property on pages 1 through 15. VOTE: 3-0-0

Request for street closure for Christmas Stroll – Marion Business Community Association (12/11/11)

The Board reviewed the annual street closure request for the Christmas Stroll planned to be held Sunday, December 11, from 3:00 p.m. to 6:00 p.m.

Moved by Mr. Blanchette and seconded by Mr. Cushing to approve the request to shut down the streets for the Christmas Stroll. VOTE: 3-0-0

Request to move two trees in front of Town House

The request is to remove two trees in front of the Town House; Mr. Dawson explained that the removal of the trees will not require a public hearing.

Moved by Mr. Blanchette and seconded by Mr. Cushing to approve the request. VOTE: 3-0-0

One day all alcohol license – Marion Social Club – Birthday Party 7:00 p.m. – 11:00 p.m. (12/2/11)

Moved by Mr. Blanchette and seconded by Mr. Cushing to approve. VOTE: 3-0-0

Water commitment (Misc. Sewer) - \$790 (11/4/11)

Moved by Mr. Cushing and seconded by Mr. Blanchette to approve. VOTE: 3-0-0

Water commitment (Sewer) - \$10,000 (11/4/11)

Moved by Mr. Cushing and seconded by Mr. Blanchette to approve. VOTE: 3-0-0

Schedule meeting with MOSAC

MOSAC has requested a meeting with the Board to discuss an interim appointment to the position recently vacated. Mr. Dawson said he and Mr. Rockwell of MOSAC have discussed the issue and they would like to advertise the vacancy and accept any applications, have both Boards meet with the applicants, and then schedule a joint meeting. After discussion it was agreed that MOSAC will be invited to attend the January 3 meeting.

Award contract – Pleasant Street & Briggs Lane Sewer System Repairs

The lowest bid (\$185,038.35) was submitted by New England Pipe Cleaning Company. CDM has reviewed their references and recommends that they be awarded the bid. The final paperwork has not been received from the State; Mr. Dawson requested that the Board authorize him to sign the contract

Moved by Mr. Blanchette and seconded by Mr. Cushing to award the contract to New England Pipe Cleaning Company in the amount of \$185,038.35 and that Mr. Dawson be authorized to sign the contracts when they arrive. VOTE: 3-0-0

Declare surplus property – Musical instrument located in Town House

Mr. Dawson said an organ was donated to the Town 10-15 years ago; his request is that the organ be declared surplus property and transferred to the Sippican School.

Moved by Mr. Blanchette and seconded by Mr. Cushing to declare the organ surplus property and turn it over to the Sippican School. VOTE: 3-0-0

TOWN ADMINISTRATOR REPORT

Grant writer

Mr. Dawson requested the Board's approval to post an advertisement for a part-time grant writer; the draft advertisement was reviewed and discussed.

Moved by Mr. Blanchette and seconded by Mr. Cushing to approve. VOTE: 3-0-0

Town House Advisory Committee

At the last meeting the Board discussed forming a Town House Advisory Committee. Mr. Dawson is recommending that the Board establish a committee of seven members (Town Administrator, one member of the Finance Committee, one member of the

Planning Board, one member of the Capital Improvements Planning Committee, and three citizens at large). Carol Sanz asked if the committee has been advertised and was told yes.

CORRESPONDENCE:

The reading of the correspondence into the record was waived with the exception of the following:

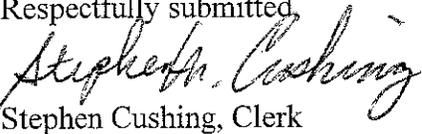
Letter from SRPEDD announcing that Chairman Henry has been elected SRPEDD Commission Vice-Chair (11/2/11)

Memo from Robert Zora regarding hydrant repairs/replacement (11/15/11)

EXECUTIVE SESSION

Moved by Mr. Blanchette and seconded by Mr. Cushing at 8:50 p.m. to enter into Executive Session for discussion of ongoing litigation and strategy related to collective bargaining, and to consider the acquisition of real property after which the Board will not be returning to regular session. A roll call vote was taken with all members voting aye.

Respectfully submitted,



Stephen Cushing, Clerk

Date approved: 12/6/11

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November 15, 2011**

DOCUMENTS REVIEWED AT MEETING

Meeting minutes – November 1, 2011
Public hearing notice – Board of Assessors classification of real property
Memo from Chief Miller requesting full time appointment of Jeffrey Habicht (11/8/11)
CDM Review of Environmental Assessment of WWTP Lagoons (11/15/11)
Memo from Mr. Dawson regarding Mr. Godfrey's ambulance abatement request (11/15/11)
Correspondence regarding Mr. Godfrey's ambulance abatement request
List of School Department surplus property
Letter requesting street closure for Christmas Stroll (10/17/11)
Request to remove two trees in front of Town House (11/1/11)
One day all alcohol license – Marion Social Club, birthday party, 7:00 p.m. – 11:00 p.m.
(12/2/11)
Water commitment - \$790 (11/4/11)
Water commitment - \$10,000 (11/4/11)
Letter from MOSAC requesting meeting to discuss interim appointment (10/26/11)
Letter from CDM dated October 6, 2011 and bid results regarding Pleasant Street and Briggs
Lane sewer system repairs
Draft advertisement for part-time grant administrator
Page 6, Town of Marion sewer policy
Conservation Restriction (Rentumis property)
Water commitment - \$170 (10/3/11)
Water commitment - \$10,000 (10/3/11)
Water commitment - \$525 (10/06/11)
One day all alcohol license – Marion Social Club, family party, 2:00 p.m. – midnight (11/19/11)
Memo from Mr. Dawson regarding Town House Advisory Committee (11/15/11)
Copy of letter from MOSAC to Attorney Witten regarding Hall lots (10/26/11)
Letter from xfinity regarding price adjustments (10/31/11)
Email from ORCTV announcing taping of Holiday Greetings (11/1/11)
Letter from Greater New Bedford Association of REALTORS regarding NFIP (10/31/11)
Email from Attorney Schaefer regarding Marion Art Center Preservation Restriction (11/3/11)
Letter from SRPEDD announcing that Chairman Henry has been elected SRPEDD Commission
Vice Chair (11/2/11)
Copy of memo from Building Commissioner to Board of Appeals regarding 12 South Street
(11/2/11)
Memo from Council of SEMASS Communities (COSM) regarding 12/1/11 meeting (11/4/11)
Letter from Division of Marine Fisheries regarding condition of public roads (11/6/11)
Letter from Meredith & Edward Richardson regarding condition of public roads (11/6/11)
Letter from Greater New Bedford Association of Realtors regarding Copper Pipe Bill (11/1/11)
Letter of resignation from Marion Police Department – Officer Ryan Bernier (11/10/11)
ZBA request for comments – National Sign Corp. for Hiller Chrysler Dodge (11/9/11)
ZBA request for comments – Tabor Academy (11/10/11)
Memo from R. Zora regarding hydrant repairs/replacement (11/15/11)
Planning Board meeting agenda (11/8/11)
Conservation Commission meeting agenda (11/9/11)