

**MARION BOARD OF SELECTMEN  
WATER/SEWER COMMISSIONERS  
May 21, 2013**

**MEMBERS PRESENT:** Stephen Cushing, Chairman  
Jonathan Henry  
Jonathan Dickerson, Clerk

**ALSO PRESENT:** Paul Dawson, Town Administrator  
Gary Carreiro, Treasurer/Collector  
Thomas Magauran  
Ted North  
Carol Sanz  
Rico Ferrari  
Steve Kokkins  
Matthew Bernat (Sippican Week)  
Michael DeCicco (Standard Times)  
Joan Hartnett-Barry (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.

**Reorganization of Board**

Moved by Mr. Henry and seconded by Mr. Cushing to reorganize the Board of Selectmen with Mr. Dickerson appointed Chairman, Mr. Cushing appointed Vice-Chairman, and Mr. Henry appointed Clerk. VOTE: 3-0-0

Moved by Mr. Henry and seconded by Mr. Cushing that Mr. Dickerson will continue to serve as Parking Clerk. VOTE: 3-0-0

Moved by Mr. Cushing and seconded by Mr. Henry that Mr. Dickerson will continue to serve as the Board's representative to the Buzzards Bay Action Committee. VOTE: 3-0-0

Moved by Mr. Henry and seconded by Mr. Dickerson to appoint Mr. Cushing as the Board's representative to the Music Hall Advisory Committee. VOTE: 3-0-0

Moved by Mr. Henry and seconded by Mr. Dickerson to appoint Mr. Cushing as the Board's representative to the Capital Improvements Planning Committee. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Cushing to appoint Mr. Henry as the Board's representative to the Plymouth County Advisory Board. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Cushing to appoint Mr. Henry as the Board's representative to SRPEDD and the Joint Transportation Planning Group (JTPG). VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Cushing to appoint Mr. Henry as the Board's representative to the Southeastern Massachusetts Commuter Rail Task Force. VOTE: 3-0-0

Moved by Mr. Henry and seconded by Mr. Dickerson to appoint Mr. Cushing as the Board's representative to the Community Preservation Committee. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Cushing to appoint Mr. Henry to the Marion Pathways Committee. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Henry to appoint Mr. Cushing as Marion's representative to the CMW Regional Refuse District. VOTE: 3-0-0

Moved by Mr. Henry and seconded by Mr. Cushing to appoint Mr. Dickerson liaison to the School Committee. VOTE: 3-0-0

Moved by Mr. Henry and seconded by Mr. Dickerson to appoint Mr. Cushing liaison to the Clerical Union. VOTE: 3-0-0

Moved by Mr. Cushing and seconded by Mr. Henry to appoint Mr. Dickerson liaison to the DPW Union. VOTE: 3-0-0

Moved by Mr. Cushing and seconded by Mr. Dickerson to appoint Mr. Henry liaison to the Police Union. VOTE: 3-0-0

#### **Approval of Meeting Minutes**

Moved by Mr. Henry and seconded by Mr. Cushing to move the minutes of the May 7, 2013 meeting. VOTE: 3-0-0

#### **APPOINTMENTS**

##### **Sherman Briggs – Discussion regarding appointment to Town Boards**

Mr. Briggs has an appointment to meet with the Board on June 4 at 7:05 p.m.

#### **ACTION ITEMS**

##### **Feast of St. Anthony**

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

##### **One day wine & malt license – Sippican Lands Trust at Silvershell Beach – July 25, 5:00 p.m. – 9:00 p.m., July 25, 2013**

Moved by Mr. Henry and seconded by Mr. Cushing to move the request. VOTE: 3-0-0

##### **Tabor Academy request to extend outside entertainment – June 22, 6:00 p.m. – 11:30 p.m., June 22, 2013**

Moved by Mr. Henry and seconded by Mr. Dickerson to move the request. VOTE: 3-0-0

##### **One day all alcohol license – VFW 2425 – graduation party, 2:00 p.m. - 8:00 p.m., June 8, 2013**

Moved by Mr. Dickerson and seconded by Mr. Henry to move the request. VOTE: 3-0-0

**Sign Warrant – State Special Election – June 25, 2013**

Moved by Mr. Cushing and seconded by Mr. Henry to move the request. VOTE: 3-0-0

**Water Services Commitment - \$1,454,614.44 – Semi-Annual Water & Sewer Billing (5/15/13)**

Moved by Mr. Cushing and seconded by Mr. Henry to move the commitment. VOTE: 3-0-0

**Sign sewer regulation enforcement letters**

Letters ordering 34 property owners to correct sewer regulation violations within 180 days have been written and require the signature of the Chairman.

