

Dighton Water District

192 Williams St.
No. Dighton, Ma 02764

Paul Joly
Patrick Menges
Sue Medeiros

COMMISSIONERS

Card A. Steves
TREASURER

August 9, 2011

Chairman of the Board, Paul Joly called the meeting to order at 6:35 P.M.

Present: Paul Joly, Clerk of the Board, Patrick Menges, Commissioner, Sue Medeiros.

Pledge of Allegiance.

Clerk of the Board, Patrick Menges made a motion to approve the minutes as printed seconded, Sue Medeiros; all were in favor.

Sue Medeiros Voted to approve the warrants, seconded, Patrick Menges; all were in favor.

Award Trailer/Truck Bids- Tabled.

Approve Quotes for Cedar St. #3 Pump; VOTED Patrick Menges to authorize the Superintendent to proceed with the lowest quote, seconded Sue Medeiros, all were in favor.

Correspondence; Patrick Menges read an e-mail sent to him by Sharon Araujo of 947 Main St., Dighton, Ma regarding the 2010 Water Quality Report and his response to the e-mail. To be placed on the next agenda when the Superintendent is in attendance.

Letter from Attorney Robert Frederick's was reviewed.

Letter from Attorney David Gay was read by Patrick Menges.

Letter from Fire Chief Antone Roderick Jr. was read by Patrick Menges. VOTED; Patrick Menges made a motion two additional copies be made to be retained in the individual personnel files here and Dorian Jefferson and Gary Willette be given the two copies that were sent by the Chief of the Fire Department seconded, Sue Medeiros, all were in favor.

Superintendent's Report; Held off until Superintendent is in attendance.

Financial-Status of Audit (update) (and Posting of Monthly Financial Statements on District web site; AGREED BY CONSENSUS, not to publicly post on the District web site the condition statement or bank balances of the District until completed by our current Auditor. VOTED on a motion of Commissioner Menges, that the lines of the operating budget showing the balances unexpended, be publicly posted monthly on the District web site."

Old Business;
Act on Trust Fund Legislation proposal;

Patrick Menges VOTED; Mr. Chairman I move that the proposal for legislation establishing a Water Resources Trust which the Board has referred to District Counsel for review, be amended to conform to the opinion of District Counsel as expressed in his letter of July 25, 2011, by striking therefrom Section 2, and eliminating the caption "Section 1." From the beginning of the text of the proposal, seconded, Sue Medeiros, all were in favor.

Patrick Menges VOTED; Mr. Chairman, I move that the Board include the Water Resources Trust proposal, as amended to conform to the opinion of District Counsel, with such legislation as the Board may propose for enactment to define the boundaries of the Dighton Water District, as a comprehensive amendment of Chapter 359 of the Acts of 1950 which established the Dighton Water District; and that the Board ask the District and the Town of Dighton to seek action by the General Court on the Water Resources Trust proposal as part of said comprehensive amendment, seconded, Sue Medeiros, all were in favor.

Main Street work Bridge Phase;

Patrick Menges VOTED; Mr. Chairman, I move that the beginning of the Main Street Bridge waterline project beginning this month in conjunction with the Town of Dighton's Main Street Bridge Replacement project, be funded out of the FY 2012 Operating Budget's System Maintenance Account #6380 as recommended by the Superintendent, and that the Board resolve to ask the next Special District Meeting to replenish that account by a transfer from free cash when certified according to law, seconded, Sue Medeiros, all were in favor.

Sign letter of request to be placed on D.O.R. Management Review waiting list;

A letter addressed to Rick Kingsley was read by Patrick Menges. VOTED; Sue Medeiros, motion to have Tina type that up for all three Commissioners to sign it and send it off to Mr. Kingsley at the D.O.R. to be placed on the D.O.R. management review waiting list, seconded, Patrick Menges, all were in favor.

Purchase of Camera for Commissioners meetings; Camera purchased. James Ready to be contacted to arrange a broadcast time on the cable channel.

District Boundaries Initiative;
Set date for a Meeting with David Gay; August 29th

Patrick Menges Voted; Mr. Chairman, I move policy adopted by the Board on Wednesday, 29 June, entitled petition for Exclusion of Estates from Dighton Water District be amended to conform to the advice of District Counsel, by striking therefrom the last sentence of the second paragraph on page one of said policy, and paragraph three on page two of said policy, relative to remission of certain fees; and by substituting for “not later than fifteen (15) days” in paragraph three on page one of said policy the words “not sooner than forty-five (45) days” , and that implementation of the policy as amended be suspended pending a meeting of the Board with District Counsel concerning the District boundaries initiative, seconded, Sue Medeiros, all were in favor.

