

The following meeting was video recorded for cable television broadcast.

BOARD OF SELECTMEN

Regular Meeting

Wednesday September 10, 2014, 7:30 o'clock p.m.

North Dighton Fire Station, 132 Chase Street, North Dighton, MA

Clerk Patrick W. Menges convened the regular weekly Wednesday night meeting of the Dighton Board of Selectmen on Wednesday September 10<sup>th</sup>, 2014, in the North Dighton Fire Station at 132 Chase Street, North Dighton, at 7:30 o'clock p.m.. In the absence of Selectman Chairman Dean V. Cronin and Selectman Thomas J. Pires, Selectman Menges declared a recess, until a quorum of the Board for the transaction of business had arrived, saying that his colleagues were enroute to the Fire Station from a Board of Health meeting at Town Hall.

Upon the arrival of Selectmen Cronin and Pires, Chairman of the Selectmen Cronin re-opened the meeting, welcomed everyone in the audience, and led everyone present in the Pledge of Allegiance to the Flag. Following the Pledge of Allegiance to the Flag, Selectman Menges asked everyone present to remain standing, stating that the Board of Selectmen was meeting in the Town's oldest public building in continuous use, the North Dighton Fire Station, recently known as Station Two, Dighton Fire Department, on the eve of the Thirteenth Anniversary of the terrorist attack that destroyed the World Trade Center in New York City on September 11<sup>th</sup>, 2001. He stated that the Selectmen had met in the Fire Station this night, to remember and reflect upon sacrifices that Firefighters are called upon to make all over the world, and noted that the sacrifice of an entire contingent of the New York City Fire Department on September 11<sup>th</sup>, 2001, had been killed, an event which had permanently locked the hearts of Firefighters throughout the United States. Bearing in mind the sacrifices that our own Firefighters may be called upon to make, he asked everyone present to pause for a moment of silence in memory of the fateful events of September 11<sup>th</sup>, 2001.

On a motion of Selectman Menges, seconded by Selectman Pires, the Board on a voice vote unanimously approved the minutes of its meeting with the Rehoboth Selectmen in Rehoboth on Monday, 25 August, 2014, as prepared for its approval by the Clerk of the Board. On a motion of Selectman Menges, seconded by Selectman Pires, the Board by unanimous voice vote approved the minutes of its regular meeting at Bristol County Agricultural High School on Wednesday 27 August, 2014, as prepared for its approval by the Clerk of the Board. On a motion of Selectman Menges, seconded by Selectman Pires, the Board on a unanimous voice vote approved the minutes of its tour of the Fall River 911 Dispatch Center at Police Headquarters in Fall River on 9 September 2014, as prepared for its approval by the Clerk of the Board. On a motion of Selectman Menges, seconded by Selectman Pires, the Board on a unanimous voice vote tabled approval of minutes of its meetings on 3 and 8 September 2014, until a later meeting of the Board of Selectmen.

On a motion of Selectman Pires, seconded by Selectman Menges, the Board by a unanimous voice vote approved spending warrants dated 3 September 2014, in the amount of (a) \$69,746.26, and (b) \$115,156.05. On a motion of Selectman Pires, seconded by Selectman Menges, the Board on a unanimous voice vote approved 10 September 2014 warrant 11A-15 in the amount of \$75,631.21, and Warrant 11B-15 in the amount of \$67,018.03.

Correspondence

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The Board heard a letter, read aloud by Chairman Cronin, from the Rehoboth Board of Selectmen, subject: Meeting with Board of Selectmen, extolling the good relations and prospects for the future of good relations, between the Boards of Selectmen of Dighton and Rehoboth evident at meetings of the two Boards in Rehoboth on Monday, 25 August, and at Bristol County Agricultural High School on Wednesday 27 August, 2014. On a motion of Selectman Menges, seconded by Selectman Pires, the Board voted to endorse and accept the proposal contained in the Rehoboth Selectman's letter, that the Board of Selectmen of Dighton and Rehoboth meet quarterly, on or about (in cases of Sunday) 1 February, 1 May, 1 August, and 1 November, every year.

The Board considered a letter from Pro Homes, announcing its 2015 initiative to provide housing for the needy. This letter occurs annually in the Selectmen's expectable correspondence.

The Board proceeded to consideration of correspondence from Good Energy, Incorporated, concerning energy aggregation. Selectman Menges stated that it was not necessary to read the text of the letter, because Mr. O'Riley of Good Energy, and Ross Perry, Director of Regional Municipal Initiatives, for the Southeastern Regional Planning and Economic Development District (SRPEDD) were on hand tonight to make a presentation concerning energy aggregation. Mr. O'Riley explained that in energy aggregation, the Selectmen obtain the Town's permission to bid out the residents' energy loads. Instead of numerous individual customers buying energy from the grid, combinations of energy customers from several municipalities, become a block that goes out to bid to buy energy at a reduced price; buying energy this way lowers energy rates, and introduces more green energy into the mix. In Dighton, energy aggregation would apply only to National Grid customers outside of Mt. Hope village, and would not include Mt. Hope Village electricity customers who are serviced by the Taunton Municipal Lighting Plant, because energy aggregation is not available for Municipal Lighting Plant customers, who already enjoy favorable electric rates by virtue of their municipal electric energy entity.

