

**Dighton Water District
192 Williams St.
No. Dighton, Ma 02764**

***Sue Medeiros
Paul Joly
Paul Pacheco***

COMMISSIONERS

***Carol A. Stevens
TREASURER***

June 29, 2010

A meeting of the Dighton Water District Commissioners was held at the District office at 6:10 P.M. Chairman of the Board, Sue Medeiros was unable to attend, Clerk of the Board, Paul Joly called the meeting to order.

First order of business was grants and homeland security. Paul Williams was in to review a piece of property the District is interested in buying. A discussion was held. Commissioner, Paul Pacheco asked, "That whole parking lot that's all full of tires right?" Paul Williams said, "Not all full there are tires there." Commissioners are to look at the building and walk the land. Paul Pacheco said, "Once we get a Finance Committee together we'll discuss it with the Finance Committee and we have a full Board on what direction we're going in."

Next order of business was the Finance Committee. Paul Pacheco referred to a conversation held prior to the meeting opening with Michael Perry in regards to where the two million dollars in free cash went and how much was left. Paul Pacheco said, "Mike \$400,000 loan we paid off not my doing I was against that right from the very beginning Sue got here she voted with him it was a done deal I fought it and if you ask these guys they'll tell you home much I wanted to buy the property honestly right now I'm not sure." Michael Perry said, "I know you've got a job like you got ok I know that you make the best decision you think you can make unfortunately a lot of people aren't happy with the best decisions you're not going to please everybody I sat in that seat nine years, nine years I sat there I dealt with some real rough guys. All the people ask is that you do the best job you possibly can that's why they elected you to that job so you can do the best job." Paul Pacheco said, "When I walked in the room the first thing we started was two million where did that all go like we wasted

it." Michael Perry said, "That was there when I left I spent the money like it was my own money. Contractor hit us with change orders. Not an easy job." Paul Pacheco said, "I make a motion to appoint Michael Perry to the Finance Committee and Ronald Whitmore." Paul Joly said, "Appoint two we already have got one appointed." Paul Pacheco said, "Charlie is already appointed we appoint two that makes three from then on they take over and add the rest of them." Paul Joly said, "Second, all in favor, ayes have it."

Michael Perry said, "When you started having trouble with the boundaries maybe shame on Michael I don't know nine years I was here I thought everything else that was out there came under the Dighton Water District that was the impression I got." Paul Pacheco said, "Right we all did, we all did Mike everybody always thought that for fifty nine years." Michael Perry said, "I know we had North Dighton Fire District they buy their water from the City of Taunton, some of the people in Town get Somerset water that goes by most of that is in the District, Somerset deal Town Father's back way before any of us was around here they gave up the rights to that water to Somerset over on Brook St." Paul Pacheco said, "Supposedly somewhere in those rights it was written in the Dighton Water District still has control over it because anybody that's in Dighton that comes along wants to hook into Somerset water when they get to Somerset, Somerset tells them if you don't have a letter of permission from the Dighton Water District you're not hooking up so they have to come here to get out permission so in theory we're supplying them water through the original agreement and their land does fall in the middle here as far as what we thought you're right we were wrong because we thought just like you said you thought that nine years that you were here and I'll go back and make the same decision as we did before if this ever becomes a complete District because I cannot see how anybody can understand where you'd allow somebody to come into a room and raise their hand and vote but they don't pay taxes so if they're not putting their money into the pot why should they have any say at all who's going to spend it. These people coming in down here they weren't being taxed but everybody thought they were in the District and they'd come in you want to buy a truck no, no, no we don't want to spend the money but they didn't want to pay the tax." Michael Perry said, "To me I still think there's a big problem with David Gay being the Attorney for the Town and the Attorney for the Dighton Water District I think that's a big problem." Paul Pacheco said, "It isn't in general in general they can use him and we can use him but if it ever becomes a battle us against the Town he's out on both sides he's going to wash his hands he's going to say you guys need to get Attorneys because that's a conflict of interest he can't do that." Treasurer/Clerk, Carol Stevens said, "We have a back up." Paul Pacheco said, "See we've got a backup as long as what he's talking to the Town about is not about us and we're talking to him not about the

