

**MARION BOARD OF SELECTMEN  
WATER/SEWER COMMISSIONERS  
November 1, 2011**

**MEMBERS PRESENT:** Jonathan Henry, Chairman  
Roger Blanchette  
Stephen Cushing, Clerk

**ALSO PRESENT:** Paul Dawson, Town Administrator  
Police Chief Miller  
Officer Jeffrey Tripp  
Fire Chief Joyce  
Allen Decker  
Joe Monger  
Eunice Manduca  
Carol Sanz  
Anne Ziegler  
David Pimental  
Anthi Frangiadis  
Laura Pedulli (Wanderer)  
Jennifer Heshion (Sippican Week)  
Mike DeCicco (Standard Times)  
Debra Paiva, secretary

The meeting was called to order at 7:00 p.m. Mr. Henry 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 shall be attached to these minutes.

**Approval of Meeting Minutes**

Moved by Mr. Cushing and seconded by Mr. Blanchette to approve the minutes of the October 18, 2011 meeting. VOTE: 3-0-0

**APPOINTMENTS**

**Chief Miller, Officer Jeffrey Tripp – Appointment of Officer Tripp to rank of Sergeant**

Chief Miller requested that the Board promote Officer Tripp to rank of Sergeant effective November 6.

Moved by Mr. Blanchette and seconded by Mr. Cushing to ratify the appointment. VOTE: 3-0-0

**Chief Joyce – Discussion regarding ISO rating**

Chief Joyce submitted to the Board a report explaining the Insurance Services Office (ISO) rating and rating comparisons from the years 1994 and 2008. Mr. Henry explained that the ISO calculates the fire insurance rating for the town based on several factors including fire department equipment, manning, training, response times, etc. The

resulting net rating varies throughout the town, depending on each area's water supply, and an improved rating will lower the premiums of property owners.

During the discussion the following categories were addressed:

Dispatch (operators and circuits)

Annual pump and hose testing

Equipment requirements

Apparatus maintenance and record keeping

Recruitment and hiring of personnel

Regular and specialized training sessions

Inspections (annual fire and life inspections, general inspections throughout the community)

Water distribution system/water sources

Credit for proximity to a hydrant located in a neighboring community

Purchasing water from a neighboring community

Staffing the fire station with two full-time firefighters/paramedics

Savings to residents as a result of an improved rating

Chief Joyce said he believes the Town is 18-24 months away from requesting an updated review and the interim should be used to continue proper record keeping and testing, improve engine and ladder company ratings by minor equipment changes, recruit and retain high quality personnel (Fire & EMS), and continue improved training and record retention.

#### **Discussion – Regional 911 Dispatch**

Mr. Henry requested from the Board a requirement for the police and fire chiefs to write a final report as formal feedback to SRPEDD regarding the Regional 911 Dispatch study. Mr. Blanchette said the chiefs gave the Board advice but the decision to opt out of the study was made by the Board, not the chiefs. Mr. Cushing said the Board should give some input to SRPEDD explaining how the decision was made.

After discussion it was the consensus of the Board that the chiefs should submit a single coauthored report to the Mr. Dawson which will he will then forward to SRPEDD.

#### **Dave Pimental – Request regarding 12 South Street**

Property owner Anne Ziegler was present for the discussion; she was represented by contractor Dave Pimental and architect Anthi Frangiadis.

The Board of Appeals recently approved a Special Permit allowing the construction of a two bedroom garage apartment to be used by houseguests during holidays and vacations. Subsequent to the approval, Mr. Pimental applied for the building permit and was referred to the Selectmen/Sewer Commissioners. The existing dwelling has three bedrooms and the garage apartment is proposed to have two bedrooms. The special permit limits the use of the apartment to family members and cannot transfer with the property. Mr. Dawson explained that the sewer regulations limit the total number of bedrooms allowed at this property to four; taking into account the three existing bedrooms, one additional bedroom could be allowed. It was noted that the plan showed a two bedroom apartment and the Special Permit required construction according to the

plan. After discussion, the Board recommended that Mrs. Ziegler request from the Board of Appeals an amended Special Permit.