Ross Perry for SRPEDD is putting together already a fifteen-community group for an aggregation. Other consultants beside Good Energy Incorporated may respond to a request for proposal for this initiative. It will allow individual residents and small businesses (it does not apply to industries) to aggregate demand with more purchasing power than a large industry. An aggregation plan will allow long term low rates essentially by buying in bulk from the grid like a large industry. The fifteen communities interested represent one hundred forty four thousand households, purchasing a total of 1.7 billion kilowatt hours of power.

In order to get aggregation accomplished, (1) there must be a Town Meeting vote authorizing the Selectmen to commit the Town's electric customers to electricity aggregation; (2) there must be a filing by SRPEDD on behalf of all communities in the prospective purchasing block, with the Department of Energy Resources, for approval; (3) there must be a similar filing with the Department of Public Utilities; and (4) the Town must take pains to advise residents what energy aggregation is, and how to opt out, because individual residents will have the option of opting out of the purchasing block, and buying electricity on their own, separately, if they wish.

Selectman Cronin asked, How long are these contracts binding for? Mr. O'Riley said that a range of choices will be offered. Under the proposal, residents will still get power from National Grid, and will still receive an individual bill, and will still call National Grid to report power outages. The supplier name on the bill for each resident, will be the only difference, and residents will be allowed to individually opt out instead. The Selectmen were told, that they must be available to sign a contract on the very day that a figure for the Energy Aggregation Contract is accepted. Selectman Cronin asked, How will we know it's a good figure? Mr. O'Riley answered "compared to existing terms..." throughout the process, he said, municipal officials are making decisions, but will have no additional work. An

outreach/educational program will aide homeowners' participation decisions. Energy aggregation will give the Town more control of where its electric power comes from.

In answer to a question by Selectman Pires, Mr. Perry stated that energy aggregation could result in a possible savings on homeowners' electricity bills of 10 percent or 12 percent. Selectman Cronin commented on how this is already done on the Cape. There was more discussion.

On a motion of Selectman Pires, seconded by Selectman Menges, the Board unanimously voted to place on the warrant for the October 28<sup>th</sup> Special Town Meeting an article, the sample text of which was supplied in a packet provided by Good Energy Incorporated, which if passed by the voters would empower the Selectmen to commit the Town to an Energy Aggregation Agreement.

### **Announcements**

The announcements were read as they appeared in the published Agenda for the meeting.

### **Old Business**

The Board again reviewed, in the light of suggestions made by Dighton Veterans' Affairs Officer Donald Hirschey and Building Commissioner James Aguiar Jr., a plan by Boy Scout Troop 45 Eagle Scout Candidate Kristopher Monroe's Eagle Scout project, for improvements, to wit walkways, on Veterans' Memorial Common, on Somerset Avenue, immediately South of Town Hall. Due to the impending onset of winter, and indeterminate duration of its possible effect on ground freezing conditions, and Eagle Scout Candidate Monroe's need to have his project completed by his 18<sup>th</sup> birthday in the Spring, the Veterans' Agent's suggestion that the initial plan for two straight walkways radiating from the center of a half-moon shaped walkway the entire north/south lengths of the common, linking all of the memorial benches, be scaled back to just two straight east/west walkways radiating from a focal point in the center of the common, because of the amount of excavating and leveling that will be required to complete that much work. The completing half-moon shaped north to south walkway under this arrangement, will become a future Eagle Scout's project later on. The question of stamped concrete or terra cotta pavers, was left for consultation with the Veterans' Agent and the Building Commissioner, based upon considerations of which finish will remain unbroken and level longest. On a motion of Selectman Menges, seconded by Selectman Pires, the Board approved the scaled back version of Eagle Scout Candidate Monroe's project, and the plan and authorization to proceed were signed by Chairman Cronin. Scout Monroe shook the hands of the Selectmen, thanking them for their support.

Harbormaster Ron Marino delivered a report to the Board on Flood Hazard Litigation, and the upcoming hurricane season. He said that in the event of a hurricane warning, boat owners should take everything off their boat, and attach a second cleat to their mooring lines, in case one breaks. He said that a 10 to 1 ratio should be observed for a mooring in a hurricane. He recommended chasing gear such as wire tied towels to protect mooring lines from fraying, and to protect the boat. He advised boat owners to make sure that their boatyard has their cellphone number. He said make sure that the bilge pump is working, and noted that the boat owner will not be on his or her boat in the event of a storm, when the boat is taking on water. The Harbormaster will be on the harbor to help meet challenges in the event of a storm emergency. Selectman Menges noted that emergency information can be gotten by calling 211 in the event of a storm emergency. Harbormaster Marino also confirmed that there are three cases of Riverfront Storm Preparation books available for homeowners along the harbor front. The books are available at Town Hall. The Selectmen thanked Harbormaster Marino for his report.