Town then it's ok and we're getting a pretty good deal off of him as far as price most lawyers are \$250.00 an hour he's \$160.00." Michael Perry said, "I know of a couple of incidents here where he was representing the Town representing us I don't feel we got a fair shake either." Paul Pacheco said, "I'm not going to tell you that I think he's always right either." Paul Joly said, "I think if we do have any possible conflict between the Town and the District we should get our own Attorney." Paul Pacheco said, "Well we'd have to he'd say he can't represent us and then he'd tell them the same thing." Paul Joly said, "Almost a common sense thing what we should do is discuss with him if we do have any of these conflicts we want to use another Attorney." Paul Pacheco said, "Like I said he's going to tell us that." Paul Joly said, "I know he's going to tell us that that's no problem we just have to let him know where we're coming from." Michael Perry said, "I'm not mentioning any names either but you have Commissioners having their own private meetings without the other two Commissioners being present I don't think that's right either." Paul Pacheco said, "That's right it isn't." Paul Joly said, "We've made some changes on that." Michael Perry said, "That was happening Paul and you know it was happening." Paul Pacheco said, "Oh I know it was and a lot of phone calls we stopped and I made a phone call to him today and something I've got to talk to you about but we've got to go into executive session." Paul Joly said, "What we've done there's no one on one with the Attorney we send a letter all three of us put it together then send it to him and then he replies in writing and I've already told him verbally there's to be no more one on one you're going to get it from the Commissioners not one individual so he agreed I think we've cleared that particular problem. We're going to need another moderator he's here some weeks some weeks he isn't, using this guy over to Berkley he's out of the District." Michael Perry said, "Blake." Paul Joly said, "Yeah." Paul Pacheco said, "Couple of choices if there is no other moderator in the District may have to change the By-Laws." Paul Joly said, "If we ran into a tie at that meeting he couldn't do anything to break the tie. Where did he come from?" Carol Stevens said, "John Blake, David Gay, David Gay recommended him because half the time we couldn't get McKeon." Paul Joly said, "On the relative thing did you go over that." Charlie Roderigues said, "I went over that another question he's a first cousin, he's a very distant cousin." Paul Joly asked, "What did David say in that letter?" Carol Stevens said, "What Matthew Costa said was he addressed the sister in-law but cousins are direct blood even closer than a sister in-law if it pertains to Chuck they can't vote they have to do a disclosure in writing and recuse themselves from voting." Paul Pacheco said, "Commissioners opinion; As a Commissioner you got the law we did our job we appointed him and him you guys figure it out you're going to be appointing them you don't need our approval." Paul Joly said, "Copy of the law he'll have to work within the law." A discussion was held regarding relatives. Charles Roderigues will post the finance meeting

at the Town Hall.

Paul Pacheco said, "I'd like to go into executive before we go further then we can go back into regular." Carol Stevens said, "You have to state what executive is for and it has to be for executive reasons." Paul Pacheco said, "It's for new information on the contract." Paul Joly said, "I'll second it, can we do that are we all set on that?" Paul Pacheco said, "All in favor, only one aye (Paul Pacheco)." Carol Stevens said, "I'm not sure you can't just state it's for negotiations unless it's for ..." Paul Pacheco said, "Well I did he seconded we're going to do it if anybody thinks we're wrong to do it." Paul Joly said, "Wait a minute let's make sure we're in the right direction." Carol Stevens asked, "You called David Gay on your own today?" Paul Pacheco said, "Yes." Carol Stevens asked, "Without talking to the others?" Paul Pacheco said, "Yes I did." Carol Stevens asked, "How can you call executive session if the other two aren't aware of what you're going into, we just had a meeting on this." Paul Pacheco said, "I'll explain it to him." Carol Stevens said, "I'm not going to do anything illegal I'm sorry." Paul Joly said, "No." Paul Pacheco said, "We're not going to do anything illegal." Carol Stevens said, "It's doing something illegal." Paul Pacheco said, "No it isn't listen we're going into executive meeting I have reason to go into executive meeting if you think our reason is wrong call the Lawyer, call the Cops, call anybody I don't care I'm saying I want to go into executive meeting I've got good reason to go in so we're going to do it." Carol Stevens said, "He just said the three of you will not get a hold of David Gay unless it's the three of you, you just went on your own again today behind the two of their backs." Paul Joly said, "This is the second time something like this has happened and we brought this up before." Paul Pacheco said, "When we come back into public we can discuss that, why that got brought into why we're going into executive two separate ..." Carol Stevens said, "Because I just went to a meeting with David Gay that says it's illegal to do that." Paul Pacheco said, "And all the new laws are July 1st." Carol Stevens said, "Bring to me all the executive session minutes that you had. Turn in all the executive minutes I as Clerk have to have executive minutes I don't have any from your executive meetings." Paul Pacheco said, "No decisions were made." Paul Joly said, "If this is a negotiation thing we've got a meeting coming on the 8th." Paul Pacheco said, "This is important this needs to be talked to tonight and we don't need permission from our help this is the Water Commissioner." Carol Stevens said, "I'm the Clerk I'm responsible." Paul Joly said, "I'm not going to go along with that I want this brought up if it 's a negotiation thing it should be done when Gay is here and the three of us are here that way we're covered by the minutes of the agenda." Paul Pacheco said, "We're having this whole other meeting with the Finance Committee and everything else without the member." Paul Joly said, "It's listed on the agenda that's it cut and dry thing negotiations a

whole different thing." Carol Stevens said, "You had to be at the meeting the other day to find out the things we've doing wrong." Paul Joly asked, "Did you give him a copy of this?" Carol Stevens said, "I did." Paul Joly said, "David gave us a rough draft I'll tell you Paul it's really pretty much cut and dry you can't do anything unless you've got a specific thing that's posted forty eight hours and executive session stuff." Paul Pacheco said, "This is something that can't be posted." Paul Joly said, "I'm not going to go that route I'm going to follow what they told us down there on executive sessions and on these new regulations on this open meeting law." Paul Pacheco asked, "So you don't want to go into executive session." Paul Joly said, "I don't want to go because we were told the other day about this it's a gray area but we've got a meeting coming up on the 8th we can do it then we don't sign any contracts till down the road I'm sure it can wait till we meet with everybody." Paul Pacheco asked, "So do we have anything else we can go into executive under?" Carol Stevens said, "Not legally no." Paul Joly said, "No." Karen O'Connor said, "I have a question after that discussion." Paul Joly said, "Go ahead what have you got." Karen O'Connor said, "Well she mentioned I need the minutes for executive sessions I didn't think executive sessions were allowed to leave the office." Carol Stevens said, "They were supposed to be giving them to me I've never received any." Paul Joly said, "A decision comes up down the road if it's legal or something like that the Attorneys can request it." Karen O'Connor said, "I thought this was supposed to stay in the office." Paul Joly said, "No, it's changed some of the stuff can be public." Karen O'Connor said, "It can be public after it's closed it can then be public." Paul Joly said, "Always been when you dealt with personalities they use to just call executive session." Karen O'Connor said, "No, no actually in the public laws it states when you go into executive session you give a number what department it is suppose to give a description." Michael Perry said, "Paul, if you go into executive session with two different people inside the District here I even think they get the right to have an Attorney here." Carol Stevens said, "Yes they do." Karen O'Connor said, "Yes they do." Michael Perry said, "You can have an Attorney there." Carol Stevens said, "If it's a discussion about any person in here they are suppose to be notified before they go into executive session." Paul Joly said, "Personality that's why you do it forty eight hours before." Michael Perry said, "They have that right." Karen O'Connor said, "I just never knew executive session could leave this office." Carol Stevens said, "They're supposed to be given to me." Karen O'Connor said, "Right they're supposed to be in a book." Carol Stevens said, "Kept until anyone asks for them." Karen O'Connor said, "Right, right public knowledge after it's closed." Carol Stevens said, "You're right." Karen O'Connor asked, "So are you going into executive session?" Paul Joly said, "No we're not." Paul Pacheco said, "Ok next on the agenda the key or the keys I should say. You guys I guess the very meeting that you guys had I was working that day I said I could come

over to sign that paper and leave and then slowly I found out all the things that happened afterwards one of the things was whose got keys around here how I found that out was first of all I saw the lock truck here so maybe they're going to change the locks so I asked Carol what are they doing." Paul Joly said, "But you knew we were changing the locks." Paul Pacheco said, "No I did not I had no idea because nobody told me because I wasn't at that meeting I left that meeting early nobody told me about that at all." Paul Joly said, "I think we had discussed that previous with all three of us here." Paul Pacheco said, "No, no what happened on Monday you were elected we had a meeting scheduled with the Union for Wednesday morning and we had to sign warrants they had to be signed Wednesday I told you guys I'm going to be in and out hauling cars 10:00 I can run over I can sign I don't have time to hang around for a meeting. You guys decided to have a meeting afterwards everything that was talked about in that meeting I never found about slowly piece by piece I found out how I found out was like I said I saw the lock truck here that was the first clue so when I asked Carol about why the lock truck was here she said ask Chuck so I asked Chuck he said going to change locks on the gate so I came in doors locked the other day go to get my folder so I try one key I tried the other key it don't work he's watching me does he say locks have been changed no so when I turn around I say Chuck the locks been changed yup they've been changed where's my key you ain't getting one see the tail is starting to wag the dog around here okay you were told Ed Swartz had keys and Ed Swartz didn't have keys." Paul Joly said, " Let me tell you what happened okay we found out after we had that discussion Ed Swartz didn't have a key and I said I don't need a key and she said she didn't need a key you said you wanted a key." Paul Pacheco said, "That's right." Paul Joly said, "So you knew what we were doing." Paul Pacheco said, "No, this was afterwards this was the last meeting we just had the very last meeting we had five minutes after I found out my key didn't work that's when Sue went into all that that's where we stated to get back into the old routine of the tail wagging the dog around here." Paul Joly said, "You know why the key deal came up because there were guys getting to the water tanks over there and everybody had a key and there were too many keys floating around and that's why we decided to change the locks." Paul Pacheco said, "Padlocks and that's what I was told when the guys were here." Charles Cestodio said, "All the locks." Paul Joly said, "All the locks, all the locks because nobody had a record of who had keys Swartz's name came up did he have a key Carol said no he didn't have a key never wanted a key. Kenny didn't want a key did he?" Paul Pacheco said, "Right that's right no Kenny didn't want a key they were afraid they were going to get blamed on something." Paul Joly said, "You wanted a key, you wanted a key." Paul Pacheco said, "That's right." Paul Joly said, "Alright." Paul Pacheco said, "I feel the Commissioners should have the keys." Paul Joly said, "That's the reason why so many keys floating around we made the decision to

