

# ***Dighton Water District***

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

**Patrick Menges  
Paul Joly  
Sue Medeiros**

**COMMISSIONERS**

***Carol A. Stevens*  
TREASURER**

June 19, 2012

Clerk of the Board of Commissioners called the meeting to order 7:05 P.M., Commissioner, Sue Medeiros seconded the motion, and all were in favor.

Pledge of Allegiance

Meetings With Scheduled Guests

Wayne LePage-Reimbursement; Wayne LePage was not in attendance Patrick Menges read a paragraph regarding Wayne LePage's son's water heater. Patrick Menges VOTED; That we hold that this claim is not reimbursable, seconded, Sue Medeiros, all were in favor.

Jim Aussant-Belated Tax Refund; Patrick Menges read a paragraph regarding Jim Aussant's late request for a tax refund. Patrick Menges VOTED; The Commission, being unauthorized by law to grant it, deny the refund, seconded, Sue Medeiros, all were in favor.

Austin Donahue-Billing Fee

Austin Donahue was not in attendance. Austin Donahue's letter reviewed. Paul Joly VOTED; To notify Austin Donahue matter to be

discussed at the July 10<sup>th</sup> meeting, seconded, Sue Medeiros, all were in favor.

### Re-Organize

Sue Medeiros VOTED; To elect Patrick Menges to serve as Chairman Board of Water Commissioners for the upcoming year, seconded, Paul Joly, all in favor.

Paul Joly wanted for Public Record; This is a three person Board, and we should not have individuals making decisions in the field, if it pertains to something that needs to be addressed it should be brought before the three person Board. Running into situations where statements are made, directions are given that actually should be coming from the Board. Press statements, any press releases come before the Board the Board is the one that will release any press releases. Courtesy of bringing it before the Board so that we can review releases, question comes from press have them put it down we'll answer them as a Board. Sue Medeiros; No issue.

Sue Medeiros VOTED; To elect Paul Joly as Clerk of the Board of the Commissioners for the upcoming year, seconded, Patrick Menges, all were in favor. Paul Joly wanted for Public Record; Go back to our old procedure as far as making agendas, Carol had been doing the agendas, any Commissioners have a situation they want to present we can do that, trying to expedite these meetings as quick as possible but as effective as we can with particular problems that come up. Sue Medeiros; Ok. Patrick Menges; Structural matter agenda of the Board is the business of the Board. Sue; As Board of Commissioners inform Carol what we want on the agenda, you are correct responsibility of us to tell Carol what to put on it. Paul Joly all in agreement to act as a three person Board.

Sue Medeiros VOTED; To re-appoint Carol Stevens as Clerk/Treasurer for the upcoming 2013 year, seconded, Paul Joly, all in favor.

Sue Medeiros VOTED; To re-appoint Charles Cestodio as the Superintendent of the Dighton Water District, seconded, Paul Joly, all were in favor.

Sue Medeiros VOTED; To re-appoint Tina Bragga as the District Accountant, seconded, Paul Joly, all were in favor.

Patrick Menges VOTED; Approve the minutes of the Board Meeting of 8 May, Special Meeting of the Board 24 May, the Annual District Meeting 24 May, so moved, Sue Medeiros, seconded, Paul Joly, all were in favor.

#### Approve Warrants

Patrick Menges VOTED; To entertain a motion to proceed to the approval of warrants prepared for approval by the District Accountant, so moved, Sue Medeiros, seconded, Paul Joly, all were in favor.

#### Correspondence

Chief Roderick's letter concerning a petition of Everett Pacheco for exclusion of Audrey Lane Property was read by Paul Joly. (Copy attached) Patrick Menges VOTED; Motion Chief's Roderick's recommendation concerning Mr. Pacheco's petition for exclusion of his Audrey Lane Estate from the District be accepted as written, so moved, Sue Medeiros, seconded, Paul Joly, all were in favor.

Attorney John Holgerson's letter in response to questions about the petition of the Elm St. water main was read by Paul Joly. Patrick Menges VOTED; Entertain motion take Mr. Holgerson's letter under advisement and instruct the Clerk that it is a public record and should be made available to representatives of the press, motion made by Sue Medeiros, seconded, Paul Joly, all were in favor.

Letter from Myrna Santos regarding Tri-Centennial Ball and Special Events was read by Paul Joly. Patrick Menges VOTED; To put in The Board of Commissioners ad in the Tri-Centennial book at the expense of the Commissioners, seconded, Sue Medeiros, all were in favor. Patrick Menges and Sue Medeiros gave \$25.00 each towards the ad, entrusted to the District Treasurer to give to the committee.

Letter from County Commissioners regarding Antone Roderick read by Paul Joly. Sue Medeiros to attend appellate tax meeting with Tax Assessor, Carol Beauregard.

Letter from Bruce Kingsley regarding Miranda petition was read by Paul Joly. Patrick Menges VOTED; To entertain a motion that we direct the Clerk to retain that letter and the previous two letters from the County Commissioners and the Assessors in the District Correspondence files, so moved, Sue Medeiros, seconded, Paul Joly, all were in favor.

## Superintendent's Report

### Water Ban

Water Ban odd/even was approved.

### Test Meter

Paul Joly VOTED; Authorization for Chuck to purchase test meter \$1514.76 out of this year's budget new equipment, seconded, Sue Medeiros, all were in favor.

Paul Joly VOTED; To start project replacing thirty meters throughout the Town, seconded, Sue Medeiros, Paul Joly, VOTED; To set up an account so that we can have a revolving fund for the meter project the monies we're saving on that be applied towards our meter program, Patrick Menges put it down for an article for a Special Meeting, in the meantime keep track of the money that we're bringing for that purpose, when time comes set up the account start it with that amount of money, seconded, Sue Medeiros, all were in favor.

### Electric Account

Dighton Water District Finance Committee to be invited to meeting when presentation is made also Superintendent's using the program also to attend.

### Pipeline For The Cedar Street 2 Wells

Superintendent to obtain prices for pumps and electrical.  
Superintendent to have the balance left in the well development account for the July 10, 2012 meeting.

Patrick Menges VOTED; To entertain a motion to authorize an interlineal transfer of the balance necessary to buy probes to system maintenance when the District Accountant has computed the balance in the operating lines, seconded, Sue Medeiros, all were in favor.

Sewer Connection Old Office

Discussion was held on certified drain layers.

Parade – Tri-Centennial

Truck with a trailer will be at the parade.

Office Safety

Approval given to purchase safety glass with slot.

Decal

Superintendent to have a draft made up for the Commissioners to review.

Dighton Woods Estates new lotting plan

Paul Joly VOTED; Dighton Water District regulations to be followed for public safety and public health, Chuck to send a letter to notify Zoning Board of Appeals, seconded, Sue Medeiros, all were in favor.

Water Quality Issues

Superintendent to come back to the Board after speaking with Stephen DeFrancesco.

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

Review District Policy Book

Patrick Menges VOTED; The Chair will accept a motion that the Board review the District Policy Book at this time, so moved, Sue

Medeiros, seconded, Paul Joly, all were in favor. Chairman to work with the District Clerk to update the District Policy Book

#### Old Business

#### Professional Rates/Fees Study

Carol Stevens updated the Board regarding the rate study. Patrick Menges VOTED; Entertain a motion that the participants in the professional rate study continue to function as outlined, seconded, Paul Joly, all were in favor.

#### D.O.R. Management Review

Carol Stevens updated the Board regarding the D.O.R. Management Review. Patrick Menges VOTED; Entertain a motion to accept the Clerk/Treasurer's update, so moved, Sue Medeiros, seconded, Paul Joly, all were in favor.

#### Appointment to Water Resources Trust Board of Trustees

Patrick Menges VOTED; To instruct the District Clerk to politely remind the Selectmen's office of this requirement, so moved, Sue Medeiros, seconded, Paul Joly all were in favor.

Sue Medeiros VOTED; To have the District Clerk get in touch with the two people Sharon Araujo, and Greg Olsen who showed verbal interest of being on this Board, seconded, Paul Joly, all were in favor.

#### Sign Certificates of Appreciation To Student Government Day Participants

Patrick Menges VOTED; To entertain a motion that participants in our very pleasurable and successful Student Government Day on May 30<sup>th</sup>, 2012, in which eighth grader filled the offices of the Water District as part of the observance of the Tricentennial of the Town of Dighton's incorporation, be awarded certificates of appreciation in the form of letters signed by this board, suitable for inclusion in resumes or career applications, and that the Clerk of the Board of Commissioners cause the letters to be given the students tomorrow, the last day of the school

year, by the Middle School office, or by mail, so moved, Sue Medeiros, seconded, Paul Joly, all were in favor.

#### Human Resources By-Law

Sue Medeiros VOTED; To invite the Clerk to solicit from sister districts in our area any input that they may have on this matter, seconded, Paul Joly, all were in favor. Paul Joly amendment on that Create Human Resources Administrator Commissioner we find out how they administer too. Patrick Menges mentioned the question would be specifically asked who they have over seeing the Human Resource Management in their District.

#### Create Human Resources Administrator Commissioner

Patrick Menges Voted; Until such time if ever as revisions of our Human Resources By-law proposal are complete, and the position of Human Resources Administrator Commissioner launched, to designate Commissioner Medeiros as the Board's Human Resources Advisor, seconded, Paul Joly, all were in favor.

