

## SPECIAL TOWN MEETING

October 26, 2017

### COMMONWEALTH OF MASSACHUSETTS

The Special Town meeting held on October 26, 2017, at the Dighton Middle School was called to order at 7:00PM by William E. McKeon, Jr., Moderator. Salute to the flag was given. The checkers were Lois Achtelik, Irene Bilodeau, Eleanor Boegler, Mary Carey, Theresa Carpenter, Maureen Dutra, Margaret Mullen, Elizabeth Silvia and Joan Ready, Warden. Total attendance was 107.

William McKeon, Moderator acknowledged Mr. Francis Torres, a longtime member of the Board of Selectmen. He asked Mrs. Nancy Goulart, Board of Selectmen member to make a statement before the start of the reading of the motions.

#### In Memorium

Francis J. “Sonny” Torres served as a selectman for fifteen years. “Sonny” was a name that many will remember from years ago. Frank worked at Arnold Hoffman & Co. that became ICI Organics until he retired.

He became a businessman and opened Torres Real Estate and Insurance with his daughter, Debbie Fredericks.

Frank was on the Board of Selectmen in 1962 when we celebrated the town’s 250<sup>th</sup> Anniversary. He was custodian of much of the memorabilia from the 250<sup>th</sup> Anniversary because his fellow selectmen said he would be the only one from that board alive for the 300<sup>th</sup> Anniversary.

Some of the selectmen Frank served with included Bill Benevides, Clayton Atwood, Ted Linhares, Ed Santos and Rudy Christiansen. Mr. Linhares and Mr. Santos are still with us.

Frank was well liked and well respected. He was a man of faith. Frank was a good guy.

I request a moment of silence in his memory, please. Thank you.

Our sympathy to his family.

Respectfully submitted,

Nancy J. Goulart, Selectman

VOTED: On motion of Jack Taylor and seconded to dispense with the reading of the warrant.

VOTED: On motion of Jack Taylor and seconded to dispense with the reading of the Articles and references to them be made by number and content.

VOTED: On motion of Jack Taylor and seconded to consider adjournment this evening at eleven o'clock.

ARTICLE 1. VOTED: On motion of Jack Taylor and seconded to hear reports of the Town Officials and act thereon:

Jack Taylor, Chairman of the Board of Selectmen read the following statement:

Good evening everyone. On behalf of the Board of Selectmen I welcome all of you and thank you for coming out tonight. Tonight, is your opportunity to let your voices be heard. Each one of us has the right to express our views and question our Town officials about the items that are on tonight's Warrant.

I am here to report that things in Dighton are going very well. At the end of FY2017 we closed the year with certified free cash of over \$2,000,000. While you will be asked tonight to approve a number of items on the Warrant that will use some of this free cash, we still remain approximately \$740,000 below the levy limit and our financial position remains very strong.

There is a total of 54 articles on the Warrant for this Special Town Meeting that you will be asked to consider. While we recognize that this is an unusually large number for a Special Town Meeting, we believe that they are necessary. Some of these articles should have been presented at the Annual Town Meeting in the Spring and we will make every effort to make that the case going forward.

It has been six months since I was elected and it has been a very hectic period. I told my wife when I was running for election that it would probably take 3 to 4 hours of my time per week. Now on Monday she asks me when I get home after about 6 hours at Town Hall, "So when will your 4 hours be up for the week?" Needless to say it has been a very busy and time consuming period and I have enjoyed every minute of it.

After several years of starts and stops, the new Dighton Police Station is about to be a reality. A construction contract has been signed and the contractor will begin preliminary site work next week. We have set a tentative Ground-Breaking Ceremony for November 8<sup>th</sup> at 10 AM.

As most of you probably know, we finally hired a Town Administrator last week. Her name is Mallory Aronstein and she is currently the Assistant Town Administrator for the Town of West Bridgewater. Unfortunately, Mallory cannot be here because West Bridgewater also has its Special Town Meeting tonight. We are hoping that she will be able to start her new position on December 1, 2017.

We also have a new Fire Chief, Chris Maguy. I will say that we are extremely proud of the choice that we made. Chief Maguy helped lead the Fire Department out of a very difficult period and his leadership has demonstrated his character and willingness to make the Fire Department the best that it can be. Congratulations once again, Chief Maguy!

We have also redesigned the Town Website mainly through the efforts of Selectman Zografos. This effort has improved the transparency in Town government. The current Board of Selectmen has made this a priority and something that we will continue to direct our focus upon.

Earlier this month we signed the Commonwealth Community Compact. This Compact recognizes municipalities that are striving to be more innovative and accountable. As a result, the State will provide incentives to Dighton through grants and programs. Initially Dighton is receiving financial and technical assistance to help develop best practices in the areas of Stormwater Education program, Open Space Plan, and the establishment of an Agricultural Commission.

As you drive down Center Street towards Bristol Aggie you will see the sidewalk improvements that have taken place. Selectman Goulart, working with Highway Superintendent Tom Ferry, took the lead on this project and we are very proud of the outcome. Our "Complete Streets Program" that is funded mainly through a State Grant, will allow us to continue these sidewalk projects in other areas of our Town.

