

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

BOARD OF SELECTMEN

Regular Meeting

Wednesday, May 18, 2022 7:00 p.m.

Hybrid Meeting

Old Town Hall, 111 Somerset Avenue, Dighton, MA

And via Zoom

Meeting was called to order at 7:02 p.m. by Chairman Hull.

Present: Chairman Hull, Selectman Pacheco, Town Administrator Mullen, Executive Assistant Karin Brady

Selectman Caron was absent.

Via Zoom: Dighton Watch

Chairman Hull gave the Zoom information and provided instructions for submitting public input.

Roll Call:

Chairman Hull, present.

Selectman Pacheco, present.

Selectman Caron was not present.

Pledge of Allegiance

The pledge of allegiance was recited.

Executive Session

Selectman Pacheco motioned to enter into Executive Session, Chairman Hull stepped down to second and it was **VOTED** to enter into Executive Session under Massachusetts General Law Chapter 30A, Section 21 (a)(2)(6)

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. Fire Chief Contract

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.

Roll Call Vote:

Selectman Pacheco, aye.

Chairman Hull, aye.

TOWN CLERK
DIGHTON, MA
pjt

2022 JUL 21 AM 9:55

RECEIVED

Chairman Hull called the regular meeting back to order at 7:33 p.m. and gave the Zoom information and the instructions for providing public input. He said they would be limiting public input to the items on the agenda.

SMRP Grant

Town Administrator Mullen said the Sustainable Market Recovery Program Grant is one that the Board of Health receives each year. He said this vote is to allow the Chairman of the Board of Selectmen to approve and sign the grant when it is received.

Selectman Pacheco motioned to allow the Town Administrator to sign off and accept any grant that we receive from the SMRP, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Budget Review

Board of Assessors

Mr. Mullen said there are three things to consider; the stipend for board members, revision to line item #5131 originally proposed at \$2,000.00 and line Item #5303 the Board of Assessors recommended to cut their request by \$1,000.00. He said they are also proposing an additional \$1,000.00 in the Professional and Technical line. Mr. Mullen said the extra \$1,000.00 would largely be absorbed by the additional request.

Chairman Hull said the Board of Selectmen did vote to go with the 2% stipend and he would continue to support the 2% increase. Chairman Hull said he felt the Board of Selectmen recommendation from the previous meeting should stand.

Selectman Pacheco motioned to recommend with changes and on line #5102, a 2% increase.

Chairman Hull said he would not support that and he would like to go through the budget line by line.

Chairman Hull said he had concerns. He said since March, he has called for the end to the payment for the consultant, because he knew they would go into deficit spending. Chairman Hull said he received a warrant today to pay additional money to the consultant. He said he would like the change to line #5131 in the amount of \$1,000.00 to be made.

Mr. Mullen said the final budget amount would be \$218,153.25.

Selectman Pacheco motioned that the Board of Selectman recommend the budget for the Board of Assessors as presented in the amount of \$218,153.25, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Fire Department

Mr. Mullen said as the Board of Selectmen knows, we have not been able to update the personnel figures because we were in negotiations with the Firefighter’s union. He said we have since been able to settle the Collective Bargaining Agreement. Mr. Mullen said the costs of the two-year agreement are contained in both the Fire Department and the Ambulance budget.

Mr. Mullen said included in the budget figures is a 2% increase in wages and a 2.5% increase in wages in year two and an increase in the educational incentive as well.

Mr. Mullen said the total request would be \$770,078.77.

Selectman Pacheco motioned that the Board of Selectmen recommend \$770,078.77, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Ambulance Services

Mr. Mullen said this would be the same explanation as the Fire Department Budget and would bring the total budget request to \$807,541.59.

Selectman Pacheco motioned that the Board of Selectmen recommend \$807,541.59, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Education

Mr. Mullen said the Finance Committee approved their recommendation for the Education budget. He said we don’t have a recommendation on the budget.as of yet. Mr. Mullen said BCAHS has requested another amount of approximately \$10,000.00 in order to absorb the cost of an increased interest rate with regard to bonding. He said the final total budget would be \$12,598,212.56

Selectman Pacheco motioned to recommend budget #300 in the amount of \$12,598,212.56, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye
Selectman Pacheco, aye.

Highway Construction and Maintenance

Mr. Mullen said we have arrived at an agreement with the Highway Union. He said 2% year one, 2.5% in year two and 2.5% in year three. He said he thought it was a very fair agreement.

And it allows for a promotion for one employee to an Assistant Foreman.

Mr. Mullen said the final number will be \$780,154.30.

Chairman Hull asked why there is such disparity between the Town Administrator recommendation and the Departmental request.

Selectman Pacheco motioned to recommend # Highway in the total amount of \$780,154.30, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Street Cleaning and Stormwater

Mr. Mullen said there is a very modest increase in the departmental request which was a result of the highway Collective Bargaining Agreement be settled.

Selectman Pacheco motioned to table Stormwater. Item 5b, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Sewer Enterprise

Mr. Mullen said this was an updated departmental request. It is a modest request in the amount of \$151.00 due to the hiring of a new employee. He said the total budget amount would be \$480,401.50.

Selectman Pacheco motioned, Chairman Hull seconded and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

The board returned to Stormwater/Street Cleaning budget.

Stormwater/Street Cleaning

Chairman Hull hoped for an explanation on the delineation between Stormwater and Street Cleaning for tomorrow night.

Mr. Mullen said his understanding was that, up until this budget process, the amount of approximately \$100,000.00 was included in the budget in the personnel between the Highway Department and the Street Cleaning Budget. The issue was that there was an additional \$100,000.00 in personnel costs that was also included in the Highway Budget. The original amount has been corrected.

Chairman Hull commended Mr. Mullen and Janelle Vining for discovering this and said the perception to the public was that the budget was padded.

Selectman Pacheco motioned the Board of Selectmen recommend the Street Cleaning/Stormwater Budget in the amount of \$159,908.10.

Purchase and Sales Agreement 207 Main Street

Mr. Mullen said we have a proposed purchase and sales agreement for 207 Main Street. We have been working since the end of last year on this possibility to address our library needs. We now have an agreement before you. Mr. Mullen said the board would use ARPA funding to acquire the property. He said he Purchase & Sales has an agreement and agreed upon cost of \$790,000.00 which has also been backed up by an independent appraisal. Mr. Mullen said we are now at a point where we can envision addressing our library needs and we do anticipate having a presentation at the next Board of Selectmen's meeting, if the board decides to enter into this agreement.

Selectman Pacheco said he was excited about this possibility. He said the Dighton Public Library is not usable right now. Selectman Pacheco said the town would be purchasing the hall for the exact appraisal figure and the town would be able to get a library that they could use. He hoped residents realized the amount of money that will be saved. He thought this was a great opportunity.

Chairman Hull said he was also excited about this project. He said there would be in kind services provided by the Building Commissioner and the Highway Department and that would save money for the town. He said Dighton cannot afford a 4-8 million-dollar price tag for a new library. Chairman Hull would like to extend a sincere thank you to Town Administrator Mullen, Selectman Kenneth Pacheco, Library Trustee Ron O'Connor, Library Director Jocelyn Tavares, Building Commissioner James Aguiar, Pastor Jack, Pastor Maria and their entire family.

Selectman Pacheco motioned to enter into a Purchase & Sales Agreement for 207 Main Street, Selectman Hull seconded and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Memorandum of Agreement-Highway Union

Mr. Mullen said he had previously explained this during the budget portion of the meeting. We have a three-year agreement with wage increases, clothing allowance increase and a professional incentive as well.

He thanked the union for all their work and everything they do for the town.

He said we have an MOU that enshrines this. And we will incorporate this MOU into an agreement for ratification before the end of the year.

Selectman Pacheco motioned that the Board of Selectmen approve the MOU with Dighton, Chairman Hull seconded. He amended the authorization to include authorization for the Town Administrator to sign on behalf of the town and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Town Meeting Warrant Article Recommendations

Article 1 – No vote taken.

Article 2 – No vote taken.

Article 3 – Selectman Pacheco motioned to approve Article 3-with applicable Board of Selectmen recommendations.

Article 4 – Selectman Pacheco motioned to recommend Article 4 with applicable recommendations made by the Board of Selectmen.

Article 6 – Selectman Pacheco motioned to recommend Article 5 w/applicable Board of Selectmen recommendation and to fund through the Sewer Enterprise, Chairman Hull stepped down to second.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 7 - Selectman Pacheco motioned that the Board of Selectmen recommend Article 7, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 8 - Selectman Pacheco motioned, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 9 – Selectman Pacheco motioned to recommend Article 9, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 10 – Selectman Pacheco motioned to recommend Article 10, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 11 - Selectman Pacheco motioned to recommend Article 11, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 12 - Selectman Pacheco motioned to recommend Article 12, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 13 - Selectman Pacheco motioned to recommend Article 13, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 14 – Selectman Pacheco motioned to recommend Article 14, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 15 – Selectman Pacheco motioned to recommend Article 15, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 16 - Selectman Pacheco motioned that the Board of Selectmen recommend Article 16, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 17 – Selectman Pacheco motioned that the Board of Selectmen recommend Article 17, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 18 – Selectman Pacheco motioned that the Board of Selectmen recommend Article 18, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 19 – Chairman Hull recommended taking no action. He said the fire engine is still in production and we do not have to expend the money until the engine is in our possession.

Selectman Pacheco motioned that the Board of Selectmen take no action on Article 19, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 20 – Selectman Pacheco motioned to recommend that Article 20 be funded through Free Cash, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 21 – Selectman Pacheco motioned to recommend Article 21.

Selectman Pacheco motioned to rescind his motion, Chairman Hull stepped down to second and it was **VOTED** to rescind the original motion.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Selectman Pacheco motioned to recommend Article 21 to fund the first year's lease payment for a three-year lease purchase in the amount of \$122,000.00 and be funded from the Ambulance Fund.

Article 22- Selectman Pacheco motioned that the Board of Selectmen take no action, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 23 – Selectman Pacheco motioned to recommend Article 23 to be funded through Raise & Appropriate, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 24 – No action was taken by the Board of Selectmen.

Article 25 – Selectman Pacheco motioned that the Board of Selectmen Raise & Appropriate the amount of \$5,000.00 for sealcoating the Police Station parking lot, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 26 – Mr. Mullen recommended based on available funding, that no action be taken on this Article.

Selectman Pacheco motioned that the Board of Selectman rec no action be taken, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 27- Selectman Pacheco motioned that the Board of Selectmen recommend Article 27 and the amount of \$43,000.00 be Raise & Appropriate, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 28 – Selectman Pacheco motioned to recommend from Free Cash the amount of \$170,000.00 to purchase one plow with sander and all associated equipment, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 29 – Mr. Mullen said at this time we do not have the funding available.

Selectman Pacheco motioned that the Board of Selectmen take no action, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.

Selectman Pacheco, aye.

Article 30 – Selectman Pacheco motioned that the Board of Selectmen recommended Article 30, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 31 – KP motioned to rec article 31 - \$150,000.00 to be funded through Capital Stabilization, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 32 – Selectman Pacheco motioned to rec Article 32 \$150,000.00 to be funded through Stabilization., Chairman Hull seconded and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 33 – Mr. Mullen said this article would be recommended with a Phase I environmental analysis being done before acceptance of the land.

Selectman Pacheco motioned that the Board of Selectmen recommend Article 33, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 34 – Selectman Pacheco motioned that the Board of Selectmen recommended Article 34, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 35 – Selectman Pacheco motioned to recommend Article 35 as written, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 36 – Selectman Pacheco motioned to recommend Article 36, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 37 – Selectman Pacheco motioned to recommend Article 37 as written, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 38 – Selectman Pacheco motioned to rec Article 38, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 39 – Selectman Pacheco motioned, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Article 40 – Selectman Pacheco motioned to make no recommendation, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Approval of Warrant

Selectman Pacheco motioned that the warrant be approved and go to the printer based on inclusions by the Board of Selectmen and the Finance Committee at their next meeting, Chairman Hull stepped down to second and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Open Meeting Law Complaint

Mr. Mullen said that there was an Open Meeting Law Complaint filed by Mr. Patrick Higgins. He said Mr. Higgins' complaint was that he was not allowed into the Board of Selectmen's meeting on the 27th.

Selectman Pacheco motioned to allow Mr. Mullen to respond to the Open Meeting Law complaint, Chairman Hull seconded and it was **VOTED**.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Adjournment

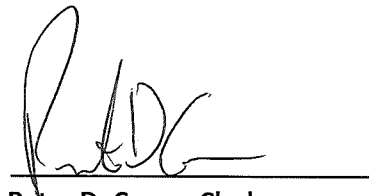
Selectman Pacheco motioned, Chairman Hull stepped down to second and it was **VOTED** to adjourn at 9:30 p.m.

Roll Call Vote:

Chairman Hull, aye.
Selectman Pacheco, aye.

Respectfully submitted

Karin L. Brady
Executive Assistant


Leonard E. Hull, Chairman
Peter D. Caron, Clerk
Kenneth J. Pacheco, Member

Documents Reviewed:

- SMRP Grant Contract Documents
- Budgets
- Board of Assessors
- Fire Department
- Ambulance Services
- Education
- Highway Construction and Maintenance
- Street Cleaning/Stormwater
- Sewer Enterprise Fund
- Outline of Need: Proposed Acquisition of 207 Main Street for Dighton Public Library
- Memorandum of Agreement between Town of Dighton and AFSCME Council 93, Local 1701
- DRAFT Annual Town Meeting Warrant
- Open Meeting Law Complaint – Patrick Higgins