



SPECIAL TOWN MEETING

November 01, 2021

COMMONWEALTH OF MASSACHUSETTS

The Special Town Meeting held on November 01, 2021, at the Dighton Rehoboth Regional High School was called to order at 7:04 PM by Gary Scott Dingus, Moderator. The Pledge of Allegiance to the Flag was recited. The checkers were Margaret Mullen, Maureen Dutra, Bridget Kenyon, Lisa Cowen, Jeanne Noons, Janet White, Rebecca Mello, and Joan Ready, Warden. Present and seated on stage from the Finance Committee was Peter J. Roache Chair, Robert G. Rendon, Kevin J. Perry, and Katherine Fournier. Present and seated on stage from the Board of Selectmen was Kenneth Pacheco, chair, Brett Zografos, and Leonard Hull. Also present and seated on stage was Michael Millen Town Administrator, David Gay Town Council, Mark Pacheco Town Clerk, and Pamela Tenglin Assistant Town Clerk. Total attendance was 184.

VOTED UNANIMOUSLY: On motion Kenneth Pacheco and seconded to dispense with the reading of the warrant.

VOTED UNANIMOUSLY: On motion of Kenneth Pacheco and seconded to dispense with the reading of the Articles and references to them be made by number and content.

VOTED UNANIMOUSLY: On motion of Kenneth Pacheco and seconded to consider adjournment this evening at 10:00 PM.

ARTICLE 1. VOTED: On motion of Kenneth Pacheco and seconded to hear reports of the Town Officials and act thereon:

Kenneth Pacheco, Chair of the Board of Selectmen read the following statement:

Good evening, Mr. Moderator, Town Officials, and to the residents of Dighton gathered here this evening.

My name is Ken Pacheco, Chairman of the Board of Selectmen, and I am honored to present tonight's report on behalf of the Board and my colleagues, Selectman Brett Zografos and Selectman Leonard Hull.

Since we last met at June's Annual Town Meeting, the Town and the Board of Selectmen has been hard at work moving forward a number of day-to-day priorities and long-term projects.

We would be remiss if we began tonight without recognizing the hard work of a number of town officials and employees helping to navigate the challenges of last week's Autumn Nor'easter. In addition to the efforts of National Grid and TMLP to get our power restored, I want to especially thank Fire Chief Chris Maguy and the men and women of the Dighton Fire Department, Highway Superintendent Tom Ferry and the staff of our Highway Department, Police Chief Bob MacDonald and the men and women of the Dighton Police Department. Thank you.

Behind all the efforts of Fire, Highway and Police is our Communications Department. Our Dispatchers are always on the other end of the phone or radio providing great professionalism, coordination and care – and last week was no different. I'd like to take a moment to thank our dispatchers for all they do. Thank you.

Since June's Annual Town Meeting, we have had transitions in a number of key financial leadership positions at Town Hall. After the departure of our former Town Accountant at the end of June, the Board of Selectmen proudly hired Dighton resident Janelle Vining, a Certified Public Accountant, as our new Town Accountant. Ms. Vining has already brought significant expertise and diligence to this important role, and we look forward to her work for the Town for many, many years to come.

At the end of July, we also saw the retirement of our longtime Town Assessor, Carol Beauregard. Together with the Board of Assessors, the Board of Selectmen hired Stephanie Schecter as our new Principal Assessor in September. Ms. Schecter began her work for the Town at the beginning of last month, just in time for the tax rate setting process. We are very excited to have Stephanie on Board.

Both our new Town Accountant and Assessor are key members of the Town's financial team; and they will be heavily involved, along with the Board of Selectmen and Finance Committee, the Town Administrator and Treasurer-Collector, in our upcoming Department of Revenue Financial Management Review requested by the Board of Selectmen in mid-July.

The Review should begin in the next few weeks and is expected to provide an important blueprint to help us guide forward the Town's financial future.

The Town's focus on securing grant funding to fund critical projects also continued from the summer into the fall. In late June the Town learned that it was awarded a \$118,000 state Shared Streets and Spaces Grant to improve sidewalk and roadway accessibility in a variety of areas throughout our community. Residents should begin seeing the improvements later this month.

The Town early last month submitted a \$150,000 grant application for accessibility improvements to various parks and playgrounds, to the Town Hall ramp and restroom facilities, and for our town website. We also submitted a \$18,000 grant application to the state's Community Compact program in mid-October to fund investments in our IT infrastructure.

Significant efforts by the Board of Selectmen and the Library Board of Trustees also took place during the summer to secure a temporary modular building for the Dighton Public Library. As we know, longstanding egress and accessibility issues have prevented the reopening of the Main Street building. The new modular and the relocation of the Library's Youth Services Department to the lower level of Town Hall is a temporary fix that will lead to a more long-term solution for Library programming. We would like to thank the Library staff for their assistance in the move.

These efforts coincide with the re-establishment of Dighton's Capital Outlay Committee and the Committee's effort to create the Town's first-ever 5-year Capital Plan.

The Capital Outlay Committee, together with the Town Administrator, kicked off the planning process in mid-September with the first department, board and committee submissions due on November 18th.

It's no secret that Dighton has a number of deferred building, infrastructure and capital needs. The Board of Selectmen held a meeting last month with State Representative Patricia Haddad to discuss available state funding and ARPA funding to meet these needs. Next week we also plan to meet Congressman Jake Auchincloss to similarly explore federal funding to achieve our goals.

There's no question we have a lot of work to do. But our work begins with laying a strong foundation for responsible, affordable, and taxpayer-focused planning—while ensuring that the focus of all of our planning efforts is informed by the input of all Dighton residents.

As we get into the financial-related articles on tonight's Warrant, I want to re-emphasize the points made at last week's Informational Meeting for this Special Town Meeting; that the Board of Selectmen maintains a top priority relating to the Town's fiscal discipline and operational sustainability to limit our taxpayer burden. Our \$1.72 million in free cash mirrors prior year trends as does our estimated excess tax levy capacity for Fiscal Year 2022.

Included in the Warrant, you will note proposed uses of free cash to fund Police Station Debt Service to reduce the tax rate, increase our Stabilization and Capital Stabilization fund account balances, and fund a number of capital investments.

I want to thank the Finance Committee for its continued leadership as well as the efforts of our departments, board and committees that have gone into making tonight's meeting possible.

