

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

January 5, 2010

Minutes

The meeting was called to order at 7:00 p.m. Present were Chairman Stephen M. Cushing, Board members Jonathan F. Henry and Roger F. Blanchette and Town Administrator Paul F. Dawson. Also present were Lee Craver, Anne O'Brien-Kakley of *The Wanderer*, Gretchen Grundstrom of *The Sentinel*, Mark Rasmussen and Korrin Petersen of The Coalition for Buzzards Bay, Frank Cooper of the sewer division of the Department of Public Works and Helene Craver, secretary.

Mr. Blanchette moved the minutes of November 17 and December 1, 2009; the motion was seconded and carried unanimously.

The Board then met with representatives from The Coalition for Buzzards Bay and Mr. Cooper to follow up on a discussion held in December regarding The Coalition's concerns about the water quality in Sippican harbor. Mr. Rasmussen said that results of water testing showed the harbor's water quality among the worst and the water quality in Sippican harbor is declining for no obvious reason. Mr. Rasmussen cited the expansion of the sewer system as a reason for the quality to be improving, not declining. Mr. Rasmussen said that fertilizers and stormwater runoff may be problems, but they suspect the wastewater treatment plant and lagoons as possible sources. Mr. Rasmussen said that the lagoons are unlined and could possibly be leaching. Mr. Rasmussen said that their research had shown nothing conclusive, so they contacted the engineering firm of Horsley and Witten (H&W) to develop a plan to investigate the problem. Mr. Rasmussen said that H&W has proposed monitoring wells. Mr. Rasmussen explained that they would be working with Mr. Zora, Mr. Cooper and H&W to investigate the issue at no cost to the Town.

Mr. Henry recalled that material was brought in to build the lagoons and that the bottom is impervious. Mr. Henry said that breaching, more than leaching, would be more of a problem, but it could also be animals borrowing holes in the sides of the lagoons. Mr. Cooper said that he takes readings five days a week and that the readings don't move—there are no breaches to the dikes. Mr. Cooper said that he has been doing the same readings for five years and nothing changes—although he supports the idea of finding the source of the problem, he doesn't agree that it is the plant. Mr. Cooper said that the only time he has seen any significant change in the dike levels is during a prolonged and severe drought.

Mr. Henry suggested checking the outfall pipe in Aucoot Cove. Mr. Rasmussen said that you can see the impact from the outfall; Mr. Cushing noted that the problem is in the inner harbor, not Aucoot Cove. Mr. Cooper said that he stands by the plant; he firmly believes the problem is not coming from the lagoons. Mr. Cooper suggested that fertilizers on waterfront property could be an issue. Mr. Blanchette suggested that the marsh be checked, as a new pipe had been installed under the road six or seven years ago which flushes the marsh. Mr. Rasmussen said that he didn't

disagree with anything that Mr. Cooper said, but they are trying to eliminate possible sources. Mr. Dawson asked if there was a plan for the Coalition's investigation. Mr. Rasmussen said that defining the scope is the next step.

Mr. Henry moved to support the initiative of the Coalition for Buzzards Bay; the motion was seconded and carried unanimously.

The Board then met with Mr. Madden, who represented the property owner of land on Ridgewood Lane, who is requesting a sewer connection. Mr. Dawson noted that requests for comments were made of the Harbormaster, Marine Resources Commission, Open Space Acquisition Commission and Conservation Commission. Mr. Madden said that they have been attempting to obtain the sewer connection for some time; when they designed the original subdivision for Ridgewood Lane, it consisted of seven lots with a ten-acre parcel at the end of the road which was never developed. Mr. Madden said that there were some title issues that they planned to clear up and then subdivide this parcel into one house lot. Mr. Madden said that he had gotten approval from the Planning Board for one house with a 12'-wide driveway. Mr. Madden said that, for the "public interest" portion in exchange for the sewer connection, they propose to place a conservation restriction on the eight acres of the lot which is predominately wetlands and offer it to the Conservation Commission, Open Space Acquisition Commission or another conservation group. Mr. Madden explained, that, since this development, he had had a discussion with Mr. Rockwell, who suggested the conservation restriction be placed on the lot, without a change in ownership. Mr. Cushing pointed out that the land would still be considered taxable. Mr. Madden said that the conservation restriction would be completed and recorded before the issuance of a permit for the sewer connection. Mr. Blanchette said that the Open Space Acquisition Commission would be happy to work with the property owner in drafting a conservation restriction.

Mr. Henry moved to adopt the recommendations of the Open Space Acquisition Commission and GAF recommendations and to follow up with the Open Space Acquisition Commission, as recommended by the Open Space Acquisition Commission, after recording of the conservation restriction; the motion was seconded and carried unanimously.

Mr. Blanchette moved to approve the warrant for the special State election on January 19; the motion was seconded and carried unanimously.

Mr. Henry moved credit memos for \$424.59 and \$655.02; the motion was seconded and carried unanimously.

Mr. Henry moved a water service commitment for \$3,394.50; the motion was seconded and carried unanimously.

Mr. Henry moved a water service commitment for \$570.00; the motion was seconded and carried unanimously.

Mr. Henry moved a water service commitment for \$10,825.00; the motion was seconded and carried unanimously.

Mr. Henry moved a water service commitment for \$1,100.00; the motion was seconded and carried unanimously.

Mr. Henry moved a water service commitment for \$794.93; the motion was seconded and carried unanimously.

Mr. Henry moved a water service commitment for \$10,000.00; the motion was seconded and carried unanimously.

