

**TOWN OF DIGHTON  
BOARDS OF SELECTMEN/HEALTH  
JULY 18, 2012**

E. Bud Whalon called the meeting to order at 7:33 PM.

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

The pledge of allegiance was recited.

Approval of Minutes

Motion: Thomas J. Pires, seconded: E. Bud Whalon, VOTED to approve the meeting minutes of June 20, 2012, June 25, 2012, June 26, 2012 and July 9, 2012.

Vote: UNANIMOUS

Motion: Thomas J. Pires, seconded: E. Bud Whalon, VOTED to approve the Executive Session meeting minutes of May 14, 2012 and June 20, 2012.

Vote: UNANIMOUS

Approve Warrants

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

Warrant # 003A-13 Payroll	\$ 64,439.82
Warrant # 003B-13 Vendor bills	\$ 35,579.99
Warrant # 003C-13 Vendor bills	\$ 267,694.87
Warrant #003D-13 Vendor bills	\$ 7,162.00

Vote: UNANIMOUS

Expenditure Detail

The Board has nothing to report at this time.

Correspondence

The Board received correspondence from Kathleen A. Montagano, Ed.,D., Superintendent of Schools of the Dighton Rehoboth Regional School District that beginning in FY'13, the Town of Rehoboth will pay out-of-district vocational tuition and transportation costs for students attending Tri-County Regional Vocational High School and that as of June 28, 2012, the Town of Dighton has no students enrolled in out-of-district vocational programs.

The Bristol County Mosquito Control Project (BCMCP) sincerely thanks the Town of Dighton for the continued support of their budget approved in the amount of \$1,229,095 which allows the BCMCP to continue to serve the cities and towns of Bristol County.

The Massachusetts Office of Coastal Zone Management announced that the US Environmental Protection Agency has officially designated the Massachusetts portion of Mt. Hope Bay including the lower portion of the Taunton River, as a No Discharge Area (NDA) for boat waste. The designation is a significant step in protecting the water quality of Mt Hope Bay and the Lower Taunton River for the benefit of the area residents and the natural resources of the waterways.

MA Department of Public Health announced that Hannaford Supermarkets voluntarily recalled meatball products issued by New Jersey based Buona Vita, Inc. due to possible contamination with *Listeria monocytogenes*.

The MA Department of Public Health EEE advisory level has been upgraded to moderate due to positive findings found in Easton, Massachusetts. Adulticide spraying is to commence this Friday and Saturday, weather permitting. For up-to-date information visit the website at [www.mass.gov/dph](http://www.mass.gov/dph) or contact the Board of Health at (508) 669-5461.

Announcements were read. Saturday hours have been extended from 9:00am to 3:00pm at the Transfer Station.

#### Report of the Personnel Officer

The Board tabled the items on the agenda until the next scheduled meeting.

#### Review/Discuss/Act: Pole Hearing

E. Bud Whalon opened the Pole Hearing for Petition #2011B-23 from Verizon New England Inc. and MA Electric Company proposing to relocate facilities – poles 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3 – and to place new facilities – pole 5S on Center Street. Appropriate abutters have been notified. Daryl Crossman, representative of Verizon New England was present. Said petition is necessary in order to maintain support to the existing pole line and relocate facilities due to road and bridge job on Center Street. There was no opposition presented. Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to grant Petition #2011B-23 from Verizon New England Inc. and MA Electric Company proposing to relocate facilities – poles 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3 – and to place new facilities – pole 5S on Center Street.

Vote: UNANIMOUS

#### Patrick Menges, Dighton Water District Commissioner re: Grants & Master Planning

Patrick Menges appeared before the seeking endorsement for the Water District to pursue various grants. Mr. Menges has been advised that the Board is moving forward in obtaining a Master Plan. The Board sees no objection in the Water District obtaining grants.

The Dighton Water District notified the Board that if no member of the Board is a member of the Water District the Selectmen are obligated to appoint someone who is not a Selectman who is a resident of the Water District to be their representative.

