

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

April 27, 2010

Minutes

The meeting was called to order at 7:00 p.m. Present were Chairman Stephen M. Cushing, Board member Jonathan F. Henry and Town Administrator Paul F. Dawson. (Selectman Blanchette was not present at the meeting.) Also present were Lee Craver, Catherine and Janice Brodeur, Dale Leavitt, professor at Roger Williams University, Harbormaster Michael Cormier, Isaac Perry, Shellfish Officer, Anne O'Brien-Kakley of *The Wanderer*, Christine Reagle of *The Sentinel*, members of the Marine Resources Commission Scott Cowell and Vincent Malkoski, Benjamin Bryant, Julia Deane Crowley, Eunice Manduca, Nicholas Grace, Russ Robinson (for the pole hearing) and Helene Craver, secretary.

Mr. Henry moved a one-day wine/ malt license for the Music Hall on May 15; the motion was seconded and carried unanimously.

Mr. Henry moved a request for a street closure for Tabor Academy's commencement ceremony on May 29 from 1:30-3:30 p.m.; the motion was seconded and carried unanimously.

Mr. Henry read the following letter to Everett Eaton into the record:

"Dear Everett:

"We have received word that you will be retiring from Marion Emergency Medical Services because of a medical condition.

"It is difficult to imagine you not riding that ambulance. You have been one of the most steadfast defenders of every facet of Emergency Medical Services since 1987. We would not even guess as to the number of people you have aided and comforted over these years and the number of hours you have graciously donated in service to the Town and the population at large.

"Thank you, too, for your assistance to both the Long-Term Facilities Study Committee and the Facilities Study Committee. Marion is indeed special because of residents like you."

Mr. Cushing read the following letter to Charles Brown into the record:

"Dear Charlie:

"We were recently advised that you will be leaving the Marion Emergency Medical Services, because of a health condition.

"Thank you for the last nine years' service, which you have so generously donated to the Town. We recall your fervor and concern for the Emergency Medical Services during the transition period before ambulance billing began. It was but an indication of your devotion to the organization and its mission; we appreciate the passion with which you carried out your contribution.

"We hope that your health will improve and wish you well in the future."

A public hearing on an aquaculture license application from Catherine Brodeur was opened at 7:05 p.m. Miss Brodeur said that she has been a commercial fisherman for the last twenty-five years and is applying for one-half acre grant at the northeast corner with a possible extension off Planting Island for mainly oysters and possibly quahogs, bay scallops and mussels. Miss Brodeur said that she planned to begin the first year with three hundred bags and to expand every year with another quarter of an acre. Miss Brodeur said that she didn't anticipate any adverse effects; she will use a 16' flat-bottomed skiff that will be trailered and clean the bags off site. Miss Brodeur said that it would be a small operation with possible some summer help.

Mr. Cormier said that he sees no problem with navigation and that Miss Brodeur will be using adequate markers to define the aquaculture area. Mr. Cormier said that the proposed areas are where no one goes anyway. Mr. Cowell noted that he contacted the Coast Guard and gave them the coordinates of his aquaculture area and, when NOAA produces new charts, the area will be on those charts. Mr. Perry said that he doesn't see any interference with the commercial and recreational shellfishermen, as there is 20-25' between the area and the shore. Mr. Henry asked what benefit would return to the Town from the aquaculture areas. Mr. Perry said that the area isn't producing any shellfish and this will bring a productive area to the site. Mr. Perry said that they could collect the spat and bring wild oysters to the site.

Professor Leavitt said that Miss Brodeur is in his class and she is very attentive. Professor Leavitt said that he thinks she will do well.

Mr. Malkoski reported that the Marine Resources Commission had reviewed the application with the Harbormaster and Shellfish Officer and they believe the Town will benefit from water quality improvements. Mr. Cushing asked Mr. Malkoski if the Marine Resources Commission is in favor of the application. Mr. Malkoski said that they were. Mrs. Crowley suggested that the program be reviewed to see how things are working out. Mr. Perry said that the aquaculture projects are reviewed annually.

