

**Present:**

Mark S. Nunes, Chairman  
Manuel Branco, Clerk

Lee M. Azinheira, Vice Chairman  
David T. Hickox, Director

Carlos Cardoso, WPC Plant Manager  
Paul Pacheco, Superintendent Services & Infrastructure

Steven Sullivan, Superintendent Water & Sewer Division

The Chairman called the meeting to order at approximately 7:34 a.m.

**ACTION ITEMS**

**A motion was made by Mr. Branco and duly seconded by Mr. Azinheira to approve and accept the warrants for the bills payable period ending November 24, 2009. So voted.**

**A motion was made by Mr. Branco and duly seconded by Mr. Azinheira to approve and accept the payrolls for the weeks ending: November 6, 13, and 20, 2009. So voted.**

**A motion was made by Mr. Branco and duly seconded by Mr. Azinheira to approve and accept the Meeting Minutes of October 20, 2009. So voted.**

**After a motion was made by Mr. Azinheira and duly seconded by Mr. Nunes, it was voted two (2) in favor and one (1) abstained (Mr. Branco) to approve and accept the Meeting Minutes of November 3, 2009.**

**APPOINTMENTS**

**Meeting with Mr. Joseph Toomey – request to install monument on Water Pollution Control pump station site on Russells Mills Road.**

The Chairman recognized Mr. Joseph Toomey, Chairman of the Veterans Advisory Board. Mr. Toomey presented the Board members with a copy of the type of monument that the committee wished to install at the Russells Mills pump station site in honor of a Vietnam War veteran. He noted that the soldier, Cleveland Bridgman, lived in the Russells Road neighborhood. They would also like to place a bench, which was partially donated by the monument company and other funds rose by the Veterans Advisory Board.

Mr. Toomey asked the Board's approval from a technical standpoint that the monument would not be a disruption to the work that is conducted at the pump station. He also is planning to appear before the Select Board regarding any insurance requirements that may be necessary to secure the site for liability. Mr. Hickox noted the monument and bench would be placed out of the service area.

**A motion was made by Mr. Branco and duly seconded by Mr. Azinheira to approve the installation of a veteran memorial monument and viewing bench at the Russells Mills Road sewer pump station. So voted.**

Mr. Toomey added that if an easement were necessary they would secure one.

### **Meeting with Ms. Jeanne Pacheco of 40 Taft Avenue – request for tree trimming.**

The Chairman recognized Ms. Jeanne Pacheco of 40 Taft Avenue. Ms. Pacheco informed the Board members that giant seedpods from five town trees abutting her lot fall all over the street and her lot every spring. She said the trees are a nuisance for her and the maintenance has become burdensome. She asked if the Board had any suggestion seeing that they (the DPW) do not want to cut down the healthy trees. Mr. Hickox said the trees are on town property and healthy. Mr. Hickox presented the Board with the following options to consider: take no action, cut down the trees, or assist with the maintenance. Mr. Branco commented that if the healthy trees were removed he would like to have the tree replaced with a suitable species. Mr. Hickox noted that a hearing would be necessary to have the trees removed. The Chairman asked that a price to remove the trees be obtained, Nstar be contacted regarding trimming the branches that interfere with wires, and Ms. Pacheco pole her neighbors regarding their feelings about having the trees removed. The Board agreed to take no action until more information was obtained.

### **Meeting with Dr. Ron DiPippo, Chairman Alternative Energy Committee presentation on wind turbine project.**

The Chairman recognized Dr. DiPippo. Dr. DiPippo presented the Board with a brief overview of the Dartmouth Wind Turbine project (herein attached).

Mr. Nunes asked why Atlantic Design Engineers, LLC (ADE) did not do the final financial analysis. Dr. DiPippo replied that ADE did the initial study and presented what the project was worth. Mr. Nunes asked how that compared to the committee's final study. Dr. DiPippo replied that qualitatively they are the same and in detail numbers they are slightly different. He added that ADE satisfied it was asked to do in its report and were aware that the committee was conducting its own economic analysis.

Dr. DiPippo concluded his presentation by informing the Board that an open forum will be conducted on December 8, which shall be followed by a hearing before the Select Board to obtain a special permit. Once the special permit is obtained, the committee will schedule a hearing with the Conservation Commission. He noted that if all goes as planned the Town will be making electricity by the start of 2011.

Mr. Nunes questioned how the project would be funded. Dr. DiPippo replied that there would be two forms of bonding; very low interest CREBs and general obligation bonds over a payoff period of 15 years. Mr. Nunes asked what entity is paying on the debt service. Dr. DiPippo replied that he attended a meeting wherein the Executive Administrator commented that he would like to set up an enterprise fund for energy. He pointed out that the Town and not the committee would determine the accounting for the project.

Mr. Azinheira asked how the .15 kw/hr base number was determined. Dr. DiPippo replied that the figure came from the DPW electricity receipts. He then presented the economics at different kilowatts hours prices.

Mr. Nunes commented that his concerns are security at the well site and the water enterprise land use, which the enterprise system purchased from the general fund. Mr. Cressman commented that if there is going to be a savings in the water and sewer accounts it is important to communicate how that savings translates to the ratepayers at the upcoming public meeting on the 8<sup>th</sup> of December. A brief discussion on the variables ensued. Mr. Branco voiced his strong support of this renewable energy project. The Chairman and Mr. Azinheira concurred. The Board reviewed the Director's draft letter to the alternate energy committee, which will be read into the record at the public meeting. Dr. DiPippo offered to read the letter into the record in Mr. Hickox's absence.

## **OLD BUSINESS**

### **Discussion regarding request to grind Elm tree stump on Russells Mills Road.**

Mr. Hickox reviewed the correspondence that was provided to the Board. He noted that there was never a mention of grinding the stump.

**A motion was made by Mr. Azinheira and duly seconded by Mr. Branco to deny the request of Mr. Michael Woyciechowski to grind the Elm tree stump at 1227 Russells Mills Road and to notify him in writing of such. So voted.**

### **Ongoing discussion regarding insurance limits for licensed utility layers.**

The Board reviewed the recommendation of the Town's insurance representative and other area town/city limits for utility layers.

**Based on the recommendation of the Town's insurance representative, a motion was made by Mr. Branco and duly seconded by Mr. Azinheira to amend the bond requirement to \$10,000 and the Certificate of Insurance general liability limit to \$1,000,000, auto liability to \$1,000,000, \$500,000 for Workers' Compensation, and to continue with the current practice based on square feet calculations for bond requirements on large projects, effective January 1, 2010. So voted.**

### **Renewal application for Sewer Betterment Assessment Deferral – 162 Hathaway Road/Plat 185 Lot 27**

The Director informed the Board that it was confirmed that the applicant did not meet the income limits.

**Based on the applicant's income exceeding the deferral limits, a motion was made by Mr. Azinheira and duly seconded by Mr. Branco to deny the sewer betterment assessment deferral application for 162 Hathaway Road/Plat 185 Lot 27. So voted.**

## **NEW BUSINESS**

### **Review & approval of DPW Construction Specifications Revisions/November 2009**

Mr. Hickox informed the Board members that the engineering staff and he reviewed and updated the current DPW construction specifications to include all the amendments made and approved by the Board over the last few years and clarified language. He noted that they would like to have the document available on the Town's new website. Mr. Azinheira referenced the section on compaction and noted that he didn't believe it was clearly defined. A brief discussion ensued. Mr. Hickox replied that he would amend the language and present the Board with a revised copy for review at its next meeting.

### **Letter Agreement for Environmental Monitoring Engineering (CDM)**

**A motion was made by Mr. Branco and duly seconded by Mr. Azinheira to award the contract for post-closure environmental monitoring requirements to CDM in the amount not to exceed \$4,300. So voted.**

## **Comprehensive Wastewater Management plan Contract Amendment NO. 1 (FS&T)**

Mr. Hickox reviewed the change order necessary to address electrical grounding issues at the plant.

**A motion was made by Mr. Branco and duly seconded by Mr. Azinheira to accept Contract Amendment No. 1 to the agreement between the Town of Dartmouth and Fay, Spofford & Thorndike for engineering services/Comprehensive Wastewater Management Plan. So voted.**

### **Application for abatement of sewer betterment tax – 3337 Lucy Little Road/Plat 146-8**

Mr. Hickox recommended that the Board abate the application for sewer betterment based on the letter from Director of Inspectional Services denoting that the three lots were combined.

**A motion was made by Mr. Azinheira and seconded by Mr. Branco to approve the application for abatement of sewer betterment tax for Plat 146 Lot 8 – 3337 Lucy Little Road with the stipulation that if the lot should be subdivided in the future the assessment shall be reassessed. So voted.**

### **Application for Licensed Utility Layer – Aubry’s Excavating of Fall River, MA**

Mr. Hickox reported that the application was in order and recommended that it be approved.

**A motion was made by Mr. Azinheira and duly seconded by Mr. Branco to approve the licensed utility layer application submitted by Aubry’s Excavating of Fall River, MA. So voted.**

### **Groundwater Rule Impact Study – 687 Chase Road Water Treatment Facility**

**A motion was made by Mr. Azinheira and duly seconded by Mr. Branco to approve the agreement between the Town of Dartmouth and Wright Pierce for engineering consulting services – Groundwater Rule Impact Study – 687 Chase Road Water Treatment Facility. So voted.**

### **Update on Water Pollution Control compost fire**

Mr. Hickox presented the Board members with photographs he took of the fire in the compost building. He commented on how fortunate they were that the fire took place during hours and that they were able to get all the heavy equipment out of the facility. He noted that the Department is currently working with the insurance company while continuing to process woodchips. At some point, they will rent a rotary tremble, which was the piece of equipment that caused the fire. Mr. Cardoso is researching replacement costs for the equipment. Mr. Azinheira reminded Mr. Cardoso that the time employees spent addressing the incident should be documented and submitted to the insurance company as part of the Department’s deductible. Mr. Nunes agreed.

## **SIGNATURE DOCUMENT**

The Board members signed the following signature document: **Contract between the Town of Dartmouth & Henry J. Ceppetelli Co., Inc. – Biofilter Media Removal & Replacement**

The Board agreed to meet again on December 17, 2009, at 7:30 a.m.

**Having no further business to discuss in Open Session, at approximately 9:15 a.m., a motion was made by Mr. Azinheira and duly seconded by Mr. Branco to adjourn the Open Session meeting. So voted.**

**At approximately 9:15 a.m. and after a motion was made and duly seconded, the Chairman polled the Board for a roll call vote to convene into Executive Session pursuant to M.G.L. Ch. 39 Sec. 23 (3): Clerk Manuel Branco, voted yes; Vice Chairman Lee Azinheira, voted yes; and the Chairman Mark Nunes, voted yes. The Chairman noted that the purpose of the Executive Session was to discuss personnel issue and the Board would not return to Open Session that morning.**

Respectfully submitted:

Michelle L. DeFranco, Office Manager/Confidential Secretary

Approved: *approved 12/17/09*