The Board of Selectmen looks forward to this evening's discussion and is happy to answer any questions about any of the articles as we move through the warrants. Thank you.

Finance Committee:

It was stated My Peter Roache there will be no report from the Finance Committee, and that it will make its recommendations with the motions.

Dighton Rehoboth Regional School District:

Dr. Anthony Azar, Chairman of the Dighton Rehoboth Regional School Committee stated:

I am happy to say this is my eight year as superintendent and I have enjoyed every minute of it. I just wanted to share a couple of things with the folks of Dighton. First of all just a resounding thank you. We didn't know what to expect when the school year began. We didn't know that the delta variant would show. And I just wanted to share with you, that those of you have that have children in the Dighton-Rehoboth Regional School District you have done a phenomenal job.

Here we are in November and we have had just a few bumps in the road. Other than the mask situation we have had a pretty normal year, which is outstanding for our kids and their social and emotional well-being and the social and emotional well-being of you folks as well and our staff. The Elementary School, High School, and Middle Schools are a two district school system, so walking around the schools is a phenomenal time, we are in great shape.

I want to thank the Police and Fire folks who got us back to school. I know for a few days there were folks without power, I will tell you that the National Grid folks, and the town works folks just did a fantastic job. Two of my administrative team: one comes from Plymouth- they were out three days, the other comes from Carver, they were out three days as well. The other individual I would like to thank is our Town Administrator, Mr. Mullen, who has gone above and beyond to work with the school district and they have been meeting monthly. We have been meeting on what the town needs, as a municipality, and also what the school needs as a school district, as well.

Also, the knowledge that we didn't know how the school district would go, there are two individuals who really stood out and that would be Todd Pilling and Rosalind Grassie I do not know if they are in the auditorium. Time and time again last year we didn't know what to expect, we were under the unknown. Dealing with children, with adults with the unknown, you know dealing with children, no matter the age, the

unknown is fearful. We don't know how things will take place. There were some very difficult nights and weekends where we didn't know which directions to go. We also take our Q's from the Department of Elementary and Secondary Education folks as well and they were dealing with the unknown. But the local folks, dealing with the Department of Public Health, dealing with the local folks in Dighton really set the stage because when you talk about 24/7 picking up the phone and trying to get people at a state level- no answering of the phone calls. Talk about a Sunday night trying to call - ringing and ringing and no answer. Talk about picking up the phone the only people who would call is Rosalind Grassie and Todd Pilling. It was just remarkable on what they do. I was remiss last year I did not have a chance to point that out to you. We have some incredible first responders here in Dighton.

Just to summarize I cannot tell you how excited I am to be the superintendent of the D-R School District. When I talk to my friends who have been Superintendent for 3, 4, 5 years and they ask me what is the difference why DR- you know what: it is it is about the people in both of the districts. On behalf of the school district, the people and staff I thank you thank you, thank you for the support you have given us and the support you will give us going forward.

Nancy Goulart, Elected Member of the Board of Assessors read the following statement:

Mr. Moderator, Citizens, Finance Committee, Board of Selectmen, and Town Officials: The Board of Assessors have gone through some minor changes this year. At the Annual Town Election Nancy Goulart was elected as Town Assessor to the Board for a three year term. Full Time appointed Assessor Carol Beauregard has retired as of July 31, 2021. She was also an elected member of the Board of the Board of Assessors and its Chairman, and was forced to retire as that position was connected to the Full-time position. The Board of selectmen have appointed Stephanie Schecter, as the new full time appointed Assessor. Stephanie is coming from the Assessor's office from the Town of Somerset. She also worked in the Dighton Board of Assessors office from 2010-2017. Before part-time and moving onto Somerset where she completed her Massachusetts Assessors MMA designation for four years Ms. Beauregard is appointed to fulfill the unexpired term of Assessor.

The Town is in an interim evaluation year for FY 2022. As you know sale prices have increased at in incredible rate. It is the sale price that drives valuations. That being said the town has been approved by DOR for new valuations for FY22. The residential homes have increased an average of 6%, land 2%, and commercial property by 1%.

Respectfully Submitted, Eric Easterday Chairman, Nancy Goulart Clerk, Carol Beauregard Member Board of Assessors.

Leonard Hull made a motion and seconded to accept the Town Reports.

ARTICLE 2 VOTED UNANIMOUSLY: On motion of Peter Roach and seconded that the Town will vote to raise and appropriate from available funds \$80.93 to pay a prior year bill.

PRIOR YEAR BILLS	DEPARTMENT	FUNDING SOURCE
Mass-RI Veterinary ER, Inc. from available	Animal Control Officer	\$80.93 R&A and/or transfer Funds

Finance Committee Recommends to Raise and Appropriate
Board of Selectmen Recommends to Raise and Appropriate

ARTICLE 3 VOTED UNANIMOUSLY: On Motion of Katherine Fournier and seconded that the Town vote to transfer the sum of \$379,675.00 from Free Cash to make the payment on the bond for the Police Station to reduce the tax rate.

Finance Committee Recommends Transfer from Free Cash
Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 4 VOTED: On motion of Robert Rendon and seconded I move that the Town vote to Raise and Appropriate the sum of \$34,543.82 to fund FY22 personnel expenses for employees covered under the recently settled Dighton Police Officers Local 306 Massachusetts Coalition of Police Bargaining Agreement.

Finance Committee Recommends to Raise and Appropriate
Board of Selectmen Recommends to Raise and Appropriate

ARTICLE 5 VOTED: On Motion of Donald Hirschy and seconded that the Town will vote to amend the General Bylaws to add the following new article:

Flag Bylaw

No person shall fly or display a Commemorative or Organizational Flag other than: a.) The United States flag; b.) The Massachusetts State flag; c.) The official Town of Dighton flag; d.) The official flags of all branches of the U.S. military and armed forces; and/or e.) The POW-MIA flag on a Town flagpole or any other such manner located at the Town Hall, or Town-owned land or Town-maintained facilities.

ARTICLE 6 VOTED: On motion of Kevin Perry and seconded that the Town vote to Raise and Appropriate the sum of \$11,142.81 to additionally fund account #010-0-510-0000-50-5106, Personnel Expenses (Salary –Health Agent) due to a proposed increase in wages from \$37.04/hour to \$38.86/hour and increase in work hours from 28 to 35 for the remainder of Fiscal Year 2022.

