

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS
MEETING MINUTES
November 15, 2016**

MEMBERS PRESENT: Jonathan Dickerson, Chairman
Stephen Cushing
Stephen Gonsalves

ALSO PRESENT: Paul Dawson, Town Administrator
Isaac Perry, Harbormaster
Adam Murphy, Shellfish Officer
Brad Eames, Assessor
Linda Dessert, Associate Assessor
Chris Bryant
Chris Collings
Michael Sudofsky
Bill Saltonstall
Priscilla Ditchfield
Lynn Crocker
Shaun Cormier
Tanner Harding, Sippican Week
MaryLou Newell, Wanderer
Debra Paiva, secretary
Others who did not sign in

The meeting was called to order at 7:00 p.m. in the Town House conference room. Mr. Dickerson announced that the meeting would be video recorded and televised by ORCTV and audio recorded by Town of Marion staff.

Approval of meeting minutes – November 1, 2016, April 5, 2011 Executive Session, July 19, 2011 Executive Session, September 20, 2011 Executive Session, October 18, 2011 Executive Session, November 15, 2011 Executive Session, December 6, 2011 Executive Session, December 20, 2011 Executive Session, January 3, 2012 Executive Session, March 6, 2012 Executive Session, March 20, 2012 Executive Session

Moved by Mr. Cushing and seconded by Mr. Gonsalves to approve the minutes. VOTE: 3-0-0

ACTION ITEMS

Water/Sewer commitment – final readings - \$1032.52 (10/31/16)

Moved by Mr. Cushing and seconded by Mr. Gonsalves to move the commitment. VOTE: 3-0-0

Water/Sewer commitment – misc. bill & FRMA - \$5250.84 (10/31/16)

Moved by Mr. Cushing and seconded by Mr. Gonsalves to move the commitment. VOTE: 3-0-0

One day all alcohol license – Marion Social Club – clambake 12:00 noon – 4:00 p.m. (1/29/17)

Moved by Mr. Cushing and seconded by Mr. Gonsalves to move the license. VOTE: 3-0-0

Water/Sewer commitment – new services - \$20,375 (11/10/16)

Moved by Mr. Cushing and seconded by Mr. Gonsalves to move the commitment. VOTE: 3-0-0

Review and approve employment contract – Town Planner

Mr. Dawson explained that the contract is a six month extension to June 30, 2017 and the funds are available.

Moved by Mr. Cushing and seconded by Mr. Gonsalves to accept the contract as presented. VOTE: 3-0-0

Review and approve employment contract – Public Health Nurse

The one year contract was reviewed and briefly discussed.

Moved by Mr. Cushing and seconded by Mr. Gonsalves to approve the Public Health Nurse contract. VOTE: 3-0-0

APPOINTMENT

7:05 p.m. – Public Hearing – Board of Assessors - Classification of real property

Assessor Brad Eames and Associate Assessor Linda Dessert were present. The public hearing notice was read into the record. A document showing the differences between a single rate (\$11.41), a 50% shift residential split rate (\$10.94), and a 50% shift commercial split rate (\$17.09) for Fiscal Year 2016 was reviewed and discussed. Mr. Eames told the selectmen that the Board of Assessors recommends a single tax rate. Audience members had no comments or questions.

Moved by Mr. Cushing and seconded by Mr. Gonsalves to accept the single rate tax rate for Fiscal Year 2017. VOTE: 3-0-0

ACTION ITEMS

Discussion – Memo from DPW Superintendent and municipal sewer application – 115 Wareham Street

A memo from DPW Superintendent Rob Zora regarding property that has been on the sewer waiting list since October, 2005 was reviewed and discussed. Mr. Dawson noted that on occasion the selectmen have authorized connection to the sewer system; however, this request would require a sewer extension from Point Road, and the Board has not issued permits for any sewer extensions. CDM Smith is currently working on a study to determine a needs area and plan in a more cohesive fashion; the study is underway and expected to be complete within months. Michael Sudofsky, 164 Front Street, noted that the property was headed uphill.

Moved by Mr. Cushing and seconded by Mr. Gonsalves to table the request until the CDM Smith study is complete. VOTE: 3-0-0

APPOINTMENT

7:15 p.m. – Deborah Giokas – complaint regarding dog attack

This appointment was requested by Mr. Giokas after her daughter's dog was attacked by a neighbor's dog on October 10, 2016. Ms. Giokas submitted a copy of an invoice from the veterinary clinic where her daughter's dog received treatment after the attack and read into the record a note from Greg Silva, the owner of the aggressive dog. Ms. Giokas described the impact the dog attack had on her family, voiced concern that an electric fence is proposed to contain the dog, and submitted a list of the 10 most dangerous dogs. She told the selectmen that the other residents in the neighborhood do not feel safe and requested a bylaw that people who own dogs on the list be required to keep dogs on leash.

During the discussion the following issues were addressed:

- Bylaw change – Mr. Dawson described the requirements for a bylaw change approved by Town Meeting and approved by Attorney General and explained that singling out individual breeds can be difficult to have approved by the Attorney General.
- Attack incident – After discussion it was agreed that a public hearing regarding the dog, with the owner present, would be scheduled.

