

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
MEETING MINUTES
June 3, 2014**

MEMBERS PRESENT: Jonathan Henry, Chairman
Jonathan Dickerson
Stephen Cushing

ALSO PRESENT: Paul Dawson, Town Administrator
Rob Zora
Mike DeCicco (Standard Times)
Joan Hartnett-Barry (Wanderer)

The meeting was called to order at 7:00 p.m. in the Town House conference room. 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 will be attached to these minutes.

Approval of Meeting Minutes – May 20, 2014

Moved by Mr. Cushing and seconded by Mr. Dickerson to move the minutes of the May 20, 2014 meeting. VOTE: 3-0-0

ACTION ITEMS

Discussion regarding the formation of a committee

Mr. Dickerson noted that Town Meeting had twice voted against the purchase of a new fire pump truck; both times the Board of Selectmen recommended the purchase and the Finance Committee recommended against it. He suggested that the Fire Department and Finance Committee work collaboratively and recommended the formation of a committee to work on a request to bring to Town Meeting. The committee would include a member of the Finance Committee, a selectman, and three members of the Fire Department (to be appointed by the Fire Chief.) Mr. Cushing said he would prefer that the whole process was handled the way as in the past but agreed with Mr. Dickerson. Mr. Henry said the idea of doing it in this manner was abhorrent to him and it was a last ditch effort to purchase a fire truck. He voiced concern that the Finance Committee has other issues with the Fire Department and the fire truck purchase was being used as a “straw man.” After a discussion it was agreed that if the committee is formed its actions would be limited to recommendations regarding the fire truck.

Moved by Mr. Dickerson and seconded by Mr. Cushing to form the committee, for purposes of the fire truck only, comprised of one Selectman, one Finance Committee member, two members of the Fire Department (to be selected by the Fire Chief), and one citizen at large. VOTE: 2-0-1 (Mr. Henry abstained)

NOTE: Subsequent to the vote it was stated that Mr. Cushing will be the selectman to serve on the committee.

Water abatement request – 24 Pine Hill Lane

At the May 20 meeting the Selectmen voted to deny a water abatement request submitted by Edward and Kim Lavoie of 24 Pine Hill Lane. Subsequent to the vote Mr. Lavoie informed Mr. Dawson that he tried to submit the abatement request and had been told the bill needed to be issued first. However, when the bills were issued he was in the process of moving back into the home and missed the 30 day deadline. Mr. Lavoie requested that Mr. Dawson provide that additional information to the selectmen for them to reconsider their vote; Mr. Zora recommended that the request be denied. Mr. Dickerson noted that the rules state that the abatement request must be received within 30 days of the billing date. The Board agreed that the previous vote to deny the request would remain.

Request for vacation carryover – Treasurer/Collector

In accordance with his contract, Mr. Carreiro has submitted a request to carry over 5 vacation days to the next fiscal year.

Moved by Mr. Dickerson and seconded by Mr. Cushing to approve the request. VOTE: 3-0-0

Discussion and vote – Building Commissioner mutual aid request

The Town of Wareham has an assistant building inspector who is also a contractor and he cannot sign off on his own work. To avoid any conflicts, the Wareham Building Commissioner has requested that Mr. Shippey be available to review and sign off on projects requiring a building permit and done by the assistant inspector in his role as a private contractor. Mr. Shippey will provide this assistance on Friday afternoons, which will not interfere with his work hours at Marion Town Hall.

Moved by Mr. Cushing and seconded by Mr. Dickerson to approve the request. VOTE: 3-0-0

TOWN ADMINISTRATOR REPORT

Discussion regarding summer meeting schedule

A memo from Mr. Dawson regarding the summer meeting schedule was reviewed. It was agreed that the Board will meet on July 15, August 5, and August 19, at 7:00 p.m. at the Police Station.