ARTICLE 7 VOTED UNANIMOUSLY: On motion of Robert Rendon and seconded that the Town vote to transfer from Free Cash the amount of \$10,057.50 to reimburse the Sewer Enterprise Fund for unused FY21 Employee Health Insurance premiums budgeted and paid to the Town of Dighton.

*Finance Committee Recommends No Action – Further Review is Needed
Board of Selectmen Recommends Transfer from Free Cash*

ARTICLE 8 VOTED: 76 YES, 75 NO On motion of Katherine Fournier that the Town vote to reappropriate the sum of \$30,000.00 from Special Article account #010-1-241-0000-21-5850 Inspectional Vehicle, initially approved for the purchase and lettering of a 2020 Ford Escape Hybrid Vehicle in Article 11 of the Special Town Meeting on November 16, 2020, and to Transfer an additional sum of \$10,000.00 from Free Cash for a total sum of \$40,000.00 to be expended by the Building Commissioner to purchase and letter one hybrid vehicle to be used for inspectional services.

ARTICLE 9 VOTED: On motion of Peter Roache and seconded that the Town vote to transfer from Free Cash a sum of money not to exceed \$13,000.00 to be expended by the Board of Selectmen for the purchase and installation of one high efficiency HVAC unit at Town Hall.

Finance Committee Recommends Transfer from Free Cash
Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 10 VOTED: On motion of Katherine Fournier that the Town vote to Raise and Appropriate the sum of \$10,000.00 and transfer from Free Cash and additional sum of \$5,000.00 for a total sum of \$15,000.00 to be expended by the Board of Selectmen to purchase a Cybersecurity Insurance Policy and all necessary equipment to establish a secure two-factor authentication process for town employees.

Finance Committee Recommends to Raise and Appropriate \$10,000.00
and Transfer from Free Cash \$5,000.00
Board of Selectmen Recommends to Raise and Appropriate \$10,000.00
and Transfer from Free Cash \$5,000.00

ARTICLE 11 VOTED. 67 YES 64 NO: On motion of Jeffery Carvalho and seconded that the Town vote to transfer from Free Cash a sum not to exceed \$40,000.00 to be expended by the Dighton Trails Committee to fund a feasibility study to provide viable options and initial concepts to connect the future 2-mile DCR Sweet's Knoll Trail to the north and south with on-road and off-road trail options to connect the Town of Dighton to the Taunton River Trails network north across the Three Mile River to Taunton and south along the waterfront to Somerset

Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 12 NO MOTION. To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$225,000.00 to be expended by the Police and Fire Departments in the build out of a two (2) site, Public Safety rated repeater system, new portable radios and any necessary equipment relative thereto, or take any action relative thereto.

Finance Committee has no Recommendation

ARTICLE 13 VOTED: On motion of Robert Rendon and seconded that the Town vote to transfer from Free Cash a sum of money not to exceed \$150,000.00 for engineering and design services for the Pleasant Street Bridge Reconstruction Project.

Finance Committee Recommends Transfer from Free Cash
Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 14 DEFEATED: 57 YES 71 NO: On Motion of Kevin Perry that the Town vote to transfer from Free Cash an amount not to exceed \$30,000.00 for planning and permitting costs to redesign the driveway and traffic pattern and add a maintenance facility at Dighton Elementary School/Dighton Middle School.

Finance Committee Recommends Transfer from Free Cash
Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 15 VOTED . On motion of Robert Rendon that the Town vote to Raise and Appropriate the sum of

\$28,000.00 to be expended for the following:

Public Health Nurse	\$5,000.00
Budget Reconciliation	\$1,000.00
Backfill Reserve Account	\$10,000.00
Public Buildings	\$5,000.00
Additional Insurance Costs	\$7,000.00

To Transfer from Free Cash the sum of \$10,000.00 to replenish the following:

Public Buildings Account \$10,000.00

And to transfer the sum of \$12,000.00 Other sources within the budget:

Accounting Personnel Account to Expenses \$5,000.00

Ambulance Billing Fund to Ambulance Billing Fees \$7,000.00

TOTAL RAISE AND APPROPRIATE AND/OR TRANSFER FROM AVAILABLE FUNDS \$50,000.00.

Or take any other action relative thereto.

Finance Committee Recommends

Board of Selectmen Recommends

ARTICLE 16 VOTED: On Motion of Katherine Fournier and seconded that the Town vote to Raise and Appropriate the sum of \$12,000.00 to be expended by the Board of Health to fund a Hazardous Waste Disposal Day in the Town.

Finance Committee Recommends

Board of Selectmen Recommends to Raise and Appropriate

ARTICLE 17 VOTED: On motion of Peter Roache and seconded that the Town vote to transfer from Free Cash a sum not to exceed \$200,000.00 to the Capital Stabilization Account.

Finance Committee Recommends Transfer from Free Cash

Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 18 VOTED: On motion of Leonard Hull and seconded that the Town vote to transfer from Free Cash a sum of \$200,000.00 to the Stabilization Account.

Finance Committee Recommends Transfer from Free Cash \$150,000.00

Board of Selectmen Recommends Transfer from Free Cash \$200,000.00

ARTICLE 19 VOTED: On Motion of Robert Rendon and seconded that the Town vote to transfer from PEG Access Funds a sum not to exceed \$14,000.00 to be expended by the Building Commissioner to purchase two (2) Mini split HVAC Heat Pump Systems for the lower-level Cable Television Office in Town Hall.

Finance Committee Recommends Transfer from PEG Access Fund
Board of Selectman Recommends Transfer from PEG Access Fund

ARTICLE 20 VOTED: On Motion of Kenneth Pacheco and seconded that the Town vote to transfer from Free Cash the total sum of \$64,500.00 to be expended by the Highway Superintendent to purchase one mid- mounted boom mower.

Finance Committee Recommends Transfer from Free Cash
Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 21 VOTED UNANIMOUSLY: : On Motion of Robert Rendon and seconded that the Town vote to transfer from Free Cash the sum of \$90,000.00 and to Raise and Appropriate the sum of \$35,000.00 for a total of \$125,000.00 to the “Other Post-Employment Benefits Liability Trust Fund” established to cover the unfunded actuarial liability for retirees’ health care and life insurance benefits.

