

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
August 16, 2011
Meeting Minutes**

MEMBERS PRESENT: Roger Blanchette
Stephen Cushing, Clerk

MEMBERS ABSENT: Jonathan Henry, Chairman

ALSO PRESENT: Paul Dawson, Town Administrator
Carol Sanz
Ted North
Jay Ryder
William Saltonstall
David Pierce
Norman Hills
Eunice Manduca
Kathy Reed
Kitt Sawitsky
Helen Westergard
Suzanne Peterson
Dorothy Burrill
Mary Lucas
Dave Anaheim
Anne Kakley (Wanderer)
Eric Fox (Sippican Week)
Debra Paiva, secretary

The meeting was called to order at 7:00 p.m. Mr. Blanchette announced that the meeting would be televised, video recorded by ORCTV, and audio recorded by Town of Marion staff. This meeting was held at the police station.

NOTE: A list of the materials reviewed at the meeting shall be attached to these minutes.

Approval of Meeting Minutes

Moved by Mr. Cushing and seconded by Mr. Blanchette to approve the meeting minutes of August 2, 2011. VOTE: 2-0-0

APPOINTMENTS

Marion Energy Management Committee – Planning Board – Discussion regarding Green Communities

MEMC Chairman William Saltonstall said the purpose of the discussion was to familiarize the Planning Board and Board of Selectmen with the conditions required for Marion to qualify as a green community. Seth Pickering, Southeast Regional Coordinator, Green Communities Division, was present to explain the program. The MEMC has recommended that the Town pursue the Department of Energy Resources (DOER) criteria for Green Communities. Mr. Saltonstall stated that Great Hill was the only available site in Marion studied for a possible wind project as it was the only site

available that meant the minimum requirement for wind (6 meters per second at 70 meters above the ground). The MEMC does not know of any other sites available for a wind project, so turbines are not proposed as a key element in this effort. The MEMC is prepared to work on the required criteria for Marion to become a Green Community and the members believe in the goals of the program.

During Mr. Pickering's presentation the following information was provided:

- The Green Communities Division recommends that Towns establish an Energy Committee and/or designate an Energy Officer, establish an energy baseline for all municipal operations, and perform energy audits on as many buildings as possible
- The Green Communities Division is recommending changes in behavior related to energy, conserving energy whenever possible, and promotes exploration of renewable energy whenever possible.
- A list of resources was provided and described
- The Green Communities grant program provides funds to designated Green Communities funding energy efficiency initiatives, renewable energy projects, and other types of projects.
- The following five criteria need to be met to be designated a Green Community:
 - #1 – Designated as of right siting for renewable or alternative energy generating facilities, or renewable or alternative energy R&D facilities, or renewable or alternative energy manufacturing facilities in designated locations.
 - #2 – Expedited permitting (12 months or less) to any project subject to criteria #1.
 - #3 – Establishment of energy baseline and 20% reduction plan
 - #4 – Implementation of purchase policy requiring fuel efficient vehicles for municipal use moving forward
 - #5 – Require all new construction to utilize energy efficiency, water conservation, and other renewable or alternative energy technologies by meeting the Stretch code (780 CMR 115.AA)

Mr. Blanchette asked if the Stretch code would be a law next year; Mr. Pickering explained that the Green Communities Act requires that the State Building Code be updated every three years to meet the International Energy Conservation Code and the next time that will happen is 2012. Massachusetts will adopt the new 2012 IECC code as the base code and that base will probably be very close to the existing Stretch code. There will be another Stretch code that will probably be 10%-15% more efficient than the new base code. Towns that have already voted to adopt the Stretch code will automatically go into the new Stretch code.

Mr. Saltonstall asked if the Stretch code would be limited to residences greater than 3000 square feet and was told no.

Ted North asked how much grant funding is available and what the amount of the average was. He was told each grant round has had close to \$4 million, and it is hoped that another grant round late this year will be for that amount. The grants have been apportioned through an equation that calculates per capita income and population,

resulting in a base amount of \$125,000. Mr. Pickering said the town of Marion would probably receive a grant in the \$135,000-\$160,000 if it qualified as a Green Community. Mr. North expressed concern that the town would lose Special Permit/zoning protection in order to qualify for a \$150,000 grant. Mr. Pickering said the siting would be in selected areas of town and it would not take plan review away from the Planning Board.

