

**MARION BOARD OF SELECTMEN  
WATER/SEWER COMMISSIONERS  
MEETING MINUTES  
May 16, 2017**

**MEMBERS PRESENT:** Jonathan Dickerson, Chairman  
Stephen Gonsalves  
Norman Hills

**ALSO PRESENT:** Judith Mooney, Finance Director  
Rob Zora, DPW Superintendent  
Rebecca Tilden  
Bill Saltonstall  
Ted North  
John Waterman  
Shaun Walsh  
Jay Meere  
Sherman Briggs  
Andrea Ray, Sippican Week  
Jean Perry, Wanderer  
Paul Dawson, Town Administrator  
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.

New selectman Norman Hills was welcomed to the Board.

**Reorganization of the Board**

Moved by Mr. Gonsalves to nominate Mr. Dickerson as Chairman. VOTE: 3-0-0

Moved by Mr. Dickerson to appoint Mr. Gonsalves Vice-Chairman. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Gonsalves to appoint Mr. Hills Clerk. VOTE: 3-0-0

Moved by Mr. Hills and seconded by Mr. Gonsalves that Mr. Dickerson be the Parking Clerk. VOTE: 3-0-0

Moved by Mr. Hills and seconded by Mr. Dickerson that Mr. Gonsalves be the Affordable Housing Trust representative. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Gonsalves to appoint Mr. Hills to the Buzzards Bay Action Committee. VOTE: 3-0-0

Moved by Mr. Hills and seconded by Mr. Dickerson to appoint Mr. Gonsalves to the Town House Building Committee. VOTE: 3-0-0

Moved by Mr. Hills and seconded by Mr. Gonsalves to appoint Mr. Dickerson to the Music Hall Advisory Committee. VOTE: 3-00-0

Moved by Mr. Dickerson and seconded by Mr. Gonsalves to appoint Mr. Hills to the Capital Improvement Planning Committee. VOTE: 3-0-0

Moved by Mr. Hills and seconded by Mr. Gonsalves to appoint Mr. Dickerson to the Plymouth County Advisory Board. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Gonsalves to appoint Jonathan Henry to act as the selectmen representative to SRPEDD and JTPG. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Gonsalves to appoint Mr. Hills to act as the selectmen representative to the Southeastern Massachusetts Commuter Rail Task Force. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Hills to appoint Mr. Gonsalves to the Community Preservation Committee. VOTE: 3-0-0

Moved by Mr. Hills and seconded by Mr. Gonsalves to appoint Mr. Dickerson to the Marion Pathways Committee. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Gonsalves to appoint Mr. Hills selectmen representative to the CMW Regional Landfill Committee. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Hills to appoint Mr. Gonsalves School Committee Liaison. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Gonsalves to appoint Mr. Hills Clerical Union Liaison. VOTE: 3-0-0

Moved by Mr. Dickerson and seconded by Mr. Gonsalves to appoint Mr. Dickerson DPW Union Liaison. VOTE: 3-0-0

Moved by Mr. Hills and seconded by Mr. Gonsalves to appoint Mr. Dickerson Police Union Liaison. VOTE: 3-0-0

Moved by Mr. Dickerson to appoint Mr. Gonsalves to the Parks/Tree Committee. VOTE: 3-0-0

**APPROVAL OF MEETING MINUTES –**

**May 2, 2017**

Moved by Mr. Gonsalves and seconded by Mr. Dickerson to approve the minutes. VOTE: 2-0-1 (Mr. Hills abstained)

**ACTION ITEMS**

**Credit memo - refund to former owner of 430 Front Street \$479.25 (05/01/2017)**

Moved by Mr. Hills and seconded by Mr. Gonsalves to approve. VOTE: 3-0-0

**Credit memo - 62 Oakdale Avenue \$504.75 (04/25/2017)**

Moved by Mr. Hills and seconded by Mr. Gonsalves to approve. VOTE: 3-0-0

**Request from Tabor Academy to close Front Street for May 29 Commencement**

Mr. Dawson explained that this is an annual request, it has been coordinated through the Police Department, and it will not interfere with the Memorial Day observances.

Moved by Mr. Hills and seconded by Mr. Gonsalves to approve the request. VOTE: 3-0-0

**Letter from Historical Commission regarding Civil War Monument at Music Hall**

Mr. Dawson told the selectmen that he discussed the letter with the facilities manager, who explained that in the 1970s the statue was toppled by vandals, resulting in the statue being somewhat bent; however, the foundation is level and the structure is sound. Mr. Hills recommended that the current photo be saved and then compared to the statue in five years.

