

**MARION BOARD OF SELECTMEN  
WATER/SEWER COMMISSIONERS  
October 4, 2011  
Meeting Minutes**

**MEMBERS PRESENT:** Roger Blanchette  
Stephen Cushing, Clerk

**MEMBERS ABSENT:** Jonathan Henry, Chairman

**ALSO PRESENT:** Paul Dawson, Town Administrator  
Eunice Manduca  
Carol Sanz  
William Moonan  
Carol Amick  
Clint Brown  
Dick Giberti  
Anne Kakley (Wanderer)  
Ricky Pursley (Sentinel)  
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. 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 minutes of the September 20, 2011 meeting. VOTE: 2-0-0

**ACTION ITEMS**

**Water Commitment - \$190 (9/2/11)**

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

**Discussion concerning composition of Marion Community Preservation Committee (CPC)**

At the Board's October 3 special meeting Mr. Blanchette recommended a plan to make a change in the composition of the CPC. The Marion Open Space Acquisition Commission (MOSAC) has two members on the CPC, and several other committees have one person on the committee. Yesterday Mr. Blanchette suggested a bylaw change that would result in one member from the following Boards serving on the CPC: Conservation Commission, Historical Commission, Planning Board, Parks & Tree Committee, Affordable Housing Trust, Open Space Acquisition Committee, and Board of Selectmen. The bylaw will be presented at Annual Town Meeting. William Moonan, Quelle Lane, voiced support for the bylaw change.

### **Review Public Health Nurse contract**

Mr. Dawson explained that last year the Board of Health negotiated a contract with the Public Health Nurse. Subsequent to the contract being signed it was noted that it contained some clerical errors changing the meaning of what was negotiated. The contract being reviewed tonight is an amendment to the existing contract. The amendments are to the status as a salaried employee vs. an hourly employee, and also a minor change to the salary. A minor adjustment from the reserve fund will be required but the major change is to the language regarding the hourly vs. salaried status of the employee. Town Counsel has reviewed and approved the contract; Mr. Dawson recommended that the Board approve it as well.

Moved by Mr. Cushing and seconded by Mr. Blanchette to approve the amended contract of the Public Health Nurse. VOTE: 2-0-0

### **TOWN ADMINISTRATOR'S REPORT**

#### **FY2010 audit**

The new auditors have submitted the FY10 audit report; a copy has been provided to the Selectmen for their review. There were no significant issues discovered in the audit.

#### **FEMA meeting update**

Mr. Dawson announced that the FEMA meeting will be held Thursday, October, 6 at the Music Hall at 7:00 p.m. Two representatives from FEMA will be present to provide information and answer the questions and concerns that residents may have relative to the proposed flood maps. The proposed maps are in Town Hall; Mr. Cushing said anyone living within a half mile of the water should review the maps. Mr. Dawson said very significant changes to the maps are proposed. Mr. Blanchette said anybody who lives near the water should go to the meeting.

#### **YSI donation of building**

Mr. Dawson announced the potential donation of the land and the commercial building that sits upon it on Atlantis Drive. The property is currently owned by YSI, Inc., the former Endico building. The owners are transferring their operations to Florida and have submitted to the Town their donation agreement. A 21E (environmental reporting) has been done and Mr. Dawson has been told the very minor remediation required has been completed. Acceptance of the property has been placed on the Special Town Meeting warrant. The donation agreement is under review by Town Counsel.

#### **EPA Grant**

The Town has been awarded a grant in the amount of \$18,653 under the Buzzards Bay National Estuary Program's mini-grant program as part of the ongoing program for illicit storm water detection and elimination.

#### **CORRESPONDENCE:**

The reading of the correspondence into the record was waived with the following exceptions.

**Letter from Gleason Family YMCA commending Harbormaster staff (9/15/11)**

**Letter from Fire Chief regarding Exemplary Performance (9/27/11)**

The letter, praising the actions of Chief Miller at a recent incident, was read into the record.