Review Research and Spread Sheet on Status of Streets;

Patrick Menges VOTED; Mr. Chairman, I move that the Board in furtherance of the District Boundary initiative proceed to review the research and the spread sheet on the “Included in District” or “Excluded from District” status of streets as far as completed to date, and that I be permitted to preface the review with a few brief introductory remarks about the research, seconded, Sue Medeiros, all were in favor. Remarks were reviewed and there was a street by street review.

Sue Medeiros VOTED; I make a motion to set up a workshop sooner than later to continue working on this wonderful spreadsheet that they started, 29th of August, seconded, Patrick Menges, all were in favor.

Set Date for Public Hearing on Status of Streets;

Patrick Menges VOTED; I move that the Commission schedule a public hearing on the “Included in District” or “Excluded from District” status of streets in the Town Hall lower level 2:00 on Saturday, 10 September, that at that hearing the name of each street be read out and all public comments on the status of each street be recorded; that a map of the streets in town be present; and that general comments and questions follow; and that the Board then take the whole matter under advisement for final resolution of any issues raised, and forward the results approved by the Board to our surveyor

and the Board of Assessors, seconded, Sue Medeiros, all were in favor.

Prepare for (tentative) Special District Meeting;

Patrick Menges VOTED; I move that action on a warrant, deadline for submission of articles, and setting of a date for a meeting of the Finance Committee in preparation for a Special District Meeting, be postponed until the Treasurer has received in the Department of Revenue's fiscal year 2012 free cash certification, in accordance with the advice of our accountant, seconded, Sue Medeiros, all were in favor.

Land Purchase Status & Action;

Patrick Menges VOTED; I move that the District Clerk/Treasurer be instructed to publish the written determination adopted by the Board concerning the Williams Street land purchase in the central register as required by Chapter 30B, Section 16 (e) (2) of the Massachusetts General Laws, seconded, Sue Medeiros, all were in favor.

Patrick Menges VOTED; I move that in response to the letter of Attorney Robert Fredericks concerning the Williams Street land purchase, the Board direct the Clerk to send Attorney Fredericks a letter advising him to indicate to Attorney Brennan that the District wishes to keep its option open because the Annual District Meeting's appropriation of the downpayment and first year's payment were contingent on the District's receipt of a state water resources protection grant, which has not yet been awarded; and that the choice between the two alternative methods of payment will be based upon the amount of the grant when the District has been advised of it, all were in favor.

Patrick Menges VOTED; I move that the proposal, payment plan, Annual District Meeting vote, applicable grant award, purchase and sale agreement, and the written determination of uniqueness, and any other relative documents including but not limited to the professional appraisal and text of the metes and bounds description, pertaining to the Williams Street land purchase, be photocopied and forwarded for

review to the Attorney General of the Commonwealth for review before final action to acquire the property, and that any outstanding measures required by law in the opinion of the Attorney General be taken prior to the effective date of the transaction, seconded Sue Medeiros all were in favor.

EEA Grant Status & Action;

(Continue to function as outlined.)

Status of Sale of Somerset Avenue property & Action;

Patrick Menges VOTED; Mr. Chairman, I move that we set Tuesday, October 10th regular month meeting of the Board as the date for the opening of bids for the sale of the Somerset Ave. property and that the clerk's office expeditiously advertise that we are soliciting bids in accordance with the uniform procurement act, second Sue Medeiros, all were in favor. Minimum bid \$250,000, VOTED; Patrick Menges, so moved, seconded Sue Medeiros, all were in favor.

Glenn Jefferson-Special Meeting Article regarding Land Purchase;

Patrick Menges read the petition.

Patrick Menges VOTED; Mr. Chairman, I move that the proposed Special District Meeting Article submitted by Glenn Jefferson regarding Williams St. land purchase be amended by addition to his text of the words or take any other action relative there to, seconded Sue Medeiros, all were in favor.

