



TOWN OF DARTMOUTH MASSACHUSETTS

Finance Committee
400 Slocum Road
Dartmouth, MA 02747
Phone (508) 910-1802
Fax (508) 910-1885

Shannon Jenkins, Chair
Mary Louise Nunes, Vice-Chair
Stephen Mitchell, Clerk

Pursuant to a call to order and notice duly given in the manner required by law and the By-laws of the Town of Dartmouth, a meeting of the Finance Committee was held on Thursday, May 6th, 2010 at 6:30P.M. at the Dartmouth Town Hall, Room 315.

Members Present:

Barry Walker, Greg Lyman, Peter Friedman, Stephen Mitchell, Mary Louise Nunes, David Ferreira, Patrick Roth, Jason Wentworth, Shannon Jenkins

6:30PM - Pledge of Allegiance

David Cressman, Town Executive Administrator introduced the town's new Budget and Finance Director, Gregory Barnes.

Discussion about the Finance Committee's nominations to the Town's Charter Review Commission - Steven Melo, Harbormaster - has submitted his application to the Town Moderator for review. Peter Friedman nominates Barry Walker and Jason Wentworth to the Town Charter Review Commission as Dartmouth Finance Committer representation.

Peter Friedman makes a motion that Finance Committee appoint Barry Walker and Jason Wentworth to the Town of Dartmouth's Charter Review Discussion

Vote: 5-0-0

Town Warrant Review and Discussion

Article 1 – General By-Laws – Misc. Section 8

Discussion: Peter Friedman does not like this. He asked what good is it. He sensed there might have been revision from the new Police Chief. The consensus from the Finance Committee is that this a by-law has not been well thought and does not solve the actual issue. Barry Walker said we reviewed and noted that the Chief come back with a revision. David Cressman stated that the choice was given to withdraw, change or defeat through a not approve vote.

Motion made by Peter Peter Friedaman DO NOT RECOMMEND 2nd by Greg Lyman
VOTE: 7-0-0

Article 2 – Community Preservation Act – FY/2011 Budget

Barry made a motion to approve – 2nd. Jason Wentworth
VOTE: 7-0-0

Recommend: Bookkeeping item 10% allocation.

Article 3 – Community Preservation Act – MA Audubon Society Stone Barn Farm Restoration and Rehabilitation Project – 786 Horseneck Rd.

Peter Friedman stated that is a lot of money and feels the case was not made for this item but is still willing to be convinced. Greg Lyman asked what was the benefit to townspeople? It seems to simply get them out of the rain. Other than that there is no real benefit except to Audubon Society. Barry Walker agrees it is a

lot of money but offered the position that this property is linked to other properties that contributes directly to the Town such as the Lloyd Center.

Peter Friedman makes a motion to Do Not Recommend 2nd: Greg Lyman

VOTE: DNR – 6-1-0

Article 4 – Community Preservation Act – Town of Dartmouth – Preservation of Historic Town Records at Town Hall

Discussion: The concensus of the FinCom is that this Article will provide online access to public record and preserve historical documents.

Motion made by Stephen Mitchell 2nd: Jason Wentworth to approve

Vote: 7-0-0

Article 5 – Community Preservation Act – Town of Dartmouth Conservation Commission – Paskamansett Park Phase II – Acquisition Of Open Space Land and Improvements – Russells Mills Road

Discussion: Barry Walker likes the idea. But why are we buying land that's swamp land and unbuildable. Peter Friedman countered that this project will cut open a view to river and have esthetic improvements to the town. Greg Lyman states that – We need to be concerned with ongoing cost as we ad properties

Motion made by Jason Wentworth to recommend & 2nd: Peter Friedman.

VOTE: 6-1

Article 6 – Community Preservation Act – Town of Dartmouth Department of Parks and Recreation – Creation of Dartmouth Community Park – Dartmouth Street

Discussion: Barry asked did we figure out where the other 10% was coming from? The answer provided was that it was being done by fundraising efforts. Peter Friedaman states that it seems to be an ideal place for a community park. Patrick Roth stated that the proposed site has always been somewhat a community park due to its location and that this a nature proposal.

Barry Walker makes a motion to approve: Stephen 2nd

Vote 8-0-0

Article 7 – Community Preservation Act – Dartmouth Natural Resources Trust – Conservation Restriction - Dominican Sisters Farm – 858 Tucker Road

Discussion: Patrick Roth states that the CIP Committee voted to ask the sponsor of this article to withdraw. There is some confusion around the actual plan for the division of this property. There are conflicting views between several parties such as DRT and Conservation. The Trust is asking the sponsor to withdraw. Peter Friedman Peter Friedman stated that he would hate an internal town struggle result in a missed opportunity. Patrick Roth clarifies that is not the case. He followed by stating all parties need to come together for a clear definition. Lara Stone said the parties are just not ready. The conconsus by the FinCom is to put off our vote until next week.

Article 8 – Community Preservation Act – Dartmouth YMCA – Restoration and Rehabilitation of Gulf Hill Dairy – 276 Gulf Road.

Discussion: Barry commented that this is a good collaboration and good use of different funding sources and is a good project for the YMCA and the town. Infrastructure is in place and will have an ongoing maintenance plan.

Barry Walker makes a motion to approve 2nd by David Ferreira

VOTE: 8-0-0

Article 9 – Salaries of Elected Officials

Peter Friedman made a motion to approve – 2nd Barry Walker

Vote: 8-0-0

Rationale: Town clerk salary has not been raised since October of 2005 and its is the consensus of the committee that it is in good order to do so.

Article 10 – Schedule A – FY / 2011 Budget Appropriation – Delay to next meeting

Article 11 – Funding Water Department Budget – Enterprise Fund

Peter made a motion to approve – 2nd Barry Walker

Vote: 8-0-0

Article 12 – Funding Sewer Department Budget - Enterprise Fund

Greg Lyman made a motion to approve – 2nd: David Ferreira

Vote: 8-0-0

Article 13 – Funding Waterways Management Department – Enterprise Fund

Greg Lyman made a motion to approve – 2nd: David Ferreira

Vote: 8-0-0

Article 14 – Funding Dartmouth Senior Social Day Program

Greg Lyman made a motion to approve – 2nd: Jason Wentworth

Vote: 8-0-0

Article 15 – Funding Solid Waste Enterprise Fund

David motion to approve – 2nd: Barry Walker

VOTE: 8-0-0

Article 16 - Acceptance of Capital Improvement Planning Committee Report and Funding FY/ 2011 Capital Plan

Discussion: Greg Lyman asked David Cressman if this will be done through borrowing. David Cressman. Said yes. It was also discussed that this is under American Disability Act. Greg Jones, School Committee was asked of this elevator is mandatory? Greg stated technically it is not at the Cushman School because of how the building is set up of the school. Patrick Roth said on-sight inspection show that the proposed elevator is large enough for a wheelchair. Newer proposal would now require a much large elevator for stretcher and EMT personnel. This proposal has been determined as an acceptable and a lower cost solution because of the inherent school design of access. Peter Friedman said it makes sense to this now. Another question was presented to see of this could this be part of FDK start up cost? The consensus was no.

Motion made by Stephen to approve – 2nd: Peter Friedman

VOTE: 8-0-0

Article 17 – Stabilization Fund

Discussion: Greg wanted to clarify that if the amount was true and accurate. It was determined that the breakdown is (\$225K + \$47 = \$272k) supports the operation as an offset. It was explained that this is a 1 time figure based on enrollment. It was explained that the FinCom will need to explain at TM that this money was placed in the Stab fund to be used as requested.

Motion made by Greg to approve – 2nd: Peter Friedman

Vote 9-0-0

Article 18 – Zoning By-Laws –Amend Section 16 – Off Street Parking Plan Regulations

Barry Walker made a motion to approve – 2nd: Shannon Jenkins

VOTE: 9-0-0

Article 19 – Zoning By-Laws- Amend Section 18 – Waterfront Overlay District
Barry Walker made a motion to approve – 2nd: Shannon
VOTE: 9-0-0

Article 20 – Zoning By-Laws – Amend Section 14 – Limited Industrial Zoning District

Discussion: Shannon Jenkins stated that she is worried that if we change this, how does it then impact things like parking? Barry Walker is concerned about approving and passing this when they are discussing limiting the zoning district. He asked if we should let them re-zone it? Is it currently too large? Peter Friedman said that he will be voting NO. Peter further commented that this has not received well and there are too many questions still. The FinCom is not against the Article but it needs to be further researched before coming to Town Meeting.

Motion made Peter Friedman Not To Recommend – 2nd: Shannon Jenkins
VOTE – 9-0-0

Article 21 - Zoning By-Law Amendments – Amend Section 33 of the Zoning By-Laws (Residential Wind Turbine By-Law); Amend Section 34 of the Zoning By-Laws (Land-Based Commercial Wind Turbine Bylaw); and insert Section 35 (Land-Based Municipal Wind Turbine Law)

Discussion: Move to next Tuesday's meeting. Peter wants to be on record to oppose it.