I am also happy to report that we have settled Collective Bargaining Agreements with the Firefighter's Union, the Clerical Workers Union and the 911 Dispatcher's Union. You will be asked to vote tonight on the funding required to honor these negotiated agreements.

We also settled two long-standing grievances to the satisfaction of the parties.

As you can see, it has been a very busy time. We are entering into a new era in Dighton with our first Town Administrator who will bring the professionalism and knowledge that will allow us to do even more. We also have many very active committees that are staffed by volunteers that are making great strides for our community. I want to acknowledge those volunteers for their time and effort.

I have said this many times, "This is our Town and we can make it what we want it to be." It takes involvement and participation from our residents. I ask all of you to get involved in whatever way you can. Your contributions large or small, will make a difference. Talk to your

Selectmen and other Committee members; vote; come to Town Meetings; come to a Selectmen's Meeting; let your voices be heard so together as a team of about 8,000 we can make Dighton the place that we all want to live in, play in and raise our families in.

Thank you.

Edward Swartz, Chairman of the Finance Committee on behalf of the Finance Committee welcomed everyone to tonight's Special Town Meeting. The Finance Committee will make its recommendations on the motions as each article is read. He also stated that he would like to echo the comments of the Board of Selectmen on the number articles on the Special Town Meeting warrant. The Finance Committee would like to see all payroll related or additional hours on the Annual Town Meeting warrant and not the Special Town Meeting warrant. The current financial condition of the town is healthy. We begin the Special Town Meeting with an excess two million dollars in free cash and approximately \$700,000 under the levy limit. If all articles are approved as recommended, we will have approximately \$500,000 left in free cash and remain around \$550,000 under the levy limit. Thank you for your support

Carol Beauregard, Board of Assessors, stated that the Board of Assessors had no report to present.

No report from the Superintendent, Dighton-Rehoboth Regional School District.

Tom Pires, Chairman of the Board of Health, read the following report:

### **Report of the Board of Health October 26, 2017**

A Board of Health Organizational committee was established by the BOS in June of 2016 after a vote to split the BOH from the BOS at the 2016 annual town meeting. The committee was tasked with establishing qualifications, required training/continuing education, duties and responsibilities, organizational structure, recommended staffing and budget for the new Board of Health. A final draft report dated March 18, 2017 was presented to the BOS for consideration and recommendations.

**The following are the study committee recommendations (Relative to Staffing & Budget)**

1. Full time clerical worker to ensure the effective functioning of the BOH. Responsibilities to include attendance at BOH and Regional Public Health meetings, conference calls, webinars, maintenance of all BOH records, all scheduling and telephone reception.
2. The Board of Health to consist of (3) three appointed members compensated at an annual rate of \$5000.00 each with specific qualifications and continuing education required for each member.
3. The BOH will meet at least twice a month through June 2017 and at least once per month thereafter. The current BOH members have met a minimum of twice monthly since being formed in April 2017 and do not anticipate a reduction of meetings in the future.
4. The appointed board should make a recommendation to the BOS on the need for a full-time health agent or Director of Public Health. The board recommended a part time health agent position.

After review and discussion by and with the BOS it was agreed Board of Health member salaries would be \$4900.00 annually. A full time 35 hour a week position would be created and funding to be used for both clerical and health agent duties. IE: a combination job.

All study committee members strongly agree that a full-time office manager is necessary to ensure the effective functioning of the Board of Health on a day to day basis. As a result, a 30-hour administrative position was created. The board then created and funded a part time health agent position, 25 hours weekly utilizing present funding with no additional expense to the town.

**Regarding tonight's warrant:**

Articles # 12 & 13 had been previously prepared for the 2017 annual town meeting but were removed or reduced at the request of the BOS for addition to a future meeting.

Article 15 is a transfer of funds to help fund the Health Agent account. The total cost to the town of the Board of Health portion of tonight's warrant is \$ 26,671.60.

This evening the board hopes to fulfill the recommendations with amendments made by the BOH Study Committee with final approval given by the BOS and bring the Dighton Board of Health into the 21<sup>st</sup> century.

**VOTED:** On motion of Edward Swartz and seconded that the reports of Town Officials be accepted as delivered.

**ARTICLE 2. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to amend the vote previously taken on Article 4, at the June 5, 2017 Annual Town Meeting by increasing the salaries for elected officials for Fiscal Year 2018 as follows in accordance with the provision of Section 108 of Chapter 41 of the General Laws as follows:

**BOARD OF SELECTMEN**

	<b>FY18 ATM</b>	<b>INCREASE</b>	<b>ADJUSTED FY18 SALARY</b>
<b>Chairman</b>	\$ 7,500.00	\$ 150.00	\$7,650.00
<b>Member</b>	\$ 7,500.00	\$ 150.00	\$7,650.00
<b>Member</b>	<u>\$ 7,500.00</u>	<u>\$ 150.00</u>	<u>\$7,650.00</u>
<b>Total</b>	<b>\$ 22,500.00</b>	<b>\$ 450.00</b>	<b>\$ 22,950.00</b>

