

**Dighton Water District**  
**192 Williams Street**  
**North Dighton, MA 02764**

**Edward Swartz**  
**Jeffery Cloonan**  
**Dorian Jefferson**

***COMMISSIONERS***

*Tina Bragga*  
**TREASURER**

THE FOLLOWING MEETING WAS BOTH AUDIO AND VIDEO RECORDED

Tuesday September 8, 2015 at 6:00 P.M.  
Water District Headquarters

Chairman of the Board of Commissioners Ed Swartz called the meeting to order at 6:00 P.M. on Tuesday September 8, 2015.

**PLEDGE OF ALLEGIANCE**

**MEETING WITH SCHEDULED GUESTS:**

Dighton Indian Council – Paul Pittsley & Russ Haskell, Water Usage

Mr. Pittsley explained that he feels the excessive water usage at the grange hall reflected in their August water bill was due to high water pressure. The town installed a pressure regulator after the meter and a shut off valve at the suggestion of Foreman Greg Olsen. After the valve was installed and the seal on the toilet was replaced, water usage has slowed. Chairman Swartz stated that the District is responsible up to the meter, after the meter is the responsibility of the occupant of the building. The Board agreed to have Mr. Pittsley set a payment plan with the District Treasurer.

**APPROVE MINUTES OF PRIOR MEETINGS:**

Chairman Ed Swartz entertained a motion to approve the minutes of the July 9<sup>th</sup> Board meeting. Commissioner Jefferson so moved, Chairman Swartz stepped down and seconded, motion passed unanimously.

**READING OF CORRESPONDENCE:**

Chairman Swartz reported that the Dighton Rehoboth Regional High School athletic program is looking for businesses to advertise in their fall sports program.

Chairman Swartz reported that he spoke with Senator Pacheco in regards to the \$500,000.00 well field protection. Senator Pacheco stated that it is still stuck in the environmental bond bill that the Governor has not released. Senator Pacheco requested that we send a joint letter from the

Board of Commissioners and the Board of Selectmen requesting to send it to the Governor and to the Department of Finance and Administration as well as copying our two area legislatures requesting that the money be released. Superintendent O'Brien will be drafting this letter.

#### FINANCIAL CONDITION:

Chairman Swartz read the financial conditions, attached. Chairman Swartz asked for a motion to accept the financial reports, Commissioner Jefferson so moved, Chairman Swartz stepped down and seconded, motion passed unanimously.

Chairman Swartz asked for a motion to approve the warrants, Commissioner Jefferson so moved, Chairman Swartz stepped down to second, motion passed unanimously.

#### MEETING WITH SCHEDULED GUESTS:

Attorney John Holgerson – 2568 County Street

Mr. Holgerson was present to discuss the status of 2568 County Street's request that the Board remove the property from the Water District. Chairman Swartz asked if this is a case that we should bring to land or appellate court. Mr. Holgerson stated that court would be a long drawn out process. Attorney David Gay and Mr. Holgerson agree the best approach is to find a resolution to the approximate 150 residents that have Somerset Water and pay Dighton Water District tax. If all agree that 2568 County Street is outside the district as most recently defined by the Act of 2012 with consistent facts, it's outside the district, it does receive Somerset water and it does receive a Dighton Water District tax. The next common factor would be is there a fire hydrant within a certain number of feet. The rationale of taxing these parcels is that Somerset will not come to their aid in the case of a fire. The agreement between the Town of Somerset and Dighton Water District in the 1950's was that the Dighton Water District pays a hydrant rental fee to Somerset for use of the hydrants for fire protection. This is what enabled Dighton to charge a tax to these residents because they are receiving the fire protection from the Somerset hydrants. In 2013 former Commissioner Patrick Menges met with certain representatives of the Town of Somerset along with town council and Mr. Holgerson in an initial meeting to create an intermunicipal agreement that would essentially take care of this issue. There were certain steps that Mr. Menges had outlined in an emailed report to the Board which Mr. Holgerson had received a copy. The first step which was an amendment to an existing Act that would allow the town of Somerset to essentially get water from Dighton apparently to place. The step, which was that the parties would meet again to draw up a draft never happened. The options are to allow all these parcels to be outside the district, the problem being the loss of revenue and where are they going to get their fire protection. Chairman Swartz questioned if Dighton could install a meter at the beginning of the line then Somerset would bill Dighton Water and we in turn bill the residents. Mr. Holgerson stated that this is where Somerset's Superintendent Lima and Superintendent O'Brien would come in to play working out the details. This was the original plan in 2013 to make these parcels part of the District. Long term this is what we should be trying to do, short term either create an agreement or alternatively a better agreement. Chairman Swartz question how we address the issue we have on the table. Mr. Holgerson stated in the short term we have to satisfy the fact that there is a hydrant close enough to this parcel whether it's a District hydrant or a Somerset hydrant that would provide fire protection. The

other rationale that was used was the fact that the Dighton residents get the benefit of the homeowner's insurance deduction by being close enough to a fire hydrant. So that was the other rationale of charging the tax. They wouldn't be getting the benefit without this agreement. Commissioner Jefferson stated that from what he understands is that the whole town gets an insurance benefit because of the Dighton Water District, the whole town whether you're in the district or out. Commissioner Swartz stated that we would go with the utilization of the hydrant. The district will confirm that the hydrant is within an acceptable level for the length of the hose that can be provided by the fire department. Cathal O'Brien will start discussions with Superintendent Bob Lima to draft up an agreement. Chairman Swartz continued that this is a big section of services that should come back into the Districts control even though they are receiving their water from Somerset it is in the Dighton limits.

