

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
MEETING MINUTES
May 6, 2014**

MEMBERS PRESENT: Jonathan Dickerson, Chairman
Stephen Cushing
Jonathan Henry

ALSO PRESENT: Paul Dawson, Town Administrator
Rob Zora, DPW Superintendent
Jon Gregory, Tata & Howard
David Pierce
Richard Schaefer
Al Caron
Joan Carvalho
Paul Francis
Jack Doran
Peter Kirschmann
Fire Chief Joyce
Deputy Fire Chief Dayton
Chris Reagle (Sentinel)
Jean Perry (Wanderer)
Debra Paiva, secretary
Other audience members who did not sign in

The meeting was called to order at 7:00 p.m. in the Town House conference room. Mr. Dickerson 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 – April 15, 2014, April 18, 2014, April 25, 2014

Moved by Mr. Henry and seconded by Mr. Cushing to move the minutes of the April 15, 2014, April 18, 2014, and April 25, 2014 meetings. VOTE: 3-0-0

ACTION ITEMS

One day alcohol license – St. Gabriel’s Church, Wine & Cheese Reception and Silent Auction Fundraiser, 6:00 p.m. – 7:00 p.m. (05/11/14)

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

Water Commitment – Final Readings - \$1155.19 (05/01/14)

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

TOWN ADMINISTRATOR REPORT

Update – Town Hall telephone system

Mr. Dawson announced that the new telephone system is now installed and operating.

APPOINTMENTS

Rob Zora – Discussion regarding plowing of private roads

In early March the Board met with residents of Inland Road and discussed their request that the Town provide snow and ice removal services on private roads. At that meeting the requirements of M.G.L. Chapter 40 s. 6C and 6D were reviewed and acknowledged and it was agreed that the Board would take the request under advisement until Town Counsel could provide other options. Town Counsel has provided a written opinion dated May 6, 2014 stating that the only way the services can be provided is through M.G.L. Chapter 40 s. 6C and 6D (citizen petition and voter approval at the annual town election.)

The following issues were discussed:

- Town Counsel written opinion
- Miles of roadway - 80 total, 32 owned by Town, 14 miles owned by State (Route 6, Route 105), 34 private unaccepted
- DPW snow removal budget
- Average annual cost to plow 32 miles of Town-owned roads (\$93,802.20)
- Impact to the snow and ice removal budget
- Liability risks and costs
- Existing conditions on private roads
- M.G.L. Chapter 40 and the procedure required to bring the request to the annual town election were explained to Mr. Caron and the other concerned residents.

Mr. Caron questioned the budgeting methods; Department of Revenue snow and ice removal budgeting laws were explained to him.

Residents Joan Carvalho, Paul Francis, Peter Kirschmann, and Jack Doran each addressed the Board and voiced concern for public safety, DPW working on and/or plowing some private roads but not others, a comment regarding competition with private plowing contractors, and DPW staff response to a resident's request for sand.

At the end of the conversation the residents were informed that in order for the request to be placed on the ballot for next year's annual election a petition signed by 200 registered voters or 20% of the Town's registered voters was required to be submitted by the beginning of next March. Mr. Dawson recommended that the petition language be taken verbatim from the statute.

Attorney Richard Schaefer – Discussion regarding Great Hill Water Tank

Attorney Schaefer, Rob Zora, Jon Gregory, and David Pierce were present to discuss a draft Memorandum of Understanding for the replacement of the Great Hill Water Tank; the upcoming Annual Town Meeting warrant contains an article requesting funds for the replacement of the tank.

Moved by Mr. Henry and seconded by Mr. Cushing to enter and execute the Memorandum of Understanding and authorize the Chair to sign on behalf of the Board. VOTE: 3-0-0

TOWN ADMINISTRATOR REPORT

Discussion – Annual Town Meeting

Reminder - Mr. Dawson reminded the Selectmen and the viewing audience that the Annual Town Meeting will be Monday, May 12, 6:45 p.m. at the Sippican School.

Article 15 - Fire Chief Joyce was present with Deputy Chief Joseph Dayton to address the Finance Committee's recommendation that the Selectmen pass over Article 15. The Board reviewed and discussed a memo from the Finance Committee, dated April 30. Chief Joyce submitted a multi-page letter, which he read into the record. Subsequent to the reading of the letter, after discussion, it was agreed that the Selectmen would not pass over Article 15 but would bring it to Town Meeting for the voters to decide. A recent newspaper article containing statements made by the Finance Committee regarding Chief Joyce was discussed as well; Mr. Henry apologized to Chief Joyce on behalf of the Selectmen and said he hoped everyone could move on.