Eunice Manduca asked what the source was for the grants and was told the funds were from the Regional Greenhouse Gas Initiative.

Mr. Saltonstall said \$150,000 is not very significant but almost everything in the program will save the town power or provide alternative sources of power.

_____ asked if the Town can actually do this independently. He said the qualification criteria seemed onerous.

Mr. Blanchette said zoning changes would be limited to special areas, not the entire town. Mr. North said it would be an energy equivalent to a 40B project and a permanent zoning change in order to get grant money. Mr. Blanchette said some of the land at the transfer station could be designated; solar panels are now being placed on capped landfills. He said the town has a capped landfill and asked what bother it would be to the town to designate that area. Mr. North said that could be done under the Special Permit process without changing the zoning bylaw. Mr. Dawson explained how this proposal is different from 40B.

_____ suggested the town take the approach of being more self-governing and making the decisions on these issues on a case by case basis. Mr. Blanchette said Mr. Pickering has already indicated that his agency is willing to assist the town without Green Community designation. _____ said the Stretch code is a good thing long term but it will double the cost associated with insulating a home.

Kitt Sawitsky asked what the process was in deciding which use would be pursued. Mr. Saltonstall said the MEMC does not yet have a recommendation but R&D might be the best one because the town already has some limited industrial land set aside in the zoning and R&D could be added to the permitted uses. Mr. Pickering said sufficient acreage would be required for solar panels as one acre is needed for a 250,000 kW single ground mounted system.

Mr. Saltonstall said the town owns a lot of land in wooded areas that don't have wind but it's still possible to net meter from those sites to municipal facilities and pay municipal bills with the power generated from a town-owned solar facility. Mr. Hills said the MEMC is just getting started and it's premature to make any decisions. Mr. Dawson said the process would require choosing a site and then going to Town Meeting for a bylaw change.

_____ asked what would happen if the Town has not seen energy savings after five years. Mr. Pickering said there will be annual reporting and review under the plan so

it's unlikely five years will pass with no savings. He said the status does not change after five years and the goal is for towns to pursue savings greater than 20%.

Mrs. Manduca asked if there were specifics to what the grant funds could be spent on. Mr. Pickering said it was up to the town to apply in a grant application but they were asked to focus on efficiency and conservation measures.

David Pierce suggested that the point of the Green Communities Act is not to receive grant funds but the more important issue is the conservation of energy.

Subsequent to the presentation Mr. Blanchette announced that it's important to consider how this works for the town moving forward. He said Mr. Pickering was invited to do the presentation; it was not mandated by the State, and it needs to be considered a Town-wide initiative.

Jay Ryder, Planning Board chairman, said this would require bylaw changes, which can only happen at Town Meeting; additionally, the cost benefit analysis to the town should also be weighed at Town Meeting.

Dorothy Burrill – Discussion regarding traffic concerns at Little Neck Village

Ms. Burrill was here to discuss some safety concerns. She noted that Peabody Properties is cooperating fully with residents and there will be a meeting next week. She said the residents had never received an orientation to the safety devices on the outside of the buildings and two recent emergencies revealed that the pull chains/emergency devices for the smoke alarms were not hard wired; a light goes on outside of the unit to inform the office but most emergencies occur at night when the office vacant.

Ms. Burrill said the other reason for tonight's discussion is concern relative to traffic safety when exiting the site. Mr. Blanchette described the entrance and egress at the previous site and said they were moved as close to the lot line as possible. Mr. Anaheim asked the Board to petition the State on behalf of the Town to erect some sort of signage and also to consider a reduction of speed. Chief Miller said SRPEDD generally has manpower time for each community and that has been used in the past for traffic studies and recommendations. Mr. Dawson said the first and probably the quickest hope is through SRPEDD. If not, the second option is to go through MassHighway and involve the legislative delegations.

ACTION ITEMS:

Tabor Academy – Front Street road closure – September 6

The request is to close Front Street on September 6 to complete the Tabor field drainage work. The DPW Superintendent, Chief of Police, and Fire Chief are aware of the request and they have no objections.

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

Discussion – GeoComm feasibility report regarding 911 dispatch centers

Approximately one year ago the Board voted to be a participating community in a SRPEDD study concerning the possible consolidation of 911 dispatching. The study was to see if it made sense to create one large public safety answering point (PSAP) and a final recommendation has been received. Chief Miller and Chief Joyce analyzed the report and were present to discuss their findings. Mr. Dawson said the question for the Board tonight is to decide whether to continue in the process based upon the information provided.