Finance Committee Recommends Transfer from Free Cash \$90,000.00 and
Raise and Appropriate \$35,000.000
Board of Selectmen Recommends Transfer from Free Cash \$90,000.00 and
Raise and Appropriate \$35,000.00

ARTICLE 22 VOTED UNANIMOUSLY: On Motion of Katherine Fournier that the Town vote to transfer from Free Cash the sum of \$6,000.00 to be used for public utilities appraisals New England Power Co., Massachusetts Electric Co. and Eversource Gas Co. (3) as required by the Department of Revenue for the Fiscal Year 2022.

Finance Committee Recommends Transfer from Free Cash
Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 23 DEFEATED. On motion of Peter Roach and seconded that the Town vote to transfer from Free Cash the sum of \$8,000.00 to be used for assistance for the Fiscal Year 2023 Certification Revaluation of Real Estate and Commercial Property of the town.

Finance Committee Recommends Transfer from Free Cash
Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 24 VOTED: On motion of Katherine Fournier and seconded that the Town vote to transfer from Free Cash the sum of \$64,000.00 to be expended by the Police Chief for the purchase of one fully equipped police vehicle including computer, firearm (Patrol Rifle), radio, antenna, and any accessories relative thereto.

Finance Committee Recommends Transfer from Free Cash
Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 25 DEFEATED: On motion of Robert Rendon and seconded that the Town vote to transfer from Free Cash the sum of \$3,000.00 to be expended by the Town Clerk to purchase Dog Licensing software.

Finance Committee Recommends Transfer from Free Cash
Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 26 VOTED. On motion of Kenneth Pacheco and seconded that the Town vote to transfer from Free Cash the sum of \$27,350.00 expended by the Police Department to purchase 22 body worn cameras and all necessary equipment related to implementation of a body worn camera policy.

Finance Committee has no Recommendation
Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 27 VOTED UNANIMOUSLY: On motion of Robert Rendon and seconded that the Town vote to transfer from Free Cash, a sum not to exceed \$26,000.00 to be expended by the Town Clerk to purchase four (4) new ballot scanners, accessories, technical support and implementation services.

Finance Committee Recommends Transfer from Free Cash
Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 28 VOTED: On motion of Katherine Fournier and seconded that the Town vote to transfer from Free Cash, a sum not to exceed \$2,500.00 to be expended by the Town Clerk and Town Treasurer to purchase two (2) laptops w/ docking stations and one (1) printer for use in shared counter space at the newly renovated offices of the Town Clerk and Town Treasurer in Town Hall.

Finance Committee Recommends Transfer from Free Cash
Board of Selectmen Recommends Transfer from Free Cash

ARTICLE 29 NO MOTION: To see if the Town will vote pursuant to MGL Chapter 71, Section 16G ½ to allow the Dighton Rehoboth Regional School District to establish a stabilization fund for the future capital costs, or take any other action relative thereto.

ARTICLE 30 NO MOTION: To see if the town will vote to amend the Town of Dighton General Bylaws by adding the following Article:

Article ###. Designated Safety Zone(s)

The Town of Dighton, having adopted Chapter 90, Section 18B of the Massachusetts General Laws, hereby establishes a Designated Safety Zone Bylaw with the interest of improving public safety in said Zone within the Town. The operation of a motor vehicle in a Designated Safety Zone, as established by Chapter 90, Section 18B of the Massachusetts General Laws, at a speed exceeding the speed limit established in said law shall be a violation of Section 17 of Chapter 90 of said General Laws.

DESIGNATED SAFETY ZONE(S)

1. PLEASANT STREET AREA SAFETY ZONE - Pleasant Street, Water Street, Hart Street to County Street, Muddy Cove Lane, Cobbs Lane, Old Somerset Avenue to County Street and Main Street from Water Street to County Street as displayed in Figure 1, Figure 2 and Figure 3.

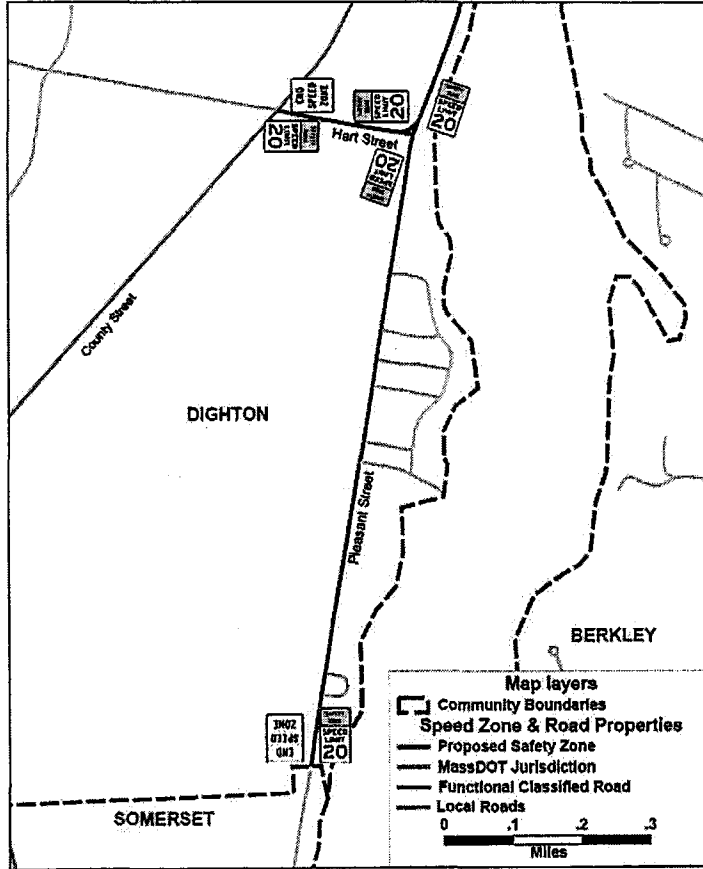


Figure 1

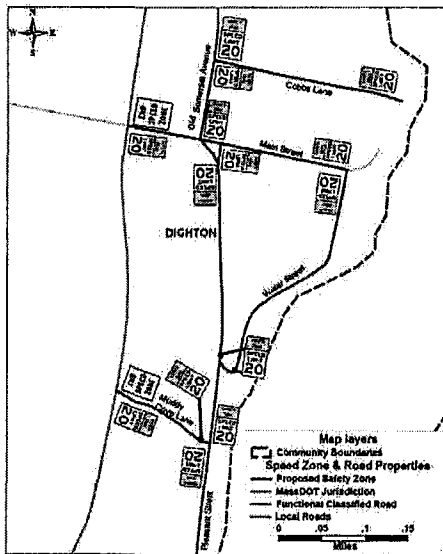


Figure 2

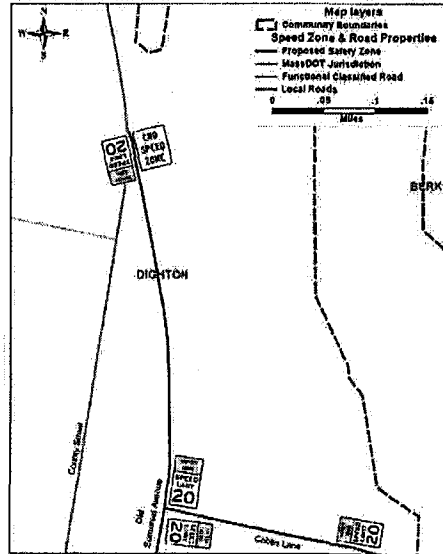


Figure 3

Board of Selectmen Does Not Recommend

ARTICLE 31 VOTED: On motion of Kenneth Pacheco and seconded that the Town vote in accordance with Massachusetts General Laws Section 139, Chapter 140 to amend the Town of Dighton Dog License Fees as presented in Article 31 of the Special Town Meeting Warrant of November 1, 2021:

	Fees:	
Female \$15.00		Male \$15.00
Spayed Female \$5.00		Neutered Male \$5.00
	Late Fee:	
Licenses Issued after April 1 st		Add \$10.00 (FOR EACH DOG)

Board of Selectmen Recommends

ARTICLE 32 TABLED, 77 Yes 39 No: On Motion of Tom Pires and seconded that the Town vote to amend the Town of Dighton Zoning Bylaws Section VI, Definitions “Kennel, Residential” by deleting it in its entirety and replacing with the definition as presented in Article 32 of the Special Town Meeting Warrant dated November 1, 2021. To see if the town will vote to amend the Town of Dighton Zoning Bylaws Section VI, Definitions “Kennel, Residential” by deleting it in its entirety and replacing with the following:

Kennel, Residential: A pack or collection of four (4) or more dogs that are owned or kept under single ownership for personal use and enjoyment may be allowed in the residential or business district subject to the approval of the Board of Health and Animal Control Officer. This also includes a personal kennel as defined in Massachusetts General Laws (M.G.L.) C 140 Sect. 136A. **Note: This section does not apply to properties with three (3) dogs or less.** Said residential kennels approved by the Board of Health and Animal Control Officer shall be inspected annually. The Board of Health shall promulgate regulations governing said process for approving and inspecting a Residential Kennel as so defined in accordance with applicable Massachusetts General Law(s).

Appendix A, Use regulation Schedule of the Town of Dighton Zoning Bylaws shall be amended to reflect these changes.

or take any action relative thereto.

Board of Selectmen Recommends

ON MOTION OF Kenneth Pacheco and seconded by Brett Zografos to that we extend the Special Town Meeting until 11:00 PM.

ARTICLE 33 VOTED. On motion of Kenneth Pacheco and seconded that the Town vote to amend the General Bylaws to add a new article for the establishment of a Commission on Disability as outlined in Article 33 of the Special Town Meeting Warrant dated November 1, 2021.

MUNICIPAL COMMISSION ON DISABILITY

CHAPTER 1: ESTABLISHMENT

Commissions on Disability are established by vote of Town Meeting to promote the inclusion and integration of persons with disabilities in the activities, services and employment opportunities or in the community.

Commissions:

- a) Advise and assist municipal officials in ensuring compliance with federal and state disability laws;
- b) Review policies and activities of municipal departments and boards as they affect persons with disabilities;
- c) Provide information, referral, advocacy and technical assistance to individuals, businesses and organizations in all matters pertaining to disability;
- d) Coordinate the activities of other local groups organized to meet the needs of persons with disabilities.

Commissions consist of no less than five, no more than nine members (thirteen as of 7/16) chosen by the Board of Selectmen. The majority must be persons with disabilities and one may be a member of the immediate family of a person with a disability. One must be an elected or appointed municipal official.

Applicable Laws:

- MGL chapter 40 section 8J, gives municipalities the authority to establish commissions;
- Section 504 of the Rehabilitation Act of 1973 requires inclusion and integration of persons with disabilities in the programs, services and employment opportunities of organizations and agencies that receive federal money;
- Amendment Article 114 of the Massachusetts Constitution prohibits discrimination on the basis of disability under any service or program within the Commonwealth;
- The regulations of the Architectural Access Board require access in newly built and

renovated buildings.

DIGHTON COMMISSION ON DISABILITY

CHAPTER 2: TITLE AND PURPOSE

The name of this commission is the Commission on Disability (hereafter referred to as The Dighton Commission on Disability).

The purpose of the Dighton Commission on Disability is to coordinate or carry out programs in coordination with programs of the Massachusetts Office on Disability in order to bring about full and equal participation in all aspects of life in the Town of Dighton Massachusetts - for people with disabilities.

The purpose of these by-laws is to establish principles and procedures for the governance of this Commission.

CHAPTER 3: POWERS AND DUTIES

- a) Research local problems of people with disabilities.
- b) Coordinate the activities of other local groups organized to meet the needs of people with disabilities.
- c) Review and make recommendations about policies, procedures, services and activities of departments and agencies of the Town of Dighton - as they affect people with disabilities.
- d) Work in cooperation with the departments and agencies of the Town of Dighton to bring about maximum participation of people with disabilities.
- e) Initiate, monitor, and promote legislation at the city, state and federal level which advances the equal status of people with disabilities and ensure that appropriate regulations are adopted and enforced pursuant to such legislation.
- f) Encourage public awareness of disability issues.
- g) Provide information, referral, guidance and advice to individuals, businesses, organizations and public agencies in all matters pertaining to disability.
- h) Recruit and recommend prospective Commission members to the Board of Selectmen. At least one month prior to making recommendations, the Commission shall solicit nominations and ensure that said nominations reflect different disabilities.
- i) File an annual report, which shall be printed in the Town of Dighton report.
- j) Take such action as the Commission considers appropriate to ensure the equal access status of

persons with disabilities.

CHAPTER 4: MEMBERSHIP

The Commission shall consist of seven members appointed by the Board of Selectmen. The majority

of members shall consist of people with disabilities. One of the members may be a member of the

immediate family of a person with a disability. One member shall be either an elected or appointed

official of the Town of Dighton.

The members shall initially serve the following terms:

- Two members shall serve one-year terms.
- Two members shall serve two-year terms.
- Three members shall serve three-year terms.

After the initial term, all members shall serve three-year terms.

Resignation shall be made by notifying the chairperson in writing.

If any member is absent from three regularly scheduled meetings in any one calendar year, a

recommendation shall be made to the Board of Selectmen that he/she be removed from the

Commission, unless any or all absences have been excused for good cause by the chairperson.

Good cause shall include, but not limited to: illness, a death in the family, weather, and professional responsibilities.

The Board of Selectmen shall fill any vacancy for the remainder of the unexpired term in the same

manner as an original appointment.

Any members of said Commission may, after a public hearing, if so requested, be removed for

cause by the appointing authority.

Members shall get the approval of the Commission prior to making statements or joining activities

on behalf of the Commission.

All members shall have full voting rights.

CHAPTER 5: OFFICERS

- The officers shall include a chairperson, vice chairperson and a secretary.
- Officers shall be elected annually by the majority vote of the Commission.
- One member may hold more than one office.

DUTIES

The chairperson shall:

- a) Develop the agenda in coordination with the other officers;
- b) Preside over all meetings;
- c) Appoint subcommittees as needed.
- d) Authorize expenditures as needed.

The vice chairperson shall perform all the functions of the chairperson in his/her absence.

The secretary shall;

- a) Keep records of all meetings attendance, minutes, and correspondence.
- b) Post notice of all meetings forty-eight (48) hours before each meeting at the Town Clerk's office;
- c) Provide notice of meetings and minutes of the prior meeting to the members in compliance with the Open Meeting Law of the Commonwealth of Massachusetts.

The treasurer shall:

- a) Keep records of all financial matters.
- b) Develop a budget in coordination with the Commission;
- c) Prepare a financial statement for inclusion in the annual report.

CHAPTER 6: MEETINGS

- a) Regular meetings shall be held at least six (6) times a year.
- b) A quorum shall consist of four (4) members.
- c) Meeting minutes will be amended and approved at the next meeting.
- d) Special meetings can be called by the chairperson or by any three (3) members.
- e) Decisions will be made by a majority of those members present, unless where otherwise noted in these by-laws.
- f) Notice of meetings will be sent to the members in compliance with the Open Meeting Law of the Commonwealth of Massachusetts.
- g) Meetings shall adhere to Robert's Rule of Order.

These by-laws may be amended at any duly constituted meeting of the Commission by two-thirds vote of those members present provided written notice of the proposed amendment is distributed to each member in Compliance with the Open Meeting Law of the Commonwealth of Massachusetts.

Board of Selectmen Recommends

ARTICLE 34 TABLED: On motion of Brett Zografos and seconded to table to see if the Town will vote in accordance with Massachusetts General Laws Chapter 59, Section 38H, to authorize the Board of Selectmen to enter into a **Payment In Lieu of Taxes (PILOT) Agreement** with GHTJA03 LLC of Dover, DE with a principal place of business at 5935 Airport Road, Suite 210, Mississauga, ON L4V 1WS, Canada or its assigns for a period of twenty years, and to approve said agreement under which GHTJA03, LLC, with a principal place of business at 5935 Airport Road, Suite 210, Mississauga, ON L4V 1WS, Canada or its assigns will pay the Town a sum of money per year relative to a 9.71 +/- acre parcel of land located at 893 Brook Street, Dighton, MA, Map 16, Parcel 28, related to the construction and operation of a Photovoltaic solar facility with an expected nameplate capacity of approximately 2.7 megawatts (MW), alternating current (AC) and 3.352 (MW) direct current (DC), said Tax Agreement on file in the Town Clerk's office, or take any action relative thereto.

ARTICLE 35 VOTED: On motion of Nancy Goulart and seconded that the Town vote to enter into a Payment in Lieu of Taxes (PILOT) Agreement with ISM Solar Dighton 3, LLC of Arizona as presented in Article 35 of the Special Town meeting Warrant of November 1, 2021 and amended as follows:

To see if the Town will vote in accordance with Massachusetts General Laws Chapter 59, Section 38H, to authorize the Board of Selectmen to enter into a **Payment in Lieu of Taxes (PILOT) Agreement** with ISM Solar (Phase II) Dighton 3, LLC of Arizona, with a principal place of business at 4900 N. Scottsdale Road, Suite 5000, Scottsdale, Arizona, or its assigns for a period of fifteen years and to approve said agreement under which ISM Solar (Phase II) Dighton 3, LLC of Arizona with a principal place of business at 4900 N. Scottsdale Road, Suite 5000 Scottsdale, Arizona or its assigns will pay the Town a sum of money per year relative to a 30.6 acre parcel of land located at 2734 Elm Street, Dighton, MA 02715 Map 21, Lot 4, (Phase II) related to the construction and operation of a Photovoltaic solar facility with an expected nameplate capacity of approximately 2.8 megawatts ("MW"), alternating current ("AC"), said Tax Agreement on file in the Town Clerk's office

Board of Selectmen Recommend

ARTICLE 36 VOTED. On motion of Timothy Rhines, I move that the Town vote to accept as a Town roadway known as Billy's Lane and Tommy's Way as presented in Article 36 of the Special Town Meeting Warrant dated November 1, 2021. To see if the Town will vote to accept as a Town roadway known as Billy's Lane and Tommy's Way as described below:

Beginning at a concrete bound located in the southwesterly corner of the intersection of Tommy's Way and Cedar Street, thence S 64°07'35" E, 73.99 feet by land now or formerly of the Town of Dighton,
thence continuing on a curve with a radius of twenty and 00/100 (20.00') along the southeasterly side of Tommy's Way a distance of thirty one and 42/100 (31.42') to a concrete bound;
thence N 25°52'25" E, 160.00 feet to a concrete bound;
thence S 64°07'35" E, 5.00 feet to a concrete bound;
thence N 25°52'25" E, 363.00 feet to a concrete bound;
thence continuing on a curve with a radius of twenty and 00/100 (20.00') along the intersection of Tommy's Way and Billy's Lane a distance of thirty one and 42/100 (31.42') to a concrete bound;
thence S 64°07'35"E, 235.00 feet to a concrete bound;
thence continuing on a curve with a radius of one hundred twenty five and 00/100 (125.00') along Billy's Lane a distance of one hundred ninety six and 35/100 (196.35') to a concrete bound;
thence S 25°52'23" W, 418.00 feet to a concrete bound;
thence continuing on a curve with a radius of twenty and 00/100 (20.00') along the westerly side of Billy's Lane a distance of thirty one and 42/100 (31.42') to a concrete bound;
thence S 64°07'35" E, 90.00 feet along Cedar Street to a concrete bound;
thence continuing on a curve with a radius of twenty and 00/100 (20.00') along the easterly side of Billy's Lane a distance of thirty one and 42/100 (31.42') to a concrete bound;
thence N 25°52'25" E, 418.00 feet to a concrete bound;
thence continuing on a curve with a radius of one hundred seventy five and 00/100 (175.00') along Billy's Lane a distance of two hundred seventy four and 89/100 (274.89') to a concrete bound;
thence N 64°07'53" W, 235.00 feet to a concrete bound;
thence continuing on a curve with a radius of twenty and 00/100 (20.00') along the intersection of Tommy's Way and Billy's Lane a distance of thirty one and 42/100 (31.42') to a concrete bound;
thence N 25°52'25" E, 290.53 feet to a concrete bound;
thence continuing on a curve with a radius of one hundred twenty five and 00/100 (125.00') along Tommy's Way a distance of ten and 49/100 (10.49') to a concrete bound;
thence N 30°41'00" E, 106.23 feet to a concrete bound;
thence continuing on a curve with a radius of twenty and 00/100 (20.00') along Tommy's Way a distance of thirty and 21/100 (30.21') to a concrete bound;
thence continuing on a curve with a radius of sixty five and 00/100 (65.00') along Tommy's Way a distance of three hundred two and 48/100 (302.48') to a concrete bound;
thence S 30°41'00" W, 191.09 feet to a concrete bound;

thence continuing on a curve with a radius of one hundred seventy five and 00/100 (175.00') along Tommy's Way a distance of fourteen and 69/100 (14.69') to a concrete bound;

thence S 25°52'25" W, 903.53 feet to a concrete bound;

thence continuing on a curve with a radius of twenty and 00/100 (20.00') along Tommy's Way a distance of nineteen and 75/100 (19.75') to a concrete bound;

thence N 25°52'25" E, 3.30 feet to a concrete bound located at point of beginning;
Containing 2.607 acres more or less,

or take any action relative thereto.

Board of Selectmen Recommends

ARTICLE 37 VOTED: On Motion of Timothy Rhines and seconded that the Town vote to accept as a Town roadway known as Sonny's Way as presented in Article 37 of the Special Town Meeting Warrant dated November 1, 2021.

Beginning at a point in the northerly sideline of Tommy's Way, said point being a concrete bound located at the northeast corner of Lot 26-9 as shown on Dighton Assessor's Map 14; Thence,

By a curve to the left, having a radius of 30.00 feet, a distance of 27.87 feet to a point; thence,

North 45-53'-06" East, 57.67 feet to a point; thence,

By a curve to the left having a radius of 225.00 feet, 133.61 feet to a point; thence, North 11-51'-39" East, 99.60 feet to a point; thence,

By a curve to the left having a radius of 270.00 feet, a distance of 196.57 feet to a point; thence,

North 29-51'-13" West, 100.48 feet to a point; thence,

By a curve to the right having a radius of 175.00 feet, a distance of 324.02 feet to a point; thence,

North 76-14'-00" East, 103.45 feet to a point; thence,

By a curve to the right having a radius of 175.00 feet, a distance of 312.71 feet to a point; thence,

South 01-22'-57" East, 100.03 feet to a point; thence,

By a curve to the left having a radius of 125.00 feet, a distance of 45.82 feet to a point; thence,

South 22-23'-04" East, 145.97 feet to a point; thence,

By a curve to the right having a radius of 190.00 feet, a distance of 412.01 feet to a point; thence,

North 78-08'-21" West, 136.82 feet to a point; thence,

By a curve to the left having a radius of 30.00 feet, a distance of 44.16 feet to a point; thence,

By a curve to the right having a radius of 285.00 feet, a distance of 141.06 feet to a point;

thence,
South 45-53'-06" West, 65.05 feet to a point; thence,
By a curve to the left having a radius of 30.00 feet, a distance of 24.73 feet to a point in the sideline of Tommy's Way; thence,
By the sideline of Tommy's Way by a curve to the left having a radius of 65.00 feet, a distance of 88.53 feet to the Point of Beginning.
The above listed description is the exterior sideline of Sonny's Way, Wellington Acres, Dighton, Massachusetts. The interior sideline of Sonny's Way is as described below:
Beginning at a point on the interior sideline of Sonny's Way in Dighton Massachusetts, said point being the southwest corner of Lot 25, Wellington Acres; thence,
By a curve to the right having a radius of 125.00 feet, a distance of 231.45 feet to a point; thence,
North 76-14'-00" East, 103.45 feet to a point; thence,
By a curve to the right having a radius of 125.00 feet, a distance of 223.37 feet to a point; thence,
South 01-22'-57" East, 100.03 feet to a point; thence,
By a curve to the left having a radius of 175.00 feet, a distance of 64.15 feet to a point; thence,
South 22-23'-04" East, 145.97 feet to a point; thence,
By a curve to the right having a radius of 140.00 feet, a distance of 303.59 feet to a point; thence,
North 78-08'-21" West, 145.28 feet to a point; thence,
By a curve to the right having a radius of 30.00 feet, a distance of 47.12 feet to a point; thence,
North 11-51'-39" East, 20.71 feet to a point; thence,
By a curve to the left having a radius of 320.00 feet, a distance of 232.98 feet to a point, thence,
North 29-51'-13" West, 100.48 feet to the Point of Beginning.
The above-described road layout contains 108,750 square feet, more or less.

Board of Selectmen Recommends

ARTICLE 38 VOTED. On motion of Timothy Rhines and seconded that the Town vote to accept as a Town roadway known as Dighton Woods Road as presented in Article 38 of the Special Town Meeting Warrant dated November 1, 2021. To see if the Town will vote to accept as a Town roadway known as Dighton Woods Road as described below:

Beginning at a point at the northwesterly corner of Dighton Woods Road, said point also being the common corner of the outer sideline of Dighton Woods Circle,
Thence; in a curve to the left, having a radius of 30.00 feet, a distance of 40.09 feet, to a point of reverse curve in the sideline of the layout;
Thence; in a curve to the right, having a radius of 172.00 feet, a distance of 248.59 feet, to a point of tangency in the sideline of the layout;

Thence; south 34°-04'-12" east, a distance of 45.97 feet, to a point curve in the layout;
Thence; in a curve to the left, having a radius of 200.00 feet, a distance of 103.42 feet, to a point of tangency in the sideline of the layout;
Thence; south 63°-41'-50" east, a distance of 12.57 feet, to a point in the sideline of the layout, being a common corner with the adjacent lot;
Thence; south 63°-41'-50" east, a distance of 175.00 feet, to a point of curve in the sideline of the layout;
Thence; in a curve to the left, having a radius of 25.00 feet, a distance of 39.27 feet, to a point in the sideline of buck plain road;
Thence; south 26°-18'-10" west, in the sideline of buck plain road, a distance of 90.00 feet, to a point of curve in the sideline of the layout;
Thence; turning 180°, in a northeasterly direction, in a curve to the left, having a radius of 25.00 feet, a distance of 39.27 feet, to a point in the sideline of the layout;
Thence; north 63°-41'-50" west, a distance of 175.00 feet, to a point in the sideline of the layout, being a common corner with the adjacent lot;
Thence; north 63°-41'-50" west, a distance of 12.57 feet, to a point of curve in the sideline of the layout;
Thence; in a curve to the right, having a radius of 240.00 feet, a distance of 124.10 feet, to a point of tangency in the sideline of the layout;
Thence; north 34°-04'-12" west, a distance of 45.97 feet, to a point curve in the layout;
Thence; in a curve to the left, having a radius of 132.00 feet, a distance of 175.57 feet, to a point of compound curve in the sideline of the layout;
continued;
Thence; in a curve to the left, having a radius of 30.00 feet, a distance of 48.51 feet, to a point of curve in the sideline of the layout, said point also being in the sideline of Dighton Woods Circle;
Thence; turning 180°, in a northwesterly direction, being in the sideline of Dighton Woods Circle, in a curve to the left, having a radius of 240.00 feet, a distance of 81.10 feet, to a point of reverse curve, in the sideline of the layout;
Thence; still in the sideline of Dighton Woods Circle, in a curve to the right, having a radius of 340.00 feet, a distance of 11.69 feet, to the point of beginning; meaning and intending to describe the layout for Dighton Woods Road;
Said layout containing approximately 18,343 sq. ft. or 0.42 acres, as shown on a plan entitled, "Roadway Acceptance Plan, Dighton Woods Road and Dighton Woods Circle, prepared for Dighton Homes, LLC, P.O. Box 902, Mansfield, MA", dated April 5, 2021, (revised to August 16, 2021, for road monuments having been set) scale 1" = 50'. said plan is to be recorded with the Bristol County North Registry of Deeds.

Board of Selectmen Recommends

ARTICLE 39 VOTED: On motion of Timothy Rhines and seconded that the Town vote to accept as a Town roadway known as Dighton Woods Circle as presented in Article 39 of the Special Town Meeting Warrant dated November 1, 2021.

Beginning at a point in the outer sideline of Dighton Woods Circle, said point being at the northwesterly corner of Dighton Woods Road;

Thence; in a curve to the left, having a radius of 340.00 feet, a distance of 11.69 feet, to a point of reverse curve in the outer sideline of the layout;

Thence; in a curve to the right, having a radius of 240.00 feet, a distance of 81.10 feet, to a point of curve in the outer sideline of the layout, also being a common corner in the layout of Dighton Woods Road;

Thence; continuing in a curve to the right, having a radius of 240.00 feet, a distance of 767.67 feet, to a point of compound curve in the outer sideline of the layout;

Thence; continuing in a curve to the right, having a radius of 1400.00 feet, a distance of 667.60 feet, to a point of reverse curve in the outer sideline of the layout;

Thence; continuing in a curve to the left, having a radius of 1835.00 feet, a distance of 212.11 feet, to a point of reverse curve in the outer sideline of the layout;

Thence; continuing in a curve to the right, having a radius of 255.00 feet, a distance of 479.30 feet, to a point of tangency in the outer sideline of the layout;

Thence; south 71°-16'-01" east, a distance of 5.28 feet, in the outer sideline of the layout; thence; in a curve to the right, having a radius of 255.00 feet, a distance of 493.51 feet, to a point of tangency in the outer sideline of the layout;

thence; south 39°-37'-08" west, a distance of 15.98 feet, in the outer sideline of the layout; Thence; in a curve to the left, having a radius of 340.00 feet, a distance of 474.35 feet, to a point of curve in the outer sideline of the layout, and the point of beginning;

Meaning and intending to describe the outer sideline of the layout for Dighton Woods Circle. the inner sideline is parallel to, and 40.00 feet distant from the outer sideline, as shown on the referenced plan;

said layout containing approximately 123,317 sq. ft. or 2.83 acres, as shown on a plan entitled, ``roadway acceptance plan, Dighton Woods Road and Dighton Woods Circle, prepared for Dighton Homes, LLC, P.O. Box 902, Mansfield, MA'', dated April 5, 2021, (revised to August 16, 2021, for road monuments having been set) scale 1" = 50'. said plan is to be recorded with the Bristol County North Registry of Deeds,

Board of Selectmen Recommends

ARTICLE 40: To Act Upon Any other Business

DEFEATED: On motion of Kenneth Pacheco and Seconded that the town vote to reconsider Article 23.

DEFEATED: On motion of Robert Woods and seconded that the town vote to reconsider Article 8.

VOTED UNANIMOUSLY: On motion of Kenneth Pacheco and seconded to dissolve the Special Town Meeting of November 01, 2021 at 10:40 PM.

ATTEST:

A handwritten signature in black ink, appearing to read "Mark", with a large circular flourish above it and a horizontal line extending to the right.

Town Clerk

Mark L. Pacheco