#### SUPERINTENDENTS REPORT:

Superintendent Cathal O'Brien reported that since the July 9<sup>th</sup> meeting distribution has done the 10 renewals, 1 hydrant and one shutoff all done on Main Street, completed and paved. In the process of preparing for fall flushing, we would like to do two weeks of flushing in the evening starting in October.

Treatment update, the pac 180 injection is on hold, we are going to go a little slower. We are getting into a maintenance time of year. We have replaced one of the dynamic probes with a lower cost alternative and have authorized Woodard and Curran to replace the other two probes. This will be under the existing contract along with some small upgrades.

Superintendent O'Brien reported that he had, at the request of Chairman Swartz, spoken to Superintendent's Lima of Somerset, Marque of Swansea and Bernard of Seekonk in regards to the water charges to the new Police station. Chairman Swartz explained that he had received a call from Dennis McGee looking to see if there is any fee waiver or anything on a Municipal side where as the police station is a municipal building. Mr. O'Brien continued that what all the other communities have done in the past and Bob Marque of Swansea in particular had a lot of good experience with. The only thing another public entity can do is "in kind services". You cannot technically give anything away however if you wanted to work in good faith with the other party and say in kind services. Example if the police department said as part of our mutual aid agreement with the Dighton Water District any unscheduled work the department would supply a cruiser that is already on shift to put on the flashing lights. Anything like this would be considered in kind services. A detail would not be considered in kind services. The District still has to charge for labor, materials and inspections but anything other than those practical items that have a set value are at the discretion of the Board but only for in kind. The new Police station will need a 6" fire line, a hydrant and a 1" service. There is a chlorination tap in front of this property that they will be able to use for the domestic line. As for the fire line, it will either be off of Somerset Avenue or possible off the Power Plant line. Chairman Swartz asked Superintendent O'Brien to inform the Police Committee of what cannot be waived and if possible anything that can be taken care of with in kind services. The town will have to come to us with what they are looking for from the District.

Tata and Howard update, there are two contract questions. The first contract is for the Treatment Plant evaluation that was voted at the 2014 Annual meeting for \$6,400.00. The engineer is requesting an amendment of \$5,000.00 for additional services. The second contract is short \$9,500.00 for the general resident engineer in relation to the tank mixers. In speaking with Patrick O'Neale of Tata and Howard this is in regards to work that was already done. Both of these items will have to be special articles. Chairman Swartz stated that when the District originally bid out the tank mixers we had to have a special article for additional funds because we didn't have enough money when they came back. Tata and Howard gave us a number for the total for the engineering services and the installation for this special article. If this is still within the scope of what was bid for the contract we have to have another discussion because they accepted the contract within the scope. If there was additional work done they need to let the Board know. Superintendent O'Brien stated that he has asked for an itemized bill.

Underwater Solutions did a great job cleaning and inspecting the tanks. Superintendent O'Brien would like to have them into clean the clear wells in the winter if the District has the money.

Superintendent O'Brien met with Tom Sexton of GZA, GeoEnvironmental, Inc. Tom submitted a contract for peer review services of development projects for the Boards approval.

Meter program update, from July to date there have been eleven new meters installed, 36 meter replaced with digital read meters and down sized one meter. With the budget the District has for meter replacement, distribution will be able to replace 18 meter per month. Chairman Swartz suggested if there are additional funds to increase the article for the meter program for the fall special meeting. Chairman Jefferson doesn't feel the District should replace meters that are only a few years old. Chairman Swartz stated that the goal is to get all the meters to radio read. The Board discussed the meter program.

#### OLD BUSINESS:

GIS Mapping – The District is at the same place as before.

Intermunicipal Agreement – The District is starting discussions with Somerset. Chairman Swartz and Superintendent O'Brien met with the North Dighton Fire District to have an open discussion. It was agreed to get Taunton Water, North Dighton and the Dighton Water District together to discuss the emergency tie in and a few other items.

#### NEW BUSINESS:

Town of Dighton Police Station – Discuss Fees – previously discussed

Audit Bid Results – The Board was presented with the bid results for a Fiscal 2015 audit.

Treasurer Tina Braga recommended Roselli, Clark & Associates who bid \$12,000.00.

Chairman Swartz asked for a motion to recommend Roselli, Clark & Associates of Woburn in the amount of \$12,000.00. Commissioner Jefferson so moved, Chairman Swartz stepped down and seconded, motion passed unanimously.

Special District Meeting - Set Date – The Board will set date after free cash is certified.

Superintendent O'Brien discussed DOT (Department of Transportation) physicals that are now required to hold a hoisting license. Will these physicals be paid by the district as part of licensing? Chairman Swartz stated he is not against it but would like the opportunity to speak with the union steward before making a decision.

**ANNOUNCEMENTS**

Next regular meeting of the Board of Commissioners will be October 13, 2015 at 6:00 P.M.

**PUBLIC INPUT:** None

**ADJOURNMENT:** Chairman Ed Swartz made a motion to adjourn at 7:06 P.M.

Respectfully Submitted,

Tina Bragga  
District Clerk

Those in Attendance:  
Edward Swartz  
Dorian Jefferson  
Jeffrey Cloonan

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Chairman Ed Swartz

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Commissioner Dorian Jefferson