**Water/Sewer commitment - \$2945.70, final readings & new service (05/11/17)**

Moved by Mr. Gonsalves and seconded by Mr. Hills to approve. VOTE: 3-0-0

**APPOINTMENTS**

**7:05 p.m. Tri-Town Recreational Facilities (TURF) Committee – Presentation of turf proposal**

TURF Committee members Shaun Walsh, Tom Flynn, and Bill Tilden were present to discuss the proposal. Mr. Hills asked if handouts would be provided; Mr. Flynn told him no but agreed to provide copies of the Power Point presentation. The following information was provided:

- The proposal includes an athletic building, one main field, bleachers, press box, lights, track, and two multisport fields.
- Overall construction costs will be approximately \$5 million, or \$1.670 million per town
- Revenue collected over 15 years is projected to be \$3 million, or \$206,000 per year

Mr. Gonsalves asked how the artificial fields will handle waste from geese; he was told the fields are groomed every two to three weeks; additionally, artificial fields are permeable and rain water will drain rather than puddle

Mr. Dickerson asked what percentage of the students at the high school participate in sports and was told 80%

Mr. Hills asked if a hard copy of the presentation would be provided to the selectmen and was told yes. He recommended that the committee members provide a copy of the plan to the chairman of the Capital Improvements Planning Committee.

Mr. Dickerson voiced concern for maintenance of the project and said in order for him to fully support the project there would need to be a maintenance plan.

Audience member Ted North asked questions regarding prevailing wage, cost of the debt, and cost of maintenance.

Mr. Dickerson asked how much has been raised; he was told that \$70,000 has been raised in private donations, pledges have been made, and fundraising will continue.

Audience member Jay Meere asked if the track would be made available for public use; he was told the project is meant to be a community project.

**7:20 p.m. Finance Director, Water Rate Study Committee – Discussion regarding setting of water and sewer rates**

Mrs. Mooney and committee members Robert Zora and Rebecca Tilden were present to recommend fiscal year 2018 water and sewer rates. Mrs. Mooney explained that in 2007, when there was a substantial rate increase, it was agreed that expenses and rates would be evaluated on an annual basis. In 2013 and 2014 the committee used reserves to hold off rate increases; in 2015 and 2016 there were some increases. Mrs. Mooney explained the recommendations, what is causing the increases, and the approximate yearly costs the recommendations would have on average households. The following increases are proposed:

**Water**

- A 1% increase is recommended in water base rates
- A .5% increase is recommended in Tier One
- A 1% increase is recommended in Tier Two
- A 1.5% increase is recommended in Tier Three

**Sewer**

- A 2.5% increase is recommended in sewer base rates
- A 3% increase is recommended in Tier One
- A 4% increase is recommended in Tier Two
- A 5% increase is recommended in Tier Three

Audience member Sherman Briggs had the following questions and comments:

- How many wellfields does the Town have – he was told seven
- How many are currently running – he was told three
- Has the Town studied how to stabilize costs, will the Wareham emergency interconnection agreement help lower or stabilize costs - he was told it will depend on ?????
- How will the Town go about changing the Wareham emergency interconnection agreement to a permanent interconnection agreement – he was told that would depend on ??????
- What is the status of the Marion/Rochester water agreement that will be expiring in 2020 – he was told the current agreement has been examined.
- Is the Town of Marion looking for additional wellfields in Rochester – Mr. Zora described the efforts that have been made.
- Is there an estimated time for Mary's Pond – he was told that is in the process
- If Rochester continues to grow will it impact the 50% of water Marion is entitled to – he was told it might at some time in the future but Rochester currently is using 9% of the 50% it is entitled to

Audience member Jay Meere had the following questions and comments:

- Have there been any studies regarding all taxpayers sharing the cost of the water and sewer used in municipal buildings. Mr. Dawson explained that data regarding four quarters is available and the Water & Sewer Commissioners will be deciding at a future meeting what avenue to take. Mrs. Mooney explained that the water costs \$32,000 annually and sewer costs

54k annually; 1% of water and sewer commitments for the year. Mrs. Mooney explained it would have to go into the FY19 operational budgets

- Mr. Dawson asked if the costs submitted by Mrs. Mooney included Town of Rochester municipal buildings tied into Town of Marion water and was told no.
- Mr. Meere asked if the impact of the NPDES permit would be shared by all taxpayers and was told yes.