Several areas of concern from abutters were addressed. Miss Brodeur said that she will make sure that the tackle is strong enough so that it wouldn't break loose in storms. Miss Brodeur said that she is liable for any damage and is very careful with her gear to prevent problems. Mr. Cormier said that the bags are plastic and lightweight and won't cause damage. Mr. Cormier said that part of the order of conditions could call for reflective material on the marking buoys so that they could be seen at night. Miss Brodeur said that she plans to begin by concentrating on one thing at a time, which would be oysters, before considering bottom planting of quahogs or bay scallops and

mussels. Mr. Cormier said that he is very comfortable with the configuration of the bags.

Mr. Henry moved to continue the hearing until May 4, 2010 at 7:30 p.m.; the motion was seconded and carried unanimously.

Mr. Malkowski, alluding to the comments from the Planning Board, said that he would discuss this with the Chairman of the Marine Resources Commission and they would contact the Planning Board regarding the comments.

Mr. Robinson met with the Board to address two poles to be moved on Converse Road. (The original petition for four poles, but residents had objected to two of the poles.)

Mr. Cushing moved to approve the request regarding pole 2/74S adjacent to Kabeyun Road on Converse Road; the motion was seconded and carried unanimously.

Mr. Henry moved to approve the request regarding pole 2/14S on Converse Road; the motion was seconded and carried unanimously.

Mr. Dawson reported that the Fire Chief Study Committee has met and begun the process on studying the structure of the Fire Department. Mr. Dawson said that the committee voted to recommend that the Interim Chief continue while supporting his request to hire a full-time Firefighter/EMT to assist with permits, inspections and day-to-day operations. The Board decided to wait until the next meeting when Mr. Blanchette is present to discuss this. Mr. Henry thanked Chief Joyce for his recognition of the former members of the Board of Fire Engineers at a recent cook out and ceremony.

At 8:00 p.m., the Board met with two of the three candidates for the opening on the Marion Affordable Housing Trust, Mrs. Manduca and Mr. Grace. Mr. Dawson noted that there had been four candidates – one had withdrawn and the other will have to be rescheduled, as she is out of Town. Mr. Cushing thanked the candidates for expressing interest. Mrs. Manduca noted that she has been on the Housing Committee in the past and found it very interesting. Mrs. Manduca said that she could contribute practical experience and many years of experience in dealing with people. Mr. Grace said that he has not served on any other board before, but has a longstanding interest in the homelessness in Boston through his practice of law (trust and estates). Mr. Henry asked Mr. Grace's opinion of the State requirements on affordable housing. Mr. Grace said that it encourages localities to try harder – the lack of housing is an embarrassment. Mrs. Manduca disagreed with the 40B premise, which allows a developer to ignore local regulations; Mrs. Manduca preferred smaller housing units dispersed throughout a community. Mrs. Manduca said that Marion needs affordable housing, but needs to control it. Mr. Grace said that there are two sides to the 40B dispute; perhaps a middle ground could be found, but he wouldn't change the law. Mr. Grace said that homelessness is the result of not enough affordable housing; it is desirable to have a town where people of all levels of income are able to participate.

Concerning the Marion/Rochester Regional Health District, Mr. Dawson reported that, in the last couple of years, Rochester's insurance company has covered the Health Director under their insurance policy for worker's compensation, which Marion's insurance company and counsel feel is incorrect, as the Health Director is not an employee of the Town of Rochester. Mr. Dawson explained that the District should be obtaining the insurance, but the Town of Rochester will not pay their assessment. Mr. Dawson noted that he had met with Rochester's Town Administrator and counsel and there is a difference of opinion. Mr. Dawson suggested that the Health Director become an employee of one of the towns and they could enter into an intermunicipal agreement to continue to share the services and expenses. Mr. Henry said that they had run into a similar problem with the Carver/Marion/Wareham Regional Refuse Disposal District. Mr. Dawson suggested that the Marion/Rochester Regional Health District be dissolved in favor of an agreement.

Mr. Henry moved to adjourn at 8:32 p.m.; the motion was seconded and carried unanimously.

Respectfully submitted,


Roger F. Blanchette, Clerk

Date approved: 6/1/10