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**BOARD OF SELECTMEN**

**Regular Meeting**

Wednesday, March 9, 2022 6:00 p.m.

**Hybrid Meeting**

Old Town Hall, 1111 Somerset Avenue, Dighton, MA

And via Zoom

Meeting was called to order at 5:00 p.m. by Chairman Pacheco.

**Roll Call:**

Chairman Pacheco, present.

Selectman Hull, present.

Chairman Pacheco let the public know that the board would be entering into Executive Session and would return open session at 6:00 p.m.

**Executive Session:**

Selectman Hull motioned, Chairman Pacheco stepped down to second and it was **VOTED** to enter into Executive Session under Massachusetts General Laws Chapter 30A, Section 21 (a)(2)

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

- a. Health Agent Contract

**Roll Call Vote:**

Chairman Pacheco, aye

Selectman Hull, aye.

**Return to Open Session at 6:00 p.m.**

The regular meeting was called to order at 6:02 p.m. by Chairman Pacheco.

**Roll Call:**

Selectman Zografos, present.

Selectman Hull, present.

Chairman Pacheco, present.

**Present:** Chairman Pacheco, Selectman Zografos, Selectman Hull, Town Administrator Michael Mullen, Jr., Executive Assistant Karin Brady, Building Commissioner James Aguiar, Town Clerk Mark Pacheco,

**Also Present:** Bristol County Agricultural High School Business Manager Derek Costa, Mr. David Phillips-1261 Main Street, Daniel Higgins-400 Lincoln Avenue and Robert Woods-158 Chase Street.

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

**Moment of Silence**

A moment of silence was requested by Chairman Pacheco for Tamara Gucci and the Citizens of Ukraine

## **Scheduled Appointments**

### **6:00 p.m. Town Clerk, Mark Pacheco**

Town Clerk Mark Pacheco read the list of candidates for consideration in the upcoming Annual Election.

### **6:05 p.m. Bristol County Agricultural High School – Solar Project Building Fee Request**

Mr. Mullen said the Bristol County Agricultural High School is considering roof top solar panels on some of their buildings. He said there is a conflict between the building permit cost and the rate of return on the panels. He said they are asking the board to waive the building permit fee structure for this project only. Mr. Mullen said Mr. Derek Costa, Bristol County Agricultural High School Business Manager and Mr. James Aguiar, Building Commissioner are here to answer any questions that the board may have.

Selectman Hull said Mr. Aguiar and he met with Superintendent Sands. He said this not only helps them it helps us. He said if the fee of \$35,000.00 was imposed, they would have not profit from the project. Selectman Hull said a fee of \$5,000.00 would cover the project related costs of the Building Department. He said, in talking with Superintendent Sands, the school was very happy with that figure.

Selectman Hull said the Development and Industrial Commission and the Taunton Area Chamber of Commerce are planning an event in the future and Bristol County Agricultural High School would be hosting that event at no charge.

Mr. Aguiar said he wanted to clarify that the \$5,000.00 would be a flat fee for both building and electrical fees.

Selectman Zografos asked why the profit was so small.

Mr. Costa said, over 20 years, it is really only a savings on the electrical side. He also mentioned that Superintendent Sands really appreciated the discussions with Mr. Aguiar and Mr. Hull.

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to set the Bristol County Agricultural High School Solar Project Building/Electrical Permit Fees to \$5,000.00.

### **Roll Call Vote:**

Chairman Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

### **Public Input**

Mrs. Nancy Goulart, 631 Gray Terrace, said we are talking about a PILOT agreement and are working on details with the company. If there is a PILOT agreement there is a \$5,000.00 administrative fee associated with the PILOT agreement.

She said once the Board of Assessor's has more information, they will issue a progress report.

There was discussion about the \$5,000.00 fee. Mrs. Goulart said once signed, we collect the fee and it goes into estimated receipts.

Mrs. Goulart said yesterday morning she met with Mr. Costa, Mr. Miranda and Mrs. Sands. She said the meeting was in regard to the catch basin cleaning on the campus. She said now that the campus has

doubled in size, the school would have to file their own MS4 report. She said the other thing discussed was the use of drones to do inspections of the outfalls and they are interested in pursuing that further.

Selectman Hull said they were very effective in resolving that issue.

Mr. William Moore, 1835 Smith Street, said this past Saturday there was a historic vote. He said Selectman Zografos posted a piece of propaganda on his website that called our flyer inaccurate and negative. Mr. Moore said there were people who posted responses and were blocked by Selectman Zografos. He was asking for an apology from the board.

There was discussion about the election.

Chairman Pacheco said the voters in Dighton voted against the Bristol-Plymouth project.

Mr. Moore said he would like to ask the Board of Selectmen to do everything in their power to mitigate the cost of this project, because 2/3 of the voters said no.

Chairman Pacheco said we had a public hearing and we let B-P come out to speak. We wanted to give the residents all of the information that we had.

Selectman Hull said the town was not transparent and it put us in a difficult situation. He said the people that voted no, will come back and vote no on a debt exclusion and we will be in trouble because the money has to come from somewhere.

Ms. Goulart said when they were having meetings, she did attend and she did report. She said there was no hiding of anything.

Mr. Tom Bourquin, Chairman Community Preservation Commission, said we have had some changes with regard to the proposed park project. He said Parks and Recreation would resubmit a plan and it would be brought before the Community Preservation Commission again. He said we will re-vote this and try to get it on the Annual Town Meeting Warrant this year.

Mr. Bourquin said the Town Clerk's project for preserving records with the Historical Commission was voted, and would be moving forward for preserving records.

The Historical Committee has also brought forward another piece of their project.

### **Announcements**

Announcements were read by Selectman Zografos.

### **Town Administrator's Report**

Mr. Mullen said with regard to the FY23 budget timeline, we started the budget process in January. He said last month was spent meeting with Department Heads and boards and committees regarding their budget requests. Mr. Mullen said we also went through the revenues and an update was provided in mid to late January. Mr. Mullen said that brings us to where we are tonight regarding departmental requests and Board of Selectmen's review of budgets. He said the Finance Committee was aware of everything and our financial operating position going forward and they will begin their process a little earlier this year. Mr. Mullen said right now, they want to dive into the school assessments on the 24<sup>th</sup> of this month. He said that takes us to the Annual Town Meeting on June 6, 2022.

Mr. Mullen continued his FY23 proposed Budget Review.

Selectman Zografos asked when the school department would be reaching out. Mr. Mullen said they will be here next week and have their budget hearing on March 23.

Selectman Zografos asked if we are sure that the increase in sanitation will accurately estimate the cost and will not require a transfer at the end of year. Mr. Mullen said we are actively paying attention to this.

Mr. Mullen said the Regional Health Insurance Group had approved a 1% increase in health insurance which is modest but represents \$100,000.00 increase in health insurance costs.

Mr. Mullen said we have a priority to ensure fiscal sustainability. He said we are working to adapt and reset revenue and expense trends to be closer to the fiscal position of the town and we are prioritizing forecast driven budgeting.

Mr. Mullen said we are going through a financial management review and we anticipate recommendations being made by the DOR as well.

Mr. Mullen went over his Town Administrator budget recommendations. He said his recommendations were currently almost \$43,000.00 less than what had been requested in departmental budget requests.

Selectman Hull said he has had discussion with the new superintendent Rooney and he will be overseeing the budget for the School District. He said the School Committee would love to meet with us and Mr. Rooney and hear our concerns.

#### **Selectman's Report**

Selectman Zografos said he had spoken with Fire Chief Maguy. He said he will be requesting money for a feasibility study. He will also be requesting the first-year payment on ambulance.

#### **Open Warrant**

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to open the Annual Town Meeting Warrant.

#### **Rescind Vote to Renew Wine and Malt Liquor License for Gatarani, Inc., d/b/a New Fast Mart**

A letter requesting the board to rescind the vote to renew the liquor license for Gatarani due to a change in ownership was read by Chairman Pacheco.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** rescind the vote to renew the license in the name of Guatarani, Inc.

#### **Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

#### **SRPEDD**

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to table the SRPEDD contract until a future meeting.

**Roll Call Vote:**

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

**Appointment of David Phillips**

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to appoint David Phillips to the Zoning Board of Appeals.

**Roll Call Vote:**

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

**Resignation of Daniel LePage from the Conservation Commission**

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to accept the resignation of Daniel Lepage from the Conservation Commission.

**Roll Call Vote:**

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

**Disposal of Unused Equipment and Declaration of Surplus Equipment**

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to grant permission to the Board of Assessors to dispose of broken equipment as stated in the letter dated 2/9/22 and declare miscellaneous electric cords as surplus.

**Roll Call Vote:**

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

**Budget Review**

**#131-Finance Committee**

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to recommend Account #131- Finance Committee as recommended this evening.

**Roll Call Vote:**

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

**#132-Reserve Fund**

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to recommend Account #132- Reserve Fund as presented this evening.

**Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

#### **#135-Town Accountant**

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** that the Board of Selectmen recommend Account #135-Town Accountant as presented this evening.

#### **#141-Board of Assessors**

Mr. Mullen went through the Board of Assessors budget.

Selectman Hull asked about the salary for the Principal Assessor and how much the increase was.

Selectman Zografos said it was above \$85,000.00 last year.

There was discussion about the re-evaluation fee and the town meeting vote.

Selectman Goulart said the reason that was a special article was because it overlapped the fiscal year.

She said the cleanest way to do it was to present it to the people as a lump sum. She said we still have to pay it, but it was decided to put it in the budget.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** that the Board of Selectmen recommend Account #141-Board of Assessors in the amount of \$215,295.60.

#### **Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

#### **#145-Town Treasurer**

Selectman Zografos said it is lower than the previous year by 10%. He asked if we are including the cost to certify the next treasurer. Town Treasurer Mary Hathaway said it was not included because they have to sit in the seat for 3 years before certification.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to recommend Account #145-Town Treasurer in the amount of \$117,950.80.

#### **Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

#### **#146-Town Collector**

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to recommend Account #146-Town Collector in the amount of \$104,250.80.

#### **Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

### **#155-Data Processing**

Chairman Pacheco said there was an increase of \$5,000.00 over last year.

Mr. Mullen said this is related to the "Near Map" funding request. He said he was requesting to hold off on the purchase at this time.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** that the Board of Selectmen recommend Account #155-Data Processing in the amount of \$66,706.28.

#### **Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

### **#158-Tax Title Foreclosure**

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** that the Board of Selectmen recommend Account #158 as level funded in the sum of \$10,000.00.

#### **Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

### **#161-Town Clerk**

Chairman Pacheco read the outline from the Town Clerk regarding his budget request.

Selectman Hull said the salary request of \$75,000.00 was a fair number based on the comps in other towns.

Selectman Zografos said in addition to all the contributions that the current Town Clerk has made and all the improvements that he has made, he was proud to support that request.

Chairman Pacheco said we are talking about an increase of \$9,000.00. He said he was supporting the request of the Town Administrator at \$71,000.00

Robert Woods, said Mr. Pacheco hit the ground running. He said this guy has done an outstanding job.

Selectman Zografos said he understood the plan to make services more efficient.

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** that Account #161-Town Clerk reflect an increase in the Town Clerk's salary to \$75,000.00 bringing the total request to \$152,954.20.

#### **Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

### **#162-Elections**

Chairman Pacheco went over the budget request.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to recommend Account #162-Elections in the amount of \$33,900.00.

**Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

**#163-Registration**

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to recommend Account #163-Registration in the amount of \$5,700.00.

**Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

**#171 Conservation Commission**

Lisa Caledonia said the request was due to a decrease in the Professional and Technical line.

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to recommend Account #171-Conservation Commission in the amount of \$63,198.00.

**Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

**#174-Dighton Trails Committee**

Selectman Zografos asked about the allotted funds for this year not being spent.

Mr. Mullen said the Trails Committee has plans to expend the funding in the spring of FY22.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to recommend Account #174-Dighton Trails Committee in the amount of \$1,600.00.

**Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

**#179-Agricultural Commission**

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to recommend Account #179-Agricultural Commission budget in the amount of \$2,695.00.

**Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.



#### **#189-Development and Industrial Commission**

Daniel Higgins, 400 Lincoln Avenue, said the \$1,500.00 represents plans for a targeted mailing. He said the average cost for a town wide mailing is \$1,000.00 and we requested an additional \$500.00 for some outreach.

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to recommend Account #189-Development and Industrial Commission in the amount of \$1,000.00.

#### **Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

#### **#541-Council on Aging/Prime Time**

Mr. Mullen said the we are in the initial interviewing process for the Prime Time/Council on Aging Director. He said we have moved the entire salary from the Prime Time budget to the Council on Aging budget.

Selectman Hull said we have to look at Prime Time from a business point of view, and he was hoping to hear a report from the Town Administrator, Council on Aging and the Town Accountant as to whether Prime Time is viable by itself and whether it is profitable to the town.

Mr. Mullen said he wanted to look at the possibility of doing more Council on Aging programming at Prime Time so that everything is together and can be more efficient. He said he was making that recommendation as a plan.

Selectman Zografos asked if there would be some kind of deep dive discussion with the Council on Aging and figures to go over as to where we will be going. He also asked if the board was to hold this Account, when would the conversation be had. Mr. Mullen said in the next three to four weeks.

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to continue budget #541 and #542 to March 23.

#### **Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

#### **#549-ADA**

Jonathan Gale said the \$500.00 increase was for the administrative side. He said it was for things that he was not able to do visually. Mr. Gale said they have also agreed to reduce the budget by \$250.00 in other areas of the budget, so it would be an increase of \$500.00 overall.

Selectman Hull said they have just touched the surface of the ADA needs at the high school. He said under the Americans with Disabilities Act, Mr. Gale was entitled to support for his disability.

Selectman Zografos asked if there was a plan for correspondence from the Commission on Disability in the fiscal year.

Mr. Gale said they were getting more presence in other areas and gaining more visibility.

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** that the Board of Selectmen recommend Account #549-ADA in the amount of \$5,000.00.

**Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

**#698-Cable Committee**

Mr. David Marvill said everything would be paid for with PEG Access funds.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to recommend budget #698-Cable Committee in the amount of \$32,100.00

**Minutes**

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to approve the minutes of the Board of Selectmen's regular meeting of February 23, 2022.

**Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

**Warrants**

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to approve Warrant #35A-22 in the amount of \$107,042.77, Warrant #35B-22 in the amount of \$227,991.77 and Warrant #35C-22 in the amount of \$6.50 all dated March 2, 2022.

**Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

Selectman Zografos motioned, Selectman Hull seconded and it was **VOTED** to approve Warrant #36A-22 in the amount of \$101,298.31 and Warrant #36B-22 in the amount of \$186,300.15.

**Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

Selectman Hull, aye.

**Public Input**

None.

**Executive Session**

Selectman Hull motioned, Selectman Zografos seconded and it was **VOTED** to enter into Executive Session under Massachusetts General Laws Chapter 30A, Section 21a (2)(7).

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

a. Chief of Police Contract

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 February 23, 2022.

**Roll Call Vote:**

Chairman our Pacheco, aye.

Selectman Zografos, aye.

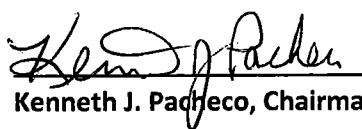
Selectman Hull, aye.

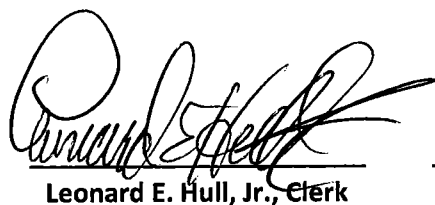
The regular meeting adjourned at 8:34 p.m.

Respectfully submitted,

**Karin L. Brady**  
**Executive Assistant**

**Board of Selectmen**

  
Kenneth J. Pacheco, Chairman

  
Leonard E. Hull, Jr., Clerk

\_\_\_\_\_  
Brett R. Zografos, Ph.D., Member

**Documents Reviewed:**

List of names to be included on the 2022, Annual town Election Ballot

Request to Waive Building and Electrical permit fees for the Bristol County Agricultural High School Solar Panel Project.

Email from Building Commissioner Aguiar regarding permitting costs for the Bristol county Agricultural High School Solar Project.

Parking Ban Memo

Open Burning Season Information

**Letter from Michael Mullen to the Board of Selectmen regarding FY23 Budget Recommendations**

**Letter from Executive Assistant Karin Brady Requesting the Board of Selectmen rescind Vote to Renew the Wine and Malt Liquor License for Gatarani Inc., d/b/a Fast Mart, 420 Somerset Avenue**

**Recommendation from the Zoning Board of Appeals to Appoint Mr. David Phillips, 1261 Main Street to the Zoning Board of Appeals**

**Volunteer Information Form for David Phillips**

**Appointment Letter for David Phillips**

**Resignation Letter from Dan LePage from the Conservation Commission**

**Request from the Highway Department to Dispose of Broken Equipment and Declaration of Surplus Equipment  
FY23 Budget Overview**

**Budgets**

**#131 Finance Committee**

**#132 Reserve Fund**

**#135 Town Accountant**

**#141 Board of Assessors**

**#145 Town Treasurer**

**#146 Town Collector**

**#155 Data Processing**

**#158 Tax Title Foreclosure**

**#161 Town Clerk**

**#162 Elections**

**#163 Registration**

**#171 Conservation Commission**

**#174 Dighton Trails Committee**

**#179 Agricultural Commission**

**#189 Development & Industrial Commission**

**#541 Council on Aging**

**#542 Prime Time**

**#549 Commission on Disability**

**#698 Cable Committee**

**Meeting Minutes of the Board of Selectmen's Regular Meeting of February 23, 2022**