Moved by Mr. Cushing and seconded by Mr. Henry to authorize the chairman to sign the letters on behalf of the Board. VOTE: 3-0-0

**Sign General Obligation Refund Bonds**

Mr. Carreiro submitted the bonds to the Board for signature; the vote to issue the refund bonds was taken at the March 5, 2013 meeting. A copy of the motion that was read into the record will be attached to these minutes.

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

**TOWN ADMINISTRATOR REPORT**

**Email from Ted North**

The Board discussed an email dated May 17, 2013 from Ted North. In his email, Mr. North stated that Mr. Dawson had overstepped his boundaries when he spoke to the local press about the need for a local solar bylaw. The Selectmen agreed that they were comfortable with Mr. Dawson's job performance and they did not have a problem with him discussing a local solar bylaw with the press.

**Employee drug testing policy**

Board members were provided copies of a draft policy to discuss at their next meeting.

**Ambulance billing rates**

Mr. Dawson submitted proposed ambulance billing rates for the Board's review.

Moved by Mr. Cushing and seconded by Mr. Dickerson to adopt the proposed ambulance billing rate structure as presented by the Town Administrator, effective June 1, 2013. VOTE: 3-0-0

**Fall Town Meeting schedule**

Mr. Dawson requested that the Board establish a Special Town Meeting date.

Moved by Mr. Cushing and seconded by to Mr. Henry to hold a Special Town Meeting on Monday, October 28, 2013. VOTE: 3-0-0

**Memorial Garden request**

A group of employees have requested approval to use the gazebo adjacent to the Town House as a Memorial Garden in honor of Helene Craver. An informal plan has been made to have the gazebo painted and to install flower boxes and a birdbath. No Town funds will be used for the project as private donations will be requested. It was the consensus of the Board to allow the employees to pursue the project.

## CORRESPONDENCE

Discussion of the correspondence was waived with the following exceptions:

### #1 – Letter from Diane Flaherty regarding Evergreen Cemetery

Mr. Zora has informed Mr. Dawson that the piles of debris referred to in her letter have been removed.

### #7 - Invitation to ORR Graduation

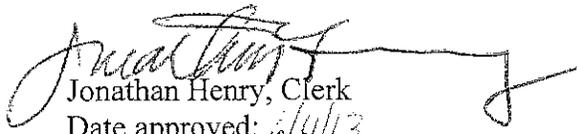
Mr. Dickerson will attend on behalf of the Board.

Audience member Thomas Magauran approached the Board and commented on the following:

- The policy to hold audience comments at the end of the meeting
- The email from Mr. North that was discussed during the Town Administrator's report
- Advocacy for Town Meeting Articles
- Requirements of the Open Meeting Law
- Mr. Magauran's email regarding health benefits received by elected officials
- MGL Chapter 268A Section 5.20 – Selectmen not being entitled to two Town salaries

The Board voted at 8:00 p.m. to enter into Executive Session for contract negotiations with non-Union personnel and also for strategy related to collective bargaining. The Board will not be returning to regular session. A roll call vote was taken with all members voting aye.

Respectfully submitted,

  
Jonathan Henry, Clerk  
Date approved: 6/4/13

RECEIVED  
TOWN CLERK OF MARION, MA  
2013 JUN 10 A 11:50

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

**DOCUMENTS REVIEWED AT MEETING – May 21, 2013**

Meeting minutes – May 7, 2013

Letter from Jean DaSilva regarding Feast of St. Anthony

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Warrant – Special State Election – June 25, 2013

Water Services Commitment - \$1,454,614.44 – Semi-Annual Water & Sewer Billing (5/15/13)

Sign sewer regulation enforcement letters

Sign General Obligation Refund Bonds

Email from Ted North

Draft employee drug testing policy

Proposed ambulance billing rates

Request for Fall Town Meeting

Memorial Garden request

**CORRESPONDENCE**

Letter from Diane Flaherty regarding Evergreen Cemetery

Copy of letter from NSTAR regarding vegetation management program

ZBA request for comments – 5 Spinnaker Lane

Abutter notification - Kittansett Club/Point Road (Conservation Commission hearing)

Abutter notification – Howland/Lot 19, Point Road (Conservation Commission hearing)

Letter from Energy Management Committee regarding Town Meeting Solar Bylaw votes

Invitation to ORR Commencement

Email from Thomas Magauran regarding elected officials receiving health insurance (5/17/13)

Notice from Division of Marine Fisheries regarding status of shellfishing area (5/15/13)

**AGENDAS AND MEETING MINUTES – OTHER BOARDS & COMMISSIONS**

Meeting minutes - Upper Cape School Committee (4/11/13)

Meeting agenda – Planning Board (5/20/13)

Meeting agenda – Conservation Commission (5/22/13)