

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
March 5, 2013**

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

ALSO PRESENT: Paul Dawson, Town Administrator
Judith Mooney
Norman Hills
Carol Sanz
Casimiro Barros
Sherman Briggs
Hamish Gravem
Mike DeCicco (Standard Times)
Jennifer Heshion (Sippican Week)
Joan Hartnett-Barry (The Wanderer)
Chris Reagle (Sentinel)
Jon Witten
Debra Paiva, secretary

The meeting was called to order at 7:00 p.m. Mr. Cushing 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

Moved by Mr. Henry and seconded by Mr. Dickerson to move the minutes of the February 19, 2013 and March 1, 2013 meetings. VOTE: 3-0-0

APPOINTMENTS

Judith Mooney – Request Board to vote on the sale and issuance of refunding bonds under G.L. c.44, Section 21A

Mrs. Mooney explained that the vote could result in a potential savings of \$509,000. Mr. Dawson explained that the vote would result in a lowering of interest, not additional debt. The following language was read into the record:

I, the Clerk of the Board of Selectmen of the Town of Marion, Massachusetts (the “Town”), certify that at a public meeting of the board held March 5, 2013, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was unanimously passed, which appears upon the official record of the board in my custody:

VOTED: That in order to reduce interest costs, the Treasurer is authorized to provide for the sale and issuance of refunding bonds under G.L. c.44, Sec. 21A to refund all or any portion of the remaining principal of and any redemption premium and interest on any of the Town’s bonds that are outstanding as of the date of this vote, provided that no such refunding bonds shall be issued under this vote unless and until the final interest rate(s) and other terms of such refunding bonds have been approved by this Board.

Motion was made by Mr. Dickerson and seconded by Mr. Henry. VOTE: 3-0-0

CIPC Annual Report to Selectmen

Norm Hills, Carol Sanz, Casimiro Barros, and Ham Gravem were present to discuss the report. During the summary, the following items were discussed:

- Request and review process resulting in 18 projects totaling nearly \$6 million
- Projections for four years subsequent to FY14
- Upgrade of DPW building
- Vehicle maintenance plan
- Fleet management plan
- Recommendations:
 - Long term facility and equipment acquisition plan
 - Establishing facilities manager position
 - Establishing engineering maintenance program
 - Considering use of experts to assist in developing solution options
 - Considering a buy vs. lease evaluation

ACTION ITEMS

One day all alcohol license – VFW #2425 – Baby Shower 3/23/13, 12 noon – 3:00 p.m.

Moved by Mr. Dickerson and seconded by Mr. Henry to move the request. VOTE: 3-0-0

Request from DPW to declare surplus vehicles

The DPW has requested that eleven vehicles in various states of disrepair be declared surplus property. The Board recently approved disposition of surplus police and recreation vehicles and the vehicles voted on tonight will be added to the advertisement. Mr. Dawson said he would verify with Mr. Zora that the list is complete.

Moved by Mr. Dickerson and seconded by Mr. Henry to move the request. VOTE: 3-0-0

TOWN ADMINISTRATOR

Request to award mold remediation contract

Mr. Dawson told the Board that the low bidder for the basement mold remediation project was Laliberty Construction. The bid was for \$14,323 and the amount appropriated for the remediation was \$26,500. The contractor has no prior experience with mold remediation but does have experience with environmental projects and is well aware of the work required for this project. Mr. Dawson has received a number of positive references for the contractor and sees no reason to not award the contract.

Carol Sanz voiced concern that the low bidder does not have experience with mold remediation and Mr. Dawson explained that it fell under the umbrella of environmental work. The town's environmental consultant, Occu Health, will monitor the setup of equipment prior to the work and will check the results when the project is complete.

Casi Barros offered to review the bid; Mr. Dawson said he would be glad to have him take a look at it and explained that the specifications used were recommended by Occu Health.

Mr. Henry said he was of the opinion that the contractor should have demonstrated experience. Mr. Dickerson said he would like to go with the low bidder but has serious concerns if the contractor has never done mold remediation in the past and agrees with Mr. Henry.