**Letter from Fire Chief regarding Commendable Performance (9/28/11)**

The letter, sent to Chief Miller from Chief Joyce and commending the actions of Officers Tripp and Johnson at the September 18 Fire Station fire, was read into the record.

**Memo from Bayberry Lane Association regarding MOSAC purchase (10/3/11)**

The memo was read into the record; it addressed concerns including the land purchase process, lack of communication with residents, impact on shellfishing, access to the site, and lack of parking. The association requested that the purchase be thoroughly examined by the Town prior to any further progress.

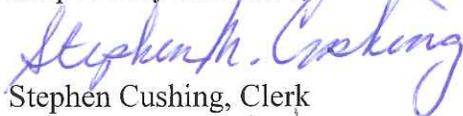
Mr. Blanchette said there was no meeting scheduled last week because two of the members were at the CPC meeting. Selectmen were advised that the CPC denied their request for \$60,000 for the purchase; MOSAC has Land Bank funds left over from six years ago and those funds will be used for the purchase. Use of CPC funds would require Town Meeting approval but not land bank. Mr. Blanchette questioned why MOSAC was requesting CPC funds for the past six years and not using the land bank funds. Mr. Dawson said prior to the Community Preservation Act the Town had the ability to charge 2% above regular taxes and those funds went into the Land Bank to allow MOSAC to do its work. Special legislation and Town Meeting vote allows the MOSAC legal authority to purchase property with money it has on hand; borrowing money or a subsequent appropriation for money would require Town Meeting approval. Mr. Dawson announced that MOSAC has a meeting scheduled October 12 at the police station.

Richard Giberti suggested the meeting be held at another location as there is limited space at the police station. Mr. Dawson said he would speak to a member of MOSAC and recommend the meeting be held somewhere else. Mr. Blanchette noted that MOSAC does not have a chairman.

Carol Amick, 16 Quelle Lane, said she wrote a lot of environmental law when she was a state senator and there is no reason why the Board can't vote whether to accept the acquisition of the land.

Moved by Mr. Cushing and seconded by Mr. Blanchette at 7:40 p.m. to go into Executive Session for the purposes of strategy related to collective bargaining. The Board will not return to regular session after the Executive Session. A roll call vote was taken, with both members voting aye.

Respectfully submitted,



Stephen Cushing, Clerk

Date approved: 10/18/11

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WATER/SEWER COMMISSIONERS  
October 4, 2011**

**DOCUMENTS REVIEWED AT MEETING**

Water commitment - \$2997.21 (9/19/11)  
Email from Buzzard's Bay Estuary Program EEA Grant (9/29/11)  
Copy of letter from District Court to District Attorney Timothy Cruz (9/12/11)  
Letter from Gleason Family YMCA commending Harbormaster staff (9/15/11)  
Email from DEP regarding Aucoot Cove water quality improvements (9/19/11)  
Letter from Alan Harris regarding Hathaway Dam (9/19/11)  
Newspaper article submitted by Sherman Briggs regarding FEMA maps (9/20/11)  
Letter from Verizon regarding Hurricane Irene (9/21/11)  
Copy of letter from Building Commissioner regarding 760 Mill Street (9/21/11)  
Email and attached materials from Hal Shurtleff regarding Green Communities (9/21/11)  
Letter from DMF regarding Weweantic River shellfishing status (10/1/11)  
Letter from Fire Chief regarding Exemplary Performance of Duty (9/27/11)  
Letter from Fire Chief regarding Commendable Performance (9/28/11)  
Letter from Xfinity regarding programming change (9/27/11)  
Letter from Marion Art Center regarding Halloween Parade (9/29/11)  
Memo from Bayberry Lane Association regarding MOSAC purchase (10/3/11)  
Conservation Commission meeting agenda (9/28/11)  
Planning Board meeting agenda (10/3/11)  
Draft Public Health Nurse contract  
Newspaper articles submitted by Sherman Briggs regarding FEMA maps (10/4/11)