

**TOWN OF DIGHTON
BOARDS OF SELECTMEN/HEALTH
MAY 13, 2013**

THIS MEETING WAS NOT AUDIO TAPED NOR VIDEO RECORDED.

The Board of Selectmen met in the Trustee's meeting room of Keith Hall at Bristol County Agricultural High School on Center Street, at seven p.m. on Monday, 13 May 2013, pursuant to a notice duly posted, for the purpose of auditing and participating in a meeting of the Bristol County Agricultural High School Board of Trustees at which the new public sewer service for the Agricultural School was an agenda subject for discussion.

The Selectmen were joined in the audience of the Trustees' meeting, by former Selectman Nancy Goulart. In addition, pursuant to invitations mailed to them by Agricultural School Principal and acting Superintendent Stephen Dempsey, several residents of Center Street east (between Somerset Avenue and the Taunton River), concerned about their prospects of eventually tying in to the public sewer line now servicing only the Agricultural School, attended.

The Board of Selectmen joined all in attendance in a moment of silence honoring the late Agricultural School Superintendent Krista Paynton.

When Trustees' Chairman George Moitoza of Berkley called up the item "Sewer Issues", Trustees appeared to invite the Selectmen to comment; however, Selectmen Menges said that he was of the understanding that he and his colleagues had attended to hear comments from Center Street residents concerning the sewer line solicited by a letter sent to them by Mr. Dempsey. The Trustees appeared not to have been aware of Mr. Dempsey's letter to the residents, and Mr. Dempsey read the text of the letter.

Before any residents could speak, former Selectman Nancy Goulart rose and gave "background information" concerning the Agricultural School public sewer line. Mrs. Goulart stated that she, Selectman Pires, and former Selectman Richard Hegeman, had been in office when conversations between Mrs. Goulart and former Superintendent Russel James had resulted in an approach to the Sewer Commission with an initiative for extension of public sewer service down easterly on east Center Street to the Agricultural School. She intimated that in discussion of the projected cost of the project, there had been no mention that the School would be treated under Sewer Commission regulations as a "new subdivision", subject to a pump station fee. Thus, she suggested, the school had been surprised to receive a bill at the project's completion, of \$85,000.00 for a pump station. In view of the monetary value of easements that the Agricultural School had given to the Town of Dighton for the construction of the new Dighton Berkley bridge, which easements have continued for seven years, she did not feel that the good will between the Agricultural School, Bristol County, and the Town of Dighton, should be jeopardized by an excessive pump station charge. She also noted the important public safety cooperation concerning a crosswalk and crossing light for students on Center Street between school facilities on the north and south sides of the road. Mr. Moitoza

added, that the school paved from the school driveway west toward Rte. 138, and installed sidewalks at its own expense. And Mr. Moitoza said, that the school had installed and paid for taps for eventual sewer installations for each of the houses along the path of the new sewer line to the Agricultural School.

Selectman Menges stated that the Agricultural School has the exclusive use of its new sewer line until August, and will then have the option of turning the sewer line over to the enterprise system of the Town of Dighton, under the control of the Sewer Commission, at which time residents will be able to apply to tie in their homes. In the meantime, no residents may tie in to the new sewer line yet. He stated that in August, at the time the pump station is turned over to the Town, the \$85,000.00 billed to the School would become due as a charge for the Town's assumption of the responsibility for the pump station, under the rubric that the new sewer line to the Agricultural School amounted to a "new subdivision" under Sewer Department regulations. Selectman Menges stated that he felt that the Sewer Commission needed to look at whether or not a public school, which Trustee Moitoza added was supported by taxes, which, unlike a subdivision, is not making profit for a developer, should be charged a substantial fee for pump station turnover, especially in a case such as this where, because the Agricultural School had donated more than \$50,000.00 worth of easements for the new Dighton Berkley bridge, the equities seemed to militate in favor of an accomodation. He said there was a "disconnect" in the application of the term "new subdivision" to a tax-supported public school for purposes of imposing a pump station turnover fee. Selectman Menges stated that the Sewer Commission had offered to allow the school to pay the fee over a term of ten years, and that he had spoken with one Commissioner since, who had been amenable to extending the term of payment over twenty years.

Selectman Pires asked what was the basis for the pump station fee?, and was told that the Sewer Commission had adopted a schedule of fees used by the Town of Raynham. Selectman Menges said he felt that if a turnover fee for the pump station could not be waived, it perhaps could be minimized, and payment extended over a term of twenty years, but that the Selectmen could not appropriate the jurisdiction of the Sewer Commission, with which the decision rests.

During the discussion, it was noted that the new sewer meter which meters the actual effluent from the Agricultural School, needed to be re calibrated, but that though the Agricultural School has the warranties from the contractor and vendor involved, the Superintendent of the Dighton Sewer Department has the key, and Agricultural School personnel cannot access the meter to permit repairs. Selectman Menges stated that he felt that this could easily be rectified, and that the needed re calibration could proceed without trouble. Trustee Moitoza invited Center Street residents to speak, and Mrs. Couture of Center Street did so, thanking the Selectmen for their participation.

It was agreed that Selectmen would seek a meeting with the Sewer Commission concerning a meeting that had been discussed. Former Selectman Goulart urged maximum attendance by Center Street residents when the Selectmen meet with the Sewer Commission. It was agreed that if the Selectmen would notify Mr. Dempsey, the

Trustees would have a representative of the Agricultural School present for the Selectmen's meeting with the Sewer Commission.

Mr. Moitoza with the apparent concurrence of his colleagues, thanked those in attendance. The Board of Selectmen withdrew, constituting an adjournment at 7:40 p.m..

Patrick W. Menges
Clerk of the Board of Selectmen

Patrick W. Menges
Thomas J. Paris 5-14-13