Mr. Briggs asked what tier rate would be charged for municipal buildings; he was told the base rate would be based on the meter size and the tier would be determined by the amount of water used.

Mr. Briggs asked how CDM Smith allowed the Town of Marion to get so behind on the problems related to I&I and lack of treatment plant capacity. Mr. Zora replied:

- CDM Smith has done a great job for years and the problem is the unfunded mandates handed down by the DEP and EPA.
- It is unfair to say that CDM Smith has not done its job, the plant was approved 11 years ago and the rules were changed at the midlife of the plant, the engineers are not at fault at all.
- An I&I program has always been part of the Town's discharge permit.
- Every five years the Town of Marion presents a 5 year I&I program to the DEP; at the end of 5 years any remaining items are carried over to the next 5 year plan.
- There has always been an I&I problem, it has always been addressed, and it continues to be addressed.

John Waterman, 2 Main Street, asked for the amount of I&I that goes through the treatment plant each day; he was told the following:

- On a normal day 400,000 gallons of water should be pumped and 350,000 gallons of sewer should be pumped.
- On a rainy day water enters the treatment plant due to sump pumps and that is being addressed. 580,000 gallons per day is allowed under the discharge permit. Seven or eight years ago the Town was meeting the permit requirements only two months per year; due to I&I improvements the permit currently is being met.

Mr. Waterman asked if the NPDES permit is being addressed legally and was told yes but details cannot be provided. He recommended that letters be sent to congressmen and senators and if that didn't work details of the unfunded mandates should be made public.

Mr. Meere asked when the selectmen would decide how to address the issue of water and sewer costs for municipal buildings; he was told it would be determined during the budget process.

Moved by Mr. Gonsalves and seconded by Mr. Hills to accept the sewer and water rate increases.  
VOTE: 3-0-0

## **ACTION ITEMS**

### **Letter from Kate & Ryan Hill, Silver Shell Inn, regarding purchase of privilege stickers**

Mr. & Mrs. Hill are requesting the ability to purchase extra guest placards to allow guests at their Inn to use Silver Shell Beach. Mr. Dawson explained that property owners are allowed one guest pass and cautioned the Board to consider the impact granting this request would cause. Similar requests have

been denied. Mr. Dickerson explained that one day passes to Silver Shell Beach are available at the gate for \$10.

Moved by Mr. Hills and seconded by Mr. Gonsalves to deny the request. VOTE: 3-0-0

**Letter from Conservation Commission, Tree Committee, and Sippican Lands Trust requesting landfill quarantine area for invasive species**

Mr. Dawson explained that he had a brief conversation with Mr. Pickles regarding the request. He offered to meet with Mr. Pickles and offered to meet with him again but ultimately it is the decision of the Regional Refuse District. It was agreed that Mr. Gonsalves, acting as Tree Warden, would attend the meeting as well.

**TOWN ADMINISTRATOR REPORT**

**Discussion regarding improved Town/school budget communications**

A memo from Mr. Dawson regarding the need to improve communications between the Towns and the ORR School District was reviewed and discussed. Mr. Dawson recommends creating a working group consisting of the following individuals: Superintendent of Schools, School Business Manager, 3 ORR School Committee members (1 from each community), 3 selectmen (1 from each community), 3 Town Administrators, 3 Town Accountants/Finance Directors, 3 Finance Committee members (1 from each community).

The goals of the working group would include identifying areas of high priority to the organization, formulating plans to manage the priority areas and developing funding plans, identifying and understanding existing and potential revenue and sources, developing a timely budget schedule, and other topics to better manage the budget cycle.

The selectmen agreed to support Mr. Dawson to initiate the process and work with the other Town Administrators.

**Discussion regarding website improvements**

Mr. Dawson announced that the Town website will be updated and described the improved features and functions that will be included in the new website. Mr. Hills stated that it was important to have an individual responsible for keeping the website updated.

**Not on agenda**

**NPDES permit**

The Town of Marion has formally filed its appeal of the NPDES permit; Mr. Dawson became aware today that the Buzzards Bay Coalition has filed its own appeal of the permit regarding nitrogen, phosphorus, compliance period.