Moved by Mr. Blanchette and seconded by Mr. Cushing to approve the addition of one bedroom at 12 South Street VOTE: 3-0-0

**Allen Decker, Buzzards Bay Coalition – Conservation Restriction, former Rentumis property**

Mr. Decker was present seeking approval for the town to grant a Conservation Restriction over the former Rentumis property, located in the town of Rochester. Mr. Blanchette said any signage at the site should state that the land is paid for by Town of Marion taxpayers. Mr. Decker said he agreed with Mr. Blanchette and that is included in the agreement. Mr. Blanchette said he did not care if the Buzzards Bay Coalition is included in the sign but he wanted the Town of Marion to be at the top of the sign; Mr. Decker agreed, said it was clearly stated in the clause, and there was no issue whatsoever.

Moved by Mr. Blanchette and seconded by Mr. Cushing to approve the Conservation Restriction with the Buzzards Bay Coalition. VOTE: 3-0-0

Mr. Henry thanked the Coalition for its work in the watershed.

**ACTION ITEMS**

**One day all alcohol license – Marion Social Club – family party – 12:00 p.m. – midnight – 11/19/11**

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

**Credit Memorandum - \$156.13 (10/18/11)**

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

**Discussion – Combining Parks & Tree Committee and Recreation Committee**

Mr. Henry said he attended a joint meeting of the Parks & Tree Committee and Recreation Committee; the goal is to improve park facilities. Mr. Blanchette said the Board should investigate what other towns are doing, Mr. Cushing agreed. Mr. Blanchette asked what the mood at the meeting was regarding combining the committees and Mr. Henry said the mood was positive. Mr. Blanchette said it was up to the Board to see if it could be done and also to see what other towns are doing.

**Review Water Quality Testing and IDDE Detection Program**

Recently the Town received a grant (\$18,652.66) from the Buzzards Bay National Estuary Program (BBNEP); the grant application was for \$35,000. Last week Mr. Dawson, Mr. Zora, and Shawn Syde of CDM met with BBNEP representatives to discuss revising the grant and receiving full funding. As a result of the meeting CDM will be submitting a revised scope of work that meets all of the criteria. Tonight the Board needs to designate a person to sign the State contracts that need to be completed in order to receive the funding.

Moved by Mr. Blanchette and seconded by Mr. Cushing to designate Mr. Dawson to sign the contract. VOTE: 3-0-0

**Signatures – Utility bill lien list**

The Board reviewed the annual lien list for water accounts.

Moved by Mr. Blanchette and seconded by Mr. Cushing to authorize the lien list dated October 24, 2011. VOTE: 3-0-0

**TOWN ADMINISTRATOR REPORT**

**Use of Silvershell Beach/One day all alcohol licenses**

At the last meeting the Board discussed a potential policy on the use of Silvershell Beach and one day alcohol licenses. There is a bylaw prohibiting consumption of alcohol on the beach; Town Counsel and Mr. Dawson believe that one policy cannot fit every scenario. Mr. Dawson said he will come back to the Board with a recommendation that probably will include the elimination of the bylaw. Mr. Blanchette said the bylaw would have to be addressed at Town Meeting next spring or the Sippican Lands Trust will not be able to serve alcohol on the beach next summer.

**Town House discussion**

The request for funds to hire an Owners Project Manager (OPM) was not approved at last week's Special Town Meeting. Mr. Dawson said little can be done until an OPM is hired; however, an advisory committee could be formed to gather information and then make a recommendation that the Board form a building committee charged with the responsibility of investigating a number of scenarios. At that point an OPM would need to be hired. Mr. Dawson said the advisory committee should include members of the Capital Improvements Planning Committee, Finance Committee, Planning Board, Board of Selectmen, Mr. Dawson, and members of the community.

**FEMA meeting 11/10/11/FEMA maps**

FEMA has agreed to attend an informational meeting for residents of Marion and Mattapoisett. The meeting will be held November 10 in the ORR High School cafeteria at 6:30 p.m.

**Town Administrator employment contract**

The employment agreement between the Town and the Town Administrator expires on June 30, 2012. Under the terms of the contract a six month notification is required if the Board does not intend to renew the contract.

**November 15 meeting**

At the November 15 meeting representatives from CDM will be present to bring the Board up to date with the Buzzards Bay Coalition lagoon report.

**CORRESPONDENCE:**

The reading of the correspondence record was waived with the exception of the following:

**Notice from Department of Revenue regarding additional State Aid (10/28/11)**  
The Town of Marion will be awarded an additional \$13,799 in State Aid.

**Email from Margie Baldwin regarding removal of trees in front of Town House (11/1/11)**

The request is to remove two trees in front of the Town House; Mr. Dawson explained to the Board that the removal of public trees requires a public hearing.

