

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
November 20, 2012**

MEMBERS PRESENT: Stephen Cushing, Chairman
Jonathan Dickerson, Clerk

MEMBERS ABSENT: Jonathan Henry

ALSO PRESENT: Paul Dawson, Town Administrator
Bill Saltonstall
Norman Hills
Jennifer Francis
Gary Carreiro
Ted North
Sherman Briggs
Thomas Magauran
Carol Sanz
Mike DeCicco (Standard Times)
Jennifer Heshion (Sippican Week)
Katy Fitzpatrick (The Wanderer)
Chris Reagle (Sentinel)
Debra Paiva, secretary

The meeting was called to order at 7:00 p.m. Mr. Cushing 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 will be attached to these minutes.

Approval of Meeting Minutes

Moved by Mr. Dickerson and seconded by Mr. Cushing to approve the minutes of the November 6, 2012 meeting. VOTE: 2-0-0

APPOINTMENTS

Bill Saltonstall, Jennifer Francis – Marion Energy Management Committee

Mr. Saltonstall and Dr. Francis were present on behalf of the Energy Management Committee. Dr. Francis said they were present to gauge and gain continued support of the Selectmen, to provide more information regarding leasing top of landfill for solar garden, and to answer questions the Board might have regarding the activities of the Committee.

The following issues were discussed:

- Criteria and incentives of the Green Communities Act
- Installing a community solar garden on the landfill (approved at 2012 Annual Town Meeting)

- Creating a municipal overlay district on 80 acres of Town owned land and designating some of the land to allow solar installation by right (Town Meeting approval would be required)
- Role of the Planning Board in project design
- Whether the committee should pursue presenting to Town Meeting a bylaw that would allow by right zoning or zoning that would require a special permit
- Ensuring that land would be left for construction of a DPW facility

Tom Magauran said the Committee should be commended for their work but he was concerned that the Town is not prepared for a by right bylaw. He questioned the benefit to the Town and said the rent might not be worthwhile.

Norm Hills said the DEP has established procedure for installation on landfill, the rent is a benefit to the Town, and the landfill can't be used for anything else at this time.

Mr. Saltonstall said no project could be constructed on Town-owned land without Town Meeting approval.

Ted North said a commercial solar project is a commercial industrial project, should be limited to commercial and industrial districts and should be reviewed through the Special Permit process. He voiced concern that one requirement for Green Communities designation is adoption of the Stretch Code.

Dr. Francis said the committee is not present to discuss the Stretch Code and a task force consisting of members of the Planning Board and EMC has been making progress on the bylaw. The two issues that can't be agreed upon are by right zoning and allowing the installation of larger facilities on private land.

Sherman Briggs said the by right status satisfies a Green Communities requirement whether the solar garden is constructed or not. He said two acres is not large enough to produce energy needed to cover the cost of construction.

After discussion it was agreed that two articles would be presented to Town Meeting, one containing the bylaw without the by right provision, and a separate article requesting the by right provision.

Moved by Mr. Dickerson and seconded by Mr. Cushing to support the endeavors of the Energy Management Committee. VOTE: 2-0-0

Collector/Treasurer Gary Carreiro – Signing of MWPATARRA (Massachusetts Water Pollution Abatement Trust/American Reinvestment and Recovery Act) loan authorization

Mr. Carreiro was present for Board authorization to issue a bond for the remaining \$105,123 of the \$900,450 bond approved at 2008 Town Meeting. The funds will be used for storm drainage improvements.

A motion approving the request was read into the record.

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

ACTION ITEMS

Appointed Committee Handbook

The proposed handbook has been reviewed by the Board members. Mr. Hills was thanked for updating the handbook.

Moved by Mr. Dickerson and seconded by Mr. Cushing to accept the appointed committee handbook as presented. VOTE: 2-0-0

Request to close streets on December 9 for Christmas Stroll

Moved by Mr. Dickerson and seconded by Mr. Cushing to approve. VOTE: 2-0-0

Water Commitment - \$10,000 – New Sewer Service (11/13/12)

Moved by Mr. Dickerson and seconded by Mr. Cushing to approve. VOTE: 2-0-0

Water Commitment - \$11,886.09 – Late Bill Run (11/15/12)

Moved by Mr. Dickerson and seconded by Mr. Cushing to approve. VOTE: 2-0-0

Water Abatement Request – 0 Main Street, Robert Hanafee

A request dated November 15, 2012 from property owner Robert Hanafee was reviewed. Mr. Hanafee is requesting an adjustment of the sewer charge because the water was used for irrigation.

A memo from Mr. Zora dated November 16, 2012 contained the following information:

- In 2010 Mr. Hanafee received an abatement of metered sewer charges due to several leaks that were in his irrigation system. He was aware that sewer charges are based on 100% of water used, including irrigation.
- Mr. Hanafee states that his system has been checked and there are no leaks at this time.
- The two options available for residents using large amounts of water for irrigation purposes are to install a separate water service with no indoor plumbing or install a well for irrigation.