**TREE WARDEN**

	<b>FY18 ATM</b>	<b>INCREASE</b>	<b>ADJUSTED FY18 SALARY</b>
<b>Tree Warden</b>	\$ 243.74	\$ 4.87	\$ 248.61

**MODERATOR**

	<b>FY18 ATM</b>	<b>INCREASE</b>	<b>ADJUSTED FY18 SALARY</b>
<b>Moderator</b>	\$ 551.39	\$ 11.05	\$ 562.44

**PLANNING BOARD**

	<b>FY18 ATM</b>	<b>INCREASE</b>	<b>ADJUSTED FY18 SALARY</b>
<b>Chairman</b>	\$2,876.16	\$ 57.06	\$2,933.76
<b>Members (4) each</b>	\$1,918.32	\$ 153.60	\$1956.72
<b>Total</b>		<b>\$ 210.66</b>	

**SEWER COMMISSIONERS**

	<b>FY18 ATM</b>	<b>INCREASE</b>	<b>ADJUSTED FY18 SALARY</b>
<b>Chairman</b>	\$3,373.55	\$ 67.49	\$3,441.04
<b>Members (2) each</b>	\$2,239.18	\$ 89.56	\$2,283.96
<b>Total</b>		<b>\$ 157.05</b>	

Finance Committee Recommends

**ARTICLE 3. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to authorize a total expenditure of \$37,471.61 and of that amount \$2,000.00 to be transferred from the PEG Access and Cable Related Fund, \$1,759.73 to be transferred from Sewer Enterprise Retained Earnings and \$33,711.88 to be Raised and Appropriated to fund personnel expenses for FY18 for employees' due to the recently settled Clerical Union Collective Bargaining Agreement as follows:

Finance Committee Recommends

**RAISE AND APPROPRIATE AND/OR TRANSFER FROM AVAILABLE FUNDS**

**Personnel Expenses**

113	Town Meetings	\$ 800.00
114	Moderator	\$ 11.05
122	Board of Selectmen	\$ 4,582.20
131	Finance Committee	\$ 55.82
135	Town Accountant	\$ 4,448.00
141	Board of Assessors	\$ 1,379.28
145	Town Treasurer	\$ 846.72
146	Town Collector	\$ 846.72
161	Town Clerk	\$ 1,011.92
171	Conservation Commission	\$ 100.00
175	Planning Board	\$ 537.65
176	Board of Appeals	\$ 541.36
210	Police	\$ 2,154.80
241	Building Inspector	\$10,000.00
244	Weights & Measures	\$ 22.61
292	Animal Control Officer	\$ 288.84
294	Forestry	\$ 4.87
295	Harbormaster	\$ 40.00
510	Health – Regulation and Inspection	\$ 23.85
519	Health – Administration	\$ 461.40
541	Council on Aging	\$ 1,675.35
542	Prime Time	\$ 1,534.15
543	Veterans Services	\$ 742.13
610	Library	\$ 1,603.16

**TOTAL RAISE AND APPROPRIATE** **\$33,711.88**

**TRANSFER FROM PEG ACCESS AND CABLE RELATED FUND**

698 Cable Committee \$ 2,000.00

**TRANSFER FROM SEWER ENTERPRISE RETAINED EARNINGS**

Sewer \$ 1,759.73

**ARTICLE 4. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to authorize an expense from funds available in the current budget in the amount of \$32,248.32 to fund personnel expenses for FY18 for employees covered under the recently settled Firefighter’s Union Collective Bargaining Agreement.

Finance Committee Recommends

**ARTICLE 5. VOTED UNANIMOSLY:** On motion of Edward Swartz and seconded that the Town vote to authorize a total expenditure of \$27,605.47, of which the amount of \$13,491.98 is to be transferred from free cash for the Ambulance Department #231 and \$14,113.49 to be transferred from the ambulance fund for Fire Department #220 to fund the Prior Year Bill personnel expenses of FY17 for employees covered under the recently settled Firefighter’s Union Collective Bargaining Agreement.

Finance Committee Recommends  
9/10<sup>th</sup> Vote Required

<b>PRIOR YEAR BILLS</b>	<b>DEPARTMENT</b>	<b>FUNDING SOURCE</b>
Ambulance Dept. FY17 retro	Ambulance	\$13,491.98 Transfer from Free Cash
Fire Dept. FY17 retro	Fire	<u>\$14,113.49</u> Transfer from Ambulance Fund
	<b>TOTAL</b>	<b>\$27,605.47</b>

**ARTICLE 6. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to approve the following sums to be expended under the direction of the Board of Sewer Commissioners for the maintenance and operation of the Sewer Enterprise:

Finance Committee Recommends

**Direct Costs**

Expenses	\$4,800.00
Capital Outlay	\$85,000.00

The above appropriations will be funded as follows:

\$89,800.00 to be transferred from Sewer Enterprise Retained Earnings.

