

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 7:30 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 for the period ending January 6, 2010. 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 December 25, 2009, and January 1, 2010. So voted.

A motion was made by Mr. Branco and duly seconded by Mr. Azinheira to approve and accept the Meeting Minutes of December 17, 2009. So voted.

A motion was made by Mr. Branco and duly seconded by Mr. Azinheira to approve and accept the Executive Session Meeting Minutes of December 17, 2009. So voted.

OLD BUSINESS

Director's recommendation regarding Silva Stamped Concrete, Inc.

Mr. Hickox reminded the Board of the work that was conducted by Mr. Botelho on his property on Cross Road. Since the last meeting, Mr. Hickox reviewed the work with the engineering staff and Mr. Pacheco. Based on his review, Mr. Hickox recommended that the low-pressure main be pressure tested as it was completed and that Mr. Botelho's utility license be limited to work within the shoulder and no installation of utilities. The Board asked that the contractor be notified in writing of the decision.

Update on request to Nstar to donate trees

Mr. Hickox informed the Board members that Paul Sellers of Nstar contacted him and they are willing to work with the Town and donate trees. Nstar will have the trees delivered and the Division of Services & Infrastructure will plant them at the appropriate time. Mr. Nunes asked if a number was mentioned. Mr. Hickox replied in the negative. Mr. Branco asked that the Select Board be notified of the agreement by Nstar to donate trees.

NEW BUSINESS

Discussion regarding request for DPW services – A zalea Drive Extension

Mr. Hickox reviewed the request for services received via Email from the chairman representing a six-lot association of lot owners on the Azalea Drive extension. The residents are requesting plowing/sanding and solid waste/recycling services. Mr. Hickox noted that the Department has

accommodated similar request by providing solid waste/recycling services in the past. He pointed out that this roadway extension is not complete; the binder is down, structures are raised, there is existing damage to the shoulder, and the landscaping is not complete. He did not recommend that the Department plow/sand the extension until it is ready for acceptance.

Mr. Azinheira referenced the Massachusetts bylaw that prevents the expenditure of public funds on unaccepted ways.

A motion was made by Mr. Branco and duly seconded by Mr. Azinheira to deny the request for town services on the unaccepted portion of Azalea Drive until it is approved by Town Meeting. So voted.

Residents' request to address illegal dumping – Bergeron Lane

The Board members reviewed the letter requesting assistance with illegal dumping along Bergeron Lane. Mr. Branco pointed out that the road is a private road. Mr. Hickox suggested that the Department could offer relief in the disposal of items collected at a neighborhood cleanup on a designated day. Mr. Branco added that they could install a “No Dumping” sign at the top of the lane. Mr. Hickox will respond to the residents in writing.

A motion was made Mr. Azinheira and duly seconded by Mr. Branco to approve the installation of a “No Dumping” sign at Old Fall River Road and Bergeron Lane. So voted.

Review of Water & Sewer Rates

Mr. Hickox presented his mid-year review of the water rate. Using the revenue collected to date and an average of the last three years' rate revenue for the remainder of the year, Mr. Hickox estimated the FY'10 rate revenue at \$3,655,971. The rate revenue requirement that was budgeted at Town Meeting is \$3,889,004, a deficit of \$233,032. It was noted there would be some savings realized by less water being bought from the City of New Bedford. Mr. Azinheira commented that based on the rainfall over the last two summer he believes that is a enough of abnormality to justify using retained earnings to stabilize the rates. Mr. Hickox noted that the rates were adjusted by 5% in July. He noted that the fee revenue (system development charges, etc.) have reduced significantly with the economy. The Board also discussed the debt service and all agreed that retained earnings should support capital projects.

The Board members agreed that they would review the water rates again in the early spring and make adjustment for the beginning of the fiscal year at that time if necessary.

Mr. Nunes asked if the Bristol County House of Correction had made payment to the overdue water and sewer account. Mr. Hickox replied that Town Counsel is meeting with the Sheriff's counsel because the Sheriff's department is still disputing the bill. Mr. Azinheira asked for a two-year usage history.

Mr. Hickox continued his mid-year review. He noted that the estimated sewer rate revenue for FY'10 is \$3,244,822 and the rate revenue requirement is \$3,346,941, a deficit of \$102,119.

The Board members agreed that they would also like to review the sewer rates again in early spring and make adjustment for the beginning of the fiscal year at the time if necessary.

Bid Award Recommendation – GMC 8500 Series Cab & Chassis

The Director handed out a revised bid award sheet and reviewed the bid specifications. Mr. Hickox took the opportunity to acknowledge the work and talent of the Department's master mechanics and the monies that they have saved the Town with their work.

A motion was made by Mr. Azinheira and duly seconded by Mr. Branco to award the bid for a GMC 8500 Series Cab & Chassis to Big Wheel Truck Sales, Inc., of East Freetown, MA in the amount of \$27,500.00. So voted.

On a related item, Mr. Nunes asked for a cost breakdown for the last two storm events including repairs and the comparison to the cost of private service. Mr. Hickox noted that Town has 230+ miles of road and use 25 pieces of equipment in comparison to the Town of Mansfield that has 120 miles of road and use 27 pieces of equipment. A brief discussion regarding the last two snow events ensued.

OTHER BUSINESS

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

Mr. Sullivan briefed the Board on the work the Department is doing with the consultant to address the new Ground Water Rule.

The Board agreed to meet again on January 26, 2010, at 7:30 a.m.

Having no further business to discuss in Open Session, at approximately 8:30 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 8:30 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: 01/26/10