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The following Meeting was video and audio recorded for Airing on Channel 9
BOARD OF SELECTMEN
Regular Meeting
Wednesday, January 26, 2022 6:00 p.m.
Via Zoom

The meeting was called to order at 6:00 p.m. by Chairman Pacheco.

Chairman Pacheco reviewed the Zoom information with the public and the procedure for submitting comments and/or questions during the meeting.

Roll Call:

Chairman Pacheco, present.
Selectman Zografos, present
Selectman Hull, present.

Present via Zoom: Town Administrator Michael Mullen, Executive Assistant Karin Brady, Building Commissioner James Aguiar, Highway Superintendent Tom Ferry and Town Nurse Nicole Mello.

Also Present via Zoom: Mr. Mark Gershman from The BETA Group.

Moment of Silence

Selectman Hull requested a moment of silence for Elizabeth Cole, Joyce Grassie, Erwin "Bud" Whalon, Harry Bennet and Glenna Smith

Building Commissioner James Aguiar

Appointment Recommendation for Assistant Plumbing and Gas Inspector

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to appoint Raymond Hague as the Assistant Plumbing and Gas Inspector.

Appointment Recommendation for Weights and Measures Inspector

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to appoint Jeffrey Mello to the position of the Sealer of Weights and Measures.

Tom Ferry Highway Superintendent

Chairman Pacheco read a letter from Town Administrator Mullen and Highway Superintendent Tom Ferry recommending The BETA Group for engineering services for the Pleasant Street Bridge Project.

Mr. Mullen said based on the BETA Group's past experience with these types of projects, he was confident that they would be the best choice.

Chairman Pacheco asked about the timetable. Town Administrator Mullen said the BETA Group indicated that twelve months would be the timetable and that was conservative. Mr. Gershman of the BETA Group said they should be able to complete this project in much than 12 months.

Selectman Hull asked if State Representative Patricia Haddad had been contacted about this. Mr. Mullen said Representative Haddad had been very helpful with this project. He said last spring, Representative Haddad reached out and we flagged this project for her, and then again in the fall when we met with

her. Mr. Mullen said we are not able to apply for grant funding at this time, because we don't have the engineering done. Getting this done, will give us the ability to apply and seek Representative Haddad's help to apply for grant funding.

Selectman Zografos said he thought we should also engage Senator Pacheco for this project.

Mr. Mullen said in order to be eligible for anything, we will need to get this part done.

Chairman Pacheco said he thought that we should have the engineering complete, before asking for any assistance.

Selectman Hull said he was wondering if a building committee should be established. He thought a sub-committee should be organized to look into this. He asked if Capital Outlay had been notified.

Mr. Mullen said after the engineering, we will have a real number to see what funding could be applied for.

Mr. Mullen asked for input from the BETA group.

Mr. Gershman said there was no further clarification on how the money would be distributed. He said because of the size of the bridge, there is no federal funding. It is left to the communities.

Mr. Ferry said the bridge was the worst in town. He said this is the next step, regardless of funding. Mr. Ferry said this will make us very attractive and, from time to time, the state does have funding for small bridge programs.

Mr. Gershman from BETA group suggested reaching out to the state senators now.

Mr. Mullen said there is one grant opportunity out there for the "One Stop Grant" program. Being armed with this information will help us in a host of areas.

Mr. Mullen said Selectman Hull brings up a good point that we should get in the que with Capital Outlay once we have some estimates. If there is a Board of Selectmen member who would like to be a liaison on this project, it would be helpful.

Selectman Zografos suggested reaching out to former Selectman Goulart who helped to get us the Dighton Berkley Bridge.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to approve the agreement for professional services between BETA Group and the Town of Dighton for engineering of the Pleasant Street Bridge Project.

Roll Call Vote:

Chairman Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

Resignation Letter-Nicholas Sisson

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to accept the resignation of Nicholas Sisson from the Highway Department effective February 5, 2022.

Roll Call Vote:

Chairman Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

Public Input

Robert Woods, 158 Chace Street, wanted to extend his condolences to the family of Glenna Smith. He thanked the board.

Announcement

Selectman Pacheco read two announcements and the Town Election Warrant with expiring terms.

Selectman Zografos read the remaining announcements.

Town Administrator's Reports

Mr. Mullen reported to the board on the Attorney General's notice of a 90-day extension for review of Town By-Laws referenced in Articles 5 and 33 from the Dighton Special Town Meeting of November 1, 2021.