**ARTICLE 7. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to transfer from Free Cash \$2,593.07 and transfer from the PEG Access and Cable Related Fund \$60.70 to pay prior year bills.

<b>PRIOR YEAR BILLS</b>	<b>DEPARTMENT</b>	<b>FUNDING SOURCE</b>
Dighton Veterinary Hospital	Animal Control Officer	\$555.00 Transfer from Free Cash
Hillside Lawn & Farm Repair	Highway	\$182.08 Transfer from Free Cash
Ron Smith	Cable Committee	\$ 60.70 PEG Access and Cable Related Fund
A Rifkin Co.	Elections	\$170.47 Transfer from Free Cash
James Digits	Conservation	\$ 45.00 Transfer from Free Cash
Southcoast Health System	Fire	\$869.00 Transfer from Free Cash
GZA Geo-Environmental, Inc.	Planning Board	\$520.00 Transfer from Free Cash
WB Mason	BOS	\$ 41.97 Transfer from Free Cash
WB Mason	BOS	\$106.31 Transfer from Free Cash
CORE Business Technologies	BOS	<u>\$103.24</u> Transfer from Free Cash
	<b>TOTAL</b>	<b>\$2,653.77</b>

Finance Committee Recommends

**ARTICLE 8. VOTED UNANIMOUSLY:** On motion of Scott Dingus and seconded that the Town vote to authorize a total amount of \$20,016.76 to be raised and appropriated to fund personnel expenses for employees covered under the recently settled 911 Signal Operators Union Collective Bargaining Agreement.

Finance Committee Recommends

**ARTICLE 9. VOTED UNANIMOUSLY:** On motion of Scott Dingus and seconded that the Town vote to raise and appropriate \$3,389.67 for the Police Department #210 personnel expenses and raise and appropriate \$2,600.00 for the Communications Department personnel expenses to additionally fund the Police Chief FY18 contract.

Finance Committee Recommends

**ARTICLE 10. VOTED UNANIMOUSLY:** On motion of Scott Dingus and seconded that the Town vote to raise and appropriate the amount of \$1,664.93 to fund the Assessor's Vacation Buyback Account #010-0-141-0000-50-5155.

Finance Committee Recommends

**ARTICLE 11. VOTED UNANIMOUSLY:** On motion of Scott Dingus and seconded that the Town vote to raise and appropriate the amount of \$2,899.75 to fund an increase in hours for the Assessor's Senior Clerk payroll account #010-0-141-0000-50-5115.

Finance Committee Recommends

**ARTICLE 12. VOTED UNANIMOUSLY:** On motion of Scott Dingus and seconded that the Town vote to raise and appropriate the amount of \$12,321.60 to fund an increase in hours for the Board of Health personnel account (Salary – Office Manager) #010-0-519-0000-50-5115.

Finance Committee Recommends

**ARTICLE 13. VOTED:** On motion of Tom Pires and seconded that the Town vote to raise and appropriate the amount of \$6,450.00 to additionally fund the Board of Health personnel account (Salary), said funds to be expended as follows:

Chairman: Account #010-0-519-0000-50-5101	\$2,150.00
Members: Account #010-0-519-0000-50-5102	\$4,300.00

No Recommendation from the Finance Department

**ARTICLE 14. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the town vote to raise and appropriate the amount of \$2,000.00 to additionally fund the Waste Collection & Disposal personnel account, (Overtime/Additional Hours) Account #010-0-433-0000-50-5131.

Finance Committee Recommends

**ARTICLE 15. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to transfer the amount of \$12,500.00 from the Board of Health Expenses (Professional & Technical) Account #010-0-510-0000-70-5300 to the Board of Health Personnel Account – Health Agents Account #010-0-510-000-50-5106.

Finance Committee Recommends

**ARTICLE 16. VOTED UNANIMOUSLY:** On motion of Peter Roache and seconded that the Town vote to transfer from Free Cash the amount of \$1,000.00 to additionally fund the Animal Control Officer Expense Account (Equipment Repairs and Maintenance) Account #010-0-292-0000-70-5240.

Finance Committee Recommends

**ARTICLE 17. VOTED UNANIMOUSLY:** On motion of Peter Roache and seconded that the Town vote to raise and appropriate the amount of \$2,000.00 to additionally fund the Board of Health personnel account (Overtime/Additional Hours) Account #010-0-519-0000-50-5131.

Finance Committee Recommends

**ARTICLE 18. VOTED UNANIMOUSLY:** On motion of Peter Roache and seconded that the Town vote to raise and appropriate the amount of \$3,585.72 to fund an increase in hours for the Planning Board #175 Office Manager Personnel expenses.

Finance Committee Recommends

**ARTICLE 19 . VOTED UNANIMOUSLY:** On motion of Peter Roache and seconded that the Town vote to raise and appropriate the amount of \$4,841.21 to additionally fund the Zoning Board of Appeals personnel account (Salary/Office Manager) Account #010-0-176-0000-50-5115 and to raise and appropriate \$3,664.68 to additionally fund the Board of Health Personnel Account (Salary-Office Manager) #010-0-519-0000-50-5115 to fund the cost of a memorandum of agreement.