Discussion concerning water related Inter-Municipal Agreement with Rochester

The 50 year inter-municipal water agreement between Marion and Rochester will expire on 2021. Rochester Water Commissioner Fred Underhill has suggested the formation of a subcommittee consisting of one selectman and one water committee member from each town to review what might be some sticking points for future agreements; the Town Administrators will most likely participate in the discussions as well.

Discussion concerning Habitat for Humanity Project options

At the Board's April 1 meeting there was a discussion regarding one of the terms of DHCD's Regulatory Agreement which would terminate the agreement in the event that the dwelling is for sale and an eligible buyer cannot be found within 90 days. At that meeting Attorney Witten advised the Selectmen not to sign the agreement as the requirement was in opposition of the 2012 Town Meeting vote authorizing the sale of the land to Habitat. He recommended that the applicant file a request with the Board of Appeals for a variance from the applicable zoning requirements.

On May 15 Attorney Robbins informed Attorney Witten that DHCD is not willing to change the terms of the Regulatory Agreement. In an email dated June 1 Attorney Witten stated that the only remaining alternative is for the applicant to apply for a variance relating to the locus; he also stated

that the project could qualify for the granting of a variance. Attorney Robbins is asking what other requirements and costs would be associated with the application.

Moved by Mr. Dickerson and seconded by Mr. Cushing to waive the application fee, subject to Town Counsel approval. VOTE: 3-0-0

Washburn Park vandalism

At the May 20 meeting the Board discussed some unauthorized work at Washburn Park. Yesterday Mr. Dawson received an Enforcement Order from the Conservation Commission requiring the restoration of the impacted area. Mr. Henry stated that the Board of Selectmen as leadership of the town should accept responsibility, and it was in his opinion not vandalism but work that exceeded permissible conditions. He said the Board of Selectmen is willing to accept the Enforcement Order and move forward with the project. He said there was no overt intention to circumvent the Clean Water Act and he did not see any point to move forward with an investigation. Mr. Dickerson said it was not done maliciously, for the past three years massive improvements were made at Washburn Park, and it's the high cost of low maintenance.

CORRESPONDENCE

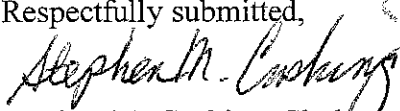
Reading of the correspondence into the record was waived.

Update - Fireworks fundraising

Mr. Dickerson said the fundraising deadline is June 6; there currently is a shortage of \$16,000.

Moved by Mr. Cushing and seconded by Mr. Dickerson at 8:02 p.m. to adjourn. VOTE: 3-0-0

Respectfully submitted,



Stephen M. Cushing, Clerk

Date approved: June 17, 2014

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**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
DOCUMENTS REVIEWED AT MEETING – June 3, 2014**

Meeting minutes – May 20, 2014
Water abatement request – 24 Pine Hill Lane
Request from Treasurer/Collector to carry over vacation time
Memo from Building Commissioner regarding Town of Wareham mutual aid request
Memo from Town Administrator regarding summer meeting schedule
Statement from Rochester Water Commissioner Fred Underhill regarding Marion/Rochester water agreement
Email from Jon Witten regarding Habitat Project and DHCD
Conservation Commission Enforcement Order – Washburn Park
Letter from FEMA regarding 13 Edgewater Lane
Letter from NSTAR regarding 2013-2017 Vegetation Management Plan
Memo from MMA regarding FY2015 State Budget Bill
Notice of ZBA decision – 54 South Street
South Coast Rail Project newsletter
Letter from Mass DOT regarding Project Need Form related to the Bike Path
Letter from Buzzards Bay Coalition regarding Coast Guard proposed regulation changes
Letter from Division of Marine Fisheries – Inner Harbor closed to shellfishing
Letter from Comcast regarding fee changes
Memo from Building Commissioner regarding Building Permit Fee Restructuring
Request from Pythagorean A.F. & A.M. – Oktoberfest 1 day wine & malt license
Memo regarding Planning Board reorganization
Memo regarding Board of Assessors reorganization
Conservation Commission meeting agenda (5/28/14)