7:30 p.m. – Town House Building Committee – Discussion regarding CPC Historic Funds

Bill Saltonstall, Shaun Cormier, Priscilla Ditchfield, Lynn Crocker were present. During the discussion the following issues were addressed:

- Four Town House renovation schemes, two of which require architectural assistance.
 - Continue consideration of current renovation plan
 - Reduce program to 1876 building only, possibly include a small meeting room
 - Renovate 1876 building plus one story meeting room addition.
 - Possibility of new building on VFW site, using a design originally meant for building located on ball field at Town House.
- Survey proposed to be included in upcoming Town census
- Use of previously approved CPC funds for architectural services

John Waterman, 2 Main Street, made a recommendation regarding the proposed survey.

Steven Kokkins, 72 Cove Circle, made recommendations regarding the proposed survey and also use of other public buildings for meeting space.

Chris Collings, 13 River Road, made recommendations regarding the proposed survey.

Moved by Mr. Cushing and seconded by Mr. Dickerson to approve the request for \$14,600.

VOTE: 2-1-0 (Mr. Cushing and Mr. Dickerson in favor, Mr. Gonsalves opposed)

ACTION ITEMS

Request for aquaculture license – Chris Bryant

Mr. Bryant was present for this discussion; he is requesting a one half acre aquaculture grant south of Meadow Island. Mr. Bryant’s application was reviewed and discussed.

_____, 48 East Avenue, voiced concern that the project would impede navigation; he was advised that should the Board vote to have a public hearing his concern could be addressed at that time.

Moved by Mr. Cushing and seconded by Mr. Gonsalves to allow the project to move forward to the next step. VOTE: 3-0-0

Discussion – Tata & Howard Agreement for General Engineering Services

The contract was reviewed and briefly discussed.

Moved by Mr. Cushing and seconded by Mr. Gonsalves to approve the contract. VOTE: 3-0-0

Request for Water/Sewer abatement – 28 South Street

The application and comments from the Department of Public Works Superintendent were reviewed and discussed. Review of the information revealed the following:

- The increased water consumption was the result of an irrigation malfunction caused by a lightning storm;
- The water was not consciously used and did not enter the sewer system;
- The Department of Public Works recommended the granting of an abatement of the sewer charges.

Moved by Mr. Cushing and seconded by Mr. Gonsalves to approve an abatement of the sewer charges of \$448.62. VOTE: 3-0-0

Discussion – State Drinking Water Supply Protection Grant application

Mr. Dawson explained that the application will be submitted under the FY17 Drinking Water Supply Protection Grant Program and the funds requested (\$230,000) will be used in conjunction with funds from the towns of Mattapoisett and Fairhaven and also the Mattapoisett River Valley Water Supply Protection Advisory Committee to purchase a parcel of land on Wolf Island Road in Rochester (total cost is \$460,000). The Town of Marion will own the property; the Buzzards Bay Coalition, the town of Mattapoisett and Fairhaven will co-hold the Conservation Restriction. Moved by Mr. Cushing and seconded by Mr. Gonsalves to authorize the chairman to sign the application on behalf of the Board of Selectmen. VOTE: 3-0-0

TOWN ADMINISTRATOR REPORT

Discussion regarding facilities cleaning services

Mr. Dawson informed the selectmen that the contract to provide cleaning services for Town facilities will be terminated as the vendor has not met expectations. He requested that the selectmen approve the hiring of a part time (30 hours per week) employee to provide the cleaning services. Chief Miller was able to hire back the individual who previously provided cleaning services for the police station. Mr. Dawson explained that the cost of a part-time employee would not exceed the \$28,000 appropriated for cleaning services.

Moved by Mr. Cushing and seconded by Mr. Gonsalves to approve the hiring of a 30 hour per week custodian out of existing, appropriated funds.

Update – Bylaw codification

Mr. Dawson told the selectmen that recommendations made by the consultant were received today. He will be working with staff and committee members to have a draft back to the consultants by January 20; the final draft ready for the Annual Town Meeting.

Moved by Mr. Cushing and seconded by Mr. Gonsalves to authorize the bylaw codification. VOTE: 3-0-0

Mr. Dawson informed the selectmen that Tabor Academy will be using temporary lighting from 6:00 p.m. - 10:00 p.m. on Friday, November 18 for an evening football game. The school will be notifying the neighbors of the temporary lighting.

Moved by Mr. Gonsalves and seconded by Mr. Cushing at 8:44 p.m. to adjourn and enter into Executive Session for strategy related to contract negotiations with non-Union personnel. The Board will not be returning to regular session. VOTE: A roll call vote was taken with all members voting aye.

Respectfully submitted,



Stephen C. Gonsalves, Clerk
Date approved: December 20, 2016

2016 DEC 21 A 10: 37
RECEIVED
TOWN CLERK OF MARION, MA

MARION BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – November 15, 2016

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Letter from J. & M. Waterman regarding Town House renovation project (10/26/16)
Letter from H. & A. Ziegler regarding Town House renovation project (10/26/16)
Letter from E. O’Connell regarding Town House renovation project (10/28/16)
Letter from L. Hall regarding Town House renovation project (10/26/16)
Letter from P. Kirschmann regarding Town House renovation project (10/31/16)
Letter from Division of Marine Fisheries regarding shellfishing status (10/31/16)
Letter from Division of Marine Fisheries regarding Sippican Harbor shellfishing status (11/1/16)
Letter from W. Redway regarding Town House renovation project (10/26/16)
Letter from J. Redway regarding Town House renovation project (10/26/16)