



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

**August 7, 2007**

**Minutes**

The meeting was called to order at 7:03 p.m. Present were Chairman Roger F. Blanchette, Board member Jonathan F. Henry and Town Administrator Paul F. Dawson. (Selectman Andrew N. Jeffrey was not present at this meeting.) Also present were Lee Craver, Kenneth J. Souza of *The Wanderer*, Ruth Thompson of *The Sentinel*, Andrea Smith of the *Tri-Town Observer*, Carol Sanz, Stephen M. Cushing, Eunice Manduca, Marion School Committee members Susan Grosart, Jane McCarthy and John Russell, candidate for School Committee Joseph A. Scott, Janet Stearns of Freeman, Dana & Stearns and Helene Craver, secretary.

The Board met with the School Committee members and candidate. Ms. McCarthy noted that former member Joseph Berry served for seven years, but has been promoted in his job and is doing extensive traveling, which precipitated his resignation. Ms. McCarthy introduced Mr. Scott to the Board. Mr. Scott explained that he had been a Marion resident for the last six years and is a licensed athletic trainer and has a teaching degree for physical education for grades kindergarten through 12. A letter of support from member Brad Gordon was read. Mr. Blanchette asked Mr. Scott why he wished to be a School Committee member? Mr. Scott commented that the main reason he moved to Marion was because of the schools, which his children attend, and he is the type of person who works to improve, rather than complain. Mr. Henry asked if Mr. Scott had a conflict dealing with the fiscally strapped taxpayer and paying for services to the students? Mr. Scott said that he deals with this type of problem every day in the hospital, with budget cuts and trying to provide the best patient care and he hopes to make the best decisions for the school system. Mr. Scott said that his primary concerns are the school and its students.

**Ms. McCarthy moved** to appoint Mr. Scott to the School Committee opening, effective until the next election; the motion was seconded and carried unanimously, Mses. Grosart and McCarthy and Messrs. Blanchette, Henry and Russell voting yes.

The Board then met with attorney for John D'Italia, Janet Stearns, who apologized for the scheduling problems at the last meeting. Ms. Stearns explained that the attorneys for Mr. D'Italia had submitted an LIP application in June for six apartment units (two "affordable") above the existing commercial property on Route #6. Ms. Stearns explained that this was a two-step process—before they can apply for a variance from the Zoning Board of Appeals, they need a project eligibility letter first for their "friendly 40B" project, with some degree of support from the elected officials. Mr. Blanchette noted that they had supported Mr. D'Italia's concept during discussions.

**Mr. Henry moved** to approve the LIP submitted by Mr. D'Italia as outlined in the project documents; the motion was seconded and carried.

Ms. McCarthy had been nominated for appointment to the Marion Scholarship Education Fund Committee by Debra M. Blanchette. Ms. McCarthy reported that Ms. Blanchette had talked about increasing the funding and the amounts of awards to the students. Mr. Blanchette noted that Marion is one of the very few towns which includes a section for donations to the scholarship fund on its tax bills.

**Mr. Henry moved** the appointment of Jane McCarthy to the Marion Scholarship Education Fund Committee; the motion was seconded and carried.

**Mr. Henry moved** to approve one-day alcohol licenses for the VFW Post #2425 on August 12 and the Marion Social Club for September 15 and 23, 2007; the motion was seconded and carried.

Mr. Blanchette noted that he and Mr. Jeffrey had requested letters of support for Walpole's stance on 40B projects to our legislators, requesting the current act be suspended while it was studied and reworked. Mr. Henry declined to sign the letters.

**Mr. Henry moved** the minutes of July 10 and July 24, 2007; the motion was seconded and carried.

Mrs. Sanz asked why Mr. Henry wouldn't sign the 40B letter? Mr. Henry explained that the letter requests the immediate suspension of the 40B law and he doesn't favor immediate suspension; he favors modification. Mr. Blanchette noted that he favors the immediate suspension of the law, as it is thirty years old and doesn't apply to today's standards; Mr. Jeffrey feels the same. Mrs. Sanz asked what impetus to change there would be unless the law were to be revoked? Mr. Henry said that there is already a movement underway at the legislative level.

Mr. Dawson recalled that, two meetings ago, the Town's engineers, Tata & Howard, had requested an amendment to the agreement regarding the water tower and the transmission line. Mr. Dawson reported that there were many questions at that time, as the amendments called for a \$40,000 increase in the contract cost. Mr. Dawson reported that he has had discussions with the engineer personally and met with the Water Committee on the reasons for the increase. Mr. Dawson explained that the project was initially delayed by a bid protest and the engineers had had to work with the Attorney General's and Inspector General's offices and had attended three hearings with supporting documentation. Mr. Dawson explained that there was then added expense, when an old force main was encountered by the engineers after the Town's Department of Public Works was unable to locate the line. Mr. Dawson noted that there was additional engineering expense involved with the redesign of the trench, involving six days' worth of work instead of one. Mr. Dawson said that the additional \$40,000 was the maximum amount that could be spent and there are sufficient funds; there is no need for additional monies to be borrowed. Mr. Dawson informed the Board that the Water Committee had voted unanimously to approve the additional costs.

**Mr. Henry moved** to authorize the increase in the contract; the motion was seconded and carried.

Regarding the August 21 village loop information meeting, Mr. Dawson informed the Board that, between the Department of Public Works and engineering firm, all affected residents will be notified. Mr. Blanchette requested that a notice be placed in the newspapers so everyone will be aware of the meeting.

Mr. Dawson reported that he has spoken to all of the applicants for the Treasurer/Collector position about the change in interview dates (August 15 and 20). Mr. Dawson explained that all the applicants are aware that the interviews will be open, but that their names will not be made public until the days of the interviews.

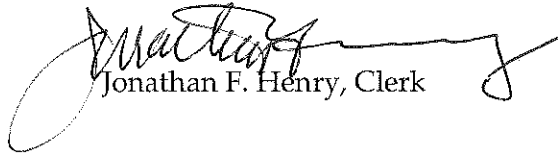
The Board addressed correspondence, including a letter of complaint regarding traffic on the north side of Point Road between Route #6 and County Road. It was agreed that the Chief of Police would address this issue in a report to the Board at the next meeting.

The Board was informed of a budget meeting for the Upper Cape Cod Regional Technical School. As the meeting date conflicts with that of interviews for the Treasurer/Collector, the Board requested that members of the Finance Committee be notified so that they may attend in the Board's place.

**Mr. Henry moved** to adjourn at 7:57 p.m.; the motion was seconded and carried.

Respectfully submitted,

Date approved: 8/21/07

  
Jonathan F. Henry, Clerk