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

TOWN ADMINISTRATOR

Letter regarding water leak at Allen's Point Road

Mr. Dawson said Nicholas Grace of 131 Allen's Point Road is requesting some relief regarding his water bill, which was \$73,232.04. The charges are strictly for water as there is no sewer. The meter is in a pit 150' from the home and because it was leaking

into an adjacent wetland it went undetected for a long time. The Board agreed to address this request at the next meeting.

Procurement/contract award – Natural History Museum

Moved by Mr. Dickerson and seconded by Mr. Cushing to award the contract in the amount of \$34,700 to Dimitrios C. Contracting of Canton. VOTE: 2-0-0

Procurement/contract award – Music Hall Exterior Lighting

Moved by Mr. Dickerson and seconded by Mr. Cushing to award the contract in the amount of \$77,700 to Brite Lite Electrical Co. VOTE: 2-0-0

Municipal unemployment issues

Mr. Dawson submitted and explained a recently issued Municipal Unemployment Insurance Task Force Report.

Special Town Meeting

The Special Town Meeting will be at the Sippican School on November 26, 7:00 p.m.

Holiday party

The party will be at the Music Hall on December 4 at 7:00 p.m.

Meeting with Rochester Board of Selectmen

The Board will attend the December 17 meeting of the Rochester Board of Selectmen to discuss the Regional Health District.

CIC Grant Application

Moved by Mr. Dickerson and seconded by Mr. Cushing to authorize the Chairman to sign the letter of support on behalf of the Town of Marion. VOTE: 2-0-0

Letter regarding 2012 MassWorks Infrastructure Program funding round

A letter awarding the Town of Marion Village Area a \$1million grant was read into the record.

Tri-Town Selectmen meeting

The Tri-Town Selectmen will meet on meeting will be November 29 at 7:00 p.m. in the ORR Media Room.

CORRESPONDENCE

The following correspondence items were discussed and/or read into the record.

#9 – Letter from Robert Wedge announcing his resignation from ZBA. Mr. Wedge's letter of resignation was accepted with regret.

#14 – Press release announcing Prescription Drug Disposal Program

Mr. Dawson commended the Board of Health and Police Department for taking the initiative on this program.

Moved by Mr. Dickerson and seconded by Mr. Cushing at 9:10 p.m. to adjourn and enter into Executive Session to discuss strategy related to contract negotiations with non-Union personnel. The Board will not be returning to regular session. A roll call vote was taken with both members voting aye.

Respectfully submitted,


Jonathan Dickerson, Clerk
Date approved:

RECEIVED
TOWN CLERK OF MARION, MA
2012 DEC -5 A 11:42

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

DOCUMENTS REVIEWED AT MEETING – November 20, 2012

Meeting minutes – November 6, 2012
Appointed committee handbook
Christmas Stroll street closure request
Water Commitment - \$10,000 (11/13/12)
Water Commitment - \$11,886.09 (11/15/12)
Water abatement request – 0 Main Street, Robert Hanafee
Letter regarding water leak at Allen's Point Road
Contract information – Natural History Museum
Contract information – Music Hall exterior lighting
Letter of support – CIC Grant Application
Letter regarding 2012 MassWorks Infrastructure Program funding round
Planning Board request for comments – 128 Indian Cove Road
Notice of Plymouth County Mosquito Control Project FY14 budget hearing
Notice of Planning Board decision (River Road)
Letter from Baywatch Realty Trust regarding LIHTC for Marion Village Estates
ZBA request for comments – 6 Cottage Street
Dept. of Public Utilities notice of filing & public hearing – NSTAR Electric
Dept. of Public Utilities notice of filing & public hearing – NSTAR Gas
Letter from Upper Cape Cod Regional Technical School Superintendent regarding representative for upcoming collective bargaining
Letter from Robert Wedge announcing his resignation from ZBA
Email from United Way of Greater New Bedford regarding upcoming toy drive
Notice of ZBA decision – 468 Delano Road
Copy of letter from S. Shippey regarding unsafe structure at 525 County Road
Letter from Covanta/SEMSS regarding MSP for Mercury Diversion
Press release announcing Prescription Drug Disposal Program
Copy of letter from Trident Insurance Services to Commerce Insurance Company
Copy of letter from Buzzards Bay Coalition to Secretary of Energy and Environmental Affairs regarding Marion Village Area Capital Improvements Plan Project
Copy of letter from Attorney Witten regarding letter referenced in #16
Verizon Notice of Force Majeure Event
Email from Ted North regarding East Marion natural gas project
CIPC meeting agenda
Conservation Commission meeting agenda
Meeting minutes – Upper Cape Cod School District
Planning Board meeting agenda