#### Call-Back Clarification and Disciplinary Policy

Letter sent by Attorney David Gay was reviewed. Patrick Menges VOTED; Request the District Clerk tell him to go back to the drawing board, Paul Joly get an addendum to that to get it clarified.

#### Draft Disciplinary Policy By Carol Stevens

Patrick Menges proposed two changes; Paragraph one to read; Amend to "Foreman/Superintendent". Paragraph two to read; Amend to "Foreman or Superintendent, or, if the case involves the Superintendent or Group A personnel, the Commissioners". Sue Medeiros VOTED; To accept the changes to the Disciplinary Policy paragraph one and two and the Clerk forwarding to the Union Stewards and to David Gay for their discussion, Patrick Menges; Interim measure until Counsel proposes a formal memorandum of agreement with the Union, seconded, Paul Joly, all were in favor.

#### Researching Grants To Pay Off Treatment Plant Loans

Sue Medeiros VOTED; Chairman, Patrick Menges be available to meet tomorrow after the Selectmen's meeting to discuss the current master plan that is going into effect, seconded, Paul Joly, all were in favor.

#### New Business

Set Date for Hearing on Petition of Everett Pacheco For Exclusion of His Audrey Lane Property From The District; Date set; Thursday, 28 June 2012, 6:00 P.M.

Set Date for Hearing on Miranda Brothers' Elm St. Extension Petition

Petitions and acreage were reviewed. Sue Medeiros VOTED; To inform Town Counsel to all the information that the majority of the people who don't want it and the number of acreage took his advice on Mr. Holgerson's letter that's how we came out to the acreage and we would like to have him review it, Patrick Menges, requested the motion to specify that I should send a memorandum I want him to know how this information was arrived at that it came from the Board of Assessors and not from Politicians or Political influences, seconded, Paul Joly, all were in favor. A date was not set for the meeting. In the presence of the public and of the press, the Board, before deciding whether or not to set a date for a public hearing on the Canavan et ali petition, calculated the totals of real estate represented by the petition. The Board discounted

- (1) Parcels north of 500 feet south of Hart Street which are already in the Water District
- (2) Parcels whose multiple owners had signed different petitions, pro/con.
- (3) The real estate of Bruce Kingsley from the petition for extension; his acreage was added to the total acreage of signed opponents.

The results were:

PETITION IN FAVOR, REQUESTING EXTENSION OF THE DISTRICT

68.715 ACRES

PETITION OPPOSING, AGAINST EXTENSION OF THE DISTRICT

127.523 ACRES

Chairman, Patrick Menges ruled that as the threshold for action had not been met, it would be out of order for the Board to schedule a hearing or proceed further on the Elm Street Extension request, in accordance with Section 13 of Chapter 359 of the Acts of 1950.

#### Deferred Expenditures

Expenditures were reviewed.

#### Reaffirm Policy Requiring Customer Agreement to Allow District Employees On Private Property

Sue Medeiros VOTED; To reaffirm the policy allowing District Employees onto private property for the lawful proposes of the District, seconded, Paul Joly, all were in favor.

#### Veterans' Memorial Tree at District Headquarters

Patrick Menges VOTED; To entertain a motion affirming Student Government Day District Student Officers' choice of planting site; entertain a motion to approve the Students 'selection, so moved, Sue Medeiros, seconded, Paul Joly, all in favor.

#### Executive Session – Possible Litigation

Patrick Menges VOTED; To take the agenda out of order, so moved, Sue Medeiros, seconded, Paul Joly, all in favor.

#### Acknowledgements

Kenneth Araujo – Araujo Farms Memorial Tree Donation  
District Treasurer and Accountant, Carol Stevens and Tina Bragga – completion Of Majority of Refund Payments; remainder to follow after 1 July. Letter from Superintendent Cestodio was read. District Staff – Overuse Notifications – help to Edmund Braga find a leak – District Staff to be commended.

#### Announcements

21<sup>st</sup> June Greg Reynolds Blood Drive

Next Meeting 10<sup>th</sup>, July, 2012

June 28<sup>th</sup> Hearing Audrey Lane, Selectmen's Hearing Room Town Hall

Possible rate study findings should have something Friday.

Odd – even water ban in affect.

Public Input;

James Ready asked the Commissioners if Smith St. was going to be billed for the water used for the fire, estimated to be about \$16,000. James Ready mentioned people out of the District are getting free water and they should be liable to pay something. James Ready mentioned there should be some sort of policy to bill the out of District rate payers. Discussion was held.

Executive Session – Possible Litigation Chapter 30 A s. 21 (3) (5)

No vote was taken.

Sue Medeiros VOTED; To adjourn at 10:30P.M., seconded, Paul Joly, all were in favor.

Respectfully Submitted,

Carol A. Stevens  
District Clerk

Those in Attendance:

Patrick Menges  
Paul Joly  
Sue Medeiros

Charles Cestodio

Carol A. Stevens

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