

## ***Dighton Water District***

192 Williams St.  
No. Dighton, Ma 02764

**Paul Joly  
Patrick Menges  
Sue Medeiros**

**COMMISSIONERS**

***Carol A. Stevens*  
TREASURER**

December 13, 2011

Chairman of the Board, Paul Joly called the meeting to order at 7:00 P.M.

Present: Paul Joly, Patrick Menges and Sue Medeiros.

Pledge of Allegiance.

Approve Minutes of Prior Meetings

Clerk of the Board of Commissioners Patrick Menges, VOTED; That the minutes of the regular monthly meeting of the Commission of Tuesday, 8 November, of the Special District Meeting of Thursday, 10 November, of the special meeting and the executive session of the Commission of Friday, 2 December, and of the special meeting of the Commission for the Rate Classification Hearing with Assessors and Selectmen of 12 December, 2011, stand approved as prepared for the Board's signatures by the District Clerk, and that all of the approved minutes except the minutes of the 2 December executive session be publicly posted on the District web site and released for posting to Dighton.com, seconded, Commissioner Sue Medeiros, all were in

favor.

### Approve Warrants

Patrick Menges, VOTED; That the Board proceed to approve the week's payroll warrants, warrants for the compensation of elected officials, and warrants for defrayal of monthly bills, seconded, Sue Medeiros, all were in favor.

### Correspondence

Patrick Menges read a letter from Mr. Paul Couture of 176 Center Street.

Patrick Menges, VOTED; That Mr. Couture's letter be made part of the record of tonight's meeting, and that the District Clerk be instructed to make four copies, one for the personnel file of Mr. Jefferson and Mr. Ferreira, and one each to be presented by the Clerk to Mr. Jefferson and Mr. Ferreira. The Clerk of the Board has responded to Mr. Couture acknowledging our having received his correspondence, seconded, Sue Medeiros, all were in favor.

Patrick Menges mentioned the Board received a confidential correspondence from District Counsel which the Board will consider presently in executive session.

### Meetings with Scheduled Guests

Executive Session with Attorney Robert Fredericks(M.G.L. Chapter 30A, Section 21(a)6, Exchange of Real Property Executive Session and Regarding Potential Litigation with Respect to District Boundaries M.G.L. Chapter 30 A Section 21 (a) 3, Pending Legal Matters.

Patrick Menges, VOTED; That the Board proceed to a roll call vote to go into executive session with legal counsel concerning exchange of real property under MGL Ch 30A Section 21(a) (6) and to continue in executive session to consider a matter involving potential litigation under MGL Ch 30A, Section 21 (a) (3). The Board will reconvene in

public session as soon as the matters for which the executive session is lawful have been disposed of.

Patrick Menges called the roll; Chairman Joly present, Commissioner Medeiros aye, Commissioner Menges aye.

Paul Joly VOTED; That the Board vote to emerge from executive session at 8:04 P.M., seconded, Sue Medeiros, all were in favor.

#### Superintendent's Report

Patrick Menges, VOTED; To wish our Superintendent a happy vacation and in his absence move that we dispense with his monthly report, but that concerning all initiatives he be instructed to continue to function as outlined by previous votes of the Board, seconded, Sue Medeiros, all were in favor.

Patrick Menges, VOTED; That pending receipt from the Superintendent of his recommendations concerning details, the Board RESOLVE that the Dighton Water District will implement a Water Conservation Program satisfactory to the Department of Environmental Protection, including (1) a program of regular periodic replacement of old water meters, (2) a leak detection program, and (3) metering of 100% of all water services whether or not billed, seconded, Sue Medeiros, all were in favor.

#### Old Business

#### Pending Real Estate Transactions

Patrick Menges asked; To let the record reflect that as of tonight, no sealed bids have been received for the District's former headquarters building property on Somerset Avenue, although one buyer who had expressed an interest in purchasing the property may still be interested. If the property is not sold and therefore proceeds from the sale are unavailable to be applied to the Williams Street land purchase, the District has voted, at the Annual Meeting in May that we may proceed with the Williams Street land purchase if a state grant is received, by installments, the 2012 portion of which have been appropriated. However, the District would be best served by

sale of the Somerset Avenue property now; a “lump sum” payment for the Williams Street land would result in a reduction of its price by the seller, and for that we would need the proceeds from the sale of the Somerset Avenue land. Any prospective buyer of the Somerset property should want the property in its present condition, and not put off buying it. The deadline for bids from prospective purchasers has been extended to January 9<sup>th</sup>, 2012.

Patrick Menges VOTED; That the advertisement for bids for sale of the District’s Somerset Avenue property be published in a general circulation newspaper in Providence and on in Boston, seconded, Sue Medeiros, all were in favor.

Patrick Menges VOTED; That the Board direct the Superintendent to proceed apace with the pipeline relocations at the Somerset Avenue site previously decided upon, on his recommendation, by the Board, seconded, Sue Medeiros, all were in favor.

Status of EEA Grant to Fund Williams Street Land Purchase

Patrick Menges read an update on the EEA Grant.

Year End Status of Works in Progress

Sign for District Headquarters-Vocational H.S.

Paul Joly gave an update on the sign status.

Hydrant Markers-Vocational H.S.

Paul Joly gave an update on the hydrant markers; First batch is done, painted, delivered, and ready to be installed. Patrick Menges will send a thank you letter.

District Seal-Middle School

Patrick Menges gave an update stating a student in each art class had been selected to make a representative entry for the class in the District Seal contest, to design/a new seal for the Water District. When the entries are complete, and the judging held, the District

will award a prize to the designer of the winning seal, at the Annual District Meeting in May.

#### Conference Room Flag Staff-Boy Scouts

Patrick Menges gave an update on the Flag Staff and also thanked Superintendent Cestodio for the use of his daughter's Girl Scout troop flag.

#### Professional Rates/Fees Study

Patrick Menges, VOTED; That the AECOM agreement for a professional rates/fees study be approved, with a memorandum of understanding that Paragraph 10.6 applies only to the rates/fees study agreement and that that agreement does not affect other agreements between the District and AECOM, Inc., for other technical services for other projects, seconded, Sue Medeiros, all were in favor. Contract was signed by all parties present.

Patrick Menges VOTED; The Superintendent be advised of the necessity of metering all services as soon as possible so as to be able to furnish complete current water flow statistics to AECOM as required by the rates/fees study contract, seconded, Sue Medeiros, all were in favor.

#### Inquiry, Use of Sequester to Alleviate Brown Water

Patrick Menges gave an update on the use of sequester. Patrick Menges mentioned he was waiting for a local resident who is a civil engineer who has offered suggestions, to contact him for a meeting. Paul Joly and Sue Medeiros felt the resident should be invited to the next District Meeting and Superintendent, Charles Cestodio be present.

#### Report On Revision of Human Resources By-Law

Patrick Menges, VOTED; The Commission postpone action on the Human Resources By-law until its regular monthly meeting on 10 January to permit revisions to the draft which the Board initiated in November to be completed, seconded, Sue Medeiros, Sue Medeiros

and Patrick Menges to get together before that meeting on January 6, 2012 to work on Human Resources By-Law have the reading for January 10<sup>th</sup>. Paul Joly was also invited to attend, meeting will be posted.

Obtain Date to Meet with Union Representative Regarding Call Back Clarification, etc...

Carol Stevens to put a call out and get back to the Board with a date and time.

Cedar Street Well Progress

Patrick Menges gave an update from his own observations and Mark Owen.

Progress Hiring a High School Student to Video record Meetings

Paul Joly gave an update.

Status of Legislative Petitions to General Court

Patrick Menges stated; "State Senator Marc Pacheco has forwarded the District's/Town's submissions for amendments to Chapter 359 of the Acts of 1950 to correct the enabling act's description of the District's boundaries, to Senate Counsel for final drafting of the Senate bills required. Representative Patricia Haddad has forwarded the legislation to House Counsel for similar treatment. Representative Haddad will "sign on" to Senator Pacheco's Senate bill and expects Senator Pacheco to "sign on" to her House bill so that there is concurrence between the sponsors in each chamber of the General Court and an assurance of speedy enactment. We should thank District Clerk Carol Stevens and Town Clerk Susana Medeiros for their prompt dispatching of the required documentation to the General Court and to our own District Counsel, who also required a complete set of the documents involved."

New Business

Seeking Meeting with Commissioners of North Dighton Fire District

Patrick Menges, VOTED; The District Clerk be instructed to send to the Commissioners of the North Dighton Fire District a letter welcoming the Commissioners of the North Dighton Fire District to suggest a convenient date for a meeting with us to begin discussion of matters in which we may find mutual advantage, seconded, Sue Medeiros, all were in favor.

