

**TOWN OF DIGHTON
BOARDS OF SELECTMEN/HEALTH
DECEMBER 14, 2011**

E. Bud Whalon called the meeting to order at 7:31 PM.

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

Deborah Gagnon informed the Board that she was recording the meeting.

The pledge of allegiance was recited.

Approve Minutes

Motion: Dean V. Cronin, seconded: Thomas J. Pires, VOTED to approve meeting minutes of December 5, 2011 – Executive Session.

Vote: UNANIMOUS

Motion: Dean V. Cronin, seconded: Thomas J. Pires, VOTED to approve meeting minutes of December 7, 2011.

Vote: UNANIMOUS

Motion: Dean V. Cronin, seconded: Thomas J. Pires, VOTED to approve the meeting minutes of December 7, 2011 – Executive Session.

Approve Warrants

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

Warrant #024A-12 Payroll \$ 58,857.08

Warrant #024B-12 Vendor bills \$ 48,290.19

Warrant #024C-12 Vendor bills \$ 2,500.00

Vote: UNANIMOUS

Correspondence

The ABCC has provided an advisory that effective January 1, 2012 the “3 Store Limit” of off-premises licenses (§15) will increase to 5.

Announcements were read.

It was noted that the Tri-Centennial Committee will be hosting a meeting about colonial clothing on Sunday, January 15, 2012 at 2:00PM in Friendship Hall of the Dighton Community Church on Elm Street, Dighton.

Review/Discuss/Act – Ambulance Rental (Date Correction)

The Board received the corrected contract relative to the 2003 Ford E450 Loaner Ambulance and read same. Motion: Dean V. Cronin, seconded: Thomas J. Pires VOTED to accept the contract from Specialty Vehicles, Inc., North Attleboro a one-time

fee of \$2,500.00 for the use of Loaner Ambulance – 2003 Ford E450 Road Rescue VIN# 1FDXE45F13HB76724 until July 1, 2012.

Vote: UNANIMOUS

Review/Discuss/Act – Police Dept. Reserve Officer Recommendations

Police Chief Robert MacDonald presented Reserve Officer applications to the Board and presented his recommendation. Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to appoint Gregory B. Steele as Town of Dighton’s Reserve Officer as recommended by Police Chief Robert MacDonald.

Vote: UNANIMOUS

Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to appoint Nicholas Barros as Town of Dighton’s Reserve Officer as recommended by Police Chief Robert MacDonald.

Vote: UNANIMOUS

The newly appointed reserve officers will be introduced in January 2012.

Review/Discuss/Act: Class II Dealers License Inspection Results

The Board received information relative to the renewal of Kimbill Enterprises Class II Dealers license and all matters are satisfied. Motion: Dean V. Cronin, seconded: Thomas J. Pires VOTED to approve the renewal of the Class II Dealers License to Kimbill Enterprises for 2012.

Vote: UNANIMOUS

Robin Lacroix, Secretary/Treasurer on behalf of Paul Pacheco, President of North Dighton Garage, Inc., appeared before the Board to discuss the renewal of the Class II Dealers License. It was noted that the establishment has been visited by the State Police three times in 2011 and found all matter compliant. The Board noted that site inspections made by the Board and Police Chief found various conditions were not being met. In particular, maintaining office hours of 20 per week and the display of vehicles for sale. Corporate officers were informed that specific conditions would be listed on the license and Ms. Lacroix agreed to maintain the requirements for the 2012 year. Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to approve the renewal of the Class II Dealers License to North Dighton Garage, Inc. for 2012.

Vote: UNANIMOUS

Review/Discuss/Act: Snow Plow Waiver Request(s)

The Board read a letter of request form Samuel Pine for the waiver of the Workers Compensation requirement for the purpose of snow plowing for the Town of Dighton. Motion: Dean V. Cronin, seconded: Thomas J. Pires VOTED to grant a waiver of Workers Compensation to Samuel Pine for the purpose of snow plowing in the Town of Dighton.

Vote: UNANIMOUS

R. Moore, Anderson Drive re: Outdoor Furnaces

Robert Moore of Anderson Drive appeared before the Board as a concerned citizen relative to the outdoor furnace located at 2944 Anderson Drive. Mr. Moore has an estimated 1 ½ hours video of the excessive smoke that is emanating from the unit. Mr. Moore claims that due to the excessive smoke quality of life of surrounding neighbors is diminishing. It was noted that due to failing health, Mrs. Marcoux has moved to Middleboro. Mr. Moore has spoken to MA DEP. Zoning Enforcement Officer, James Aguiar, Jr., noted that the furnace is compliant with state requirements, therefore, no action of violation can take place. Mr. Moore wanted to know if the permit pulled for the furnace was for one or two homes. Mr. Aguiar will investigate the matter.

Board of Health Hearing: Wilson, 3147 Sharps Lot Road

Thomas J. Pires called the Board of Health Hearing to Order at 8:31PM. Attorney John Mitchell and Clifford Wilson appeared before the Board of Health for a hearing relative to the Notice of Violations, Determination of Immediate Danger, and Order to Vacate dated October 26, 2011 (Order was read). An inspection of the premises made on August 18, 2011 determined that a barn has been improved with two occupied residential apartments without obtaining building permits. Further, the inspection also revealed an un-permitted on site subsurface sewage disposal system that appears to be servicing the apartments. Mr. Wilson acknowledges that building permits and sanitation permits were not obtained and is before the Board to correct the violations. Pictures of the illegal apartments were provided by Attorney Mitchell. Mr. Wilson stated that he bought the property in 2007 and has made no alterations except finish work in the barn. However, Carol Beauregard, Assessor, performed an inspection shortly after Mr. Wilson's purchase, at his request, and found no apartments or additional subsurface sewage disposal on site.

James Aguiar, Building Inspector/Health Agent noted that the subsurface sewage disposal system must be abandoned and new one constructed. The current system in place can not be considered because there is no approved engineer design on file. Also, Mr. Aguiar is seeking an immediate order to vacate the residents residing in the illegal apartments citing that failure to provide a second means of egress is a condition that may endanger or impair the health, safety and well being of the person or persons occupying the premises. Fire Chief Antone Roderick, Jr., concurs with Mr. Aguiar. Mr. Aguiar is willing to approve the extension of the order on the condition that a second means of egress must be built and approved with a building permit within seven (7) days. Mr. Wilson agreed to the condition. Motion: Thomas J. Pires, seconded: Dean V. Cronin VOTED to grant an extension to the Order to Vacate to January 10, 2012, provided that a means of egress is completed within seven (7) days from the date of hearing. At the expiration of seven (7) days if the egress is not complete, residents will be required to vacate immediately.

Vote: UNANIMOUS

Attorney Mitchell announced that application(s) will be filed with the Zoning Board of Appeals seeking a variance to split the property in half and seeking a special permit for a

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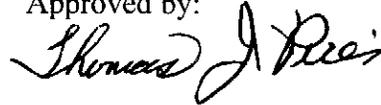
two family home. Town counsel noted that a sub-division of land goes through the Planning Board and a Division of Land goes through the Zoning Board of Appeals.

Motion: Thomas J. Pires, seconded: Dean V. Cronin to adjourn at 9:16 PM.

Vote: UNANIMOUS

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

Approved by:

A handwritten signature in black ink, appearing to read "Thomas J. Pires". The signature is written in a cursive style with a large initial "T".