change them." Paul Pacheco said, "That's right before this whole key thing came up there was not even a key to that office that the fire department had the fire department came here twice could not even get in that office." Paul Joly said, "There's a key there now." Paul Pacheco said, "That's right there's a key there now." Paul Joly said, "Let's talk about now." Paul Pacheco said, "Right so now I think everybody that had keys should have their keys back." Paul Joly asked, "Why do you need a key?" Paul Pacheco said, "I need a key to go in to get my mail for one, couple of times we've been here where Carol's not here Tina's not here somebody needs to get into that room." Paul Joly asked, "Who needs to get in there?" Paul Pacheco said, "It depends on what, for the fire department." Carol Stevens said, "The fire department has a key." Paul Pacheco said, "If they come here they don't have to open up that box they come here somebody's here the smoke alarm comes off so now you're going to make them open that up why not why not." Paul Joly said, "The problem is we know who has keys we know two people have keys we're not going on a witch hunt if anything happens we know two people who have keys we can control two keys we start taking keys out and start handing them to this guy and that guy we're back into square one again and then a year or two later we've got to go change the locks." Paul Pacheco said, "You guys got to change the locks every time you change Commissioners anyways." Paul Joly said, "Well you don't have to change locks every time you got new Commissioners only you just have to patrol who the hells got the keys you don't hand them out to everybody." Paul Pacheco said, "And like I said the whole thing around here is starting to the tails wagging the dog." Paul Joly said, "Well you decide what you want you were part of the tail before." Paul Pacheco said, "No we were part of the dog getting the tail to wag now all of a sudden you talk about undermining Chuck shouldn't undermine people." Carol Stevens said, "I'm not undermining." Paul Pacheco said, "But yet everybody come in Ed's got keys and undermine the Commissioners Chuck you sit there and tell me so many times you don't like people stabbing you in the back and this and that but when I saw the lock truck here you sat there and watched me trying to put it in and then you smirked about it." Charles Cestodio said, "I told you that day, I specifically stated that day that we were changing all the locks." Paul Pacheco said, "You told me the gates." Charles Cestodio said, "I didn't say the gates." Paul Joly said, "All the locks, all the locks." Paul Pacheco said, "You didn't say all the locks Chuck." Charles Cestodio said, "I said all the locks." Paul Joly said, "That's what we discussed here we were changing all the locks." Paul Pacheco said, "Yeah at the meeting that I wasn't here." Michael Perry asked, "What every single door?" Paul Pacheco said, "Everything they went and changed everything because somebody said Ed Swartz had keys Ed didn't have a lot of keys." Carol Stevens said, "Ed had no keys." Paul Joly said, "We knew Swartz didn't have a key when we discussed this originally but we didn't know who had a key because

they were floating all over the place." Karen O'Connor said, "I can understand what Paul is saying I think seriously not everybody needs keys." Paul Joly said, "We didn't know who had keys." Karen O'Connor asked, "So what does the Water District have two people have keys now?" Paul Joly asked, "Chuck and Carol?" Charles Cestodio said, "No the only ones that have keys to that door they're bonded." Paul Pacheco said, "They're bonded I would like to see their bonds I want to see Tina's bond and your bond." Carol Stevens said, "You can see them they're right in there." Paul Pacheco said, "Okay get them for me. Can somebody explain to me why that room you need to be bonded to have a key to it?" Paul Joly said, "Personal information." Carol Stevens said, "Exactly there should be no one in that office." Paul Pacheco said, "There's personal information in other parts of this place." Paul Joly said, "We're talking about private records, social security numbers, all of that." Carol Stevens said, "No one should be in the treatment end either." Paul Pacheco said, "Go in that closet that's where it is it's not in that room its right there." Carol Stevens asked, "How do you know that Paul how do you know what's in that closet?" Paul Pacheco said, "Because you and Tina whenever you need something and you say hold on let me put it in the safe over here." Carol Stevens said, "Let me tell you something it wasn't Chuck and I that undermine you either." Michael Perry said, "This is getting off the course." Carol Stevens said, "I know we are supposed to be doing rules and regulations." Paul Joly said, "We're going to basically just cut this that's it he was here when we did have a meeting this is just going nowhere." Paul Pacheco received a phone call and stepped outside. Carol Stevens said, "We asked him if Ed had keys." Paul Joly said, "Yes." Carol Stevens said, "It wasn't Chuck and me that undermined him." Karen O'Connor said, "Actually you should have keys that can't be copied. Charles Cestodio said, "That's what they are." Karen O'Connor said, "Oh that's perfect." Paul Joly asked, "How true is that people really honor that if it says cannot duplicate it?" Carol Stevens said, "If someone should make a key and they weren't authorized they can get fired." Michael Perry asked, "How many Commissioners come in here and do work at night?" Paul Joly said, "There's no reason to come in here at night." Charlie Roderigues said, "I wouldn't want one I wouldn't want a key." Paul Pacheco left the meeting saying he had a family emergency. Paul Joly was the only remaining member so the meeting could not continue.

Respectfully Submitted,
Carol A. Stevens
District Clerk

Those in Attendance:

Paul Joly
Paul Pacheco
Charles Roderigues
Karen O'Connor
Ronald Whitmore
Michael Perry

Charles Cestodio Jr.

Carol A. Stevens