Article 22 – Personnel By-Law Amendment – New Title / Position

Discussion: Barry Walker asked when did she start? David Cressman said Monday. Shannon Jenkins posed the question what would happen if this was not approved by Town Meeting. David Cressman said the person would get laid off and the Town would pay unemployment.

Peter Friedman made a motion to approve – 2nd: Jason Wentworth
VOTE: 9-0-0

Article 23 – Exploration For Municipal Water Supplies

Discussion: Greg Lyman asked if we ever find out what the original amount was? Dave Cressman said he could not clarify this.

Shannon Jenkins made a motion to approve – 2nd: David Ferreria
Vote: Vote 9-0-0

Rationale: Accessibility and infrastructure and projected availability.

Article 24 – Funding Commission On Disabilities

This will be moved to withdraw at Town Meeting. It was noted that Stephen Mitchell will serve as the FinCom Liason to Commission On Disabilities.

Special Town Meeting Article Review

Article 1 - Authorization For Appropriation – Waterways - delay to next meeting.

Article 2 – Prior Year Invoices

Discussion: The FinCom's Consensus is to do out of Reserve Fund Transfer and not done from STAB Fund. This will be revamped

Article 3 – Line Item Tranfers / Supplement To Schedule A – FY / 2010 delay to next meeting.

Article 4 - Transfer of Funds From Community Preservation Fund

Shannon Jenkins made a motion to approve – 2nd: David Ferreira
Vote -9-0-0

Rationale: Housekeeping

Article 5 - Dartmouth Community Park – Transfer Custody and Control Of Property From Dartmouth School Department and Library Trustees to Custody and Control of The Dartmouth Department of Parks and Recreation and Designation Of Property As Public Parkland, Recreation and Open Space Use Pursuant To M.G.L. Chapter 45.

Peter Friedman made a motion to approve – 2nd: Stephen Mitchell
Vote 9-0-0

Article 6 - General By-Laws – Amendment to Waterways Management By-Law- Section 2 – Waterways Management Commission

Discussion: Shannon asked why are we doing this? Dave Cressman said that no other town commission has term limits. There are at least 3 members on commission that would have to get off serving the commission and this would change that and allow them to stay? Barry Walker said it was created to prevent people from sitting on Commissions for too long. Finding people are doing good work and want to stay on. Shannon wants clarification if other commissions have term limits. Dave Cressman said this was created during a time when term limits were popular. Greg asked who appoints people to Waterways Commission. David Cressman answered the Select Board does.

Barry Walker made a motion to approve – 2nd: David Ferreira
Vote 8-0-1

Article 7 – Acceptance Of Capital Improvement Planning Committee Report and Funding FY 2010 Capital Plan

Discussion: Delay until next meeting. Peter – we had said we are setting \$\$ aside to cover shortages in state aid. We would make that money available through capital improvements.

Article 8 - Special Act For Lincoln Park Improvement

Discussion: Barry Walker asked about the eminent domain rights even outside of the district. Were they addressed? Unknown. Shannon said this is making changes 9 days before we vote and make recommendation and that this is not ample time. Dave Cressman provides some background. Back in November it was brought to him and the Select Board's attention that the legislation approved at Town Meeting for a district was not workable. It needed revisions. So we reviewed revisions by the developer. We did not agree to revisions at that time. Town Council then was involved and differences over those issues that we introduced. The bond council that was tasked with rewriting this legislation was the same council that wrote the language for the New Bedford Industrial Park. This became the model for the final legislations. The sub-committee signed off on these changes and was submitted to the State and Rep Quinn. He was turned away saying they the Chair would not accept the amendment until Town Meeting reauthorizes this. We just received the notification. Peter Friedman asked David Cressman why this article was not on regular Town Meeting? Dave Cressman said it did not meet the cut-off time to be reviewed by town council. Shannon Jenkins asked what does this amendment actual change? This could not be determined. The concensus was that the FnCom needs to have someone come in on Tuesday to explain this to us? We need to feel more comfortable given the ramification to the Town. the motion was to

Motion made by Peter Friedman to recommend to the Select Board that they move the article to the regular TM from the Special Town Meeting. 2nd: Greg Lyman
Vote 9-0-0

Discussion about MOU on FDK - "The Agreement" between all parties. Review by FinCom
Peter is comfortable to delegate the FinCom chair to sign on behalf of the FinCom when it is complete.
Shannon

Motion made by Peter Friedman to have the FinCom Chair sign off on the behalf of the FinCom – 2nd:
Patrick Roth
Vote 9-0-0

Motion to adjourn made by Stephen Mitchell – 2nd: Peter Friedman
VOTE 9-0-0

Submitted by: Stephen Mitchell
Clerk