

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
MEETING MINUTES
September 17, 2013**

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

ALSO PRESENT: Paul Dawson, Town Administrator
Ken Steen
Rob Zora
Nan Johnson
Matt Bernat
Mike DeCicco
Joan Hartnett-Barry
Debra Paiva, secretary

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
September 3, 2013**

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

September 10, 2013

Moved by Mr. Cushing and seconded by Mr. Dickerson to approve. VOTE: 2-0-1 (Mr. Henry abstained)

ACTION ITEMS

1 day all alcohol license – Marion Social Club, family reunion, 4:00 p.m. – 10:00 p.m. (10/12/13)

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

Water/sewer commitment - \$2046.38, miscellaneous sewer (9/9/13)

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

Request to redevelop grading on portion of Town-owned pumping station property located at 36 Lewis Street

Regrading at 40 Lewis Street and 28 Front Street is proposed in an attempt to alleviate the ponding that occurs after significant rain events. The project engineer has indicated that the grading cannot be accomplished without including a portion of the Town-owned pumping station property at 36 Lewis Street. The request has been reviewed and approved by the DPW Superintendent. The applicants have submitted a Request for Determination to the Conservation Commission and while the commission agreed that the filing of a Notice of Intent was not

necessary, written approval from the Board of Selectmen was required prior to the placing of fill on 36 Lewis Street.

NOTE: In order to avoid the appearance of a conflict of interest, Mr. Dawson noted for the record that the site plan was prepared for Zora Ventures, LLC & Danhauser Realty Nominee Trust. He informed the Board that there was no connection to DPW Superintendent and/or his family; the name is a reference to Zora Road and the owner of 28 Front Street is a director of the LLC.

Mr. Henry asked if there would be any expense to the Town of Marion and was told no.

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

APPOINTMENTS

7:05 p.m. – Ken Steen, Baywatch Realty Trust

This was presented at the last meeting; the board had some questions and agreed to invite Mr. Steen. A sketch was provided to the Board showing a sewer stub installed years ago as part of a low pressure system intended to service the entire site. The stub was assigned to the overall lot and the transfer of its ownership has to be approved by Board. The stub will not be used as part of the project and the applicant is requesting that it be assigned to Lot B, a parcel of land not associated with the affordable project. The subdivision of Lot B was part of the project modification approved by the ZBA last year. The affordable project has its own sewer connection. After discussion it was agreed that the stub would be relocated, at the developer's expense to Lot B frontage on Front Street.

Moved by Mr. Henry and seconded by Mr. Cushing to approve the relocation of the stub, subject to engineering, to a point directly in front of Lot B. VOTE: 3-0-0

Application for supply of water

Moved by Mr. Cushing and seconded by Mr. Henry to approve the application for a supply of water to Baywatch Realty Trust. VOTE: 3-0-0

Application to revise existing sewer permit

Mr. Steen explained that the approved sewer permit was based on a project containing 168 units, or a capacity of 32,000 gallons per day. The modification to the Comprehensive Permit has resulted in a project containing 96 units, or a capacity of 25,000 gallons per day; approval of the Water and Sewer Commissioners is required to revise the sewer permit to reflect the reduced flow of 25,000 gallons per day.

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

7:30 p.m. – Nancy Johnson – Discussion regarding Friends of Marion Council on Aging community calendar

Mrs. Johnson was present on behalf of the Friends of the Marion Council on Aging to request approval of a Town events calendar. The Council on Aging, Historical Commission, Library, Recreation Department, and Town of Marion will be the initial participants, and it will be made available to non-profit members in the future. The calendar will be part of the Town website, Assistant Town Clerk Michele Bissonette will be the editor, and there will be no cost to the Town.

Moved by Mr. Henry and seconded by Mr. Cushing to adopt the community calendar. VOTE:
3-0-0

TOWN ADMINISTRATOR REPORT

Privilege stickers

The Selectmen agreed that no changes to the sticker design are needed. Mr. Dickerson recommended that a copy of the parking regulations be given with each sticker to avoid confusion, especially to Rochester residents.

Update – Town Hall bats

Mr. Dawson has been informed that the removal of bats was successful and there are none remaining in the building. The cleanup (removal of bat guano and disinfection of the area) will cost \$4600, which is in addition to the \$3900 cost for the removal of the bats. The Board agreed to the cost.

Update – Facilities Manager Search

Mr. Dawson told the Board that the committee will be meeting Thursday to review the resumes and determine which applicants will be invited to interview for the position.

Update – Village Area Capital Improvements Project

The project was supposed to begin immediately after Labor Day and has been delayed because the Massworks Infrastructure Program has not signed off on the funding approval and the Department of Environmental Protection will not grant approval of the permit until the funding approval is signed. Mr. Dawson told the Board that the Town of Marion has been ready since June and State legislators have been asked to intercede on the town's behalf. The contractor has given an extension until this Friday and indicated that additional extensions might not be given.

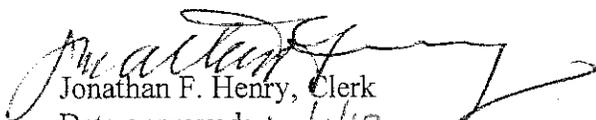
CORRESPONDENCE

The following correspondence item was discussed:

#10 – A preliminary list of trees NSTAR would like to include in its pruning and removal program; the list is being reviewed and discussed by the Tree Warden and NSTAR representatives. Mr. Dawson explained that this is a very early step in a process that will include a public hearing.

Moved by Mr. Dickerson and seconded by Mr. Cushing at 7:45 p.m. to adjourn and enter into Executive Session to conduct contract negotiations with non-Union personnel and also to conduct strategy with respect to ongoing litigation. After Executive Session the Board will not return to regular session. A roll call vote was taken with all members voting yes. VOTE: 2-0-0

Respectfully submitted,


Jonathan F. Henry, Clerk
Date approved: 10/11/13

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TOWN CLERK OF MARION, MA

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

DOCUMENTS REVIEWED AT MEETING – September 17, 2013

Meeting minutes – September 3, 2013, September 10, 2013
Request from Ken Steen to transfer ownership of sewer stub located on Front Street
Information regarding Friends of Marion Council on Aging community calendar
1 day alcohol license – Marion Social Club, family reunion, 4 p.m.-10:00 p.m., (10/12/13)
Water/sewer commitment - \$2046.38, miscellaneous sewer (9/9/13)
Application for supply of water – Baywatch RT
Request to revise existing sewer permit – Baywatch RT
Request to redevelop grading on portion of Town-owned pumping station property (36 Lewis Street)
Copy of 2013 privilege sticker
Price quote from Gary's Wildlife Services for removal of bat guano at Town Hall
National Bridge Inspection Standards inspection report – County Road/Sippican River (8/28/13)
Copy of letter from Tabor Academy regarding change of study hall hours (8/29/13)
ZBA decision notice – 40 Dexter Road
ZBA decision notice – 5 Spinnaker Lane
ZBA decision notice – Baywatch Realty Trust
Email announcing MMA Fall Conference for Selectmen
Notice of Waterways Permit application #W13-3951
Notice of Plymouth County Solid Waste Regional Initiative Symposium
Notice of MassDOT 2013 transportation conference
List of trees proposed for removal/pruning by NSTAR
Invitation to attend UMass Dartmouth Strategic Planning Process Forum
Memo from R. Zora regarding sewer application – 170 Wareham Street
Conservation Commission membership list