Chief Miller said the report is very thorough but did contain some discrepancies. During the discussion the following issues were addressed:

Financial

- Two regional centers are proposed for emergency dispatching
- Dispatch provides other nonemergency services and they will still need to be provided locally
- The local savings indicated in the report are overstated by \$100,000
- The police department would still need to have a dispatcher seven days a week, at least 8:00 a.m. – 4:00 p.m., and then the building will close until 8:00 a.m. the next day
- Staff would need to be called in and paid overtime for prisoner lockup; prisoners cannot be left alone in the building and currently are monitored by the desk officer
- Grant funds would be lost, unemployment costs would occur, and officers who need to work light duty would have to stay out on sick time, requiring their shift to be covered at an overtime rate
- A previous study done in Plymouth County clearly advised that money would not be saved with a regional dispatch center

Efficiency

- Local police officers currently handle dispatch
- The study estimates a cost of \$76 for each 911 call
- 911 calls are a small part of the duties handled by any dispatcher in the area

Other issues

- Currently the police department has full access to the State and Federal system and regulations require local police monitoring of the system 24 hours a day, 7 days a week.
- The town has a large network of municipal radio boxes and according to the report that system will not be handled by the regional center
- Eighteen communities and UMass Dartmouth will be covered by two dispatch centers; the cost sharing formula right now is based on call volumes but it could be changed to assessed valuation
- Mattapoisett and Rochester opted out prior to the study and Freetown recently opted out.
- A lot of the monetary information in the report is based on availability of grant money and Chief Miller has seen many instances of grant funds dwindling down until no longer available.

- Construction of the facilities is not figured in without the use of grant funds. The report states without grant funds none of the communities will be able to afford to do this.
- Land costs are not included in the construction costs
- A radio network changeover will be required at a projected cost between \$4 million and \$20 million.
- Chief Miller is a member of the statewide interoperability committee for southeastern Massachusetts on radio communication and what is proposed for radio infrastructure completely goes against what the committee is doing right now. This would result in the need for new radio equipment.
- Chief Miller said he did not see the advantage to the Town of Marion to go forward with the proposal. He said there is not a problem with the current dispatch operation; the dispatchers are trained by the State to meet State standards.
- Dispatchers at a regional dispatch center will not know the community; people will be questioning where someone might be.
- Participating in the program will result in the town losing its only 24 hour, 7 day operation that is manned.

Chief Miller said his recommendation to the Board is to no longer participate with the study.

Chief Joyce said he was not against the concept initially; however, after reviewing the report he agreed with Chief Miller. During the discussion the following issues were addressed:

- A new regional administrative agency will need to be developed for the proposal to work, which is not consistent with current efforts of state, local, and county governments to downsize.
- Marion is the smallest of the 19 communities included in the study
- Employee costs
- Training and complexity of tasks associated with dispatch
- Local level of services provided to residents
- Closing down the police station, which is the one true safe haven for any citizen, any time
- Police lockup
- Police details
- Funding for startup costs
- New radio system
- Technical failures and disconnects, misrouted transfers

Chief Joyce suggested that he did not see the proposal being beneficial to this community today or within the next ten years.

Mr. Blanchette said he supported regional dispatch several years ago but in his mind regional dispatch would have consisted of Rochester, Mattapoissett, and Marion. He said after research and meeting with other towns he did not believe there would be anything to

be gained and the residents of Marion are very satisfied with the ability to call the police station and get results.

Mr. Cushing agreed, said there are far too many unknowns, and voiced concern for finances and the possibility of closing the police station.

Mr. Dawson said no community tracks dispatching personnel costs unless they use civilian dispatchers. He did not agree with the numbers but said the first concern should be about improved efficiency and if that can be achieved with a cost savings then it's worth considering moving further. He noted that nothing has been gained and a lot has been lost.

Moved by Mr. Cushing and seconded by Mr. Blanchette to opt out and stop at this point.

VOTE: 2-0-0

Vote to accept surrendered license – Leo's Wine & Cheese Shop

Mr. Dawson explained that Leo's has gone out of business and the building is occupied by another business. The previous owners have surrendered the license; ABCC regulations require a vote of the licensing authority to accept the surrendered license.