Finance Committee Recommends

**ARTICLE 20. DEFEATED:** On motion of Brett Zografos and seconded that the Town will vote to reduce the personnel expenses of the Fire Department account # 010-0-220-0000-50-5105 by \$4,336.87 and the personnel expenses of the Ambulance Department account #010-0-231-0000-50-5105 by \$4,336.87.

Finance Committee Does Not Recommend

**ARTICLE 21. NO MOTION:** To see if the Town vote to reduce the personnel expenses of the Town Administrator account #010-0-124-0000-50-5105 by \$45,672.96, # 010-0-124-00000-50-5110 by \$23,900.00, # 010-0-124-0000-50-5131 by \$1,000.00 and #010-0-124-0000-50-5152 by \$100.00.

**ARTICLE 22. VOTED UNANIMOUSLY:** On motion of Scott Dingus and seconded that the Town vote to raise and appropriate the amount of \$6,920.00 to fund a part-time clerk for the Town Clerk #161, personnel account, or act thereon.

Finance Committee Recommends

**ARTICLE 23. VOTED UNANIMOUSLY:** On motion of C.J. Wilcox and seconded that the Town vote to raise and appropriate the amount of \$5,000.00 to additionally fund the Medicare Contributions Account #010-0-916-0000-70-5176, or act thereon.

Finance Committee Recommends

**ARTICLE 24. VOTED UNANIMOUSLY:** On motion of C.J. Wilcox and seconded that the Town vote to raise and appropriate the amount of \$93,604.50 to additionally fund the Health Insurance Contributions Account #010-0-914-0000-70-5174.

Finance Committee Recommends

**ARTICLE 25. VOTED UNANIMOUSLY:** On motion of C.J. Wilcox and seconded that the Town vote to transfer from Free Cash the amount of \$16,551.51 to replenish the Reserve Fund Account #010-0-132-0000-70-5780 to \$50,000.00.

Finance Committee Recommends

**ARTICLE 26. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to transfer from Free Cash the amount of \$28,400.00 to replenish the Selectmen's Professional & Technical Account #010-0-122-0000-70-5300.

Finance Committee Recommends

**ARTICLE 27. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to transfer from free cash the amount of \$150,000.00 to the "Other Post-Employment Benefits Liability Trust Fund" established to cover the unfunded actuarial liability for retirees' health care and life insurance benefits.

Finance Committee Recommends

**DEFEATED:** On motion of Brenda Herbeck and seconded to amend Article 27 by increasing the amount to the original amount of \$200,000.00.

**ARTICLE 28. VOTED UNANIMOUSLY:** On motion of Robert Rendon and seconded that the Town vote to amend the vote previously taken on Article 7. at the June 5, 2017, Annual Town Meeting by decreasing the Mass Department of Public Works (Chapter 90) funds by \$.35.

Finance Committee Recommends

**ARTICLE 29. VOTED UNANIMOUSLY:** On motion of Robert Rendon and seconded that the Town vote to transfer from Free Cash the amount of \$7,000.00 to be used for assistance for the Fiscal Year 2019 Certification Revaluation of Real Estate and Commercial Property of the town.

Finance Committee Recommends

**ARTICLE 30. VOTED UNANIMOUSLY:** On motion of Robert Rendon and seconded that the Town vote to transfer from Free Cash, the amount of \$99,069.00 for the installation of fiber optic cable to the Dighton School Campus and the Dighton-Rehoboth Regional High School.

Finance Committee Recommends

**ARTICLE 31. VOTED UNANIMOUSLY:** On motion of Bridget Connors and seconded that the Town vote to transfer from PEG Access & Cable Related Fund the amount of \$25,000.00 to refit outdated cable equipment.

Finance Committee Recommends

**ARTICLE 32. VOTED UNANIMOUSLY:** On motion of Bridget Connors and seconded that the Town vote to transfer from free cash the amount of \$51,074.90 for the purchase of one fully equipped police vehicle including computer, firearms (patrol rifle and a shotgun), radio antenna and accessories.  
Finance Committee Recommends

**ARTICLE 33. VOTED:** On motion of Bridget Connors and seconded that the Town vote to transfer from the ambulance fund the sum of \$47,000.00 to purchase and install a Power Stretcher for Ambulance 1 and equipment relative thereto.  
Finance Committee Recommends

**ARTICLE 34. VOTED UNANIMOUSLY:** On motion of Bridget Connors and seconded that the Town vote to raise and appropriate the amount of \$10,392.00 to cover the costs of utilities for the newly renovated Old Town Hall for Fiscal Year 2018.  
Finance Committee Recommends

**ARTICLE 35. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to transfer from free cash the amount of \$2,900.00 to purchase office furniture and equipment for the newly renovated Town Hall Annex, Board of Health office.  
Finance Committee Recommends

**ARTICLE 36. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to transfer from free cash the amount of \$2,000.00 to purchase office furniture for the Town Administrator's office.  
Finance Committee Recommends

**ARTICLE 37. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to transfer from free cash \$500,000.00 to fund obligations of the new Police Station/Communications Center project through June 30, 2018.  
Finance Committee Recommends

**ARTICLE 38. VOTED UNANIMOUSLY:** On motion of Scott Dingus and seconded that the Town vote to transfer from free cash the amount of \$78,500.00 for the Demolition of Deteriorated Structures Account # 010-241-0000-70-5380.  
Finance Committee Recommends

**ARTICLE 39. VOTED UNANIMOUSLY:** On motion of Scott Dingus and seconded that the Town vote to raise and appropriate the amount of \$325.00 to additionally fund the Communication Account #215 IMC 70 Expense account.  
Finance Committee Recommends

**ARTICLE 40. VOTED UNANIMOUSLY:** On motion of Edward Swartz and seconded that the Town vote to transfer from the certified balance of Free Cash available in the treasury the sum of \$200,000.00 to the Stabilization Account.  
Finance Committee Recommends

2/3 Vote Required

**ARTICLE 41.** VOTED UNANIMOUSLY: On motion Edward Swartz and seconded that the Town vote to transfer from the certified balance of Free Cash available in the treasury the sum of \$200,000.00 to the Capital Stabilization Account.

Finance Committee Recommends  
2/3 Vote Required

**ARTICLE 42.** NO MOTION To see if the Town vote to transfer from certified free cash available in the treasury an amount to reduce the tax rate.

**ARTICLE 43.** VOTED UNANIMOUSLY: On motion of Nancy Goulart and seconded that the Town vote to grant to the Board of Selectmen the authority to obtain whatever parcels or easements as necessary, to make changes in grade, take land by purchase or eminent domain and to settle damages from land taken in conjunction with the sidewalk project that includes Center Street from Somerset Avenue west to Stonegate Landing, Somerset Avenue from County Street south to Main Street, and Pearl Street from Spring Street south to School Street including the northeast corner of Pearl and School Streets as part of the “Complete Streets” program.

**ARTICLE 44.** VOTED UNANIMOUSLY: On motion of Scott Dingus and seconded that the Town vote to transfer from free cash the amount of \$160,000.00 to pay for engineering, appraisal services, land taking, easements, legal, recording, and other miscellaneous expenses related to the Complete Streets Sidewalk Project on the south side of Center Street from Somerset Avenue west to Stonegate Landing; Somerset Avenue from County Street south to Main Street; and Pearl Street south to School Street including the northeast corner of Pearl and School Streets.

Finance Committee recommends

**ARTICLE 45.** VOTED UNANIMOUSLY: On motion of Jack Taylor and seconded that the Town vote to amend Article XXVII of the General Bylaws by rescinding the existing bylaw and replacing the same as follows:

**ARTICLE XXVII**  
**NON-CRIMINAL DISPOSITION**

**Section 1.** Whoever violates any provision of these bylaws or any rule or regulation of any municipal officer, board or department the violation of which is subject to a specific penalty, may be penalized by a non-criminal disposition as provided in M.G.L. C.40, sec. 21D.

**Section 2.** Without intending to limit the generality of the foregoing, it is the intention of this Article that Town by-laws, rules and regulation are to be included within the scope of this Article; that the specific penalties as listed here shall apply in such cases and that, in addition to police officers who shall in all cases be considered enforcing persons for the purpose of this Article, the municipal personnel listed for each respective Town by-law,

rule or regulation, if any, shall also be enforcing persons for such section. Each day on which any violation exists shall be deemed to be a separate offense.

**BASIC FINE SCHEDULE**

First Violation:	Written warning.
Second Violation:	Fine of \$100.00.
Third Violation:	Fine of \$200.00 and suspension of Permit or License for 7 days.
Fourth and additional Violation:	Fine of \$300.00 and suspension of Permit or License for 30 days.

**ARTICLE 46. VOTED UNANIMOUSLY:** On motion of Jack Taylor and seconded that the Town vote to allow the Board of Selectmen with the advice of the Board of Assessors to negotiate, subject to subsequent town meeting approval, Payment in Lieu of Taxes (PILOT) agreements for periods of up to twenty (20) years, with proponents of construction and operation of Large Scale Ground Mounted Solar Photovoltaic Installations, in accordance with the provisions of Section 38H of Chapter 59 of the General Laws.

**ARTICLE 47. VOTED UNANIMOUSLY:** On motion of Nancy Goulart and seconded that the Town vote to accept the last paragraph of MGL Chapter 41, Section 111F, which allows the town to establish and appropriate amounts to a special injury leave indemnity fund for payment of injury leave compensation or medical bills incurred under this section, and may deposit into such fund any amounts received from insurance proceeds or restitution for injuries to firefighters or police officers.

The monies in the special fund may be expended, with the approval of the Board of Selectmen and without further appropriation, for paying expenses incurred under this section, including, but not limited to, expenses associated with paying compensation other than salary to injured firefighters or police officers and providing replacement services for the injured firefighters or police officers, in lieu of or in addition to any amounts appropriated for the compensation of such replacements. Any balance in the fund shall carry over from year to year, unless specific amounts are released to the general fund by the Board of Selectmen upon a finding that amounts released are not immediately necessary for the purpose of the fund, and not required for expenses in the foreseeable future.

**ARTICLE 48. VOTED UNANIMOUSLY:** On motion of Peter Benvie and seconded that the Town vote to accept as a Town roadway known as Monteiro Drive as described below:

A certain piece of land locate in the Town of Dighton, County of Bristol, Commonwealth of

Massachusetts,

Beginning on the westerly side of Williams Street said point being N11°20'19"W and 270.09 feet from a drill hole in a wall and extending thence westerly by a curve to the left of 30.00 feet radius 47.12 feet; thence S78°39'41"W 75.55 feet, thence by a curve to the right of 145.00 feet radius 131.40 feet; thence N49°25'03"W 157.68 feet; thence by a curve to the left of 15.00 feet radius 15.95 feet; thence by a curve to the right of 57.00 feet radius 300.19 feet; thence by a curve to the left of 15.00 feet radius 15.95 feet; thence S49°25'03"E 157.68 feet; thence by a curve to the left of 105.00 feet radius 95.15 feet; thence N78°39'41"E 75.55 feet; thence by a curve to the left of 30.00 feet radius 47.12 feet to a point again on the westerly side of Williams Street, said point being N11°20'19"W and 100.00 feet from the point of beginning.

#### Planning Board Recommends

**ARTICLE 49. NO MOTION:** To see that the Town vote to accept as a Town roadway known as Mockingbird Lane as described below:

A certain piece of land located in the Town of Dighton, County of Bristol, Commonwealth of Massachusetts,

Beginning on the westerly side of Elm Street at a drill hole in a wall at a corner of land now or formerly of James Trust No. 1 and extending thence southwesterly by a curve to the right of 15.00 feet radius 21.67 feet; thence N68°03'40"W 419.62 feet; thence by a curve to the right of 105.00 feet radius 175.01 feet; thence N27°26'07"E 65.75 feet; thence by a curve to the right of 15.00 feet radius 17.03 feet; thence by a curve to the left of 68.00 feet radius 368.06 feet; thence by a curve to the right of 15.00 feet radius 17.03 feet; thence S27°26'07"W 65.75 feet; thence by a curve to the left of 145.00 feet radius 241.68 feet; thence S68°03'40"E 410.67 feet; thence by a curve to the right of 15.00 feet radius 25.47 feet to the point ending, on the westerly side of Elm Street, said point being S29°13'47"W and 70.57 feet distant from the point of beginning.

#### Planning Board Recommends

**ARTICLE 50. VOTED UNANIMOUSLY:** On motion of Peter Benvie and seconded that the town vote to accept as a Town roadways known as Cameron Drive and Hillcrest Drive as described below:

A certain piece of land located in the Town of Dighton, County of Bristol, Commonwealth of Massachusetts,  
beginning at a concrete bound set at the entrance to Cameron Drive on the easterly side of Elm Street;  
thence by Elm Street with a curve turning to the left with a radius of 925.00 feet and an arc length of 75.52 feet;  
thence by Elm Street N 35°-48'-03" E at a distance of 24.93 feet to a concrete bound set;  
thence with a curve turning to the left with a radius of 25.00 feet and an arc length of 43.98 feet

to a concrete bound set;  
thence S 64°-59'-02" E a distance of 914.58 feet to a point;  
thence S 66°-24'-14" E a distance of 339.46 feet to a concrete bound set;  
thence along a curve turning to the left with a radius of 30.00 feet and an arc length of 39.10 feet to a concrete bound set;  
thence with a reverse curve turning to the right with a radius of 57.00 feet and an arc length of 253.36 feet to a concrete bound set;  
thence N 66°-24'-14" W a distance of 423.99 feet to a concrete bound set;  
thence N 64°-59'-02" W a distance of 937.47 to a concrete bound set;  
thence with a curve turning to the left with a radius of 25.00 feet and an arc length of 32.52 feet which is the point of beginning;  
containing an area of 77,171 square feet more or less or 1.77 acres.

Beginning at a concrete bound set at the entrance of Hillcrest Drive on the easterly side of Elm Street;  
thence by Elm Street N 35°-48'-03" E a distance of 112.20 feet to a concrete bound set;  
thence with a curve turning to the left with a radius of 25.00 feet and an arc length of 51.04 feet to a concrete bound set;  
thence 81°-10'-08" E a distance of 167.41 feet to a concrete bound set;  
thence along a curve turning to the right with a radius of 175.00 feet and an arc length of 47.62 feet to a concrete bound set;  
thence S 65°-34'-38" E a distance of 516.84 feet to a concrete bound set;  
thence S 04°-59'-02" E a distance of 349.90 feet to a concrete bound set;  
thence along a curve turning to the left with a radius of 25.00 feet and an arc length of 26.80 feet to a concrete bound set;  
thence N 66°-24'-14" W a distance of 63.17 feet to a point;  
thence N 64°-59'-02" W a distance of 52.04 feet to a concrete bound set;  
thence with a curve turning to the left with a radius of 25.00 feet and an arc length of 52.36 feet to a concrete bound set;  
thence N 04°-59'-02" W a distance of 191.72 feet to a concrete bound set;  
thence along a curve turning to the left with a radius of 125.00 feet and an arc length of 132.19 feet to a concrete bound set;  
thence N 65°-34'-38" W a distance of 414.60 feet to a concrete bound set;  
thence along a curve turning to the left with a radius of 125.00 feet and an arc length of 34.02 feet to a concrete bound set;  
thence N 81°-10'-08" W a distance of 218.30 feet to a concrete bound set;  
thence along a curve turning to the left with a radius of 25.00 feet and an arc length of 27.50 feet which is the point of beginning;  
containing an area of 56,776 square feet more or less or 1.30 acres.

Planning Board Recommends

**ARTICLE 51. DEFEATED:** On motion of Peter Benvie and seconded that the Town vote to amend Section II, Subsection 2100 Districts, of the Town of Dighton Zoning Bylaw, by amending the “Town of Dighton Zoning Map, dated June 1, 2015 and which changes thereon the following:

Medical Overlay District to include the area at 1901 County Street as shown on the amended Plan above and, all as reflected in said plan amendment on file with the Town of Dighton Town Clerk’s office.

Planning Board Recommends  
2/3 Vote Required YES: 55 NO: 33

**ARTICLE 52. VOTED UNANIMOUSLY:** On motion of Peter Benvie and seconded that the Town vote to amend Section II, Subsection 2100 Districts, of the Town of Dighton Zoning Bylaw, by amending the “Town of Dighton Zoning Map, dated June 1, 2015 and which changes thereon the following:

Mixed Use Overlay District shall be expanded to include the area shown 300 feet from the center of the road layout North along Center Street and 300 feet from the center of the road layout South along Center Street from Somerset Ave to Middle Street, all as shown on the amended plan, Mixed Use Overlay District shall include those areas noted thereon as the “Mixed Use Overlay District” as approved at the Annual Town Meeting in June 2015 all as reflected in said plan amendment on file with the Town of Dighton Town Clerk’s Office.

Planning Board Recommends  
2/3 Vote Required

**ARTICLE 53. VOTED UNANIMOUSLY:** On motion of Peter Benvie and seconded that the Town vote to amend Section II, Subsection 2100 Districts, of the Town of Dighton Zoning Bylaw, by amending the “Town of Dighton Zoning Map, dated June 1, 2015 and which changes thereon the following:

Mixed Use Overlay District shall be expanded to include the area shown 300 feet from the center of the road layout East along Williams Street and 300 feet from the center of the road layout West along Williams Street from the Taunton Line to Sharps Lot Road, all as shown on amended plan, Mixed Use Overlay District shall include those areas noted thereon as the “Mixed Use Overlay District” as approved at the Annual Town Meeting in June 2015 all as reflected in said plan amendment on file with the Town of Dighton Town Clerk’s Office.

Planning Board Recommends  
2/3 Vote Required

**ARTICLE 54. VOTED UNANIMOUSLY:** On motion of Peter Benvie and seconded that the Town vote to amend Section II, Subsection 2100 Districts, of the Town of Dighton Zoning Bylaw, by amending the “Town of Dighton Zoning Map, dated June 1, 2015 and which changes thereon the following:

Mixed Use Overlay District shall be expanded to include the area shown 300 feet from the center of the road layout North along Main Street and 300 feet from the center of the road layout South along Main Street from Water Street to Elm Street, all as shown on the amended plan, Mixed Use Overlay District shall include those areas noted thereon as the “Mixed Use Overlay District” as approved at the Annual Town Meeting in June of 2015 all as reflected in said plan amendment on file with the Town of Dighton Town Clerk’s Office.

Planning Board Recommends  
2/3 Vote Required

**ARTICLE 55. DEFEATED:** On motion of Tom Pires and seconded to reconsider article 51 (to amend Section II, Subsection 2100 Districts, of the Town of Dighton Zoning Bylaw, by amending Town of Dighton Zoning Map, dated June 1, 2015. Medical Overlay District to include the area at 1901 County Street).

2/3 Vote Required  
YES: 61 NO: 37

Moderator William McKeon call for a recess at 9:45 PM to allow for the Town Clerk to prepare for the paper ballot vote. The Moderator reconvened the Special Town Meeting at 9:50.

**VOTED:** On motion of Linda Hay and seconded to allow a vote by paper ballot on the motion of Tom Pires to reconsider article 51.

Moderator, William McKeon called for a recess at 10:05 and reconvened at 10:15 for the counting of the paper ballots by Susana Medeiros, Town Clerk, Pamela Waller, Assistant Town Clerk, and Sergeant George Nichols.

**VOTED UNANIMOUSLY:** On motion of Robert Perry and seconded to dissolve the Special Town Meeting of October 26, 2017 at 10:15PM.

ATTEST: \_\_\_\_\_

Town Clerk