Mr. Mullen said last week our internal auditors conducted their yearly audit and he thanked everyone for their assistance. He said we expect the management letters and updated financial statements in March.

Mr. Mullen said he wanted to speak briefly about personnel policies. He said we have a Policy Manual for employees, but we do not have a specific Personnel Policy. Mr. Mullen said we are in the infancy of this project, but we will keep our employees updated.

Selectman Zografos said there have been some difficulties in not having a set of policies to guide non-union employees. He said he supported this, but in terms of keeping everything fair, he would want to keep in mind that there are some employees currently in contracts.

Mr. Mullen said there will be a lot of things to consider. We will need input from the Board of Selectmen and from the various unions.

Selectman Hull asked if there was a committee to review policies.

Selectman Zografos said we have a Policy Review Board, but it is for the union employees. He said he did not see any harm in adding non-union representation to the Policy Review Committee.

COVID Update

Mr. Mullen said the COVID cases have gone down over the past week.

Town Nurse Nicole Mello said she thought it was important for people to stay vigilant. She said now, with the home tests, it is a little easier to test.

Chairman Pacheco said the numbers of the positive cases seem to be decreasing.

Selectman Hull said he received many comments and concerns regarding Zoom meetings. He said he thought for the sake of transparency, there should be a logical suggestion on why we are not having in-person meetings.

Chairman Pacheco said he did speak to the Board of Health and he indicated that, two meetings ago, that the board should have Zoom meetings and both Selectman Hull and Selectman Zografos supported that decision. He said there were nine deaths in town and he did not want to be responsible for a number 10 by having an open meeting. He said he believed he made the right decision. Chairman Pacheco said he indicated that he would look at the numbers, which he did. He said when he saw a substantial improvement, he would reconsider. He said the numbers haven't gone down enough in his opinion.

Selectman Zografos said he thought everyone preferred to be in person. He said the Sewer Commission had been conducting Zoom only meetings along with the Planning Board and others since the beginning of the pandemic and there was no outrage.

Mr. Mullen said at the beginning of the month Prime Time was closed for a potential cluster concern. A week and half ago we agreed on a reopening date of March 1. He wanted to relay that information to the board and to the public.

Old Business

5-Year Plan Updates

Ken Pacheco

Chairman Pacheco said, in the past year, the town has received \$118,835.00 from MassDOT Shared Streets and Spaces Grant funds and \$151,250.00 in ADA funds from the Massachusetts Office on Disability. He said this would not have happened without the help of Town Administrator Michael Mullen, Highway Superintendent Tom Ferry and his staff, Parks and Recreation Chairman Kevin Smith, ADA Coordinator Jonathan Gale, Building Commissioner James Aguiar and Selectman Brett Zografos.

Chairman Pacheco gave an update his five-year plan for the library. He said the Carnegie Library was closed at the start of the pandemic in March of 2020. Chairman Pacheco said a temporary library with youth services was opened in September, 2021 in the lower level of Town Hall and the temporary library with adult services was moved to the modular building on the campus of Town Hall. He thanked Library Director Jocelyn Tavares, Building Commissioner James Aguiar, Highway Superintendent Tom Ferry and staff, Town Administrator Michael Mullen and ADA Coordinator Jonathan Gale. Chairman Pacheco said we are looking at all options for a new library

Leonard Hull-Superintendent Search Update

Selectman Hull said a new Dighton-Rehoboth Regional School Superintendent will be chosen on March 1. He said 25 applications were reviewed. Selectman Hull said based on a decision made Monday night The following names were being put forward by the committee as finalists:

Dr. Craig Lewis, of Attleboro currently super of Coventry public Schools.

Dr. Andrea Schwamb, Hyannis, currently the Assistant Superintendent of Wareham Public Schools

Mr. William Mooney, Attleboro, currently the Principal of Attleboro High School.

Selectman Hull said the School Committee will be conducting background and reference checks with the final decision being made on March 1.

School Committee Meeting

Selectman Hull said the School Committee voted to send a letter in opposition to the extension of mask mandates in the schools. He said the School Committee reinforced the point that they will follow the mandates of the Commonwealth but will express their displeasure in a letter.

Selectman Zografos asked if the School Committee will be accepting input from the Pre-Selection Committee for the superintendent selection or if the committee’s job was now complete.

Selectman Hull said three names were forwarded to the School Committee. He said there were some members of the School Committee on the Pre-Selection Committee, so they are aware of the committee’s input. It would now be up to the School Committee to make the selection.

Job Description for the Director of the Council on Aging

Mr. Mullen said Mr. Ferry and he spent some time on this and he hoped that this could be posted in the coming weeks.

Mr. Mullen reviewed the job description for the Director of the Council on Aging with the board.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** that the Board of Selectmen approve the revised job description for the Director of the Council on Aging as presented.

Roll Call Vote:

- Chairman Pacheco, aye.
- Selectman Zografos, aye.
- Selectman Hull, aye.

Appointment of one New Full Time Firefighter/Paramedic

Chairman Pacheco read the letter from Fire Chief Maguy.

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to acknowledge the appointment of Justin Daigneault as a new Full-Time Firefighter.

Roll Call Vote:

- Chairman Pacheco, aye.
- Selectman Zografos, aye.
- Selectman Hull, aye.

Appointment Recommendation for On-Call Transfer Station Attendant

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to appoint John Lawrence to the position of On-Call Transfer Station Attendant.

Roll Call Vote:

- Chairman Pacheco, aye.
- Selectman Zografos, aye.
- Selectman Hull, aye.

Recommendation to Create a Solid Waste Committee

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to continue the item to create a Solid Waste Committee to the next meeting.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

Facility Reservation Request for Mary Bennett

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to approve the application for the reservation of Old Town Hall for Mary Bennett for February 5, and to waive the insurance requirement.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

FY23 Budget Requests Board of Selectmen

#113 -Town Meetings

Mr. Mullen said this budget was level Funded at \$4,200.00

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to approve the FY23 budget request for account #113-Town Meetings.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

#114-Town Moderator

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to approve the FY23 budget request for account #114-Moderator as presented.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

#122-Board of Selectmen

Mr. Mullen said there are changes. He said we will be going into Executive Session for discussion of the contracts for Executive Assistant and Administrative Assistant, but they are level funded right now. Mr. Mullen said the Passport stipends have been removed at this time. He said we also took out clothing allowance, because this was no longer in practice. Mr. Mullen said this year we are trending right-on in co-mingled billing and are only requesting a \$2,000.00 increase and the Professional and Technical line remains the same.

Selectman Zografos asked if the Trails Committee would be requesting their own budget. Mr. Mullen said yes.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to remove line #5342-#5344 in acct #122 from the budget spreadsheet.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to approve account #122-Board of Selectmen as presented.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

#124 -Town Administrator

Mr. Mullen said it was a conservative budget with an increase of 2% from FY22 to FY23. He said there was a placeholder for the Executive Assistant salary. Mr. Mullen said he also cut the intern line of \$2,500.00 for now.

There was discussion about the salary figure.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to approve account #124-Town Administrator as presented.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

#151-Town Counsel

Mr. Mullen said he thought \$40,000.00 was an appropriate figure.

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to approve the FY23 budget for #151-Town Counsel as presented.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

#192-Public Buildings and Property Maintenance

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to approve FY23 Budget for account #192-Public Buildings and Property Maintenance as presented this evening.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

#155-Data Processing

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to continue budget #155-Data Processing until February 9, 2022.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

#193-Building Insurance

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to approve budget account #193-Building Insurance as presented.

#195-Town Reports

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** that the Board of Selectmen approve budget account #195-Town Reports as presented this evening.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

#912 Workers Compensation

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to approve the FY23 budget for budget account #912-Workers Compensation as presented.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

#920-Tuition

Mr. Mullen said we are awaiting department information, but was recommending level funding at this time.

Selectman Zografos said he supported this.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to approve the FY23 budget account #920-Tuition as presented.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

#940-Settlements

Mr. Mullen said we are proposing zero for this budget account.

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to approve FY23 budget account #940-Settlements as presented.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

#941-Court Judgements

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to approve the FY23 budget account #941-Court Judgements as presented.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

#945-Liability Insurance

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to approve FY23 budget account #945-Liability Insurance as presented.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

Correspondence

Letter from Alice Souza-Retirement from the Council on Aging

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to accept the resignation of Alice Souza from the Council on Aging effective January 11, 2022, with thanks and appreciation for her many years of service.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

Selectman Zografos suggested that a Certificate of Recognition be presented to Mrs. Souza at a later date.

Key for Old Berkey Bridge

Chairman Pacheco read the letter from Patricia Gales requesting to accept the donation of the key for the Old Berkley Bridge.

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to accept the request from the Dighton Historical Commission.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

Minutes

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to approve the minutes of the Regular Board of Selectmen’s meeting of January 19, 2022 as prepared.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

Warrants

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to approve Warrant #30A-22 in the amount of \$136,987.69, Warrant #30B-22 in the amount of \$19,456.89 and Warrant #30C-22 in the amount of \$674,744.14 all dated January 26, 2022.

Roll Call Vote:

Chairman Pacheco, aye.
Selectman Zografos, aye.
Selectman Hull, aye.

Public Input

None.

Executive Session

Chairman Pacheco stated that the Board of Selectmen would not be coming back into an open session.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to enter into Executive Session under Massachusetts General Law, Chapter 21(a), Section 21 (a)(2)(3)(7).

2. To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions of contract negotiations with non-union personnel.

- a. Non-Union Contract Negotiations

- BOS Executive and Administrative Assistants

3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

- a. Dighton Police Officers Mass COP Local 306
- b. Dighton Permanent Firefighters Association Local 4332

7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements.

Executive Session Minutes:

- a. Approval of the Board of Selectmen's Executive Session Meeting Minutes of November 10, 2021.
- b. Approval of the Board of Selectmen's Executive Session Meeting Minutes of December 1, 2021.

Roll Call Vote:

Chairman Pacheco, aye.

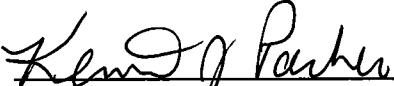
Selectman Zografos, aye.


Selectman Hull, aye.

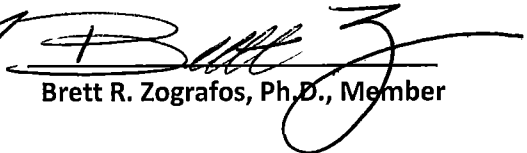
The Board of Selectmen's regular meeting ended at 8:51 p.m.

Respectfully submitted,

Karin L. Brady
Executive Assistant


Kenneth J. Pacheco, Chairman


Leonard E. Hull, Jr., Clerk


Brett R. Zografos, Ph.D., Member

Documents Reviewed:

- Letter from the Building Commissioner Recommending Jeffrey Mello as Sealer of Weights and Measures
- Letter from Building Commissioner recommending Raymond Hague as Assistant Plumbing and Gas Inspector
- Letter from Michael P. Mullen Jr., recommending BETA Group, Inc., for engineering services for the Muddy Cove
- Agreement for Professional Services between Town of Dighton and BETA Group, Inc.
- Certificate of Liability Insurance BETA Group, Inc.
- BETA Group responses to Mike Mullens questions, email chain
- Resignation letter from Nicholas Sisson
- April Town Election-Dighton Elementary School
- Election Worker Volunteer Form
- Town-Wide Parking Ban Notice
- Open Burning Season Permit Information
- Letter from the Attorney General Regarding Extension of the 90-day Review Period for Articles 5 and 33 of the Dighton
- Special Town Meeting of November 1, 2021
- COVID Update Sheet

Email from Town Nurse Nicole Mello regarding COVID Data
Executive Director Council on Aging Job Description
Letter from Fire Chief Maguy regarding the Appointment of One New Firefighter/Paramedic
Letter from the Board of Health Regarding the Recommendation for an On-Call Transfer Station Attendant
Letter from the Board of Health Recommending the Creation of a Solid Waste Committee
Facility Reservation Request Form from Mary Bennett
Budget Documents for:
113 Town Meeting
114 Town Moderator
122 Board of Selectmen
124 Town Administrator
151 Town Counsel
155 Data Processing
192 Public Buildings & Property Maintenance
193 Building Insurance
195 Town Reports
912 Worker's Compensation
920 Tuition
940 Settlements
941 Court Judgements
945 Liability Insurance
Letter from Council on Aging Director Alice Souza regarding Retirement
Letter from Dighton Historical Commission regarding the Key to the Old Berkley Bridge
Minutes of the Board of Selectmen's Regular meeting of January 19, 2022.