Moved by Mr. Cushing and seconded by Mr. Blanchette to accept the surrendered license from Leo's Wine & Cheese Shop. VOTE: 2-0-0

One day all alcohol license – Marion Social Club – Wedding Reception 9/10/11, 6:00 p.m. – 11:00 p.m.

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

Credit memo - \$3056.38 (8/5/11)

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

The following items were reviewed together.

Authorize Town Administrator to apply for MassWorks Infrastructure Program Grant

Review and authorize chairman to sign MassWorks Infrastructure Grant Program letter of support

Mr. Dawson has been working with CDM on getting the streets repaired. MassWorks Infrastructure Program grant is a competitive grant that does not require matching funds. Funds are earmarked for small towns with populations of 5000 or less and there is a good possibility that the town will be positioned to receive grants of approximately \$1 million. Mr. Dawson is asking the Board for authorization to apply for the funds.

Moved by Mr. Cushing and seconded by Mr. Blanchette to authorize Mr. Dawson to apply. VOTE: 2-0-0

Moved by Mr. Cushing and seconded by Mr. Blanchette to authorize the chairman to sign the letter of support. VOTE: 2-0-0

TOWN ADMINISTRATOR'S REPORT

Update on Town Hall parking lot construction

The parking lot construction is ongoing. When tying in the drain in the parking lot to Main Street the pipe on Main Street was found to be in poor condition and was wrapped and repaired. Flowable fill was used to backfill the area, resulting in an additional cost of

approximately \$600. The perimeter drain is being installed and the roof leaders are being tied into that. Mrs. Sanz asked if the metal ramp is permanent or temporary and was told it was temporary.

Update on Tabor Academy peer review engineer

At the last meeting the Board asked Mr. Dawson to contact Tabor Academy and discuss a peer review study related to the field project. Mr. Stroud indicated that Tabor Academy is willing to fund the study and to work with CDM. The areas of concern (crumb rubber, subsurface drainage, heat island effect, and items of concern to the Planning Board) will be identified and given over to CDM. Mr. Dawson hopes to have a proposal by the end of this week or the beginning of next week, which may necessitate a special meeting.

Open Space Acquisition Commission

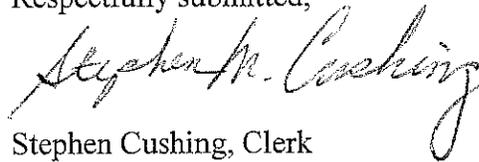
Mr. Dawson announced that within the last 4-6 weeks the OSAC sent out a survey to the residents and the response has been disappointing. Mr. Blanchette and Mrs. Sanz both said they did not receive a survey.

CORRESPONDENCE:

The reading of the correspondence into the record was waived with the exception of the Board of Health reorganization memo.

Moved by Mr. Cushing and seconded by Mr. Blanchette at 9:08 p.m. to go into Executive Session for the purpose of strategy related to ongoing collective bargaining. The Board will not be returning to regular session. A roll call vote was taken with Mr. Cushing and Mr. Blanchette both voting aye. VOTE: 2-0-0

Respectfully submitted,



Stephen Cushing, Clerk

Date approved:

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
August 16, 2011**

DOCUMENTS REVIEWED AT MEETING

Green Communities presentation
Safety issues of concern to Little Neck Village residents
Request from Tabor Academy to close Front Street on 9/6/11
Letter and licenses (Leo's Cheese & Wine Cellar)
Credit memo (\$3056.38, 8/5/11)
Authorization letter – MassWorks Infrastructure Program (8/15/11)
Board letter of support – MassWorks Infrastructure Program (8/15/11)
Memo from Health Director regarding Board of Health reorganization (8/8/11)
Copy of letter sent to Coalition for Buzzards Bay regarding Hathaway Pond dam (8/8/11)
Copy of letter to Dale Jones from MEMA Local Coordinator (8/9/11)
ZBA request for comments regarding 12 South Street (8/9/11)
ZBA request for comments regarding 305 Delano Road (8/11/11)
Invitation to Association of Town Finance Committees' 2011 Annual Meeting (8/11)
Copy of letter to Cape Cod Regional Technical High School Business Administrator from
Massachusetts School Building Authority (8/11/11)
Planning Board request for comments regarding 119 Wareham Street (8/12/11)

**AGENDAS & MEETING MINUTES RECEIVED FROM OTHER BOARDS &
COMMISSIONS**

Conservation Commission Meeting Agenda (8/10/11)
Planning Board Meeting Agenda (8/8/11)