

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

BOARD OF SELECTMEN

Regular Meeting

September 28, 2022, 5:30 p.m.

Hybrid Meeting

Old Town Hall, 111 Somerset Avenue, Dighton, MA

And via Zoom

TOWN CLERK
DIGHTON, MA

2022 NOV -2 PM 5:29

RECEIVED

Call to Order

The meeting called to order at 5:30 P.M. by Chairman Hull. Chairman Hull explained that the meeting would be going into Executive Session and the board would be returning to open session.

Roll Call:

Chairman Hull, present

Selectman Pacheco, present

Selectman Caron, present.

Present: Chairman Hull, Selectman Caron, Selectman Pacheco, Town Administrator Michael Mullen, Executive Assistant Karin Brady, Paul Reynolds-Treasurer/Collector, Tom Ferry-Highway Superintendent, Police Chief Shawn Cronin, Animal Control Officer Stacy Ferry, Patricia Gailles-Historical Commission and ADA Coordinator Jonathan Gale.

Also Present: Mary Beth Bernard-HR Key Associates, Amber Christofferson and Gerald Autler-Department of Conservation and Recreation, John – BETA Management Group, Mr. Tom Gallucci-2086 Palmer Street, John DiSanto-130 Sandpiper Way.

Executive Session

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to enter into Executive Session under Massachusetts General Law, Chapter 30A, Section 21(a)(2)(3)

2. To conduct contract negotiations with non-union personnel

a. Animal Control Officer

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

a. Dighton Town Clerical, Library and Council on Aging Union, Laborers Local 272

Roll Call Vote:

Chairman Hull, aye.

Selectman Caron, aye.

Selectman Pacheco, aye.

Chairman Hull called the regular meeting back to order at 6:16 P.M. He gave Zoom login information and instructions for providing public input.

He stated that the meeting was being recorded.

Roll Call:

Chairman, present.

Selectman Pacheco, present.

Selectman Caron, present.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Moment of Silence

A moment of Silence was requested for Robert J. Arruda, Richard Letendre and Wayne Andrews.

Acknowledgement of Captain Ready

Town Administrator Mullen said this will be held on October 11, 2022.

Pole Petition Hearing

Mr. Mullen recommended that the hearing be closed and the Board of Selectmen take no action. He expected that National Grid would file new petitions as a result of the site visit yesterday.

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** that the hearing be closed and the board take no action.

Roll Call Vote:

Chairman Hull, aye.

Selectman Caron, aye.

Selectman Pacheco, aye.

Wage and Classification Study Presentation– Mary Beth Bernard HR Key Solutions

Ms. Bernard gave some background and her credentials for the study. She went over the process that was followed for the study. Ms. Bernard said she had conversations with all clerical union employees. She said after the meetings, she drafted job descriptions that were sent to department heads and the employees for comments and as a result, she drafted the job descriptions that the board see in her final report.

Ms. Bernard went over some newly recommended job titles for COA, Police, Fire, ZBA, Sewer Department and Library. She said the Senior Clerk titles have become obsolete and recommended that they be named Office Assistants. She also recommended that the grades be to grades 4, 5, 6, 7, and 8.

There were no questions.

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to take the Wage and Classification Study recommendations under advisement.

Roll Call Vote:

Chairman Hull, aye.

Selectman Caron, aye.

Selectman Pacheco, aye.

Amber Christofferson and Gerald Autler-Department of Conservation and Recreation

Amber Christopherson, Planner for the Department of Conservation and Recreation and Gerald Autler, Director of Trails and Greenways at DCR, gave an overview of the plans that were presented at the last meeting. She said she was here tonight to begin a discussion regarding easements.

Ms. Christofferson said they are in the process of determining if the town would consider easements on the town-owned land and what the process would look like at the town level.

Chairman Hull asked who would pay for all of this.

She said design and permitting was funded. She said funding could come from MassDOT or Department of Conservation and Recreation.

Chairman Hull said the easements would involve attorneys and negotiations. He asked who would be paying for the acquisition.

Mr. Autler said it would involve some legal work by attorneys. He said we would ask for granting of an easement by the town at no cost. He said in the case of the trailhead, there would be no expense to the town to build it or maintain it and they would ask for an easement at no cost.

Selectman Pacheco said he would ask that it would be accessible and any historical artifacts be preserved. He said he would support the easement.

Selectman Caron asked if all the small fees and permits would be absorbed by the grant funds.

Ms. Christofferson said yes.

There was discussion about the access point at Town Hall.

Mr. Mullen said there would be follow up discussions about this going forward.

Chairman Hull asked if there had been discussions with Bristol County Agricultural High School.

Ms. Christofferson said she had met with them and they saw this path as a huge benefit, but there was concern with access on the north side due to an electric fence.

Chairman Hull asked if any of the property is still owned by the railroad. Ms. Christofferson said no. He asked if Hart Street would be involved. Ms. Christofferson said not at this time.

Chairman Hull asked about liability on the trail. Ms. Christofferson said the state has full liability and maintenance responsibilities once the trail is built.

Tom Gallucci, 2086 Palmer Street, asked who has the ownership and who has access.

Mr. Autler said Department of Conservation and Recreation has ownership of the rail corridor and Sweets Knoll.

Mr. Gallucci said the easements would be a considerable cost to the town. He said he wanted to see what the costs would be.

There was discussion about access through the Bristol Agricultural High School Campus.

Mr. Mullen asked the board to grant permission for the town to continue working with the Department of Conservation and Recreation regarding easements and report back to the board with recommendations.

Chairman Hull said this is an update and the work will continue, unless there were any objections.

Mr. Mullen said we want to be sure that the needs of Dighton residents are met.

Jon DiSanto, 130 Sandpiper Way, said he had serious safety concerns. He said 4-5 years ago, the kids put a rope swing out there and it has been put on social media. He said kids come from everywhere and there have been injuries. He said there are only 8 houses on Sandpiper Way. He did not think that an access point on Sandpiper Way was a good idea. His other concern was to the north of Sandpiper Way. He said if this does not work out, the plan is to have bikes on Route 138. He did not think that was a good idea.

Ms. Christofferson said the north connection would be addressed very shortly with a feasibility study.

Mr. Autler said the connection at Sandpiper Way is very challenging and they will be looking at other alternatives through the feasibility study.

There was discussion regarding solutions.

Mr. Mullen said the conversation about easements was ongoing.

There was discussion about the upcoming update from Department of Conservation and Recreation.

BETA Group, Inc. – Pavement Management Plan

John went over the benefits of a pavement management plan. He said it provides the ability to plan ahead.

John presented a Power Point presentation outlining how a pavement management plan will work.

Selectman Caron asked about capital planning.

Selectman Hull said he was looking for facts and a hard plan of when we would get started.

There was discussion regarding road projects and how long they take.

Chairman Hull said he would be curious to see how high the priority is at a town meeting for road repairs.

There was discussion regarding funding for road repairs and capital planning. Mr. Mullen said as we address major projects, we will not be letting other roads fall into disrepair. He said it would be a balancing act, and we will be very transparent in our plan.

Chairman Hull asked who would be involved in the planning.

Mr. Mullen said he thought there was a place for everyone to be involved.

John said in year one you are planning. We are at a stage where we can start to present data.

Chairman Hull asked if a sub-committee should be formed. Mr. Mullen said this fits in with Capital Planning very well. He said right now we will need to see what the needs are and what funds we have available.

Pat Gailes – Survey Report

Ms. Patricia Gailes presented to the board a historical form that was submitted in 1970. She said there was not much information as to why a building was important to the town.

She also presented a Form B created in the recent study by Stacy Spies which contained much more pertinent information. She said we have 15 properties that are eligible to be listed on the National Register of Historic Places.

