

# *Dighton Water District*

192 Williams St.  
No. Dighton, Ma 02764

Paul Joly  
Patrick Menges  
Sue Medeiros

COMMISSIONERS

*Card A. Stevens*  
TREASURER

November 8, 2011

Chairman of the Board, Paul Joly called the meeting to order at 7:05 P.M.

Present: Paul Joly, Patrick Menges and Sue Medeiros.

Pledge of Allegiance.

Patrick Menges as Clerk of the Board VOTED; To consider adjournment at 10:00 P.M., seconded, Sue Medeiros, all were in favor.

Approve Minutes of Prior Meetings;

Patrick Menges VOTED; That the prepared minutes of prior meetings presented for our approval this evening be approved as written and that the Board vote not to release to the public at this time the secret minutes of executive sessions held this year to date, seconded, Sue Medeiros, all were in favor.

Quarterly review of Accumulated Compensation Time;

Patrick Menges VOTED; That the record show that we have reviewed the accumulation of comp time as required by the Union Contract and found nothing amiss, seconded, Sue Medeiros, all were in favor.

Patrick Menges VOTED; That the Board be deemed to have approved the Financial Warrants as prepared by the District Treasurer and the Accountant and that the Board return the compensation time records which were presented for quarterly review to the Treasurer, seconded, Sue Medeiros, all were in favor.

Correspondence;

National Grid Memorandum Re; Pumps/Drives Replacement Project; Moved, the District will not be participating in the program.

Letter received from David A. Silvia; Patrick Menges read the letter. Paul Joly mentioned the Board needed a registered plot plan of David's property and his neighbor's property. Patrick Menges mentioned;

1. Supply line to the home, homeowner's expense they have to pay themselves
2. The line he alleges is on his neighbor's property more than twenty years, prescriptive easement he can do what needs to be done he won't be trespassing on the neighbors property provided he can prove he's had continuous use for twenty years.
3. He can work it out with the Superintendent. The leak on his neighbors' property that he alleges coming from his supply line if not abated at once District will shut the service off.

Paul Joly said, "Send a notice to the occupants, cause of action against the owners, send to all three of them, send certified letter, if we don't have a decision within ten days we're going to have to proceed with shutting the service down." Patrick Menges VOTED; So moved, seconded, Sue Medeiros, all were in favor.

Reports and Action on Reports;

Mark Abraham-Accounting Project Update; TABLED

Engineer Mark Owen's Report;

Mark Owen gave the Board an update on the wells. Patrick Menges VOTED; To accept Engineer Owen's report with our congratulations for his good work and on expressing our hope to have him continue as outlined, seconded, Sue Medeiros, all were in favor.

Superintendent Cestodio's Report;

Gasoline and auto repairs;

To be bid out in April with the rest of the bids.

Truck and Trailer Lettering;

Paul Joly VOTED; To go with the lowest quote, seconded, Patrick Menges. All were in favor.

Garage Door;

Superintendent to obtain more quotes.

Pipeline Old Office;

Superintendent mentioned he would have the work done before Thanksgiving weekend. Old records are to be preserved. Patrick Menges to contact the Boy Scouts.

Patrick Menges VOTED; To accept Superintendent's report and instruct him to function as outlined, seconded, Sue Medeiros, all were in favor.

Report on Pending Revision of Proposed Human Resources By-Law;

Patrick Menges VOTED; To postpone action on a pending revision at least until the next regular meeting of the Board on Tuesday, December 13<sup>th</sup>, seconded, Sue Medeiros, all in favor.

Meetings with Scheduled Guests;

Former Commissioner, Paul Pacheco. Paul Pacheco was not in attendance. Patrick Menges mentioned; Paul Pacheco will write and send to each Commissioner a letter seeking an executive session at a date, time and location other than the date, time and location of the monthly Commissioners meeting. Sue Medeiros mentioned the subject would have to fall under executive session guidelines.

Resident Glenn Jefferson, re; Cable telecast times of Commission Meetings;

Glenn Jefferson was not in attendance. Paul Joly mentioned he would contact Jim Ready again in regards to the status of the times.

Old Business;

Status of DOR Management Review;

Patrick Menges mentioned to prepare as appropriate in accordance with the D.O.R. Management requests and forewarning for the eminent D.O.R. Management Review the initial phase of which is about to begin.

Status of Somerset Avenue Land Sale;

Patrick Menges VOTED;I move that the Somerset Avenue land sale be re-advertised with an invitation to bid to close by 9<sup>th</sup> January 12 noon bids to be opened regular meeting of Board January 10<sup>th</sup> opened and voted on, placed in the Central Register also, seconded Sue Medeiros, Paul Joly mentioned he wanted to wait for David Gay's opinion on re-bidding. Everyone agreed.

Status of Williams Street land purchase; Status was reviewed.

EEA Grant application; Site visit scheduled for Monday, November 14, 2011.

Final Preparations for Special District Meeting;

District Counsel's review/comments on warrant; Review/comments not received at this time.

