

**Present:**

\*Lee M. Azinheira, Chairman  
Mark S. Nunes, Clerk

Manuel Branco, Vice Chairman  
David T. Hickox, Director

Carlos Cardoso, WPC Plant Manager      Steven Sullivan, Superintendent Water & Sewer Division  
Paul Pacheco, Superintendent Services & Infrastructure

\*Mr. Azinheira was absent due to a previously scheduled meeting.

The Vice Chairman called the meeting to order at approximately 7:30 a.m.

**ACTION ITEMS**

**After a motion was made by Mr. Nunes and duly seconded by Mr. Branco, it was voted two in favor and one absent (Mr. Azinheira) to approve and accept the warrants for the bills payable for the period ending June 30, 2011.**

**After a motion was made by Mr. Nunes and duly seconded by Mr. Branco, it was voted two in favor and one absent (Mr. Azinheira) to approve and accept the payrolls for the weeks ending June 10, 17, and 24, 2011.**

**After a motion was made by Mr. Nunes and duly seconded by Mr. Branco, it was voted two in favor and one absent (Mr. Azinheira) to approve and accept the Meeting Minutes of June 9, 2011.**

**APPOINTMENT**

**Meeting with Joseph Lemieux regarding Brady Estates**

The Vice Chairman recognized Mr. Joseph W. Lemieux, owner of Diversified Developments of Dartmouth, MA.

Mr. Lemieux informed the Board members that he took over the Brady Estate project from the Cussons and is trying to make things work. He added that he is trying to move forward and has paid all the back taxes on the property. Mr. Nunes asked Mr. Lemieux who the original project developers were. Mr. Lemieux replied that he was a silent partner with Paul & Timothy Cusson.

Mr. Hickox noted that there is a stretch of water main beyond the project entrance that was put in for a subsequent phase that is not going to be built at this time. When that water main was originally pressure tested, it failed by a small margin and thus the inspector did not accept it. At this time, that water main needs to be retested so the water main and hydrants can be activated. Once the water main is approved and activated, the roadway will need to be resurfaced as part of the approved plan.

Mr. Hickox added the Department is pushing for that resurfacing to happen as soon as possible in that the Town is currently making safety improvements to Hixville Road; the last component being the painting of thermo-reflective lines on the roadway. Mr. Nunes asked what the estimated cost is to complete the roadwork. Mr. Hickox replied that he could calculate the figure. Mr. Nunes expressed that his concern is that the work is completed.

Mr. Hickox recommended that the Board consider allowing Mr. Lemieux a temporary utility layer's license for the Brady Estate project only, limited to the water main testing and repair, and water service installation to 10 Digger Drive. Mr. Lemieux has agreed to pay the outstanding balance for the

trench repair in the amount of \$3,261.00, pressure test and chlorinate the water main within Hixville Road and make repairs if necessary, as well as cold plane and overlay Hixville Road in accordance with the approved plan. Mr. Hickox added that this agreement would be conditional upon all outstanding work on the water main and Hixville Road paving will be completed within 14 days of the sale of 10 Digger Drive or the Utility Layer's License revoked and no further permits will be issued to the project.

Mr. Nunes reiterated that he would like to see some type of guarantee that the work is completed. Mr. Hickox replied that as a utility layer Mr. Lemieux will have to post a bond. Mr. Branco suggested that they notify the Building Inspector that no occupancy permits be issued until the outstanding work is complete.

**Based on the recommendation of staff and after a motion was made by Mr. Nunes and duly seconded by Mr. Branco, it was voted two in favor and one absent (Mr. Azinheira) to approve a temporary utility layers license for Joseph Lemieux for the Brady Estates project only, limited to the water main testing and repair, and water service installation to 10 Digger Drive.**

**After a motion was made by Mr. Nunes and duly seconded by Mr. Branco, it was voted two in favor and one absent (Mr. Azinheira) to request the suspension of an occupancy permit until the cold plane and overlay of Hixville Road is completed in accordance with the approved plan.**

## **NEW BUSINESS**

### **Discussion regarding Commercial Composting Day Pass Fee for FY 2012**

Mr. Hickox reminded the Board members that they had acted on amending the commercial composting annual fee at their last meeting. At that time, the commercial composting day pass fee was omitted from discussion. Mr. Hickox recommended that the day fee adjusted to reflect the reduction in the annual fee.

**Based on the recommendation of staff and after a motion was made by Mr. Nunes and duly seconded by Mr. Branco, it was voted two in favor and one absent (Mr. Azinheira) to amend the current commercial composting day pass fee from \$50.00 to \$25.00.**

### **Request for PAYT FY'11 Abatement – 3 Birchwood Terrace**

Ms. DeFranco informed the Board members that she was contacted by the resident of 3 Birchwood Terrace in regard to a lien on his property taxes due to an unpaid Pay-As-You-Throw FY 2011 invoice. Due to no fault of the resident, one of his two property addresses was omitted from his trash haulers list of customers that is sent to the Town on an annual basis prior to the billing cycle. The information provided by the resident was confirmed by the private hauling company. Based on this information, Ms. DeFranco asked the Board to consider approving the abatement request.

**After a motion was made by Mr. Nunes and duly seconded by Mr. Branco, it was voted two in favor and one absent (Mr. Azinheira) to approve the request to abate the FY 2011 Pay-As-You-Throw annual fee plus any demands and interest incurred to the 3 Birchwood Terrace account.**

## **Request to rescind motion to award Item 8, Phase II Annual Bid – Landfill Mowing**

Mr. Hickox explained that the item is part of the Department's annual bid listing and was awarded by the Board on June 9, 2011. The item should have been omitted from this year's listing due to negotiating of the solar farm contract, which includes a section regarding the mowing a section of the landfill. Mr. Hickox recommended that the previous motion be rescinded so the Department could advertise the item in a revised format.

**Based on the recommendation of staff Mr. Nunes made a motion to rescind his original motion made on June 9, 2011, to award the annual bid for landfill lawn mowing to T-Corp. of 37 Dodge Avenue, No. Attleboro, MA. Mr. Branco seconded the motion to rescind. The motion to rescind carried with a vote of two in favor and one absent (Mr. Azinheira).**

The Board agreed to meet again on July 21, 2011, at 7:30 a.m.

The Vice Chairman asked those present if they wished to discuss any other business that morning.

In regard to the Dartmouth Street Reconstruction Project, Mr. Nunes asked Mr. Hickox if he had a response from correspondence to Mr. Amaral regarding one of the takings. Mr. Hickox replied that he had not and would contact him again.

Mr. Nunes asked for the status on the AIF utility easement. Mr. Hickox responded that there has been no progress since the last correspondence from the property owners' counsel. A brief discussion ensued.

Having no further business to discuss that morning, at approximately 7:55 a.m. a motion was made by Mr. Nunes and duly seconded by Mr. Branco to adjourn the meeting. So voted.

Respectfully submitted:  
Michelle L. DeFranco, Administrative Assistant

Approved: July 22, 2011