**Letter from Clerk Magistrate regarding Tabor Academy (10/24/11)**

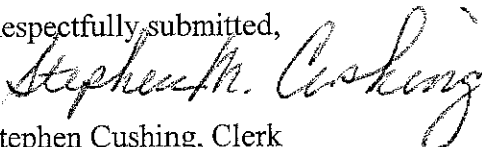
Two weeks ago there was a hearing with the Clerk Magistrate regarding the fines issued by the Board of Health related to Tabor Academy's failure to submit drainage plans for the Tabor Field project. The ruling was in the Town's favor and Tabor was ordered to pay \$600 in fines.

**Undated letter from Veterans Day Services Chairman Rodney Hunt**

The Board's presence is requested at the Veterans' Day Services to be held November 11 at Old Landing Memorial Park.

Moved by Mr. Cushing and seconded by Mr. Blanchette at 9:10 p.m. to enter into Executive Session for discussion of ongoing litigation and strategy related to collective bargaining after which the Board will not be returning to regular session. A roll call vote was taken with all members voting aye.

Respectfully submitted,



Stephen Cushing, Clerk

Date approved: 11/15/11

RECEIVED  
TOWN CLERK OF MARION, MA  
NOV 16 9 31 AM 2011

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WATER/SEWER COMMISSIONERS  
November 1, 2011**

**DOCUMENTS REVIEWED AT MEETING**

Meeting minutes - October 18, 2011  
Memo from Chief Miller requesting promotion of Officer Jeffrey Tripp to rank of Sergeant (10/28/11)  
Memo from Chief Joyce regarding ISO rating (11/01/11)  
Page 6, Town of Marion sewer policy  
Conservation Restriction (Rentumis property)  
Water commitment - \$170 (10/3/11)  
Water commitment - \$10,000 (10/3/11)  
Water commitment - \$525 (10/06/11)  
One day all alcohol license – Marion Social Club, family party, 2:00 p.m. – midnight (11/19/11)  
Credit memorandum, \$156.13 (10/18/11)  
Contract – Water Quality Testing and IDDE Detection Program  
Memo from Mr. Dawson to Selectmen regarding Town Administrator employment contract (10/27/11)  
Ambulance abatement request – Andrew Godfrey (undated)  
Letter from Mr. Dawson to Andrew Godfrey regarding ambulance abatement request (10/7/11)  
Letter from xfinity regarding programming changes (10/17/11)  
Letter from Marion Business Community Association requesting street closure for Christmas Stroll 12/11/11 (10/17/11)  
Copy of letter from Tabor Academy to Buzzards Bay Coalition regarding water samples (10/24/11)  
Nomination form – Tree Warden of the Year 2012  
Letter of resignation from Police Department – Special Officer Michael Meyers (10/28/11)  
Notice from Department of Revenue regarding additional State Aid (10/28/11)  
Undated letter from Veterans Day Services Chairman Rodney Hunt requesting Board of Selectmen presence at Veterans Day Services  
Copy of letter from Chief Miller regarding commercial kennel located at 1 Sparrow Lane (10/27/11)  
Copy of letter from Tata & Howard regarding East & West Wells Perchlorate study (10/17/11)  
Zoning Board of Appeals notice of decision – Tabor Academy (10/13/11)  
Planning Board request for comments – 406 Wareham Street (10/17/11)  
Zoning Board of Appeals notice of decision – 12 South Street (10/20/11)  
Zoning Board of Appeals notice of decision – Amendment to Comprehensive Permit – Littleneck Village (10/20/11)  
Zoning Board of Appeals notice of decision – 305 Delano Road (10/3/11)  
Letter from Norman Hills regarding Buzzards Bay Coalition/Tabor Academy (10/29/11)  
Email from Margie Baldwin regarding removal of trees in front of Town House (11/1/11)

Letter from Clerk Magistrate regarding Tabor Academy (10/24/11)

**AGENDAS & MEETING MINUTES RECEIVED FROM OTHER BOARDS &  
COMMISSIONS**

Conservation Commission meeting agenda (10/26/11)

Capital Improvements Planning Committee notice of upcoming meetings

Zoning Board of Appeals meeting minutes (6/2/11)

Zoning Board of Appeals meeting minutes (9/22/11)

Meeting Minutes – Upper Cape Cod Regional Technical School District Committee  
(9/8/11)