**NOT ON AGENDA**

**Grant opportunity**

Mr. Dawson had a meeting at DPW with CDM Smith representatives and became aware of a grant application (Coastal Zone Management resilience grant) due tomorrow. The grant will help communities to consider in advance a range of coastal zone adaptation efforts. Coastal Zone Management will determine what the award will be based on what projects are proposed by the Town. Mr. Dawson requested permission to submit the application; a letter of support from the Board of Selectmen is required with the submission.

Audience member Bill Saltonstall said the Energy Management Committee (EMC) is concerned about several of the pump station facilities in the flood plain; he was told those points would be highlighted in the grant application.

Moved by Mr. Hills and seconded by Mr. Dickerson to authorize the grant application and also to sign the letter of support with the changes discussed. VOTE: 2-1-0 (Mr. Hills and Mr. Dickerson in favor, Mr. Gonsalves opposed)

### **CORRESPONDENCE**

#### **#10, #11 – Resignation from Conservation Commission, Resignation from Energy Management Committee – Norman Hills**

Moved by Mr. Dickerson and seconded by Mr. Gonsalves to accept the resignations. VOTE: 2-0-1 (Mr. Gonsalves and Mr. Dickerson in favor, Mr. Hills abstained)

#### **#3 - Letter from Diane Lopes Flaherty regarding Point Road traffic speed**

Mr. Dawson told the selectmen that the police chief is aware of the problem and has agreed to increase enforcement in the area as lowering the speed limit is not the solution. Mr. Hills said that residents whose mailboxes are across the street from their homes can go to the Rochester post office and request that their mail boxes be moved to their side of the street.

### **NOT ON AGENDA**

#### **Fireworks**

Mr. Dickerson requested that the deadline to raise funds for this year's fireworks be extended to noon, Tuesday, May 23.

Moved by Mr. Hills and seconded by Mr. Gonsalves to extend the deadline to noon, May 23. VOTE: 3-0-0

#### **SEMASS contract**

The selectmen briefly discussed having an outside contractor do trash pickup and recycling when the SEMASS contract expires in 2020. It was agreed that an analysis of the current operation would be done prior to the issuance of an RFP.

#### **Efficiency evaluation**

At the Annual Town Meeting funds were approved to evaluate job descriptions; it was agreed that this is a good opportunity to review and evaluate the efficiency of all Town departments.

#### **Tabor Academy**

Mr. Dickerson recommended that Town representatives meet again with Tabor Academy Head of School John Quirk and work on an agreement that would be beneficial to the Town and the school.

Moved by Mr. Dickerson and seconded by Mr. Hills at 9:29 p.m. to adjourn. VOTE: 3-0-0

Respectfully submitted,



Norman A. Hills, Clerk

Date approved: August 1, 2017

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**MARION BOARD OF SELECTMEN  
DOCUMENTS REVIEWED AT MEETING – May 16, 2017**

Meeting minutes - May 2, 2017

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Credit memo – 62 Oakdale Avenue \$504.75 (04/25/17)  
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Letter from Kate & Ryan Hill, Silvershell Inn, regarding purchase of privilege stickers  
Letter from Conservation Commission, Tree Committee, and Sippican Lands Trust requesting landfill quarantine area for invasive species  
Letter from Historical Commission regarding Civil War Monument at Music Hall  
Water/Sewer commitment – \$2945.70, final readings & new service (05/11/17)  
Financial statement for FY ended 12/31/16 – Comcast  
ZBA request for comments – 6 Allen Street  
Letter from Diane Lopes Flaherty regarding Point Road traffic speed  
Request for appointment to ZBA – Tad Wollenhaupt  
Tabor Academy request regarding live entertainment June 10, 2017 6:00 p.m. – 11:30 p.m.  
Letter from Division of Marine Fisheries regarding Sippican Inner Harbor seasonal shellfishing status  
Letter from Jean DaSilva regarding use of Point Road Playground June 11 for Feast of St. Anthony  
Letter from Eversource regarding application of herbicides along power line rights of way  
ZBA decision – 324 Front Street  
Resignation from Conservation Commission – Norman Hills  
Resignation from Energy Management Committee – Norman Hills

**OTHER BOARDS**

Meeting minutes – Upper Cape Regional School District Committee (04/06/17)  
Meeting agenda – Planning Board (05/15/17)