Mr. Dawson said if the Board rejects the low bid he will check the references of the next bidder and will bring the information to the next meeting.

Moved by Mr. Henry and seconded by Mr. Dickerson to reject the Laliberty bid, the reason being insufficient experience demonstrated. VOTE: 3-0-0

Ambulance Billing – Update Policy

Mr. Dawson explained that Medicare rates have not yet been established and an updated policy will be presented to the Board when the information becomes available.

Town House Phone System

Mr. Dawson told the Board that the information will be ready at the next meeting.

Public Meeting – Village Infrastructure Capital Improvements – March 7

Representatives from CDM Smith will be at the Music Hall to provide information regarding the Village Infrastructure Capital Improvements on March 7 at 7:00 p.m.

CORRESPONDENCE

The following correspondence items were briefly discussed:

#1 – Town House Advisory Committee report and recommendations

The Town House Advisory Committee has submitted a final report and recommendations; they will be invited to attend the next meeting to discuss the report.

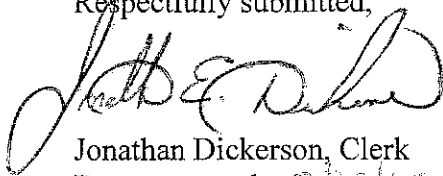
#5 – Copy of letter from Buzzards Bay Coalition regarding wastewater treatment plant

The Board reviewed a copy of a letter sent by the Buzzards Bay Coalition to the EPA regarding the sewer lagoons located at the wastewater treatment plant. Mr. Dickerson said it's time for CDM Smith to review the information claimed in the letter. Mr. Henry said the lagoons should be examined, determined if they're all essential, and then they should be lined. He said it was a waste of time arguing whether they're leaking or not and he would rather have CDM work on determining how to line the lagoons and what it will cost. Mr. Cushing voiced concern that the Coalition could be running the show based on an erroneous report. Norm Hills said the report does not prove anything but the Board should consider getting the myth separated from the facts. Sherman Briggs agreed with Mr. Hills and said the Coalition has not considered all points of discharge into the harbor. Mr. Dawson has already forwarded letter to CDM Smith; it was agreed that he will ask them to provide a menu approach on the best way to respond.

Mr. DeCicco asked if the vote to reject the mold remediation bid could be appealed; Mr. Dawson said a bid protest could be filed but he was confident it would result in the Town's favor.

Moved by Mr. Dickerson and seconded by Mr. Henry at 8:11 p.m. to adjourn and enter into Executive Session to discuss complaints or charges brought against a public officer. The Board will not return to open session. A roll call vote was taken with all members voting aye.

Respectfully submitted,



Jonathan Dickerson, Clerk

Date approved: 3/19/13

RECEIVED
TOWN CLERK OF MARION, MA
2013 MAR 20 A 9:50

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

DOCUMENTS REVIEWED AT MEETING – March 5, 2013

Meeting minutes – February 19, 2013, March 5, 2013

CIPC annual report to Selectmen

One day all alcohol license – VFW #2425 – Baby Shower 3/23/13, 12 noon-3:00 p.m.

Request from DPW to declare surplus vehicles

Mold Remediation Project bid results

CORRESPONDENCE

Town House Advisory Committee report and recommendations

NSTAR Electric and Gas 2013 Yearly Operational Plan

Invitation to Buzzards Bay Coalition's 2013 Decision Makers Workshop Series

ZBA notice of decision regarding Map 5A, Lot 2, Dexter Road

Copy of letter from Buzzards Bay Coalition regarding wastewater treatment plant

Letter from ORCTV regarding upcoming annual meeting

ZBA notice of decision regarding Map 21, Lot 17, County Road

AGENDAS & MEETING MINUTES - OTHER BOARDS & COMMISSIONS

Meeting Minutes – Upper Cape School District Committee (1/10/13)

Meeting Agenda – Conservation Commission (2/27/13)