#### Tax Refund Applications due 17 January

Patrick Menges VOTED; That the vote of the Board setting a thirty day period for tax refund applications taken on 2 December 2011, be amended to allow for Sunday and a holiday, by making the due date for tax refund applications 17 January, as recommended by Counsel, seconded, Sue Medeiros all were in favor.

#### Make Available Community Service Project—Restore Cemetery in Cedar Street Well field

Patrick Menges, VOTED; The Clerk of the Board of Commissioners be instructed to send a letter to the Board of Selectmen offering as possible community service projects for Boy Scouts seeking their Eagle Scout Badges, the restoration including, clearing of brush, righting of headstones, and repairing of stonewalls, of the cemeteries at the Cedar Street well field and the Treatment Plant site, seconded, Sue Medeiros, all were in favor.

#### Winter System Preparations

Patrick Menges, VOTED; Superintendent Cestodio be invited to report at our January meeting on winter system preparations, especially upon preparations for any deep freeze water main breaks and call back procedure, seconded, Sue Medeiros, all were in favor.

#### Updated Edition District By-Laws

Patrick Menges, VOTED; The District Clerk be instructed to prepare an updated edition of the By-Laws of the Dighton Water District including three new by-laws, “Annual District Meeting”, “Petitions for Exclusion of Estates from the Dighton Water District,”

and “Maps/Descriptions of Certain Water Service Extensions,” which were adopted by votes of the Special District Meeting on Thursday, 10 November 2011, seconded, Sue Medeiros, all were in favor.

### Ethical Disclosures

Patrick Menges stated; “Joan DeLano’s ticket for Commissioner Menges to attend a concert by the Bridgewater State (College) University Alumni Chorus at Central Square Congregational Church in Bridgewater on 11 December, value \$10.00 was not used and Commissioner Menges will make a \$10.00 donation to the Alumni Chorus’ fund in return for the kind gesture. Mrs. DeLano is secretary of John W. DeLano and Associates, Civil Engineers and Land Surveyors, who are retained by the District for the mapping of the District’s boundaries.

Water District Employee Barry Ferreira has been removing storm-felled spruce from Commissioner Menges yard for use in his outdoor furnace, doing so on his own time, with his own pickup truck. This was agreed by the Commission on 2 December. The initiative was a request by Mr. Ferreira and permission for him to take the waste wood for his furnace was withheld pending disclosure to the Board.

### Acknowledgements, “**Happy Holidays!**”

Patrick Menges stated, “Commissioners wish Happy Holidays and heartfelt thanks to all citizens of the Town, Department Heads, Individuals, Contractors local or from out of town who have contributed time, talent, and resources above and beyond what they were paid for in most cases without compensation to further the mission of the District without the assistance of numerous volunteers some of whom put in countless hours the great things we have accomplished this year, including getting our video recording up to speed and the things that have brought us forward would not have been possible. We’ve received the support and the help of many people, they have shown that they have faith in this District. That its administration can be good and sound and they have rolled up their sleeves to help us make it happen and as Christmas comes we take this opportunity to say, “Thank you from the bottom of our hearts.” Sue Medeiros stated; “I would also like to wish everybody a very



Happy Holiday, Merry Christmas, wonderful, wonderful New Years. I hope 2012 is wonderful for everyone.”

Deadline for Bids on Somerset Avenue Property

Bids for purchase of the District’s former Somerset Avenue Headquarters property will be accepted until not later than 9 January.

District Closed December 26th

Water District Headquarters will be closed on Monday, December 26<sup>th</sup>, the day after Christmas.

The Board of Commissioners extended its condolences to the family of Dorian Jefferson in the death of his wife’s brother, Bruce Malaguti, after a lengthy illness. Times and dates of the calling hours and funeral were announced.

Commissioners’ Meetings, dates, times, skeletal agenda

Regular Meeting January 10, 2012, 7:00 P.M., HR By-Laws January 6, 2012, 9:00 A.M., Social Meeting with the Staff December 22, 2011, noon time.

Public Input

Paul Joly made a motion to adjourn at 8:44, Patrick Menges, so moved, all were in favor.

Respectfully Submitted,

Carol A. Stevens  
District Clerk

Those in Attendance:

Paul Joly  
Patrick Menges  
Sue Medeiros

Attorney Robert Fredericks

Carol A. Stevens

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