Edward Swartz requests consideration to serve as the Town's ex officio member of the Board of Trustees of the Water Resources Acquisition, Exploration, and Development Trust

Motion: E. Bud Whalon, seconded: Thomas J. Pires VOTED to rescind the appointment of Thomas J. Pires as the Town's ex officio member of the Board of Trustees of the Water Resources Acquisition, Exploration, and Development Trust.

Voted: UNANIMOUS

Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to appointment Edward Swartz as the Town's ex officio member of the Board of Trustees of the Water Resources Acquisition, Exploration, and Development Trust.

Voted: UNANIMOUS

Review/Discuss/Act: Amend Term of Town Accountant Appointment

An amendment to the appointment of Town Accountant must be made to reflect a three year term.

Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED the amendment of Jennifer Luiz, Town Accountant, to reflect a three year term not a one year term.

Vote: UNANIMOUS

Review/Discuss/Act: Police Department SEMLEC PROGRAM

Police Chief Robert MacDonald and Police Sergeant Edward Dutra, Jr., appeared before the Board with Rochester Police Chief Paul H. Magee and Plympton Police Chief Patrick S. Dillon presenting for consideration a Compact and Mutual Aid Agreement relative to the Southeastern Massachusetts Law Enforcement Council (SEMLEC). SEMLEC is a non-profit organization founded in 2003 and is composed of 28 police departments in Bristol and Plymouth counties, directed by member needs and priorities and governed by an elected Board. SEMLEC units are composed of highly trained and skilled officers from member agencies and is the primary source of assistance and support (i.e., Marine Unit, Search & Rescue, SWAT/Rapid Response Unit and Communications) available to member police chiefs. There is a \$1,000.00 annual membership fee for each department. Said fees sustain expenses including training, equipment purchases, equipment repair, vehicle repair and insurance. It was noted that responders are paid by the Town who employs the officer. According to the Police Chief MacDonald, it was estimated that it would impact the Police Department Budget by \$5,000.00, however, consideration will be presented to member officers to earn compensatory time vs. overtime. E. Bud Whalon

approved the Agreement as long as it is within the Police Department's budget. Thomas J. Pires notes that the fine print should be reviewed and feels that approval from Union relative to compensatory time should be obtained and that the vacancy should be filled with a Reserve Officer. Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to become a member of the Southeastern Massachusetts Law Enforcement Council and authorize the \$1,000.00 membership fee.

Vote: UNANIMOUS

Review/Discuss/Act: Award Commercial Air Duct Cleaning Proposal

The Board received, read and reviewed three proposals for the Commercial Air Duct Cleaning at Town Hall and Thomas Ferry, Highway Superintendent's recommendation. Motion: Thomas J. Pires, seconded: E. Bud Whalon, VOTED to accept the proposal of Air Duct Cleaning, Inc., Warwick, RI in the amount of \$1,675.00 for the Commercial Air Duct Cleaning at Town Hall.

Voted: UNANIMOUS

Review/Discuss/Act: Award 290 Main Street Demolition Bid

On May 5, 2012 the Building Inspector requested bid proposals for the demolition of Dighton Red & White Store located at 290 Main Street, Dighton. Said sealed bids, totaling six (6), were received and opened with Selectmen Dean V. Cronin on June 5, 2012. Building Inspector, James D. Aguiar, Jr., has deemed that the low bidder "New England Recycling Inc., is a qualified contract and recommends granting the demotion to said bidder. It is noted that the funding amount remaining from the initial \$25,000.00 that was allocated for the demolition is approximately \$22,000.00, due to costs incurred during the demolition preparation process. It was further noted that the awarding contractor will need to be advised that the balance of the contract over and above available funds will need to be first approved at Special Town Meeting. Mr. Aguiar advised the Board that a lien will be placed on the property once monies for the demolition is expended. Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to award the bid for the demolition of Dighton Red & White Store located at 290 Main Street, Dighton to New England Recycling Co., Inc, Taunton, Massachusetts in the amount of \$37,440.00.

