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BOARD OF SELECTMEN

Wednesday, August 19, 2015, 7:30 o'clock p.m.

Regular Meeting

Highway Garage, 2011 County Street, Dighton, MA

Meeting is called to order at 7:31 PM, at the Dighton Highway garage by Chairman Dean Cronin

The Pledge of allegiance is recited.

A moment of silence for "lefty Costa and condolences to his widow Eleanor who was the former secretary to the board of Assessors

Selectman Menges also wishes to thank the Dighton Police and Fire Department for their recent support and assistance with the Pan Mass challenge on August 1st. They conducted literally thousands of bicycles through town with no incidents.
We congratulate them for maintaining the safety of the riders. We also congratulate the riders.

Selectman Menges says we have a special guest tonight, Susan Carpenter. Selectman Menges reads the commendation for Susan Carpenter aloud. Throughout the heat wave, she preserved the flowers in front of town hall.
Susan thanks Selectman Menges and says she may be the most visible, but there are others as well in the Garden Club. She names the members and the gardens they are responsible for. She also says they are actively seeking new members. Selectman Menges asks where the interest came from. She says gardening has always been an interest

Selectman Menges mentions that we also have a special volunteer, Terry that just returned from Honduras. A group of 14 local missionaries ages 15 - 79 just returning from Guaimaca in the Honduras. Selectman Menges says they left out of St Nicholas of Myra's parking lot at 3:00 am on the 8th of August. He adds that this group represents many different groups. Members of the Knights of Columbus, the Ladies guild, etc. Selectman Menges asks her to speak.

She says this was her fifth time down. We all have different talents. Some worked with children, she worked in the clinic. They are building a new dispensary, like a same day surgery unit. It is a two hour ride to the nearest hospital and it is not by ambulance. There is no running water and little services for most. It's rewarding and it's harder to come home than to go. People will not believe the conditions that they live under. She says it was a wonderful experience and she will go again. The board thanks her for coming up to speak.

Minutes of July 22, 2015 motioned for approval by Selectman Menges. Chairman Cronin steps down to second. Motion carries.

Minutes of Regular Meeting of August 5, 2015, motioned for approval by Selectman Menges. Chairman Cronin steps down to second.

Minutes of Special Meeting of Tuesday, August 13, 2015, regarding Pilot agreements motioned for approval by Selectman Menges. Chairman Cronin steps down to second. Motion carries.

Warrant #7A-16 in the amount of $72,784.23 dated August 12, 2015.
Warrant #7B-16 in the amount of $123,059.40 dated August 12, 2015.
Warrant #8A-16 in the amount of $76,711.57 dated August 19, 2015.
Warrant #8B-16 in the amount of $119,073.50 dated August 19, 2015.
Warrant #8C-16 in the amount of $1,088,142.00 dated August 19, 2015.
Warrant #8D-16 in the amount of $670.49 dated August 19, 2015.

All motioned for approval by Selectman Menges. Chairman Cronin steps down to second all. All motions carry.

Correspondence
Correspondence from the United Way in Taunton regarding the new Mass 211 information line, regarding human services is read aloud by Chairman Cronin. It is a centralized data base for health and human service referrals in Massachusetts 24 hours a day, seven days a week. They are asking everyone to spread the word to draw attention to this great resource. He says that we will post this information at town hall and on the web.

Tips from MEMA to protect your property from hurricanes. The correspondence outlining the steps is read aloud by Chairman Cronin. He Mentions that they read this every year an adds that the Board will run off copies of this for placement in the lobby.

Announcements are read in their entirety by Chairman Cronin.

Chairman Cronin adds his comments to the Van Gyzen announcement regarding the meeting of the Committee tomorrow night. He says it is open to the public and you are urged to attend with questions or comments.

Old Business
Accept transfer of copyright of the author of the Dighton's 300th Anniversary Book.
Selectman Menges motions to accept the transfer from Nancy Goulart of the copyright. Selectman Menges thanks Nancy for preparing the book. Nancy thanks all of the people who contributed to the book. Chairman Cronin thanks Nancy. Chairman Cronin steps down to second. Motion carries.

Clerk's prefatory statement is read by Patrick Menges. In its entirety.

Reading of the Warrant for the Special Town Meeting of September 21, 2015. Warrant is read by Chairman Cronin in its entirety.

Approve the response of this Board to the Rehoboth Board of Selectmen for their request to regionalize veteran's services. Selectman Menges reads the response letter and motions to send. Chairman Cronin steps down to second. Motion carries.

Approve the Conservation Commissions' purchase of a 36 acre parcel off of County Street in Dighton
Chairman Cronin reads the letter to the Conservation Commission approving the request. Selectman Menges motions to approve. Chairman Cronin steps down to second.
Selectman Menges says this is a much desired piece of property on Broad Cove. The Conservation Commission wants to make an outdoor classroom for the naturalists at Bristol Aggie School. This piece gives direct access to a large neck of marsh grass that is suitable for this purpose. The Conservation Commission happens to have the means to do it. They have come to us with this. Street access to the point on which a very nice place in the marsh grass can be dedicated to scientific research. The chairman of Conservation Commission is very excited about this. Our interest in it is not only naturalists and aesthetics, but also for protection. Selectman Menges congratulates the Conservation Commission. Motion carries.
Nancy Goulart asks if the Town currently owns property there. Selectman Menges says yes, across the street.

Appoint Town meeting Communications Committee
At the last meeting we appointed Matthew Tanis, Shawn Urban and Jack Taylor.
Selectman Menges explains the need for the appointees.

Tonight I am officially proposing that we appoint for a period of one year, Melissa St. Laurent and Shawn Urban. Another name to follow when we have a volunteer. He says they will organize on Tuesday night and says he will post meeting for that. Selectman Menges moves that they appoint. Chairman Cronin steps down to second. Motion carries.

Appointment of the Van Gyzen Hall Study Committee.
Selectman Menges moves that the following people be appointed to the Van Gyzen Hall Study Committee; Brett Zografos, Jack Taylor, Myrna D. Santos, James Ready, Robert E. Mullen, Donald Hirschy and James D. Aguiar. Selectman Menges motions to appoint. Chairman Cronin steps down to second. Motion carries.

Chairman Cronin says congratulations and hopes the enthusiasm will continue. You own the building. You should decide the use, misuse whatever the case may be. Selectman Menges says there is a meeting tomorrow night. The committee will be organized and receive their charge from the Board of Selectmen. So he asks them, please, if you are able, get to town hall tomorrow to be sworn in.

Selectman Menges motions that Matthew W. Tanis be appointed as an Agent to the Board of Health.
Chairman Cronin steps down to second. Selectman Menges says Matthew has offered to assist while our food inspector takes a vacation. We need someone to be available. Mr. Tanis is very qualified and we are grateful for his acceptance. Motion carries.

Approve recommendation by the Highway superintendent for the purchase of rock salt. Chairman Cronin reads the letter from Tom Ferry. He says before we make a motion, I would like to give a little background. We put out a bid request for prices on rock salt about a month ago. We received two bids and one stated that at this time, they did not wish to submit a bid, and one was over $80.00/ton. Mr. Ferry asked administrative assistant to check the state contract which was $70.40/ton.
We thought we should jump on this bid. Selectman Menges makes a motion to accept the recommendation of Tom Ferry, Highway superintendent. Chairman Cronin steps down to second. Motion carries.

Road Cut Permit for 215 Chase Street for Columbia Gas. Selectman Menges motions to grant it. Chairman Cronin steps down to second. Motion carries.

Road Cut Permit from Columbia gas for new gas service at 251 Mount Hope Street. Selectman Menges motions to approve. Chairman Cronin steps down to second. Motion carries. Selectman Menges says that there should be a date on it.
From this point on, there should be a date on it. Chairman Cronin says we used to let the residents know. We will call them to notify Tom Ferry. Selectman Menges says, I motion that we suspend the release of the permits until we put a written stipulation on the permits that work will cease at the end of November and a clause on the permit that the superintendent of streets be notified. Chairman Cronin steps down to second that motion. Motion carries

Ambulance write off request by the Fire Chief in the amount of $25.00. Selectman Menges says in view of the auditor's recommendation, we need to have a worksheet to accompany them that shows how the fire chief determined that it was eligible for a write off. Selectmen Menges motions that they refrain from action on this matter until we have the worksheet.
Chairman Cronin steps down and seconds the motion not to act. Motion carries.
Selectman Menges says this is simply an administrative matter as a result of the recent audit. This was his recommendation. We will send back and ask for the worksheet.

Vote to remove the trespassory fence at Broad Cove Nature Trail. Selectman Menges says he moves that the fence on Town of Dighton property at lot #82, Broad Cove Nature Trail, be posted with a sign that says that this fence will be removed on September 30, 2015, giving the person who put it there a chance to remove it. If that does not happen, the board will instruct the highway department to remove it and store it at the garage until the owner comes to claim it. Chairman Cronin steps down to second that motion. Selectman Menges states that the Superior Court, in ruling that we did not have the use of the entire length of Broad Cove Nature Trail anymore, that our use of lot #82, in no way impinged upon anyone else's rights of way on either side of the railroad bed. For someone to come onto the town land and place a fence almost 500ft inside the town's boundary is something that we cannot stand for. We attempted to find out who the owner of the fence was by sending a certified letter to the possible owners. We received no response. The next best thing is to post the fence itself with an announcement that we intend to remove it and we will then simply store it.

Brett Zagrofos asks if the town has the right to remove it. Selectman Menges says we not only have a right, we have a duty. If we do not remove the fence and we allow ourselves to be fenced out, we will lose the use of the land by adverse possession.
Nancy asks if some kind of marker will be put up to let the public know where the trail ends. Selectman Menges says yes we have asked Parks and Recreation to put up a marker showing the end of the trail.
Robert Woods asks if the owner could just back their fence up. Selectman Menges says yes. Selectman Menges says hopefully someday we can have a conversation and come to some sort of agreement.
Chairman Cronin says motion was made a seconded. Motion carries

Reports

Selectman Menges mentions that the Board signed three PILOT agreements last week. Our town counsel is in the process of drafting a letter to the Board of Assessor's, because the Board of Assessor's now has to accept the agreements that were signed. We believe the Assessor's will accept and implement the agreements.
One is worth $17,000.00 for the first ten years, after this year. One has a payment in lieu of the personal property tax of roughly $3,000.00/per year for twenty years. And the last one, at its peak has a ten year value at least of $20,000.00 per year.

There is considerable revenue here. The increase in revenue will be a great benefit when we have to pay off bonds for additions to the grammar schools in years to come. He adds that we have to have these projects in place. We can't turn our backs on this revenue

Tim Rhines comes forward to speak on the bylaw on the stone walls. Tim says he keeps hearing the word "ordinances." The town may want to change that to bylaws.
He also says that certain signage needs to be placed at certain locations in town. If anyone has any concerns he asks that you contact Heidi Swist in the planning board office.
Chairman Cronin asks what type of signs?
He heard that there were signs for littering requested at the Broad Cove Nature Trail.
He also mentions that graffiti has been painted in the field at the lower end of Main Street which should be removed.
He is also curious about the pilot agreements that were signed. What is the acreage on each property, because right now their tax incentives are going to end at the end of the year in 2016. I think we should go for the biggest bang for the buck. They may be defunct in five years
He thinks we should look at any agreements created in the past year such as any that Berkley has done. I think we should do some research on this. We could be losing money.
They are putting pressure on the Cities and Towns.
Selectman Menges says the advantage to incentivizing them to come in by a PILOT agreement is the increase in the value of the land including real estate. The pilot agreement mitigates that the highest personal property tax is paid by electric power energy generating equipment.
They will pay a lower personal property tax than we would be able to collect on the electric generating equipment. However, the tax on the underlying real estate, goes from agricultural land to commercial,

and that real estate tax gain is irresistible. The other thing I want to address is, yes, that is right, the incentives are going away in 2016 for these projects. Earlier than that, the grid is becoming full up. The power companies themselves do not want to buy from these solar farms. They have a certain quota of this kind of power that can be used. They have signaled to the industry if you have not signed up to sell power to National Grid by now, you have missed the train. In Mr. Lucini's case he just had days to get his projects on the grid.

Mr. Rhines says he also wants to talk about the five hundred thousand going to the Capital Outlay revolving account. Could we have a member of the Capital Outlay Committee come to speak at the Special Town Meeting on what project they can tell the public what the money might be set aside for. Selectman Menges says we can ask Mr. Rendon to speak to that. Finance Committee Chairman Ed Swartz has been a great advocate of a Capital Stabilization Account. When we go out to bond. One of the things that helps us to borrow the money and makes us look better is that the town have a Capital Outlay Stabilization Account.

Selectman Menges says he would like to thank our employees and wants to single out Mary Hathaway who did a stellar job this year collecting back taxes, in one case, in the amount of $500,000.00. She imposed the liens and made him pay the interest.
He says, so we have this free cash and we have an opportunity to create the Municipal Stabilization Account, and also to start off with a bang. We have one million in our regular stabilization account. If you compare ours with other towns, we look good. We are in good shape. The benefit will come when we are faced with future demands for capital spending.

Chairman Cronin says it's a start. Let's get it started.

Tim Rhines asks if there is any progress on the solar farm at the transfer station. Selectman Menges says we will investigate that.
Tim Rhines also asks if there any thought of solar on town buildings. Selectman Menges says we had an energy auditor from National Grid who came out and we assembled all of our energy information for all 10 town owned buildings, we signed an agreement giving him authority to get information and we also had an intern go collect all the bills and add them up to see how we could economize. He was supposed to provide us info on the optimal way to do solar panels on the town hall. It came to nothing. We went straight to Senator Pacheco and Pat Hadaad and let them know. What you said tonight is right. We probably need to go it alone and see if there is a financial benefit to the town.

Melissa St. Laurent asks about the opening and closing dates for the town meeting warrant. Selectman Menges says we opened the warrant on July 8th, at the selectmen's meeting, but we did not set a closing date that night because we were unsure of the date of the meeting, because we had been alerted by the Assessor's office that they needed it to happen before October 23rd, so that they could set the tax rate. So when we got done putting all of the considerations together we closed it on August 13th. Lucas sent an email to the world.

Melissa says she did not see anything on the website. She also asks if the residents were reminded that day. She asks if in the future if opening and closing dates for the warrant can be set.
Selectman Menges says it is part of the new policy manual. Melissa asks about closing dates. Selectman Menges says he is not sure of the closing dates.
Melissa suggests letting the public know that they have two weeks before you close it.
Nancy Goulart mentions that the finance committee is meeting on September 1st. Anyone is welcome.

Nancy asks if when the committee meets to talk about Van Gyzen Hall, will they ever meet with the Capital Planning Committee? If the Van Gyzen Hall committee could talk to Capital Planning so that we can all understand how they can work together.

Selectman Menges says we have an opportunity this year to at least get it usable again. If someone wants to use the hall this expenditure in the warrant would make it safe and legal to open the doors. When they have an idea it will be incumbent upon them to investigate it with the building commissioner and then get together with the Capital Committee

Nancy says the dollars keep increasing. If the town is to use it, it will be at an additional expense in the coming years. I am suggesting that the Capital Outlay Committee meet with the Van Gyzen Hall Committee for cohesiveness.
Selectman Menges says yes, of course. He says that he should say one thing about the plans.
What the architect did was create a cost per square foot and multiplied it out. It amounts to about $160,000.00.
The building commissioner explained to me that the architects' figures are always high, but it is based on prevailing wages and State compliance. When it came in at $160,000.00, we made the figure $180,000.00, so that no one could say that we lowballed the figure. The figure is probably high.

Nancy asks if the building inspector has gone through the Winslow Davis House to say that it is structurally sound. Selectman Menges says the Winslow Davis house has been gone through. It looked like it was going to be $102,000.00 of historic resource reserve and matching State funds. If approved, the state now has to weigh in because their funds will be needed as well. The Historical Society this week is supposed to present it to the Community Preservation Committee. They have a couple of problems. There are boundaries missing on the site. Now, they are faced with the possibility of having to have the land surveyed before the engineer will stamp a plan that the Community Preservation Committed can approve. There is still some legwork to be done, but yes, the building commissioner has been involved. He is familiar and has been working with the Historical Society.

Tim Rhines says he has been in communication with building commissioner. It is structurally sound and can be saved.
Selectman Menges says it will come to pass, it is just a matter of getting ducks in a row.

Chairman Cronin says he wants to make one comment. Thank you to Tom Ferry for his hospitality tonight. I want to express our gratitude to the Highway Department for making us comfortable.

Selectman Menges says thank you to the Highway Department for all that it does. Especially in the heat today when they went to Van Gyzen Hall to get the table and chairs for this meeting. We hope it is a kind winter. Chairman Cronin wants to thank the cable committee for coming out also. Selectman

Menges motions to adjourn. Chairman Cronin steps down to second.

Meeting adjourned at 9:51p.m.
Respectfully submitted.
Karin L. Brady
Administrative Assistant
Board of Selectmen

Dean V. Cronin-Chairman **Patrick W. Menges-Clerk**