

**TOWN OF DIGHTON
BOARDS OF SELECTMEN/HEALTH
JULY 28, 2010**

E. Bud Whalon called the meeting to order at 7:30 PM.

Present: Thomas Pires and E. Bud Whalon
Absent: Edward D. Reese, Sr.

The pledge of allegiance was recited.

Approve Minutes

Motion: Thomas Pires, seconded E. Bud Whalon: VOTED to approve meeting minutes of June 16, 2010.

Vote: UNANIMOUS

Motion: Thomas Pires, seconded E. Bud Whalon: VOTED to approve meeting minutes of June 17, 2010.

Vote: UNANIMOUS

Motion: Thomas Pires, seconded E. Bud Whalon: VOTED to approve meeting minutes of July 14, 2010.

Vote: UNANIMOUS

Motion: Thomas Pires, seconded E. Bud Whalon: VOTED to approve meeting minutes of July 27, 2010.

Vote: UNANIMOUS

Approve Warrants

Motion: Thomas Pires, seconded: E. Bud Whalon, VOTED to approve the following warrants:

Warrant #004A-11	Payroll	\$	53,728.79
Warrant #004B-11	Vendor bills	\$	9,716.26
Warrant #004C-11	Vendor bills	\$	171,670.33
Warrant #004D-11	Vendor bills	\$	125.00
Warrant #004E-11	Vendor bills	\$	49.62

Vote: UNANIMOUS

Correspondence

The following correspondence was read:

Public announcement from the Department of Public Health that the risk of human disease due to arbovirus infection, specifically eastern equine encephalitis virus (EEE) is at moderate risk in the Town of Dighton. More information can be found at the MA Department of Public Health can be found at www.mass.gov/dph/wnc.

Saltmarsh Dieback Survey will take place at Pierce Beach, Somerset on July 30, 2010 at 5:00 PM (low tide). The goal of the survey is to identify the amount of salt marsh grass that has been lost along the banks of the Taunton River.

Letter from Michael Sanson notifying the Board that documents were submitted to the MA Division of Fisheries and Wildlife specifically to the National Heritage Endangered Species Program after observing a small spotted turtle attempting to cross the street from Pine to Brook. The documents were filed requesting that the construction company building a development stop their actions until the MA Division of Fisheries and Wildlife complete their research.

Announcement from Comcast regarding channel changes and the Comcast Customer Guarantee.

Letter from David O'Connell of Park Avenue thanking Animal Control Officer, Stacy Ferry, for her efforts in capturing feral cats located on Park Avenue. Stacy Ferry announced that she now has cats/kittens for adoption.

The 31st year of Pan-Mass Challenge takes place the first weekend in August. D-R Regional High School field will provide a rest stop, food, first aid, bike repairs and support from volunteers. Nancy Goulart recognized Dighton's contribution shown on a mailer that names Dighton which runs from the school down Horton St. to Williams St. to Center St. and over the bridge to Berkley. Riders will be on our streets on Saturday, August 7 from approximately 11:00AM-1:30PM, and participants encourage townspeople to stand along the route and cheer them on. For information visit www.pmc.org/profile/EH0007.

The Finance Committee is seeking applicants for two members. Letter of application should be placed in a sealed envelope addressed to the Finance Committee, and mailed or hand delivered to the Selectmen's office at town hall. Letters will be accepted until 3:00 PM on Monday, August 30, 2010. Letters should include background information and a brief statement on why the applicant would like to be appointed to serve on the finance committee. Email or faxed letters of application will not be accepted.

On September 3, 2010, the MA Committee for Employer Support of the Guard & Reserve will be staging its fourth annual Employer Appreciation Day at the US Coast Guard Station at Woods Hole, Massachusetts.

Announcements were read.

D-R School Committee Member

One letter of interest was received for consideration as member of the D-R Regional District School Committee Member. Members of the school committee thanked Ms. Couture for volunteering. Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to appoint Eliza M. Couture as member of the Dighton-Rehoboth Regional School Committee.

Vote: UNANIMOUS

Wilson, 1640 Sharps Lot Road

On July 27, 2010 Dighton Selectmen, Dighton Highway Superintendent and Swansea Superintendent of Streets inspected Stephen Wilson's property located on Sharps Lot Road, Swansea to address water problems. It is the opinion of the town Dighton that the problem does not lay within the existing layout of the drainage or roadway, but that is the improper grading of the existing property. Robert A. Marquis, Chairman of the Board of Selectmen for Swansea invited the Dighton board members to Swansea's Selectmen meeting on August 3, 2010 to see if consideration could be made to perform an independent Stormwater analysis by a local engineer using Chapter 90 funds. The board will take the matter under advisement.