Mr. Dawson explained that, when they were defining the water loop project, the Converse Road/Clark Street area plans were based on water department drawings, which were incorrect, as an indicated water main on Clark Street does not exist. Mr. Dawson explained that this requires an amendment to the contract with Tata & Howard, engineers for the project. Mr. Blanchette asked when the project would resume. Mr. Dawson estimated that it would begin in late March or early April. Mr. Blanchette observed that it was a disaster in the village and now it would be a disaster on Converse Road and complained that the contractor doesn't have the necessary equipment to properly do the job. Mr. Dawson said that the job was difficult and further complicated by the fact that the construction has to be confined to a certain time frame. Mr. Dawson promised that there would be a meeting among all concerned prior to commencement of the project in the spring.

Mr. Blanchette moved to approve the amendment to the contract for \$5,000; the motion was seconded and carried unanimously.

Mr. Henry expressed concern that the Department of Public Works was becoming more involved with the project. Mr. Blanchette complained that the contractor had intended to leave the project in the spring without putting blacktop on Front Street from Cottage Street to Tabor Academy.

The following letters of appreciation were read into the record for Officers Philbrook and Paulson, who are retiring/leaving the police department:

"Dear Mr. Philbrook:

"Chief Lincoln W. Miller has informed us that you have retired from the Marion Police Department.

"We wish to thank you for your service to the Town as a special police officer, an EMT and as a full-time officer, beginning in 1977. The Marion Police Department is one of the strengths and a source of pride for our Town and we appreciate your part in making it so.

"We hope that you enjoy your well-earned retirement, as well as good health, peace and a wonderful new year."

"Dear Mr. Paulson:

"Chief Lincoln W. Miller has informed us that you have left the Marion Police Department for other employment opportunities.

"We wish to thank you for your service to the Town as a special police officer for the last three years. We appreciate your ability to smooth over difficult situations and clear thinking, which contributed to an excellent Department.

"Best wishes in your new career and for the new year."

Mr. Henry moved Michael Still as an EMT-Basic, term to expire May 4, 2010; the motion was seconded and carried unanimously.

Mr. Henry moved Fire Chief Thomas Joyce to the Water Committee, term to expire June 30, 2010; the motion was seconded and carried unanimously.

Mr. Dawson said that it has come to his attention that there is mold in the basement of the Town House; OHI Corp. investigated and confirmed that it is fairly serious and that the biggest problem is in the area below the Town Clerk's and Assessors' offices. Mr. Dawson reported that he has ordered air cleaners and that they will develop a remediation plan through a request for proposals. Mr. Dawson said that the Finance Committee is aware of the problem.

Mr. Dawson reported that the progress continues on the police station; the prefabricated walls are complete and it is planned that the roof trusses and sheathing will be in place shortly. Mr. Dawson explained that there are two change orders, which he has signed, totaling \$1,783.74 for sewer manholes on Holmes Lane and \$546.66 to correct a leaching area.

Mr. Dawson congratulated Harbormaster Michael Cormier for being named *The Standard-Times* Marion "Man of the Year" for his efforts.

Mr. Dawson announced that the 2010 resident stickers have arrived and will now be placed on the windshield, rather than the vehicle's bumper.

The Board reviewed a letter of resignation from Andrea Keene from Emergency Medical Services after over thirty years' of service. The Board expressed its appreciation of Mrs. Keene's excellent care through the years and the difficulty in replacing her.

The Board reviewed a letter of resignation from Reginald Foster from the Marion Affordable Housing Trust, as he has relocated. It was noted that Mr. Foster was the driving force for the expansion of Littleneck Village, as well as the Cable Advisory Committee and Fireworks Committee.

Several requests for abatements of water/sewer bills were reviewed. The first was from Daniel E. Healy of 126 Bullivant Farm Road, who contested the \$25.00 meter reading charge, when no card was returned.

Mr. Blanchette moved to deny the request on the recommendations of the Department of Public Works; the motion was seconded and carried unanimously.

The second abatement request was from Elizabeth H. Brainard of 23 Rogers Drive, who requested the \$25.00 meter reading charge be waived, as the card was misplaced. Mrs. Brainard has since scheduled the installation of an automatic meter reading.

Mr. Blanchette moved to deny the request on the recommendations of the Department of Public Works; the motion was seconded and carried unanimously.

The third abatement request was from Nhan T. Luong of 131 Bullivant Farm Road, who requested the abatement on behalf of the property owner because the consumption seemed too high.

Mr. Blanchette moved to deny the request on the recommendations of the Department of Public Works; the motion was seconded and carried unanimously.

The fourth abatement request was from Arnold J. Hill of 81 Old Knoll Road, who requested the abatement due to very high consumption. The water department determined that the previous property owner had had a leak in the irrigation system.

Mr. Henry moved to deny the request on the recommendations of the Department of Public Works; the motion was seconded and carried unanimously.

The fifth request was from William MacDougall of 122 Main Street, who requested an abatement on a portion of his bill because of a leak in a toilet, which was caused, Mr. MacDougall contends, when sand was introduced into the water line during the village loop project. The water department was uncertain whether they caused the problem, but agreed to abate half the overage.

Mr. Blanchette moved to agree to abate half the overage on the recommendations of the Department of Public Works; the motion was seconded and carried unanimously.

The last request was from Robert and Joan Wing of 651 Point Road, who request an abatement because the consumption had tripled without a cause. The meter was tested and found to be actually be running slowly, but the water department had heard from two sources that a hose had been left running for a substantial amount of time at the premises.

Mr. Blanchette moved to deny the request on the recommendations of the Department of Public Works; the motion was seconded and carried unanimously.

Mr. Henry noted that Rose Jackson is in the hospital and is quite ill; Mr. Henry requested support and prayers for her.

Mr. Henry said that he is declaring his candidacy for a third term as Selectman.

Mr. Blanchette moved to adjourn at 9:22 p.m.; the motion was seconded and carried unanimously.

Respectfully submitted,



Roger F. Blanchette, Clerk

Date approved: 2/2/10