

**TOWN OF DIGHTON
BOARDS OF SELECTMEN/HEALTH
JUNE 2, 2010**

Edward D. Reese, Sr., Chairman, called the meeting to order at 7:30 PM.

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

The pledge of allegiance was recited.

Approve Minutes

Motion: Thomas Pires, seconded E. Bud Whalon: VOTED to approve meeting minutes of May 19, 2010.

Vote: UNANIMOUS

Motion: Thomas Pires, seconded E. Bud Whalon: VOTED to approve meeting minutes of May 26, 2010 as amended.

Vote: UNANIMOUS

Approve Warrants

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

Warrant #049A-10 Payroll \$ 50,532.70

Warrant #049B-10 Vendor bills \$ 42,573.02

Warrant #049C-10 Vendor bills \$ 1,029,957.00

Warrant #049D-10 Vendor bills \$ 10,034.98

Vote: UNANIMOUS

Correspondence

The following correspondence was read:

Letter of interest as a member of the Zoning Board of Appeals from Joseph Figuerido of County Hill Drive. Motion: E. Bud Whalon, seconded Thomas Pires: VOTED to take the matter under advisement for one week.

Vote: UNANIMOUS

Revised Notification of mosquito adulticide application from the Bristol County Mosquito Control Project. The adult program will begin on June 1, 2010 weather permitting.

Letter from the Director of the Dighton Public Library to the Diocese of Fall River requesting consideration to acquire the property of St. Peter's Parish Hall, Main Street for a reduced price.

Notice from Comcast that as of June 30, 2010 WLCTV 56 will be replaced by its digital broadcast station.

Letter of resignation of the Public Safety Building Study Committee from Edward D. Reese, Sr.

Announcements were read.

Planning Board Legal Bill

Letter from town counsel was read stating that the adoption of the revolving fund article authorizes the Board to expend money for attorneys fees but it does not authorize the Board to retain legal counsel without the prior approval of the Board of Selectmen in accordance with the Town Bylaws. Thomas Pires believes that the legal bill should be paid for services rendered, however, all future bills will be denied payment until the matter is resolved. Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to pay the bill of Blatman, Bobrowski & Mead, LLC dated May 1, 2010.

Vote: UNANIMOUS

David Arujo, Chairman of the Planning Board reiterated Article III, Section 1 of the General Bylaws. Mr. Arujo also added that the Board never asked Blatman, Bobrowski & Mead, LLC to defend the Planning Board but to consult the Planning Board on the inclusionary bylaw.

Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to take agenda item 8c out of order.

Vote: UNANIMOUS

Elderkin, 700 Main Street

E. Bud Whalon received numerous complaints from residents living on Main Street and Manomet Avenue of noise and dust being created by a dirt bike track located at the end of Manomet Road and belonging to Steven & Deborah Elderkin. A Cease & Desist order was issued to the Elderkin's until the matter could be resolved. James Ceven, Main Street, stated that he tried to speak to the Elderkin's but they became belligerent and was ordered off his property. John Kelly, Manomet Avenue, states that he has contacted the Dighton police, Environmental Police, Representative Haddad and Senator Pacheco's office but was unsuccessful in his attempts to resolve the matter. Further, he states that the noise is out of control, an inch of dirt accumulates in his windows due to the dust, and within the last week a new track has been created. Michael Grady, Manomet Avenue, confirms that a new track has been created with a bobcat and tractor and appears to be an extension of the current track that attracts outside riders. Steven Elderkin states that he has lived at the property since 1982 and that the track has always been there. Further, he can't control outsiders from entering his property but is willing to work with the board and neighbors. He stated that his son practices his riding on Tuesday and Thursday and agreed that no more than 3 bikes can operate at one time. Police Chief Robert MacDonald stated that the track has always been there for at least 30 years. Chief MacDonald suggested the installation of no trespassing signs. Further, Chief MacDonald looked up call logs and stated that the station has received a total of 5 complaint calls.

Edward D. Reese, Sr., stated that the noise must be controlled. It was noted by Thomas Pires that some wetland violations may have taken place and that the matter has been referred to the Conservation Commission. The board concluded that the Cease & Desist will remain in effect until the Conservation Commission can assess the wetlands concerns. The board advised that a resolution must be made and any further concerns or complaints should be brought to the Board of Selectmen.

Motion: E. Bud Whalon, seconded: Thomas Pires VOTED to take a five minute recesses at 8:35PM.

Vote: UNANIMOUS

Motion: E. Bud Whalon, seconded: Thomas Pires VOTED to resume the meeting 8:44PM.

Vote: UNANIMOUS

Edward D. Reese, Sr., took a moment to thank the 4th Graders for the American Flag Posters displayed in the meeting room and to Robert Woods for an excellent Memorial Day Parade combined with Rehoboth.

Ron Medeiros

Ronald M. Medeiros of Taunton and Attorney Robert Frederick presented to the board a proposed development entitled Somerset Woods Village consisting of four 3 bedroom, thirty-two 2 bedroom and twelve 1 bedroom handicap accessible rental units. The proposed 40B project located on Somerset Avenue would contain 100% of affordable housing units built on 35 acres of the 126 acre site and the project would be phased.

Community Preservation Act Appointment

The Historical Commission nominated Charles Mastrangelo to serve as the Commission's representative to the Community Preservation Committee. Motion: Thomas Pires, seconded E. Bud Whalon: VOTED to appoint Charles Mastrangelo as a member to the Community Preservation Committee.

Vote: UNANIMOUS

Vacation Carry Over Request

Linda McCarron requests her remaining vacation time left for the year to be carried over the following fiscal year. Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to approve Linda McCarron's vacation time to be carried over to fiscal year 2011.

Vote: UNANIMOUS

Request for Proposal/Bid

The proposed Request for Proposal, Quote or Bid Policy was read. The policy has been reviewed and approved by town counsel. Motion: Thomas Pires, seconded: E. Bud Whalon VOTED to approve and implement to all departments the Request for Proposal, Quote or Bid Policy as read.

Vote: UNANIMOUS

Community Clean Up Proposal

E. Bud Whalon read for the second time the proposed Community Clean Up Community. Interested residents and businesses should contact the Selectmen's office. A final reading will be made at the next scheduled meeting.

Public Input

Thomas Pires explained that the Senior Work Off program proposed at Annual Town Meeting can be voted on but may not be activated for several years and feels that it is a worth while project.

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 9:10 PM. Mr. Reese announced that the Board would not return to open session

Vote:	Edward D. Reese, Sr.	AYE
	Thomas Pires	AYE
	E. Bud Whalon	AYE

Motion: E. Bud Whalon, seconded: Thomas Pires VOTED to return to open session at 9:59 PM.

Vote:	Edward D. Reese, Sr.	AYE
	Thomas Pires	AYE
	E. Bud Whalon	AYE

Motion: E. Bud Whalon, seconded: Thomas Pires VOTED to adjourn at 9:59 PM.

Vote: UNANIMOUS

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

Approved by:

