

**MARION BOARD OF SELECTMEN  
WATER/SEWER COMMISSIONERS  
December 6, 2011**

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

**ALSO PRESENT:** Paul Dawson, Town Administrator  
Lincoln Miller  
Karen Ballinger  
Eunice Manduca  
Carol Sanz  
Lori Schaefer  
Mike DeCicco (Standard Times)  
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 15, 2011 and November 30, 2011 meetings. VOTE: 3-0-0

**APPOINTMENTS**

**Chief Miller, Karen Ballinger – Appointment of Mrs. Ballinger as full time officer**

Chief Miller requested the appointment of Mrs. Ballinger as full time officer on a probationary basis effective December 11.

Moved by Mr. Blanchette and seconded by Mr. Cushing to approve the recommendation of Chief Miller to accept Mrs. Ballinger as a full time police officer. VOTE: 3-0-0

**Lori Schaefer – Discuss Fall Town Meeting**

Mrs. Schaefer asked if the Board would consider planning a Fall Town Meeting. She explained that CPA funds were not received until October and the most prudent thing would be to seek applications in the Fall for disbursement the following year, when the CPC knows what funds will be available.

Moved by Mr. Blanchette and seconded by Mr. Cushing to commit to having a Fall Town Meeting going forward, with the date to be determined. VOTE: 3-0-0

**ACTION ITEMS**

**Tree City USA Recertification**

Moved by Mr. Cushing and seconded by Mr. Blanchette to approve the application for recertification for Tree City USA and also to authorize the Chairman to sign the

application and the letter stating that the Board of Selectmen did not conduct any public hearings for tree removal in 2011. VOTE: 3-0-0

**2012 Licensing**

The list of license renewals for the year 2012 was reviewed and discussed.

Moved by Mr. Cushing and seconded by Mr. Blanchette to approve the list of license renewals. VOTE: 3-0-0

**Water Commitment (Final Readings) - \$6589.18 (12/21/11)**

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

**Water Commitment (New Services) - \$550 (11/22/11)**

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

**Vote – YSI donation agreement**

The Board reviewed the YSI donation agreement; it has been reviewed by Town Counsel. Mr. Dawson said an exhaustive review has been done of the property, including environmental components. The environmental reports have come back clean and were independently verified by the Town's engineers. One minor issue was found in a crawlspace area of the basement; some asbestos needs to be removed and will be the responsibility of the Town at a cost ranging from \$3000-\$5000. Mr. Dawson said Town Meeting has approved acceptance subject to the Board's approval and it was his recommendation that the Board execute the agreement. He said the next step will be to enter into a contract with a licensed asbestos removal company; the company will guarantee full removal.

Carol Sanz noted that the building will cost the Town money, is coming off the tax rolls, and asked why the Town wanted it. Mr. Dawson said possible uses include DPW maintenance facility and cold storage, storage by the Harbormaster, and temporary storage for Town House during mold remediation. Long term uses include a senior center. Mrs. Sanz asked if acceptance will mean responsibility for repair and maintenance costs and also for work to fit someone's requirements; Mr. Dawson said yes. Mr. Blanchette said the Harbormaster has looked at the building and knows what he wants to do and what he can do. Mr. Dawson said the Harbormaster staff will do whatever maintenance work they can do. He added that there are no restrictions on the building and it can be sold if it is determined that there is no long term use for it. The donation agreement has a December 31 deadline.

Moved by Mr. Cushing and seconded by Mr. Blanchette that the Board of Selectmen vote to execute the Real Estate Donation Agreement as between YSI Incorporated and the Town of Marion, permitting the acceptance of a donation of real property located at 13 Atlantis Drive, Marion, Massachusetts and consisting of approximately 1.8 acres together with all structures thereon, all as authorized by Special Town Meeting 2011 and to hold said Real Estate Donation Agreement in escrow pending completion of arrangements to ensure removal of asbestos within said real property and to authorize the Town Administrator to release from escrow said Real Estate Donation Agreement once

arrangements to ensure removal of asbestos within said real property have been completed. VOTE: 3-0-0

**Discussion – Tennis courts located behind Town House**

Mr. Cushing described the state of disrepair of the courts. Mr. Dawson said this might be an opportunity for the Town House Advisory Committee to investigate and make recommendations.

**TOWN ADMINISTRATOR**

**Town House Advisory Committee update**

The committee has been advertised and the deadline to submit applications is Friday, December 9. Eight applications have been received and more are expected. After discussion it was agreed that the committee will consist of representatives from the Finance Committee, Planning Board, Capital Improvements Planning Committee, four citizens at large, and Mr. Dawson as ex officio member. The chairmen of the Boards will be contacted and asked to inform Mr. Dawson prior to December 20 who their representatives will be.

**Holiday Party update**

The annual Selectmen party will be held December 13 at 7:00 p.m.

**Town Administrator vacation**

Mr. Dawson informed the Board that he will be on vacation the week beginning December 26.

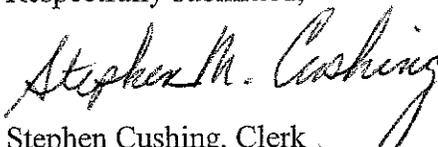
**Miscellaneous Board and Committee vacancies**

Mr. Dawson announced that committee vacancies have been advertised and some applications have been received.

**EXECUTIVE SESSION**

Moved by Mr. Cushing and seconded by Mr. Blanchette at 7:50 p.m. to enter into Executive Session for discussion of ongoing litigation and strategy related to collective bargaining 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: 12/20/11

RECEIVED  
TOWN CLERK OF MARION, MA  
2011 DEC 21 A 8:15

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December 6, 2011**

**DOCUMENTS REVIEWED AT MEETING**

Meeting minutes – November 15, 2011  
Meeting minutes – November 30, 2011  
Memo from Chief Miller requesting appointment of Karen Ballinger as full time police officer (12/2/11)  
Tree City USA recertification application and letter from Board regarding public hearings for tree removal  
List of license renewals for year 2012  
Water Commitment - \$6589.18 (11/21/11)  
Water Commitment - \$550 (11/22/11)  
YSI donation agreement and motion language  
Letter from xfinity regarding programming changes (11/9/11)  
Notification of ABCC decision regarding Spirits (11/8/11)  
Plymouth County Cooperative Extension Annual Report (11/9/11)  
Letter from xfinity regarding programming contracts (11/14/11)  
Memo from Chief Miller regarding regional dispatch study comments  
Letter from Habormaster regarding proposed mooring regulation (11/22/11)  
Letter from Division of Marine Fisheries regarding the Weweantic River (12/1/11)  
Letter from Mass. Department of Transportation regarding traffic patterns on Route 6 (11/17/11)  
Copy of letter from Building Commissioner regarding 119 Wareham Street (11/28/11)  
Letter from Commonwealth of Massachusetts regarding 2011 MassWorks Infrastructure Program funding round (11/15/11)  
Copy of letter sent to CDM from CLE Engineering regarding appeal of proposed base flood elevation determination on behalf of David Croll from Marion Lands Trust LLC (11/28/11)  
ZBA request for comments - 32 Oakdale Avenue (12/1/11)  
Draft scope of services – Marion Water Division Rules & Regulations update  
Notice of Plymouth County Mosquito Control Project Annual Budget Meeting (12/8/11)  
Email from Clean Water Action regarding electronics recycling bills (12/2/11)

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

Planning Board meeting agenda (11/21/11)  
Upper Cape Cod Regional Technical School District Committee Minutes (10/13/11)  
Conservation Commission 2012 meeting schedule