Approve Article II reports: Financial Statement; Commissioners' Statement; Patrick Menges VOTED; To accept the financial statement prepared for voters for the November 10<sup>th</sup> Special District Meeting, seconded, Sue Medeiros, all were in favor.

Sue Medeiros VOTED; To accept the Commissioners' report as written by Commissioner Patrick Menges with the exception he will be changing the number for gallons on Cedar St., seconded, Paul Joly, all in favor

Adopt DeLano Map of District, Article XXII;

Patrick Menges VOTED; To adopt for purposes of presentation for acceptance for the 10th of November Special District Meeting the John W. DeLano to wit plan of the District dated 18 October 2011, seconded, Sue Medeiros, all were in favor.

District Boundaries Initiative;

Status of Letter Urging Customers on Unaccepted Streets to Petition into District; Patrick Menges VOTED; To remind District Counsel that we urgently need his impropria or criticism of the August 9<sup>th</sup> draft and I will prepare to update that text so we can send it to the residents on the effective streets, seconded, Sue Medeiros, all in favor.

Commissioner Menges on Revenue Consequences; Commissioner gave an overall view on what the revenue consequences may be. Refunds; Patrick Menges mentioned District Counsel David Gay has told the Board anyone who claims to know whether we are obligated to pay refunds how far back they would go or whether or not they can be reduced to reflect the benefit that was received before it was determined refunds were payable is blowing smoke. They're telling a story an issue never been litigated issue impression will be for the courts yet to be determined what the course of refunds will be.

New Business;

Request date that Union Representative is available to clarify call back Procedure; Patrick Menges VOTED; To ask Gary Willette to contact the representative of the Union in Boston to furnish dates when he would be available for a meeting with this Board and our Counsel to clarify call back procedure, seconded, Sue Medeiros, all were in favor.

May 30<sup>th</sup> Student Government Day 2012; Patrick Menges VOTED; Commissioners inform the Board of Selectmen that we would like students to occupy the offices of Commissioner, Treasurer/Clerk, and Superintendent on the 30<sup>th</sup> of May Student Government Day, seconded, Sue Medeiros, all were in favor.

Revenue;

Set Interim Rates for Water Customers Not in District after 10 November (until completion of new rates study); Patrick Menges VOTED; That the interim rates be adopted effective 10 November for streets not going to be in the District, once the Assessors and Collector stop billing those streets for the Real Estate. Sue Medeiros said, “I just want to be clear in accepting your motion this will not affect the bills going out in the next few weeks and more than likely in two months we’re going to have the new rates anyways, we’re going to move forward with those new rates.” Patrick Menges VOTED; Limit my motion to the acceptance of the water rates, Sue Medeiros seconded the motion amending it “when the new study comes out in two months then we’re going to impose whatever the recommendation of Mark Owen is.” Paul Joly clarified it would be the water rates for the streets not in the District. All were in favor.

Set Firefighting Gallonage Charge for Firefighting outside of District Water Conservation; Sue Medeiros VOTED; To accept the firefighting gallonage charge for firefighting outside the District, seconded, Patrick Menges, all were in favor.

Impose \$5.00 quarterly meter fee; Patrick Menges VOTED; To impose a \$20.00 a year meter fee on a quarterly basis of \$5.00 a quarter billable at the half, seconded, Sue Medeiros on the condition

Carol look into the program to see if will cost anything to set up, Carol will get back to the Board, all were in favor.

Water Conservation; Sue Medeiros VOTED; TO accept the recommendation of these policies by D.E.P. the three items read by Patrick Menges. Patrick Menges, friendly amendment Superintendent give us his input concerning the particulars of these programs to wit number of years at which meters should be replaced, the kind of public reporting we should encourage for leak detection and an approximate cost of metering all services. Sue Medeiros, change my motion as amended by Patrick, so moved, all were in favor.

Public Input; Sharon Araujo questioned the Board on meter replacements.

Announcements; Patrick Menges mentioned, Special District Meeting 7:00 Thursday, November 10<sup>th</sup>, Middle School auditorium all voters of the District welcomed to participate in the proceedings and anybody else who wishes to come is welcome to be on hand as an observer.

Acknowledgements; Patrick Menges mentioned, Need to say a word excellent work done by the Sullivan Well Drilling Corporation on Cedar St., Mark Owen and his work on the wells and we also need to thank Mark and Rob Fredericks for their work that got the EEA grant to Boston on time. Sue Medeiros mentioned, they went above and beyond they deserve our gratitude. Patrick Menges mentioned, We are also beholding to Mr. Figueirido again for the use of his land at the four corners, Joe Pimento for accepting an appointment to the Finance Committee, thank you letters going out for time being let it be said we acknowledge and thank anyone who has contributed time, talent, resources to the furtherance of the mission of the District.

Commissioners' Meetings, dates, times, skeletal agenda; Next meeting December 13<sup>th</sup>.

Paul Joly VOTED; To adjourn 10:02, Patrick Menges, so moved, all were in favor.

Respectfully Submitted,

Carol A. Stevens  
District Clerk

Those in Attendance:

Paul Joly

Patrick Menges

Sue Medeiros

Charles Cestodio

Carol A. Stevens

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