

**MARION BOARD OF SELECTMEN  
WATER/SEWER COMMISSIONERS  
MEETING MINUTES  
November 5, 2013**

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

**ALSO PRESENT:** Paul Dawson, Town Administrator  
Catherine Gibbs  
Patricia DeCosta  
Rob Zora  
Leo Grondin  
Matthew Bernat  
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 - October 15, 2013, October 16, 2013, October 22, 2013**  
Moved by Mr. Henry and seconded by Mr. Cushing to move the minutes of the October 15, 2013, October 16, 2013, and October 22, 2013 meetings as submitted. VOTE: 3-0-0

**ACTION ITEMS**

**1 day all alcohol license – VFW #2425 – Spaghetti Dinner – 5:30 p.m. – 9:00 p.m., 11/16/13**  
Moved by Mr. Cushing and seconded by Mr. Henry to approve. VOTE: 3-0-0

**1 day wine & malt license – Loft School wine tasting fundraiser at the Music Hall – 7:00 p.m. – 9:00 p.m., 11/14/13**  
Moved by Mr. Cushing and seconded by Mr. Henry to approve. VOTE: 3-0-0

**Water/Sewer commitment - \$10,900 – New Service, 10/30/13**  
Moved by Mr. Henry and seconded by Mr. Cushing to approve. VOTE: 3-0-0

**Water/Sewer commitment – 43155.03 – Final Reading, 10/30/13**  
Moved by Mr. Cushing and seconded by Mr. Henry to approve. VOTE: 3-0-0

**APPOINTMENTS**

**7:05 p.m. – Board of Assessors Classification Hearing**

The public hearing notice was read into the record. Assessor Catherine Gibbs and Associate Assessor Patricia DeCosta were present. Mrs. Gibbs told the Board that the Board of Assessors recommends a single tax rate. An illustration comparing a single tax rate, a residential split rate,

and a commercial split rate for Fiscal Year 2014 was reviewed and discussed. Audience members had no comments or questions.

Moved by Mr. Henry and seconded by Mr. Cushing to support the recommendation of the Board of Assessors to keep the single tier rate. VOTE: 3-0-0

## **ACTION ITEMS**

### **Discussion – Sewer Main Crossing at Creek Road and Route 6**

Mr. Henry explained that this item was placed on the agenda to address the concerns of an individual who insists that the failure of the outside edges of Route 6 is due to a leak in the forced main. The individual believes that the line should be examined by camera. Mr. Zora explained that the line in question is a gravity line, it was examined by camera in May, the dip is due to a pipe sag, not a leak, and there are no other defects or deficiencies observed in the 54' sewer reach. He noted that there was a water main leak on the other side of the road years ago and that could have undermined the materials under the road. Mr. Henry said an assertion has been made that the camera examination was old and asked if there is a plan to check the line on a regular basis. Mr. Zora explained that the lines are examined when I&I work is done and the Tri-Towns are working on a grant application for a Vac truck.

Also discussed -

- Crews had investigated the ongoing settling around manholes in the center of Point Road toward Rivers Edge and found nothing; Mr. Zora believes that the settling might be caused by the dewatering that was done years ago.
- The dip on Route 6 was due to a major water leak; while the leak was being repaired the road was taken care of as well.

## **CORRESPONDENCE**

### **#7 – Letter report regarding perchlorate**

Mr. Zora told the Board that another round of sampling was taken, the numbers are going down, and the three wells probably will not require treatment. Both towns need to do one more round of sampling. He said the source of the perchlorate has not been located and that “everything points back to fireworks.”

### **#4 – Street closure request - Cub Scouts #32 Soapbox Derby**

Cub Master Leo Grondin was present for this discussion. The request is to close the top portion of Holmes Street between the hours of 11:00 a.m. and 2:00 p.m. on November 16 (rain date November 17) for the Soapbox Derby; closure of a portion of Pleasant Street is requested as well. Mr. Zora agreed to provide street horses for the event. After a brief discussion regarding the use of Pleasant Street it was agreed that the Board would grant a conditional approval contingent upon final approval by Chief Miller.

Moved by Mr. Dickerson and seconded by Mr. Cushing to give the Cub Scouts approval for the Derby with the condition of approval from the police chief. VOTE: 3-0-0

## **ACTION ITEMS**

### **Sewer Abatement Request – 120 Dexter Road (John Doran)**

A sewer abatement request application was reviewed and discussed. Review of the information revealed:

The property owner is requesting an abatement of the \$150 cost for a weekend repair to the grinder pump at his home.

On Friday, September 6, the property owner notified the Police Department that his property's sewer alarm was sounding, and the police contacted the DPW on-call operator.

The DPW employee spoke with the property owner, asked if the repair could wait until Monday, and was told no.

The property owner was advised that he should contact F.R. Mahoney, the Town's contractor for sewer pump repairs, as DPW staff does not diagnose problems with or repair the pumps.

On Saturday, September 7 the pump was found to be clogged and was repaired by an F.R. Mahoney technician.

Mr. Zora recommended that the abatement request be denied because the repair was necessary due to negligence on the part of the homeowner and also because \$150 is the standard weekend charge billed by F.R. Mahoney and out of the Town's control.