Patrick Menges VOTED; Mr. Chairman, I move that we vote to place this the article submitted my Mr. Glenn Jefferson relative to the William St. land purchase on the warrant for the next Special District Meeting provided that said meeting occur prior to the execution of the purchase as approved at the Annual District Meeting, seconded Sue Medeiros, all were in favor.

Karen O'Connor- Grant Writer;

Patrick Menges VOTED; Mr. Chairman I move that the Finance Committee be asked to approve a transfer of \$450.00 to defray the cost of sending a member of the Finance Committee to grant writer training. Sue Medeiros VOTED; Motion to table this until we get a little bit more information, seconded Patrick Menges, all were in favor.

Statuses of;

District Seal Contest; Patrick Menges-Telephone call into the principal of the Middle School waiting for an appointment.

I.D. Cards; Sue Medeiros to give a sample of a certificate of election in the form of a card to Tina.

Rate Study; Meeting with Charles Cestodio when he returns from vacation.

Revenue Sources Review; Patrick Menges, Clerk/Treasurer Stevens, Assessor Beauregard will meet to prepare plan. Under the Open Meeting Law, the meeting will be posted and open to the public. Patrick Menges will be in touch with Seekonk Water District for information.

Meter Fee; Patrick Menges stated; Action on the meter fee proposal that I made at the last meeting can be deferred until the Revenue Sources Review is done; that will be addressed in that review. (\$5 a quarter, \$20 a year.

Flag for Conference Room; Scoutmaster St. George will suggest the flag staff and base as a Carpentry Merit Badge project.

Human Resources by-law revision; Revisions of the Human Resources by-law in the hands of Sue Medeiros for revision.

Hydrant on Tony's Way; Hold until Charles Cestodio is present.

New Business;

Compensation of Assessor and Collector; Question came up in review of the Books.

Solbridge Energy Solar Project; Letter read by Patrick Menges.

Patrick Menges VOTED; Mr. Chairman, I move that the proponents of the Solbridge Energy's Chris Killenberg and Kent Trowbridge, be invited to attend the Board's September meeting to apprise the Board of their proposed solar farm, seconded, Sue Medeiros, all were in favor.

Safety Policy; Copies given to Sue Medeiros and Paul Joly for review.

Policy for executive session minutes;

Mr. Chairman, I move that the Board adopt and sign a policy requiring quarterly review of the minutes of its executive sessions and identification of minutes that must be withheld from public release, and that the policy so adopted and signed by furnished to the District Clerk and posted in the District Policy Book. Policy for Periodic Review of Executive Session Meeting Minutes was read by Patrick Menges. Sue Medeiros seconded the motion, all were in favor.

Announcements;

Patrick Menges speaking on behalf of the Board extended its condolences to former Selectmen Reese in the death of his wife, calling hours were announced. Sue Medeiros also offered her condolences saying Becky was a real nice lady and will truly be missed.

Patrick Menges stated, "Thanks specifically to Mr. St. George and the Community Church for its loan of its flag and to all individuals and organizations who have donated time, talent, and/or resources in furtherance of the mission of the Dighton Water District.

Commissioners' Meetings dates. Times, skeletal agenda;

Patrick Menges mentioned an item that appeared on the agenda for a special meeting of the Board which was cancelled, was, "Scanner". When the items for the cancelled meeting were being transcribed for tonight, that one was overlooked. It will be placed under "Old Business" in September.

Next regular monthly meeting of the Board of Commissioners according to the by-laws will occur on Tuesday, 13 September at 7:00 P.M.

Patrick Menges will be meeting with Chairman of the Assessors Carol Beauregard and Treasurer of the District Carol Stevens to review revenue sources and develop a preliminary plan for meeting the District's revenue needs.

Public Input;

Sharon Araujo regarding water quality supply. To be placed on the agenda when Charles Cestodio is in attendance.

Executive Session; WAIVED

Paul Joly VOTED to adjourn at 9:55 P.M., seconded Patrick Menges, all were in favor.

Respectfully Submitted,

Carol A. Stevens
District Clerk

Those in Attendance:

Paul Joly
Patrick Menges
Sue Medeiros

Selectman, Dean Cronin
Selectman, Bud Whalon
Dorian Jefferson
Glen Jefferson
Pamela Jefferson

Sharon Araujo
Assessor, Carol Beauregard
Richard Treacy
Michael Perry
Ron Carr

Tina Bragga recorded the minutes. Carol Stevens typed the minutes.