TOWN ADMINISTRATOR'S REPORT

Update – Roadway Improvement Project Phase 1A

The Board reviewed a memo that included a report of what has been completed, what is planned for next week, and what is anticipated to be completed by Memorial Day. The memo also stated that night work (3:00 p.m. – 11:00 p.m.) may be required for the Town Landing/Ryder Lane drain installation; Mr. Dawson said all of the neighbors have been forewarned of this. Mr. Zora answered Mr. Henry's questions about the condition of the existing water and sewer pipes.

Recycling services

Mr. Dawson was informed this afternoon that effective January 1, 2015 the Town of Rochester will begin to privately contract out the recycling services that currently are shared by Rochester and Marion. Mr. Zora and Mr. Dawson will be discussing this and providing recommendations to the Board.

Retirement

Mr. Dawson announced the upcoming retirement of Carol Brown of the Collector's office. It was agreed that a letter will be sent from the Selectmen thanking Mrs. Brown for her service.

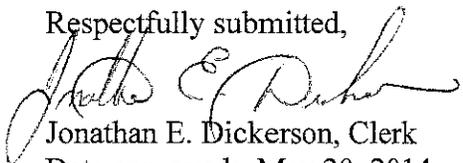
CORRESPONDENCE

Reading of the correspondence was waived.

Mr. Henry noted the recent passing of Mr. Holding of Baywatch Development; he conveyed sympathies, on behalf of the Town, to Mr. Holding's family.

Moved by Mr. Dickerson at 8:43 p.m. to enter into Executive Session to discuss ongoing litigation and also strategy related to collective bargaining. The Board will not return into open session. A roll call vote was taken with all members voting aye.

Respectfully submitted,



Jonathan E. Dickerson, Clerk
Date approved: May 20, 2014

RECEIVED
TOWN CLERK OF MARION, MA
MAY 21 8:31

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
DOCUMENTS REVIEWED AT MEETING – May 6, 2014**

Meeting minutes – April 15, 2014, April 18, 2014, April 25, 2014
Memorandum from Town Counsel regarding the removal of snow and ice from private ways
Great Hill Water Tank Memorandum of Understanding
One day alcohol license – St. Gabriel’s Church, Wine & Cheese Reception and Silent Auction
Fundraiser, May 11, 2014, 6:00 p.m. – 7:00 p.m.
Water Commitment – Final Readings - \$1155.19 – 05/01/14
Letter from Fire Chief regarding recent Finance Committee meeting
Letter from Finance Committee Chairman regarding Article ____
Memo from Town Administrator regarding ongoing roadway improvement project
Tabor Academy request to extend outside entertainment - June 7, 6:00 p.m.–11:00 p.m.
Copy of letter from Building Commissioner regarding address change (681 Mill Street to 8
Parlowtown Road)
Letter from South Shore Race Management requesting use of public roads for 5K road race
9/21/14
Department of Public Utilities notice of petition of approval of gas service agreement (NSTAR
and Hopkinton LNG Corp.)
Letter from xfinity announcing changes to MultiLatino Services
Email from Diane Drake regarding Job’s Cove aquaculture grant
Copy of letter from Building Commissioner regarding 3 Rose Cottage Lane
Memo from Music Hall Advisory Committee recommending increase from five to seven
members
Memo from CMWRRDD announcing 5/3/14 Household Hazardous Product Day
Letter dated 4/22/14 from Comcast regarding cable television renewal license
Letter from MEMA and DCR announcing 2014 PDM and FMA programs
Announcement of SRPEDD 2014 Annual Meeting
Notice of ConCom public hearing - Town of Marion float system replacement
Notice of ConCom public hearing – Town of Marion – installation of float and piles
Memo from Buzzards Bay National Estuary Program regarding Buzzards Bay Comprehensive
Conservation and Management Plan
Abutter notification of ConCom filing – Tabor Academy, Map 13, Lot 44
2014-2015 SRPEDD Commission delegation appointment form
Copy of letter from Building Commissioner regarding 69 Converse Road
ZBA decision – 41 Dexter Road
ZBA decision – 64 Allen Street
Email from MMA regarding FY2015 budget debate
Email from MMA regarding FY2015 budget
Financial information for the fiscal year ended December 31, 2013 – Comcast
Letter from VFW #2425 regarding Memorial Day Parade and Observances
Letter from Jean DaSilva regarding Feast of St. Anthony

OTHER BOARDS

CIPC meeting minutes – 3/11/14
Conservation Commission meeting agenda – 4/23/14
Upper Cape Regional School District Committee meeting minutes – 3/13/14