Selectman Pires made a motion, seconded by Selectman Menges, and carried unanimously on a voice vote, that Selectman Pires make an approach for an in-house webmaster to update the Town's internet website, one hour twice a week.

On a motion of Selectman Pires, seconded by Selectman Menges, the Board unanimously voted to endorse Building Commissioner James Aguiar's selection of Ed Majewski as Assistant Plumbing Inspector. During discussion of this motion, Selectman Menges reminded the Board that under Massachusetts law, there is one office which in every city and town of the State, without any action of the city or town, must be filled by the Civil Service Examination process, and that is the office of Plumbing Inspector, and of course, Assistant Plumbing Inspector, as well. He stated that he has warned commissioner Aguiar that his selections of a Plumbing Inspector and Assistant must conform to the Civil Service law, as the requirement is still good law, and he noted that retired Plumbing Inspector Donald French, and his Assistant, had had to take a Civil Service Examination for their positions.

The Board unanimously voted to appoint as the Representative of the Selectmen, and the residents at large, respectively, to the Dighton Rehoboth School Agreement Revision Committee, Selectman Dean V. Cronin, who accepted the appointment, and Glen Jefferson, subject to his acceptance, respectively.

Selectman Pires stated during the meeting that he would never agree for the Selectmen to meet outside of Town Hall, if meetings were not video recorded for telecasting. Selectman Menges stated that an effort is always made to insure video recording of Selectmen's Wednesday night meetings, and he said that we owe a debt of gratitude to John Meagher, the volunteer video camera man who was video recording tonight's meeting.

The Board announced that there had been no new donations to the adult daycare facility, "Prime Time". The Board thanked Raymond Souza's grandson, Mr. Similinski, for having repaired the Osprey nest box at the Town Boat Ramp Osprey Landing. Selectman Menges noted that the nest box, high atop a single pole, contained a nest, and had a weight occupied, of six hundred pounds. Because the nest box was broken, and precariously affixed to the top of its pole, approaching it from the ground to make repairs had become extremely dangerous. The repairs to the nest box were not only environmentally friendly, but made the boat ramp safer for all users. The Board also acknowledged, at the behest of former Selectman Nancy Goulart, Troop 45 Eagle Scout Candidate Michael Moitoza, for the excellent shed that he had cleared the land for, and that had been constructed at St. Nicholas of Myra Church.

In addition, the Board publicly thanked:

Bristol County Agricultural School for use of the Keith Hall Trustees' Room for the Selectmen's meeting on 27 August, 2014.

Fall River Police Department for the guided tour of its 911 Dispatch Facility and City Police Headquarters on 9 September, 2014.

Dighton Public Library for the location for the next meeting of the Selectmen on 17 September, 2014.

Chief Roderick and the Dighton Fire Department for Station Two for tonight's meeting of the Selectmen.

At this time, (9:07 p.m.) Selectman Menges stated that the President of the United States was at this moment addressing the nation concerning his strategy for defeating the ISIS (Islamic State) Terrorist Offensive in the Middle East. Selectman Menges stated that regardless of the strategy, it was clear that American Servicemen and women, soldiers, sailors, airmen, and Marines, both abroad defending the Nation tonight, and likely to be sent abroad before the crisis is over, would be in the forefront of America's response. He said, may they come home to us safely, when America's challenges abroad are ended.

On a motion of Selectman Pires, seconded by Selectman Menges, and unanimously passed, first on a voice vote, then upon a roll call, the Board voted to go into Executive Session in accordance with the provisions of Massachusetts General Laws Chapter 30A, Section 21(a)(3), Chairman Cronin having declared that to discuss strategy concerning pending litigation in public session, would have a detrimental effect upon the litigating position of the public body, and the Chair further having declared

that the Board of Selectmen would not return to Public Session prior to adjournment at the end of the Executive Session. A roll call vote on the motion produced the following result: Selectman Pires, aye; Selectman Menges, aye; Chairman Cronin, aye.

The Board during the Executive Session discussed with Chairman Cronin a response that he was to convey telephonically to Town Counsel concerning litigation against the Town for a disputed technical procurement.

On a unanimous voice vote, affirmed by a roll call vote, as required by law, the Board upon a motion of Selectman Pires, seconded by Selectman Menges, adjourned without day, at 9:25 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Patrick W. Menges". The signature is written in black ink and is positioned above the printed name.

Patrick W. Menges

Selectman

Clerk of the Board of Selectmen