



TOWN OF MARION
Annual Town Meeting Minutes
May 8, 2023

The Annual Town Meeting was called to order by Moderator Brad Gordon at 6:45p.m. on May 8, 2023 at the Sippican School Auditorium. Invocation was by Rev. Richard Woodward of the First Congregational Church of Marion. Tellers sworn were Christopher Berg and Henry Norweb, III. The Moderator noted the presence of a quorum and reported that the Warrant for the meeting had been posted and returned in accordance with the law.

Article 1. Motion was made and seconded that the Town vote, in accordance with General Laws Chapter 41, Section 108, to approve the following Compensation Schedule for elected officials, effective July 1, 2023:

Select Board, each member, per annum	\$ 4,902
Board of Assessors, each member, per annum	\$ 4,839
Board of Health, each member, per annum	\$ 1,866
Moderator, for Annual Meeting	\$ 245
per Special Town Meeting	\$ 81

Motion declared carried at 6:50pm

Article 2. Motion was made and seconded that the Town vote to raise and appropriate the sum of \$26,000,722 to pay interest and maturing debt and for the charges, expenses and overlays of various Town departments and for a reserve fund for the twelve-month period beginning July 1, 2023 and, in addition, the sum of \$4,000 be transferred from wetlands protection fees to Administrative Services, account #159; and the sum of \$8,500 be transferred from the dog fund to animal control, account #292; and the sum of \$8,500 be transferred from the State Aid to Library account to Elizabeth Taber Library, account #610; and the sum of \$270,000 be transferred from the waterways account to the Marine

Resources account, #295; and the sum of \$3,715 from Fund Balance for Future Debt-Premiums; and the sum of \$50,000 be transferred from the Overlay Reserve, the sum of \$391,791 for indirect costs be transferred from the water enterprise fund, the sum of \$449,514 for indirect costs be transferred from the sewer enterprise fund, the sum of \$329,893 be transferred from other available funds in the treasury (free cash) to the operating budget; and, in addition, the Town accept the Old Rochester Regional School District's operating budget of \$5,274,891, and to approve the Old Rochester Regional School District's Capital Stabilization Fund of \$29,893 and to approve the Old Rochester Regional School District's capital budget of \$189,999, as certified by the ORR School Committee on March 16, 2023; and, in addition, the Town accept the Upper Cape Cod Regional Technical School's operating budget of \$466,078 and the Upper Cape Cod Regional Technical School's capital budget of \$21,655, as certified by the Upper Cape Cod Regional Technical School on March 14, 2023 for the fiscal year beginning July 1, 2023; with the total operating budget thus to be \$27,516,635, for the purposes and in the amounts as printed in the warrant under Article 2.

113 Election and Town Meetings	\$9,875
122 Select Board	130,133
123 Town Administrator	159,400
131 Finance Committee	34,200
132 Reserve Fund	65,000
135 Finance Director/Accountant	149,350
141 Assessors	136,544
145 Treasurer	65,318
146 Collector	59,951
151 Legal	152,000
155 Computer	199,662
159 Administrative Services	879,417
161 Town Clerk	74,499
163 Registrar of Voters	14,200
171 Conservation	3,950
175 Planning Board	82,470
176 Zoning Board	2,119
191 Town Facilities	393,841
195 Town Report	8,300
199 Unclassified	1,906
210 Police Department	2,208,546
210 Police Cruiser	72,029
220 Fire/EMS Department	1,284,112
241 Building Department	136,475

292 Animal Control	71,047
295 Marine Resources	296,165
299 Tree Warden, etc.	30,700
300 Sippican School	6,666,193
301 ORR operating	5,304,784
302 ORR debt	189,999
302 Upper Cape Cod operating	466,078
302 Upper Cape Cod debt	21,655
420 Public Works	1,870,171
490 Utilities and fuel	453,710
511 Board of Health	149,508
541 Council on Aging	231,248
543 Veterans	102,366
610 Library	224,490
630 Recreation	134,746
670 Natural History Museum	10,000
692 Celebrations—Parades & Band Concerts	19,200
710 Principal payments	491,800
710 Interest payments	173,498
911 Pension assessment	1,657,111
914 Group insurance	1,856,420
940 Town insurance	772,449

Motion declared carried at 7:04pm

Article 3. Motion was made and seconded that the Town vote to appropriate the following sums for the water enterprise fund

Salaries and Expenses	\$1,094,269
Reserve Fund	60,000
Debt	948,595
Indirect costs	391,791
Total	\$2,494,655

and, as funding therefor, that the sum of \$2,294,655 be raised from FY2024 departmental receipts and the sum of \$200,000 transferred from Water Enterprise Retained Earnings.

Motion declared carried at 7:07pm

Article 4. Motion was made and seconded that the Town vote to appropriate the following sums for the sewer enterprise fund for FY2024 operations, in the amounts and for the purposes shown, as follows:

Salaries and expenses	\$1,183,306
Reserve Fund	60,000
Debt	1,927,584
Indirect costs	449,514
Total	3,620,404

And, as funding therefor, that the sum of \$3,320,404 be raised from FY2024 departmental receipts, and the sum of \$300,000 be transferred from Sewer Enterprise Retained Earnings.

Motion declared carried at 7:08pm

Article 5. Motion was made and seconded that the Town vote to transfer from the Overlay Surplus Account the sum of \$25,000 to be used by the Board of Assessors for the revaluation of real and personal property as mandated by the Department of Revenue.

Motion declared carried at 7:08pm

Article 6. Motion was made and seconded that the Town vote to transfer the sum of \$50,000 from Free Cash to be expended by the Facilities Department to complete building maintenance projects on municipal facilities.

Motion declared carried at 7:09pm

Article 7. Motion was made and seconded that the Town vote to transfer from available funds in the Treasury the sums of \$2,042,536 from Free Cash, \$287,000 from Water Retained Earnings, and \$550,000 from Sewer Retained Earnings for the purpose of replacing and/or purchasing the following capital items , including equipping of vehicles and equipment and as applicable, professional services and all other incidental and related costs

General Fund

Fire Ladder Truck	\$1,200,000
Highway Jetter (split w/Sewer Ent fund)	\$65,000
Sippican School Roof Top Unit phased overhaul	\$50,000

Highway Skid Steer	\$125,000
Sippican School VCT Floor Tile Replacement	\$25,000
Police Security Camera upgrade	\$27,809
Fire/EMS Squad Truck Replacement	\$74,000
Police Body Cameras	\$76,127
Highway Asphalt Hot Box Reclaimer	\$25,000
Fire/EMS Generator replacement Fire Station 2	\$43,000
Facilities Library/Museum window replacement/siding/paint	\$197,000
Highway Point Road Drainage -	\$111,600
Facilities Community Center window replacement -	\$23,000

Water Enterprise

Lead Service Line Inventory	\$75,000
Creek Road Water Main Replacement	\$122,000
F350 4x4 Truck w/ Plow Replacement	\$90,000

Sewer Enterprise

NPDES/AOC Regulatory Compliance -	\$150,000
WPCF Auxiliary Needs	\$100,000
Inflow and Infiltration Mitigation Plan -	\$200,000
Jetter (Split with Highway)	\$65,000
SCADA Replacement	\$35,000

Motion declared carried at 7:30pm

Article 8. Motion was made and seconded that the Town vote to act upon the recommendation of the Community Preservation Committee to appropriate from Fiscal Year 2024 Community Preservation Fund estimated annual revenues, the sum of \$2,000 to the Community Preservation Committee for FY2024 administrative expenses.

Motion declared carried at 7:31pm

Article 9. Motion was made and seconded that the Town vote to act upon the recommendation of the Community Preservation Committee to reserve from Fiscal Year 2024 Community Preservation Fund estimated annual revenues, the total sum of \$114,000 for the purpose of meeting the requirements of the Community Preservation Act (CPA), G.L.C. 44B, section 6, of which \$38,000 shall be reserved for each of the following purposes of Open Space, Community Housing and Historic Preservation, and further to

place the remaining FY 2024 Community Preservation Fund estimated annual revenues, the sum of \$264,000, in a FY2024 Community Preservation Act Budgeted Reserve account.

Motion declared carried 7:45pm

Article 10. Motion was made and seconded that the Town vote to act upon the recommendation of the Community Preservation Committee to appropriate the sum of \$25,000 from CPA undesignated fund balance for the purpose of developing a Report of Marion's Local Historic District Study Group, with any remaining funds to be closed out to the Community Preservation Fund account from which said funding originated at the close of Fiscal Year 2025, without further action required by Town Meeting.

Motion declared carried 7:47pm

Article 11. Motion was made and seconded that the Town vote to act upon the recommendation of the Community Preservation Committee to appropriate the sum of \$35,000 from CPA undesignated fund balance for the purpose of performing an Update and Expansion of Marion Historic and Cultural Resource Inventory – Phase 4, with any remaining funds to be closed out to the Community Preservation Fund account from which said funding originated at the close of Calendar Year 2025, without further action required by Town Meeting.

Motion declared carried at 7:49pm

Article 12. Motion was made and seconded that the Town vote to act upon the recommendation of the Community Preservation Committee to appropriate \$26,928 from CPA undesignated fund balance for the purpose of funding an Enhance School-Based Gardens and Garden Site at Sippican School, with any remaining funds to be closed out to the Community Preservation Fund account from which said funding originated at the close of Fiscal Year 2024, without further action required by Town Meeting.

*Motion was made and seconded to move the question
Motion to move the question declared carried at 7:52pm
Motion declared carried at 7:53pm*

Article 13. Motion was made and seconded that the Town vote to act upon the recommendation of the Community Preservation Committee to appropriate the sum of

\$85,000 from the CPA Undesignated Fund balance for the purpose of funding the Mattapoissett River Valley Water Supply Resilience Project, with the Town of Marion co-holding perpetual Conservation Restrictions on the subject property, with any remaining funds to be closed out to the Community Preservation Fund account from which said funding originated at the close of Fiscal Year 2024, without further action required by Town Meeting.

Motion declared carried at 7:55pm

Article 14. Motion was made and seconded that the Town vote to act upon the recommendation of the Community Preservation Committee to appropriate the sum of \$9,150 from CPA undesignated fund balance for the purpose of Preserving Veteran's Grave Stones, with any remaining funds to be closed out to the Community Preservation Fund account from which said funding originated at the close of Fiscal Year 2024, without further action required by Town Meeting.

Motion declared carried at 7:56pm

Article 15. Motion was made and seconded that the Town vote to act upon the recommendation of the Community Preservation Committee to appropriate the sum of \$15,000 from CPA undesignated fund balance for the purpose of completing the Osprey Marsh Pavilion, with any remaining funds to be closed out to the Community Preservation Fund account from which said funding originated at the close of Fiscal Year 2024, without further action required by Town Meeting.

Motion declared carried 7:58pm

Article 16. Motion was made and seconded that the Town vote act upon the recommendation of the Community Preservation Committee to appropriate the sum of \$75,000 from CPA undesignated fund balance for the purpose of constructing the Point Road Pickleball Courts, with any remaining funds to be closed out to the Community Preservation Fund category from which said funding originated at the close of Fiscal Year 2024, without further action required by Town Meeting.

Motion declared carried 8:00pm

Article 17. Motion was made and seconded that the Town vote to act upon the recommendation of the Community Preservation Committee to appropriate the sum of \$35,000 from CPA undesignated fund balance for the purpose of installing smoke and fire alarms at the Marion Art Center, subject to a perpetual Preservation Restriction on the structure, with any remaining funds to be closed out to the Community Preservation Fund account from which said funding originated at the close of Fiscal Year 2024, without further action required by Town Meeting.

Motion declared carried at 8:06pm

Article 18. Motion was made and seconded that the Town vote to act upon the recommendation of the Community Preservation Committee to appropriate the sum of \$17,500 from CPA undesignated fund balance for the purpose of inventorying the Collections of the Marion Natural History Museum, with any remaining funds to be close out to the Community Preservation Fund account from which said funding originated at the close of Fiscal Year 2024, without further action required by Town Meeting.

Motion declared carried at 8:08pm

Article 19. Motion was made and seconded that the Town vote to act upon the recommendation of the Community Preservation Committee to appropriate the sum of \$30,000 from CPA undesignated fund balance for the purpose of the preservation and digitization of materials at the Sippican Historical Society, with any remaining funds to be closed out to the Community Preservation Fund account from which said funding originated at the close of Fiscal Year 2025, without further action required by Town Meeting.

Motion declared carried at 8:10pm

Article 20. Motion was made and seconded that Town vote to extend the funding period for the Marion Shared Use Path Easement Appraisals approved under Article 20 at the Town's May 9, 2022 annual town meeting until June 30, 2024, with any remaining funds to be close out to the Community Preservation Fund account from which said funding originated at the close of Fiscal Year 2024, without further action required by Town Meeting.

Motion declared carried at 8:12pm

Article 21. Motion was made and seconded that the Town vote to extend the funding period for the Garden Irrigation Project approved under Article 17 at the Town's May 9, 2022 annual town meeting until June 30, 2024, with any remaining funds to be close out to the Community Preservation Fund account from which said funding originated at the close of Fiscal Year 2024, without further action required by Town Meeting.

*Motion was made and seconded to move the question
Motion to move the question declared carried at 8:15pm
Motion declared carried at 8:18pm*

Article 22. Motion was made and seconded that the Town vote to transfer from Free Cash the sum of \$100,000 to the Other Post-Employment Benefit Liability Trust Fund as established at the Annual Town Meeting of 2010 under Article 14.

Motion declared carried at 8:20pm

Article 23. Motion was made and seconded that the Town vote to transfer the sum of \$2,000 from the Chester A. Vose Fund, said monies to be used by the Assessors for the reduction of taxes.

Motion declared carried at 8:21pm

Article 24. Motion was made and seconded that the Town vote to authorize, but not require, the Select Board to accept or convey, grants of easements for streets, water, drainage, sewer and utility purposes or any public purpose on terms and conditions the Select Board deems in the best interest of the Town.

Motion declared carried by a 2/3 majority at 8:22pm

Article 25. Motion was made and seconded that the Town vote, pursuant to the provisions of MGL Chapter 44, §53E½, as most recently amended, to establish a revolving fund to be known as the Recreation Revolving Fund, and to limit any expenses therefrom in FY2024 to the sum of \$150,000 and, for such purposes to insert in the Town Bylaws, in

a location deemed appropriate by the Town Clerk to be consistent with the Code of the Town of Marion, the following:

the purpose of accepting receipts from fees collected from participants in the various recreation programs. Said funds to be received by the Treasurer and credited to the said revolving fund and said funds to be dispersed by the Town Accountant to offset the costs of these programs, total expense not to exceed \$150,000

Motion declared carried at 8:24pm

Article 26. Motion was made and seconded that the Town vote, pursuant to the provisions of MGL Chapter 44, §53E½, as most recently amended, to establish a revolving fund to be known as the Public Health Revolving Fund, and to limit any expenses therefrom in FY2024 to the sum of \$40,500, and for such purposes to insert in the Town Bylaws, in a location deemed appropriate by the Town Clerk to be consistent with the Code of the Town of Marion, the following:

the purpose of purchasing medical supplies and vaccines and the provision of public health and related services within the Town of Marion. Said funds to be received by the Treasurer and credited to the said revolving fund and said funds to be dispersed by the Board of Health to offset the costs of these programs total expenses not to exceed \$40,500.

Motion declared carried at 8:26pm

Article 27. Motion was made and seconded that the Town vote to accept M.G.L. Chapter 41, §§19K and 108P, and General Law Chapter 59, §21A, which authorize the Town to pay additional compensation in an amount equal to ten per cent of such regular compensation, but in no event an amount in excess of \$1,000.00 annually, to the Town Clerk, Treasurer/Collector and Assessor, Accountant, respectively, upon attainment of certification from their respective professional associations

Motion declared carried at 8:29pm

Article 28. Motion was made and seconded that the Town vote to accept M.G.L. Chapter 39, §23D, which provides that a member of a board, committee or commission holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to

the member's absence from one session of such hearing, provided that certain conditions as established by said statute are met.

Motion declared carried at 8:30pm

Article 29. Motion was made and seconded that the Town vote to authorize the Select Board or its designee to make application on behalf of the Town to the appropriate agency of the Federal or State Governments for grants in aid or other funds or to private foundations or other foundations to further carry out certain programs hereinafter listed and to expend such grants to the Town; said applications and expenditures may include, but not be limited to, the following:

- A. Emergency Management Funds
- B. Sewer system, planning and improvements
- C. Water system improvements and aquifer protection
- D. Recreation and conservation land planning, acquisition, and improvements of open space
- E. Open space acquisition
- F. Executive Office of Environmental Affairs self-help program
- G. Executive Office of Environmental Affairs urban self-help program
- H. Executive Office of Environmental Affairs land and water conservation funds
- I. Repairs and renovations to Town properties
- J. Coastal Zone funds for coastal-related activities
- K. Housing-related grants
- L. Public Safety
- M. Title V subsurface disposal of sanitary waste management
- N. Public or private grants deemed by the Select Board to be in the best interest of the community
- O. State Road funds, Chapter 53B and Chapter 150 (commonly known as Chapter 90 funds)

Motion declared carried at 8:32pm

Article 30. Motion was made and seconded that the Town vote to authorize the Select Board to institute, defend, or compromise suits of law.

Motion declared carried at 8:33pm

Article 31. Motion was made and seconded that the Town vote to authorize the Select Board to sell any article belonging to the Town, provided the Town has no further use for the same.

Motion declared carried at 8:33pm

Article 32. Motion was made and seconded that the Town vote to authorize the Select Board to sell or transfer any taxation possession property held by the Town, pursuant to General Laws, Chapter 60, Section 77, after the Select Board has notified the Planning Board, Open Space Acquisition Commission, Conservation Commission, and the Affordable Housing Trust of the availability of such land and said agencies may report in writing within twenty (20) days to the Select Board any recommendations that they may have with regard to the disposition of said land.

Motion declared carried by a 2/3 majority at 8:38pm

Article 33. Motion was made and seconded that the Town vote to consider the reports of the Town officers and committees and act thereon.

Motion declared carried at 8:38pm

Article 34. Motion was made and seconded that the town vote to choose by ballot all necessary officers for the ensuing year; one Select Board member for three years; one Assessor for three years; one Assessor for two years; one Board of Health member for three years; three Planning Board members for three years; two Marion School Committee members for three years; one Old Rochester Regional School Committee for three years; and two Open Space Acquisition Commission members for three years; commencing on Friday, the 12th of May, 2023, at 8:00 o'clock in the morning in the Benjamin D. Cushing Community Center, 465 Mill Street (Route 6), in said Marion.

Motion declared carried at 8:40pm

Motion was made and seconded that the Town vote to adjourn the Annual Town Meeting until 8:00am on Friday May 12, 2023, at which time we shall elect all necessary officers for the ensuing year.

Motion declared carried at 8:41pm

Respectfully submitted by:

A handwritten signature in black ink, appearing to read "Elizabeth L. N. Magauran", with a long horizontal flourish extending to the right.

Elizabeth L. N. Magauran, Town Clerk