Moved by Mr. Dickerson and seconded by Mr. Cushing to deny the request. VOTE: 3-0-0

### **Tree City USA**

The Board reviewed the recertification application and a letter stating that there were no tree removal hearings in 2013.

Moved by Mr. Cushing and seconded by Mr. Henry to approve the application for recertification as a Tree City USA and approve the Chairman to sign the letter. VOTE: 3-0-0

### **Street Closure Request – Marion Business Community Association Christmas Stroll**

The Christmas Stroll will be on Sunday, December 15, 2013, from 3:00 p.m. to 6:00 p.m. The Marion Business Community Association is requesting the following streets be closed to car traffic during the hours of 3:00 p.m. to 6:00 p.m. on December 15 for its 19<sup>th</sup> Annual Christmas Stroll: Front Street from South Street to Holmes Lane; Main Street from School Street to Front Street; Cottage Street from School Street to Front Street; Island Wharf Road except for normal parking.

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

### **TOWN ADMINISTRATOR REPORT**

#### **Update – Mass Infrastructure Grant**

Mr. Dawson was informed last week that approval of the funds is forthcoming and acknowledged the help and assistance provided by the offices of Rep. Straus and Speaker DeLeo. He told the Board that his best guess is that the Town will have to rebid the project. Mr. Dickerson emphasized that the delay was not the fault of the Town.

#### **Update – Facilities Manager**

Facilities Manager Shaun Cormier began work yesterday and is in the process of touring and evaluating the Town-owned facilities.

#### **Request by Kittansett Club regarding Point Road traffic circle**

When this request was made months ago the Board members had some concern regarding a right of way for shellfish access; after research it was determined that there is no easement.

Moved by Mr. Henry and seconded by Mr. Cushing to authorize the Kittansett Club to upgrade and beautify the traffic circle. VOTE: 3-0-0

**Email from Baywatch**

Mr. Dawson received an email today from Ken Steen; two separate requests are contained in the email.

- Conservation/Fee Interest of 22 acres of land

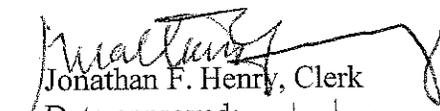
A meeting was held last week with Mr. Dawson, Attorney Witten, and representatives of the Sippican Lands Trust, Baywatch RT, and Selectmen (Mr. Henry) in attendance. Mr. Dawson told the Board that if the abutters could deliver an unrestricted easement across the property the Board could consider accepting a conservation restriction in place of fee ownership; however, no response has been received and the Board would not be in a position to take that vote tonight.

- Request to extend date of the sewer connection permit

Moved by Mr. Cushing and seconded by Mr. Henry to grant an extension for the completion of the Baywatch sewer connection to June 30, 2014. VOTE: 3-0-0

Moved by Mr. Dickerson at 8:05 p.m. to enter into Executive Session for strategy related to collective bargaining and also to consider the purchase, exchange, lease, or value of real property. At the conclusion of the Executive Session the Board will not be entering back into Regular Session. A roll call vote was taken with all members voting yes.

Respectfully submitted,

  
Jonathan F. Henry, Clerk  
Date approved: 11/19/13

RECEIVED  
TOWN CLERK OF MARION, MA  
2013 NOV 20 A 8:12

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

**DOCUMENTS REVIEWED AT MEETING – November 5, 2013**

Meeting minutes – October 15, 2013, October 16, 2013, October 22, 2013

From Board of Assessors – FY14 single rate vs. split rate

Discussion – Forced main crossing at Creek Road and Route 6

1 day all alcohol license, VFW #2425 – Spaghetti Dinner, 5:30 p.m. – 9:00 p.m., 11/16/13

1 day wine/malt license, Loft School wine tasting fundraiser, Music Hall, 7:00 p.m. – 9:00 p.m., 11/14/13

Water/Sewer commitment - \$10,900 – New Service, 10/30/13

Water/Sewer commitment - \$3,155.03 – Final Reading, 10/30/13

Tree City USA application and letter

Street closure request - Marion Business Community Association Christmas Stroll, 12/15/13

Sewer abatement request – 120 Dexter Road (John Doran)

Request by Kittansett Club regarding Point Road traffic circle

ZBA request for comments – 407 Front Street

Invitation to Veterans Day Observances

Notice of ZBA decision – 60 Converse Road

Street closure request - Cub Scouts Pack 32 Soap Box Derby, 11/16/13, rain date 11/17/13

Applications for appointment to Board/Committee – Cynthia Callow Trinidad (Marion Cultural Council, Music Hall Advisory Committee, Bird Island Lighthouse Restoration Committee)

Email from MMA regarding long term Chapter 90 bond bill

Final Letter Report from Tata & Howard regarding west well perchlorate sampling program

Letter from FEMA regarding flood maps (10/23/13)

Plymouth County Extension 4-H Youth Development Program Annual Report and FY14 assessment

Email from grant writer Pamela Marean regarding GIS grant opportunity

Meeting minutes – Upper Cape Cod Regional Technical School District Committee - 9/12/13 meeting