Ms. Gailes said all of the inventory forms will be uploaded to a site hosted by the Massachusetts Historical Commission. She said she was working with the Historical Society to have copies as well as Town Hall and to be available on the Town website as well.

Ms. Gailes said we are continuing the research through south Dighton and that should be completed in October. She said the Historical Commission was currently working on their recommendations on how to disseminate the information contained in the survey and the next steps.

Chairman Hull commended her and the Historical Commission's work on this project.

Paul Reynolds, Treasurer/Collector – Land Auction

Mr. Reynolds presented a list of parcels for auction.

Mr. Reynolds went over the list of parcels and his recommendation for each.

Chairman Hull asked about property #7 – and if Mr. Aguiar and Mr. Ferry had reviewed. Highway Superintendent Tom Ferry said he had no objections to the land being included in the auction. Mr. Aguiar also stated that he had no objections.

Selectman Caron motioned, Selectman Pacheco seconded and it was **VOTED** to approve the Land Use Committee's recommendation to go to auction with the seven properties listed tonight.

Roll Call Vote:

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

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to suspend the order of business to move to agenda item 12c. Contract for the Animal Control Officer and to include item #12b. Proposed Updated Job Description as well.

Roll Call Vote:

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

Animal Control Officer Contract

Mr. Mullen said there has been a lot of incongruity in the duties of the Animal Control Officer. He said we began the process of rectifying this in March. He said we tried to join together Animal Control Officer and Animal Inspector, but found that was not possible. Mr. Mullen said what is before you, is the result of input by the Chief of Police, the Animal Control Officer and also the Town Clerk and the Board of Health.

Mr. Mullen said kennel inspections and dog licenses were also addressed in the job description.

Mr. Mullen said we have always had a job description for the Animal Inspector in accordance with Mass General Laws. He said we tried to clarify duties for the Animal Inspector and who would be the nominating authority. Mr. Mullen said we are proposing that it be the Board of Selectmen.

Mr. Mullen said the current Animal Control Officer has been employed for 11 years, the proposed contract would be based on the salary funding approved by the town. It would be a three-year contract but includes a termination provision upon us having a town-wide personnel policy for non-union employees.

Police Chief Cronin said our objective was to clear all this up, give clarity and appreciation for what she has been doing for 11 years.

Chairman Hull thanked everyone for their efforts.

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to approve the updated job description for the Animal Control Officer.

Roll Call Vote:

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

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to approve the employment contract with Stacy Ferry, Animal Control Officer for the town of Dighton.

Roll Call Vote:

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

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to return to the normal order of business.

Public Input

Chairman Hull gave some ground rules for public input.

Jonathan Gale, said he has provided Mr. Mullen with correspondence from the Mass Office of Disability in which they recognized the Town of Dighton.

Mr. Gale said the North Dighton Park should be completed within one week and he thanked everyone in town for that.

Chairman Hull thanked Mr. Gale for his efforts.

Bill Moore, Board of Assessors, asked if the Field Driver issue was resolved and relieves the board of Assessors of that duty. Chairman Hull said it was and the Field Driver appointments would be rescinded.

Announcements

Announcements were read by Selectmen Pacheco.

Town Administrator's Report

Mr. Mullen thanked Karin Brady and Leeanne Kerwin for their efforts over the past weeks. He said the website would be going live on October 6 and Ms. Brady has helped on the Wage Classification Study.

Mr. Mullen informed the board of the proposed rate increases by National Grid. He said there was a 64% rate increase proposed and the town's aggregation rate is locked in at just over 10 cents per KWh.

Mr. Mullen announced that there would be a COVID-19/Flu Shot Clinic on Saturday, October 22 from 9:00 – 12:00 p.m.

Mr. Mullen said the Massachusetts Office on Disability report puts a spotlight on grant efforts in the Town of Dighton. He read the letter from the Massachusetts Office on Disability which included a quote from ADA Coordinator Jonathan Gale. Mr. Mullen thanked everyone involved for the past five years. He said we are making great progress.

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to send a letter of commendation to Jonathan Gale for his efforts.

Roll Call Vote:

Chairman Hull, aye.

Selectman Caron, aye.

Selectman Pacheco, aye.

Selectmen's Reports

Selectman Pacheco said the Community Garden was voted to be renamed to James Briggs Garden. That would be coming before the Board of Selectmen.

He also said Capital Outlay was moving along looking forward to Free Cash Certification.

Selectman Caron said the Solid Waste Advisory Committee heard a presentation from Helpsy, a textile recycler, and discussed the possibility of placing a container at the transfer station for textile recycling.

Chairman Hull said the Dighton Development and Industrial Commission had their Business Exposition at the Bristol County Agricultural High School. He thanked John Gaudette and Dan Higgins for their efforts with the event. He said Lizette Gonzalez, from Southeastern Regional Planning and Economic Development, and Town Administrator Mike Mullen were working on an Economic Development Plan.

Chairman Hull announced that Bristol County Agricultural High School will have its Fall Show in October where they will have a ribbon cutting ceremony at the barn.

Chairman Hull said the D-R Regional School Committee has developed a focus group to improve relations between Dighton and Rehoboth. This group will be led by Superintendent Runey.

Chairman Hull said the Water District water ban had been modified to even and odd watering days.

New Business:

Proposed Special Town Meeting Warrant Articles

Mr. Mullen said he was working to set up a joint meeting with the Finance Committee and the Board of Selectmen to make recommendations. He said the Town Accountant was working diligently on Free Cash and we should know the figure shortly.

Mr. Mullen said we have until October 13 to finalize the warrant and there are a few potential warrant articles that may not be recommended by the board to be on the warrant. He said over the next two weeks we can work to solidify this.

Appoint Dave Phillips to Conservation Commission

Selectman Pacheco motioned, Selectmen Caron seconded and it was **VOTED** to appoint Dave Phillips as an associate member of the Conservation Commission.

Roll Call Vote:

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

Ratify Surplus Auction Items List

Building Commissioner James Aguiar said he thought that the board should review the auction list and vote to declare the items surplus for auction and allow him to dispose of the remaining items that do not sell.

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to ratify the surplus auction list and to properly dispose of items not sold.

Roll Call Vote:

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

Snow Plow Rates

Highway Superintendent Tom Ferry explained the reasoning behind the proposed snow plow rates outlined in the letter.

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to approve snow plow rates as presented this evening.

Roll Call Vote:

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

Acknowledgements

None.

Correspondence

A letter from Fire Chief Maguy was read regarding appointment of Noah Andrade as a new call Firefighter.

A letter from Fire Chief Maguy regarding the appointment of Sarah Desmond as a full-time firefighter/paramedic was also read.

Minutes

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to approve the minutes of the regular Board of Selectmen’s meeting minutes of August 24, 2022.

Roll Call Vote:

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

Warrants

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to approve Warrant #12A-23 in the amount of \$115,657.42 and Warrant #12B-23 in the amount of \$143,547.48 both dated September 21, 2022.

Roll Call Vote:

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

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to approve Warrant #13A-23 in the amount of \$107,034.76, Warrant #13B-23 in the amount of \$23,660.95 and Warrant #13C-23 in the amount of \$216,708.15 all dated September 28, 2022.

Roll Call Vote:

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

Public Input

None.

Selectman Pacheco motioned, Selectman Caron seconded and it was **VOTED** to adjourn at 9:21 p.m.

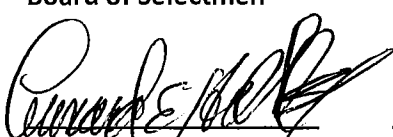
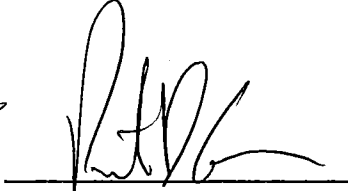

Roll Call Vote:

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

Respectfully submitted,

Karin L. Brady
Executive Assistant

Board of Selectmen


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