Library Trustees – Request for vote on ballot question

Jocelyn Tavares, Director and Ron O'Connor, Trustee appeared before the board requesting that a ballot question be placed on the State Election ballot held on November 2, 2010. The ballot question, if approved, would read as follows "Shall the Town of Dighton be allowed to exempt from the provisions of proposition town and one-half, so called, the amounts required to pay for the bonds to be issued in order to finance the design, construction, original equipping and furnishing of a new public library facility, including all costs incidental and related thereto?" The board advised that the Finance Committee would not recommend the ballot question because of lack of information relative to monies raised. Thomas Pires stated his concerns of placing the ballot question on the state election ballot and not on the local level and would like to table the matter until the next scheduled meeting, however, the deadline for submittal is Wednesday, August 4, 2010. The Library states that they currently have \$100,000.00 in raised funds and will provide appropriate documentation to the board and Finance Committee. It was further determined that a Special Town Meeting will be required prior to December 31, 2010. It was the consensus of the board to allow the ballot question and let the townspeople have the vote. Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to approve the Library's request and place the ballot question on the State election Ballot scheduled for November 2, 2010.

Vote: UNANIMOUS

Police Department – Appoint Reserve Officers

Police Chief Robert MacDonald completed interviews for reserve officers. Christopher Magan, Donald Cormier and Kyle J. Duarte completed the tests with the highest scores and completed the reserve academy. Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to appoint Christopher L. Magan as a Reserve Officer for the Town of Dighton.

Vote: UNANIMOUS

Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to appoint Donald M. Cormier as a Reserve Officer for the Town of Dighton.

Vote: UNANIMOUS

Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to appoint Kyle J. Duarte as a Reserve Officer for the Town of Dighton.

Vote: UNANIMOUS

Town Clerk, Susana Medeiros, swore the newly appointed reserve officers in office.

Chief MacDonald stated that he visited and spoke to a resident on Susan Road regarding drivers speeding in the neighborhood. Patrols will be increased.

James Aguiar, Zoning Enforcement Officer

Upon the request of the Board, Zoning Enforcement Officer James Aguiar inspected the property located at 840 Tremont Street after receiving numerous complaints of a contractors yard. The inspection revealed that the property owner is in violation of a contractors yard/landscape business in a residential district, earth removal, Stormwater and Removal of Soil, Loam, Sand and Gravel. Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to serve a cease and desist to the property owner at 840 Tremont Street for violations that include contractors yard or landscape business in a residential district, earth removal, Stormwater and Removal of Soil, Loam, Sand and Gravel.

Vote: UNANIMOUS

Paul Pacheco, 757 Williams Street – Hearing

Following a complaint received on June 28, 2010 the Dighton Board of Health conducted an inspection at 757 Williams Street and found numerous violations of the state sanitary code that both owner and tenant are responsible for correcting. Some of the violations include improper heating, electrical problems, no carbon monoxide or smoke alarm, evidence of rodents gray water draining not connected to a drainage system, screens for windows and removal of all trash from premises. Property owner, Paul Pacheco, appeared before the board upon receiving his request for a hearing. Health Agent, Kevin Bernardo, inspected the premises on July 27th and 28th and found that significant work has been performed by the tenant and landlord but that it must be determined if the furnace works, an electrical inspection must be performed, a pest control company must inspect the premises and a carbon monoxide and smoke alarm must be installed within seven days. A statement from tenant, Linda Mendes, was read, as well as, a letter addressed to Mr. Pacheco dated May 1, 2005. Thomas Pires requested that DEP investigate the alleged oil spill site. The original deadline will remain in effect.

Disclosure of Financial Interest – Paul Pacheco

The disclosure is made relative to finance committee member, Paul Pacheco, performing services to the Town of Dighton by detailing the animal control vehicle with lettering. Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to approve the Disclosure of financial Interest of Paul Pacheco dated July 21, 2010 relating to the animal control officer vehicle lettering.

Vote: UNANIMOUS

Cemetery Commission – Bids

During a regular scheduled meeting held on July 21st, the cemetery commission opened and reviewed three proposals that were submitted for the digging of graves. The bid was awarded to the lowest bidder. Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to accept the bid of Council Oak Farm's for the digging of graves upon the recommendation of the Cemetery Commission.

Vote: UNANIMOUS

Public Input

Karen O'Connor requests permission to post the Regular Session Agenda of the Board of Selectmen/Health weekly. The board will make their determination once the request is made in writing.

Executive Session

Motion: E. Bud Whalon , seconded: Thomas Pires VOTED to go into executive session under the provisions of M.G.L. Ch. 39 section 23B (3) at 9:40 PM. Mr. Whalon announced that the Board would not return to open session.

Vote: Thomas Pires AYE
E. Bud Whalon AYE

Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to return to open session at 10:42 PM.

Vote: Thomas Pires AYE
E. Bud Whalon AYE

Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to adjourn at 10:42 PM.

Vote: UNANIMOUS

Respectfully submitted,
Boards of Selectmen/Health
Kerrie J Easterday, Administrative Assistant

Approved by:

