

**TOWN OF DIGHTON  
BOARDS OF SELECTMEN/HEALTH  
AUGUST 24, 2011**

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

Present: E. Bud Whalon, Thomas J. Pires and Dean V. Cronin

The pledge of allegiance was recited.

Approve Minutes

Motion: Thomas J. Pires, seconded: Dean V. Cronin, VOTED to approve meeting minutes of August 10, 2011.

Vote: UNANIMOUS

Motion: Thomas J. Pires, seconded: Dean V. Cronin, VOTED to approve meeting minutes of August 10, 2011 - Executive Session.

Vote: UNANIMOUS

Approve Warrants

Motion: Thomas J. Pires, seconded: Dean V. Cronin, VOTED to approve the following warrants:

Warrant #008A-11 Payroll \$ 64,663.41

Warrant #008B-11 Vendor bills \$ 15,259.01

Warrant #008C-11 Vendor bills \$ 142,544.66

Vote: UNANIMOUS

Correspondence

The following correspondence was read:

Public notice from the U.S. Coast Guard announcing that the MADOT has filed for a Bridge Permit Amendment for approval to place submarine cables at and for extension of time to complete the Brightman Street Bridge.

The Association of Town Finance Committees is inviting the Board to their annual meeting scheduled for October 15<sup>th</sup> in Franklin. This meeting focuses on education for finance committee members, but budgeting and finance training is key for selectmen as well.

The United Nations Association of Greater Boston is inviting the Board to the 66<sup>th</sup> anniversary on October 24, 2011.

Thomas Ferry, Superintendent of Streets advises the Board to install no parking signs on Main Street now that the Library parking lot is complete Motion: Dean V. Cronin, seconded: Thomas J. Pires, VOTED install no parking signs from 377 Main Street to Elm Street.

Vote: UNANIMOUS

Thomas Ferry, Highway Superintendent submitted a memo to the Board announcing several updates to various projects throughout the Town. Drainage upgrades to Elm and Hart Streets is partially done. Ledge was apparent, however, clean up of the various property frontage will be repaired and asphalt will be laid. The culvert replacement on Main Street has been delayed until after the opening of school. Zeneca's reservoir was lowered so that an inspection of the culvert could be performed. More information will be provided as the work progresses. It was advised that once the project is underway, closure of Main Street will be required for a minimum of two weeks.

A public notice was received from the US Army Corps announcing the application of MADOT to discharge dredged and/or fill material in approximately 10,500 square feet of waters as part of the construction of the Permanent Berkley Dighton Bridge.

The Lydia-Cobb Quequechan Chapter of the MA Daughters of the American Revolution requests the Board to issue a Proclamation for Constitution Week, September 17-23, 2011. Motion: Thomas J. Pires, seconded: Dean V. Cronin, VOTED to support the Constitution Proclamation 2011 designating September 17 through 23 as Constitution Week.

Vote: UNANIMOUS

The Board received a letter from Bruce Murphy electing not to accept his appointments.

The Board read a letter from the MA DPH Commissioner Auerbach concerning the role and impact of the local public health system in preventing injury and disease and protecting residents from public health emergencies.

Announcements were read.

The Board announced that an Emergency Preparedness meeting has been arranged for Saturday, August 27, 2011, 11:30 AM at Town Hall in anticipation of Hurricane Irene.

The Board announced that anyone interested in serving on the Police Station Project Committee should submit a letter of interest to the Selectmen's office.

The Board announced that they met a representative of SRPEDD to request their assistance to install a pedestrian crossing light at the intersection of Main and County (Route 138) Streets. A meeting with MADOT will be requested.

#### Discuss MA Dept. of Labor Report of the Police Department Building

Grant writer, Maria Sorman, appeared before the Board to discuss the status of the proposed new Police Station. It was noted that an inspection performed by the Department of Labor Standards ("DLS") resulted in findings that the facility is in violation of most current building code violations and has granted the Town of Dighton a one year extension to correct the violations. Ms. Sorman noted that all attempts to

received funding from grants is being explored so that burden of costs will not be obtained from the taxpayers of the Town of Dighton. After a tour of the facility a Notice of Intent to Apply for a grant through MassWorks Infrastructure Program has been submitted in the hopes of paying for an engineer. Ms. Sorman is currently working on the application for a Community Development Block Grant (CDBG) with the hopes that monies from the grant, if received, can pay for the USDA loan, which will be required. There was no questions from the public.

Patrick Menges – Status Update of the Dighton Water District

Patrick Menges appeared before the Board to state that a meeting has been arranged with Counsel to review the legal process of re-drawing the boundaries. Mr. Menges also stated that a public Hearing to discuss the findings has been scheduled for Saturday, September 10, 2011, 2:00Pm at the Town Hall. The public is urged to attend.

Animal Control Officer – Adoption Availability

Animal Control Officer, Stacy Ferry, presented two puppies, one male and one female, that will be available for adoption within two weeks. The puppies were found abandoned in the woods and had injuries consistent with being tossed from a vehicle. Anyone interested in adopting or have any further information should contact the Animal Control Officer directly.

New Liquor License Hearing – Lance Corporal John Vangyzen Hall

The Board read the Notice of Public Hearing for a New All-Alcohol License for Lance Corporal John Vangyzen Hall, 495 School Street. Attorney Robert Fredericks, counsel for Richard A. Bleau, President of Lance Corporal John Vangyzen Hall presented the application and stated that this is the third attempt for a liquor license as the original application was returned with no action by the ABCC because the request to transfer the license from the VFW post was no longer in existence. The Board had no objections to the license and there was no public comment. Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to approve the New All-Alcohol Liquor License for Lance Corporal John Vangyzen Hall, 495 School Street.

Vote: UNANIMOUS

Review/Act – Proposed Amended Building Inspector Fees

Building Inspector, James D. Aguiar, Jr., proposes to incorporate a special night time inspection fee for the plumbing, gas and electrical inspections that takes place after normal working hours under non-emergency circumstances. When a contractor requests an inspection in conjunction with valid permits, that contractor shall cover 75% of the costs for each special night time inspection. The inspection shall be billed to the town at four times the normal inspection rate. Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to adopt a special night time inspection fee for the plumbing, gas and electrical inspections that takes place after normal working hours under non-emergency circumstances in the amount of 75% of the costs for each special night time inspection.

Vote: UNANIMOUS

Sousa, Anderson Drive re: Outdoor Furnaces

Donna and David Soares, Barbara and Michael Marcoux and Carolyn Morin appeared before the Board to discuss complaints of neighbor's outdoor furnaces located on Anderson Drive. The residents claim they have been forced to shut all windows and remain indoors as a result of excessive smoke and obnoxious smells emitting from the outdoor furnaces. The residents further claim that numerous health problems have been exasperated due to the excessive smoke lingering on the property. Chairman of Board Health, Thomas Pires, and Building Inspector, James Aguiar, Jr., has inspected and researched state requirements for outdoor furnaces and has found no violation exists. Further, Mr. Aguiar has spoken at length with the Mark Cullan, MADEP, who confirmed no there is no violation. The Board could request that smoke stack on the furnace be raised, however, it was determined that it would not correct the smoke problem. It was noted that an air quality test could be done at the expense of the complainant. The Board recognized the residents complaints however, the Town's hands are tied as they are approved by the state. It was advised that the complainants seek assistance from MADEP.

Proposed Solar Panel Discussion

The Board is looking into cost effective programs for solar panels on town owned buildings but is waiting for the Attorney General's approval of the Solar Panel Bylaw presented at the Annual Town Meeting.

Review/Act – Highway Dept. Request for Crane Operator

The Highway Department requested bids for a crane operator for the culvert replacement on Main Street. Bid results were read and Highway Superintendent, Thomas Ferry's recommendation was read. Motion: Thomas Pires, seconded: Dean V. Cronin, VOTED to accept the proposal of N.C. Hudon, Inc., of New Bedford to provide a 60 ton crane and operator to hoist culvert sections in the amount of \$1,200.00 (8 hr minimum) with a \$235.00/per hour for overtime.

Vote: UNANIMOUS

Review/Act – Admin. Assistant Training Request

Kerrie Easterday, Administrative Assistant/Office Manager is seeking permission from the Board to attend a free Administrators Boot Camp hosted by MMA on October 6<sup>th</sup> in Shrewsbury. Motion: Thomas Pires, seconded: Dean V. Cronin, VOTED to approve the request of Kerrie Easterday, Administrative Assistant/Office Manager to attend a free Administrators Boot Camp hosted by MMA on October 6<sup>th</sup> in Shrewsbury.

Vote: UNANIMOUS

Review/Act – Title V Betterment Loan Program

The Board received two applications from residents to participate in the Title V Betterment Loan Program. Once the first loan is approved, a \$10,000 grant will be awarded for administration purposes. Motion: Thomas Pires, seconded: Dean V. Cronin,

VOTED to approve two applications from residents to participate in the Title V Betterment Loan Program.

Vote: UNANIMOUS

Review/Act – 2355 Old Wellington Street Chapter Land

The Board received a request to remove the property located at 2355 Old Wellington Street from Chapter 61A and to offer the property to the Town. Motion: Thomas Pires, seconded: Dean V. Cronin, VOTED to decline the right-of-first refusal and to remove the property located at 2355 Old Wellington Street from Chapter 61A.

Vote: UNANIMOUS

Public Input

NONE

Executive Session

Motion: Thomas Pires, seconded: Dean V. Cronin VOTED to go into executive session under the provisions of M.G.L. Ch. 30A section 21(a)(3 & 7) at 8:57 PM to discuss pending legal matters and discuss Fire Chief Contract Negotiations Strategy

Vote:	E. Bud Whalon	AYE
	Thomas Pires	AYE
	Dean V. Cronin	AYE

Motion: Thomas Pires, seconded: Dean V. Cronin, VOTED to return to open session at 10:00 PM.

Vote:	E. Bud Whalon	AYE
	Thomas Pires	AYE
	Dean V. Cronin	AYE

Motion: Thomas Pires, seconded: Dean V. Cronin VOTED to adjourn at 10:00 PM.

Vote: UNANIMOUS

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

Approved by:

