

The following Meeting was video and audio recorded for Airing on Channel 9

BOARD OF SELECTMEN

Regular Meeting

Wednesday, April 13, 2022 6:30 p.m.

Hybrid Meeting

Old Town Hall, 111 Somerset Avenue, Dighton, MA

And via Zoom

TOWN CLERK
DIGHTON, MA
BY *[Signature]*

2022 APR 28 AM 8:55

RECEIVED

The meeting was called to order at 6:33 p.m. by Chairman Pacheco

Chairman Pacheco gave meeting information for Zoom and provided instructions for providing public input.

Present on Zoom: Kevin Smith, Jr, Chuck, Dighton-Watch, Bill Mello, Ann Meitzen

Present: David Rosa, Joe Pacheco, Paul Reynolds, Mr. Robert Woods, Mr. Jim Aguiar, Chief MacDonald, Officer Steven Hathaway, Mr. Jacob Botelho

Pledge of Allegiance

The Pledge of Allegiance was recited.

Chairman Pacheco congratulated the newly elected Selectmen Peter Caron.

Roll Call Vote:

Chairman Pacheco, here.

Selectman Hull, here.

Selectman Caron, here.

Reorganization of the Board of Selectmen

Chairman Pacheco stepped down and nominated Selectman Hull as Chairman, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

Selectman Hull thanked Selectman Pacheco for his guidance throughout the past year.

Selectman Pacheco nominated Peter Caron as Clerk, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

Chairman Hull stepped down nominate Selectman Pacheco as member, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

Scheduled Appointments

Jacob Botelho-Observation Deck at Broad Cove

Jacob presented the board with pictures of his Eagle Scout Project

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

Selectman Pacheco motioned that the Board of Selectmen sign off on the Jason Botelho's Eagle Scout Project at Broad Cove, Selectman Caron seconded and it was VOTED.

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

School Resource Officer

Chief MacDonald said he was looking forward to having a comfort dog added to the force.

Stephen Hathaway said Alyssa Bennett and he brought this to the department after attending some training where there were comfort dogs present

Vet care is being donated. City of Taunton donated a canine cruiser to transport the dog.

Selectman Pacheco said he saw the benefits of having a comfort dog.

Selectman Caron thought it was great and thanked Officer Hathaway.

Selectman Hull asked if they had met with the school committee regarding this. Officer Hathaway said they had not as of yet.

Town Administrator Mullen said no vote was needed at this time. He said Officer Hathaway has received approval from Dr. Azar at this point it would be his responsibility to present it to the school committee.

Autism Acceptance Month

Chairman Hull read the Proclamation for Autism Awareness.

Selectman Pacheco motioned that the Board of Selectmen proclaim April as Autism Awareness month, Selectman Caron seconded and it was VOTED.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

Public Input

Selectman Hull said Public Input is not mandated by law. He said it should not be for town officials to circumvent the agenda.

David Rosa, Lincoln Avenue, thanked Selectman Pacheco for his time and service and also Brett Zografos.

Mr. Rosa said he wanted to address recent CPC meeting events.

Mr. Mullen said it could not be discussed, especially regarding a person, as it was not on the agenda tonight.

Mr. Rosa said he is a senior citizen. He said when you appoint someone to a committee, their temperament should be considered.

Selectman Hull advised Mr. Rosa to meet with the Human Rights Officer, Mr. Michael Mullen.

Mr. Rosa said there has been no expression of remorse.

Selectman Hull advised Mr. Rosa to meet with Mr. Mullen.

Announcements

The announcements were read by Selectman Pacheco

Town Administrator's Report

Mr. Mullen said on he and Selectman Pacheco met with Congressman Jake Auchincloss and proposed three projects.

He said in that meeting we presented out top three infrastructure priorities.

Pleasant Street Muddy Cove Bridge Replacement Project. He said we emphasized that the residents have made a \$150,000.00 commitment to the replacement of the bridge.

Water main infrastructure in the vicinity of County Street. He said the Water District is their own separate entity, but any funding received must go through the town. Mr. Mullen said we advocated for 3-4 million dollars for that project.

Lincoln street flood mitigation seawall upgrades. Mr. Mullen said it is really important to address this, and due to the high price tag, it would not be able to be funded by the town.

Potential upgrade to Fire station 1, libraryMr. Mullen said we have to be diligent and responsible. We have to look to state and federal funding for projects.

Selectman Pacheco said he was impressed that Congressman Auchincloss did not delegate the meeting to his assistants and that he was familiar with the town's needs.

Selectman Hull said one of his staff was assigned as a liaison to Dighton.

Selectman Hull said Rep Haddad has been a major supporter of Dighton and would like to be kept apprised of any projects that Dighton sees as priority.

Mr. Mullen said one of the needs in DightonMunicipal Fiber Grant application... 211,000.00 application to connect Fire Station one, Fire Station two and the Police Department with fiber so that they will all be able to access the IMC program and get the same information.

Mr. Mullen said they submitted the application and in a few weeks we should know if our grant was received.

Mr. Mullen thanked James Aguiar, the Fire Chief and the TMLP for their work on this.

#122 – Board of Selectmen

Mr. Mullen said in late January the Board of Selectmen approved the department request for the Board of Selectmen’s budget and the Town Administrator budget. We were able to cut funding to focus on the operations. We said at the time, we were in non-union negotiations with the Administrative Assistant and the Exec assistant. Based on the financial structure, we went back and updated the budgets accordingly.

Mr. Mullen said the Administrative Assistant’s salary represent an increase of 2.5%.

He said the Executive Assistant’s salary was also updated based on the result of the contract negotiations.

Selectman Pacheco said this budget is less than what it was one year ago.

Selectman Caron asked about the overtime line and why so much was budgeted and not used. He also asked about the car and cell phone stipend.

Mr. Mullen said that is a contractual provision that does not include a cell phone but does include stipend for use of vehicle and also master’s degree.

Selectman Hull asked if the colleagues would entertain a reduction of \$1,000,00 in the overtime budget.

Mr. Mullen said the overtime line has been 88% used in the Town Administrator budget and 86% used in the Board of Selectmen budget. He said he would be cautious about that reduction.

Selectman Pacheco said he did not support a reduction in that account.

Selectman Pacheco motioned that the Board of Selectmen recommend the Board of Selectmen budget in the amount of \$176,442.80, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

#124-Town Administrator

Mr. Mullen said it was the same explanation for this budget with regard to the Exec Asst. salary. He cut out the intern line and the sick vacation buyback allowance which was included in his contract, but will be eliminated from the budget.

Mr. Mullen said the Executive Assistant's total non-union salary would be \$70,000.00 going into FY23. Which includes a consolidation of Human Resource duties which was recommended by our Financial Audit.

Selectman Pacheco motioned to recommend \$170,462.00, Selectman Caron seconded and it was **VOTED.**

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

#155 Data Processing

Mr. Mullen said the Assessors proposed funding the line at \$15,296.74. He said in his initial recommendation, he proposed funding at \$10, 296.74. After speaking with the building comm, the technology is very important. It would allow the assessor's, building dept and conservation to indentify wetlands etc.

Mr. Aguiar said with some new software, it happens with cloud-based technology. We use it extensively. It will actually help us, before we get out there to see what is going on. It will also interface with the permitting software. It will help with some research for realtors, people that may be looking at homes in the area.

Selectman Hull said the Dighton Development and Industrial Commission would be holding an expo in the future and the goal is to work with businesses to find properties. He said it would be nice to have access to this type of software for reference.

Selectman Caron asked why we are budgeting \$6,000.00 in line #5304, when we have not spent it. Mr. Mullen said the total draw on the line has been less, because up until last week, we have been using an outdated platform. We have since contracted with a new website platform and we will need that entire amount before the years end.

Selectman Caron asked about line #5307 as well. Mr. Mullen said we have a very high quality permitting system. We have also set up user accounts for Board of Health, Planning and Board of Health. It is \$1,000.00/per user fee. He thought in the first part of September he created a permit review team and they are working to implement that.

Selectman Pacheco motioned that the Board of Selectmen recommend #155 in the amount of \$71,706.28, Selectman Caron seconded and it was **VOTED.**

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

Harbormaster

Mr. Mullen said what has occurred is that there is a grey area for stipend employees with wage increases. He said in this year's budget the harbormaster asked for 2% increases for his stipend

employees. Mr. Mullen said because we didn't communicate any expectations for stipend employees, we can leave the stipend employees as it is. The other direction is that the board could give three years of the 2% increases and add to the budget. The last option that the board could consider, is to include a 2% stipend increase for FY23 only for the Harbormaster. He said if we went that way, it would have to consider the ADA Coordinator for a 2% increase as well in fairness.

Selectman Pacheco said he was in favor of the 2% increase for the harbormaster and his assistants, but not retroactive.

Selectman Caron asked why we have two assistant harbormasters? Mr. Mullen said we really should have two people on the boat and be able to back up allegations if they happen. MM said the question about the need for the harbormaster in general, is something that we could look into with the PD. PC said he did not see the need for two assistants.

Selectman Pacheco said he was not opposed but we need to know how often they go out and how many stops have been made. He said he was still supporting this.

Selectman Caron asked about the boat maintenance line at \$5,000.00.

Mr. Mullen said in year five, the harbormaster was proposing to sandblast and repaint the hull.

Mr. Robert Woods said it was preventative maintenance and if we do not maintain it, it will fall apart.

Selectman Caron asked about the Professional and Technical line. Mr. Mullen said we wanted to invest in some training for the Harbormaster staff.

Selectman Caron asked about the \$1,050.00 for gas and diesel.

Selectman Pacheco asked to continue this budget until the next meeting on the 27th.

Selectman Pacheco motioned to continue budget #295 Harbormaster, until the next meeting and invite harbormaster and the police chief, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

#600-Sewer

Mr. Mullen said this budget was already approved. No action was taken.

#610- Library

Mr. Mullen said his recommendations mirror what the Library Trustees have proposed.

Selectman Caron asked about the Overtime line. Ms. Tavares said we try not to use overtime, but there are times when we need to.

Selectman Caron asked about buyback/sick leave. Ms. Tavares said someone will be retiring next fiscal year.

Selectman Caron asked about travel. Ms. Tavares said there have been no in person meetings.

Selectman Caron asked about equipment replacement. Ms. Tavares said she does try to replace one computer each year.

Selectman Hull asked about the lease on the trailer. Mr. Mullen said it is a one-year lease, but we have budgeted in the public buildings account for an additional year.

There was discussion about overtime.

Selectman Hull said please do not get the impression that we do not appreciate you and your staff.

Selectman Pacheco thanked Ms. Tavares and said he knows that she is fiscally responsible with her budget.

Selectman Pacheco asked Mr. Mullen about his recommendation. Mr. Mullen said Ms. Tavares was looking for an additional page, but they did form a compromise to add additional hours to the page line item.

Mr. Mullen said his recommendation was to increase the number of hours of the Library Page from 12 to 15 hours.

Selectman Pacheco motioned to recommend budget #610-Library in the amount of \$299,939.10, Selectman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, no.

Selectmen's Reports

Selectman Pacheco said the recommendations of the Capital Outlay Committee made some recommendations for warrant articles.

He went over the Capital Outlay Committee Five Year Plan recommendations with regard to Warrant Articles.

Selectman Hull reviewed the recent Water District Meeting. He said the Main Street Project start date would be late July.

He announced the Water District election in May and said the closing date for candidates was April 4.

Selectman Hull said water main flushing would start April 18 – May 6, and said the water may be discolored during flushing. He also announced the Water District Annual Meeting which would be held on May 26, 2022.

New Business:

Close Warrant for Annual Town Meeting

Mr. Mullen said the deadline for warrant submission articles was today. We will be preparing a list and a draft of warrant articles.

Selectman Pacheco motioned that the Board of Selectmen close the warrant for the Annual Town Meeting, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

HVAC Gas Furnace Replacement Contract

Mr. Mullen said at the Special Town Meeting there were two warrant articles approved. This project includes the replacing the HVAC unit, 5-ton unit. Based on the procurement rules. The low bidder is Performance Plumbing and Heating in the amount of \$9,482.00.

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to award the contract for the HVAC replacement contract not to exceed \$9,382.00 and to be completed by June 3, 2022.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

Mini -Splits

Mr. Mullen said this is the very same story. This was also awarded to the low bidder Performance Plumbing and Heating in the amount of \$11,420.00.

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** the Board of Selectmen award \$11,420.00 and be completed by June 3, 2022.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

Cruise Night Facility Request

Mr. Rosario said the dates for the event would be June 25, July 23, and August 27.

Mr. Rosario said they have been doing this for 12 years.

Mr. Mullen said all signoffs have been obtained and the insurance requirements are in order.

Selectman Pacheco motioned to approve the facilities request and waive any fees, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

Prince Henry Society

Selectman Pacheco motioned to approve the request from the Prince Henry Society and waive fees, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

Poppasquash Craft Vendor Fair

Fire Chief will need to approve the layout of this event.

Jim Aguiar said they intend to occupy the rear of town hall and barricade the area to prevent traffic. Mr Aguiar said he has made the request for the Fire Chief to approve the layout.

Selectman Pacheco motioned that the Board of Selectmen approve the facilities request for Poppasquash and waive the fees, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

D-R Softball Car Wash Event

Selectman Pacheco motioned that the Board of Selectman accept the facility request for the D-R Car Wash and waive all fees, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

Dighton Historical Society Strawberry Festival

Dighton Lions have given permission to use the gazebo. Selectman Pacheco is a member of the Historical Society.

Selectman Caron motioned to waive the fee for the food permit for the annual Strawberry Festival, Selectman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Selectman Hull, aye.
Selectman Caron, aye.
Selectman Pacheco, abstained.

Request to amend the Facility Request form to strike any reference to use of alcohol.

Mr. Mullen said on the first page, the document gives the impression that we do allow alcohol.

Selectman Pacheco motioned to change the facility request form and eliminate the line beginning with "if alcohol is being served....." from the policy, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

Cemetery Lawn Services Contract

Mr. Mullen said we went out to bid with a three-year contract. He thanked Mr. Ferry and Chris Chandonait for their work on this. He said we have a low bidder Paul Silvia, d/b/a Dreambuilders in the amount of 19,740.00 in year one, 21,740.00 in year two and year three in the amount of \$23,914.00

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** that the Board of Selectmen approve the Cemetery Lawn Services Contract for Paul Silvia, d/b/a Dreambuilders.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

ARPA Grant Contract

Mr. Mullen said this agreement has to be in place before the town can apply for any ARPA funds. He said at the end of last year, the board approved the repeater project. We will move that contract to the county in the amount of \$275,000.00 and then we will be able to apply for funding.

Selectman Hull said part of the decision-making process is the Finance Committee and Capital Outlay Committee.

Selectman Pacheco motioned to enter into a contract for ARPA funding with Bristol County, Selectman Hull seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

Anabella Powell Contract

Mr. Mullen said this is as a result of the Board of Selectmen vote to appoint Anabela Powell as the Director of the Council on Aging. He said we had a discussion on the terms of the contract. For a two-year contract with Ms. Powell.

He went over the terms of the contract and it was brought before the Council on Aging and approved.

Selectman Pacheco motioned that the Board of Selectman approve the contract for Anabela Powell with the correction to the date, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

Mark Pacheco – Appointment to Cemetery Commission

Selectman Pacheco motioned to appoint Mark Pacheco to the Cemetery Commission, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

Jeff Carvalho -SRPEDD Member

Mr. Mullen said he is the Planning Board representative and also the representative for the Board of Selectmen with the SRPEDD Commission.

Selectman Pacheco motioned that the Board of Selectman reappoint Jeff Carvalho as the Board of Selectman representative, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

Appoint Paul Reynolds to Capital Outlay Committee, Insurance Advisory, Land Use Committee and Tax Possession.

Selectman Pacheco motioned to appoint Paul Reynolds to Capital Outlay Committee, Land Use Committee and Tax Possession Committee, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.

Expansion of TIF Review Board

Mr. Mullen said we have been approached by a property owner to expand their business into the town. He said there were currently three members on the TIF Review Board. Mr. Mullens said he was recommending the expansion and restructuring of the TIF Review Board as follows:

One Board of Selectmen member
Town Administrator
Town Assessor
One Development and Industrial Commission Representative
One resident at large

Building Commissioner

Selectman Pacheco motioned to expand the TIF Review Board with the above referenced members, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

Underground Storage Permits

Selectman Pacheco motioned to approve the following underground storage permits, Selectman Caron seconded and it was **VOTED**

Taunton Yacht Club, 2125 Water Street

Ed Reese, 556 Somerset Avenue

Bechaubei Patel, 1995 Winthrop Street

Dinesh Patel, 1866 County Street

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

Surplus for Disposal – Request by Fire Department

Chairman Hull read the list of items for disposal.

Kenwood Mobile radios

Tech IQ battery

Net gear MRI 100 mobile WiFi's Kyocera E47 10 Cell Phone

Samsung SGHA997 Cell Phone

AT&T WiFi MP9923 Mobile WiFi

Selectman Pacheco motioned to accept the request of Fire Chief Maguy to dispose of surplus equipment, Selectman Caron seconded and it was **VOTED**.

Public Input

Patrick Higgins, via Zoom, suggested that the board reconsider the Value Gas, 1866 County Street and Winthrop Street Gas, 1995 Winthrop Street FP Permit renewals contingent upon receipt of payment.

Selectman Pacheco motioned to reconsider the license approvals for Value Gas, 1866 County Street and Winthrop Street Gas, 1995 Winthrop Street, Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to approve the renewal of the licenses for Winthrop Street Gas, 1995 Winthrop Street and Value Gas at 1866 County Street contingent upon receipt of the payment before issuing of licenses.

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

Selectman Pacheco motioned to approve the minutes of the Board of Selectmen’s meeting minutes of April 6, 2022 Selectman Caron seconded and it was **VOTED**.

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

Warrants

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to approve Warrant # 41A-22 in the amount of \$115,952.19 and Warrant #41B-22 in the amount of \$312,727.25.

Roll Call Vote:

Chairman Pacheco, aye

Selectman Hull, aye.

Selectman Caron, aye.

Chairman Hull said he did not find a policy in the policy manual for discussion of non-union employees. He said he would pursue this. He would like to establish a policy to apply to the Board of Selectmen and members of the public.

Public Input

Patrick Higgins said public input is allowed by the Chairman. No one has a right to speak unless they are allowed. He questioned the board as to whether under the Executive Session under the number 1, if that person was notified 48 hours in advance of the meeting. The answer was yes.

Patrick Higgins said he would send policies regarding Public Input for Chairman Hull to review.

Patrick Higgins said the Town of Somerset had joint budget meetings with the Finance Committee and he thought that was great because the department head only had to explain their budgets once.

Executive Session

Chairman Hull said we will be going into Executive Session and we will not be returning to open session.

Selectman Pacheco motioned to enter into Executive session under Massachusetts General Law, Chapter 30A, Section 21a (1)(3)(6)(7), Selectman Caron seconded and it was **VOTED**.

1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee staff member or individual.

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 Firefighter's Local 4332
 - b. Dighton Police Officers Mass COP Local 306

6. To consider the purchase, exchange, lease or value of real property, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.
 - a. Potential real property acquisition for library operations.

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 March 30, 2022.
- b. Approval of the Board of Selectmen's Executive Session meeting minutes of April 6, 2022.

Roll Call Vote:


Chairman Pacheco, aye
Selectman Hull, aye.
Selectman Caron, aye.


Regular meeting ended at 9:19 p.m.


Respectfully Submitted,

Karin L. Brady
Executive Assistant

Board of Selectmen


Leonard E. Hull, Chairman


Peter Caron, Clerk


Kenneth J. Pacheco, Member