Voted: UNANIMOUS

Review/Discuss/Act: Temporary Tobacco Inspector Appointment

The Board received and read a request from Tobacco & Alcohol Prevention, Marilyn Edge, requesting an unpaid agent appointment of a temporary tobacco inspector for FY13. Motion: Thomas J. Pires, seconded: E. Bud Whalon, VOTED to appoint Sarah LeRoux as Dighton's part-time temporary tobacco inspector.

Voted: UNANIMOUS

Review/Discuss/Act: GeoTMS Software & Services Contract

The Board received a contract for the GeoTMS Software & Services. Said contract is to implement electronic permitting for the Fire Department. The purchase, database integration and training is covered by the CIC grant obtained by SRPEDD. The Board tabled the matter pending the Fire Chief's recommendation.

Review/Discuss/Act: Continuation of Zoll Extended Warranty for Defibrillators

The Board received a request from the Fire Chief to continue the Zoll Extended Warranty for the defibrillators in the amount of \$3,075.50. The Board tabled the matter pending more information required from the Fire Chief.

Review/Discuss/Act: Continuation of Ambu Pro Software Support for Ambulance Software

The Board received a request from the Fire Chief to continue the Ambu Pro Software Support for Ambulance Software in the amount of \$4,750.00. The Board tabled the matter pending more information required from the Fire Chief.

Review/Discuss/Act: Award Scanner Bid for Highway Department

The Board received three (3) bid proposals and the Highway Superintendent's recommendation for the purchase of a scanner for the Highway Department. Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to accept the bid for the purchase of a scanner for the Highway Department from Joseph D. Jackson, North Dighton in the amount of \$3,695.00 as recommended by the Highway Superintendent.

Vote: UNANIMOUS

Review/Discuss/Act: Land Use Committee Appointment

The Board received a request for a re-appointment to the Land Use Committee. Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to reappoint Robert Woods, Jr. as member to the Land Use Committee for one year.

Vote: UNANIMOUS

Review/Discuss/Act: Ambulance Write Off Request(s)

The Board received and read a request Fire Chief Antone Roderick, Jr., to write off ambulance bills due to hardship/deceased or reimbursement for overpayment. Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to approve the write off of ambulance bills due to hardship/deceased or reimbursement for overpayment totaling \$4,493.70.

Vote: UNANIMOUS

Review/Discuss/Act: August 9, 2012 Election Warrant

The Board received and read the Election Warrant scheduled for Thursday, August 9, 2012. Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to approve the August 9, 2012 Election Warrant as read.

Vote: UNANIMOUS

Review/Discuss/Act: Award FY13 Highway Material(s) Bids(s)

The Board received and read Thomas Ferry, Highway Superintendents written recommendation for the awarding of the FY13 Highway Material Bids. Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to award the FY13 Highway Material Bids as recommended by Thomas Ferry, Highway Superintendent.

Vote: UNANIMOUS

Review/Discuss/Act: Allow Community Service Participants Ride in Town Owned Vehicles

The Board has been advised by the Police Chief and Highway Superintendent that a Dighton resident is ordered to perform 100 hours of community service within the Town of Dighton. Said service will consist of cleaning trash on town owned property, however, permission is required for said individual to ride in town vehicles to the various locations. Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to allow community service participants ride in town owned vehicles.

Vote: UNANIMOUS

Review/Discuss/Act: Vacation Carry Over Request

The Board received a vacation carry over request from Ryan Richards. It was noted that said request is made after the due date as a discrepancy of time earned was just presented. Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to approve Ryan Richards request to transfer five (5) vacation days from FY12 to FY13.

Vote: UNANIMOUS

Executive Session (MGL, Ch. 30A, Sec. 21(a))

Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to enter into executive session at 9:50PM under the provisions of MGL, Ch. 30A, Sec. 21(a)(3) to discuss pending litigation with the Fire Chief.

Vote: E. Bud Whalon AYE  
Thomas J. Pires AYE

Motion: Thomas J. Pires, seconded: E. Bud Whalon VOTED to return to open session at 10:45 PM.

Vote: E. Bud Whalon AYE

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Thomas J. Pires      AYE

Motion: Thomas Pires, seconded E. Bud Whalon to adjourn at 10:45 PM.

Vote:              UNANIMOUS

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

Approved by:

