

Select Board Members Present:

Joseph Michaud-Chairperson
Diane Gilbert
Nathalie Dias

Robert W. Carney, Vice-Chairperson
William J. Trimble

The Chairperson called the meeting to order at 6:30 p.m. December 1, 2008 at the Dartmouth Middle School Auditorium.

Board members signed the **warrant(s)** for the following bills from various departments in the amounts of:

\$ 965,884.15	PR21	\$ 418,482.33	PD0922	\$ 378,511.87	D0923
\$ 369,990.71	S0923	\$ 15,064.49	T0923	\$	

6:30/Application of Johnni M. Massaad, Manager/Owner Mass Market, Inc. d/b/a Dartmouth Market Plus, 610 Dartmouth St., for a Year Round Package/All Alcoholic License under provisions of M.G.L. Ch 138.

Johnni M. Massaad, Owner Mass Market, Inc was present for the Application.

Hearing no pros or cons, the Chairperson closed the Public Hearing.

After a motion was made by Vice-Chairperson Robert Carney and seconded by Selectperson Nathalie Dias, it was voted (4) four in favor and (1) one abstention Chairperson Joseph Michaud, noting he represents Mr. Massaad.

6:40/Application of Luis Llanos for a Class A Public Vehicle License and Taxi License to Transport and Pick up Passengers at Airport.

Tabled applicant did not show up.

6:45/Hearing-Petition of NStar Electric for one pole location on High Hill Road.

Hearing no pros or cons, the Chairperson closed the Public Hearing.

After a motion was made by Vice-Chairperson Robert Carney and seconded by Selectperson Nathalie Dias, it was voted unanimously to approve the Petition of NStar Electric for one pole location on High Hill Road.

A motion was made by Vice-Chairperson Robert Carney and seconded by Selectperson Nathalie Dias, and it was voted unanimously to proceed out of order to New Business.

Request of Chairman Joseph Michaud for a discussion and vote concerning the status of the contract of the Executive Administrator.

Vice-Chairperson Robert Carney opened the forum with a 15-point statement in support of Michael Gagne repeating the refrain that the majority of the board was moving in “the wrong direction” by targeting the Executive Administrator, Michael Gagne and Budget and Finance Director Edward Iacaponi.

The Board opened the floor to public input for two hours, with the majority mostly in support of the Executive Administrator.

Selectperson Gilbert said her vote was the result of “a great deal of soul searching” and reflected a need to replace Michael Gagne with someone who has better financial planning skills.

Selectperson Trimble agreed new leadership was needed for Dartmouth as “we’re going to need a fundamental change in how we prepare budgets and how we deliver services to the town. A fresh perspective and a more businesslike approach is what is needed going forward.”

Selectperson Nathalie Dias read an opinion from Town Counsel suggesting the board couldn’t not renew Michael Gagne contract without just cause because of the risk of a wrongful termination lawsuit. “I think a new direction is definitely not a cause,” she said “I think he’s been made a scapegoat.”

Chairperson Michaud stated after struggling with the decision for some time, indeed for many weeks, he came to the conclusion that he was no longer the leader this community needed to design, factor and implement the changes necessary to chart us out of the financial mess we are in. Chairperson Michaud added that he has the utmost respect for Michael Gagne and his past service, but feels drastic change is need for the town to avoid fiscal trouble.

Michael Gagne addressed the Board by detailing his considerable efforts to meet the fiscal goals and management directives provided by the board, which he noted is the chief policy making agency of the town. He noted that there was no discussion at all on ideas, plans, or thoughts by the five member Select Board together on the issues of “a new direction” or seeking someone else to implement the plans adopted at the Board’s October 2007 meetings.

In his closing statement the Executive Administrator mentioned to avert fiscal disaster, he suggested, managing to avoid projected deficits by cutting spending while building

the Stabilization Fund, the Town's savings account. Mr. Gagne stated we have the second highest balance in any Stabilization Fund in the State.

A motion was made by Vice-Chairperson Robert Carney and seconded by Selectperson Nathalie Dias, to reconsider the Executive Administrator contract. The motion failed. (2) two in favor and (3) three opposed (Selectperson Gilbert, Trimble and Chairperson Michaud).

A motion was made by Selectperson William Trimble and seconded by Selectperson Diane Gilbert it was voted (3) three in favor and (2) two opposed (Selectperson Dias and Vice-Chairperson Carney) affirmative not to renew the Executive Administrator contract.

New Business:

Letter regarding Alternative Member of Zoning Board of Appeals moving to Permanent Member slot.

Michael Travers was present for his appointment.

For the record Selectperson Gilbert is concerned about the direction of where the Zoning Board of Appeals is heading. Selectperson Gilbert prefers to see an open application process so others in the community can correspond with the Select Board who might be interested on serving on the Zoning Board of Appeals. Selectperson Gilbert is concerned about the variances and undersize lots. Selectperson Gilbert stated she doesn't see this board changing anytime soon. She mentioned until we revitalized this Board with individuals who use there best judgment to interpret the law but also safe guard the special character of this community.

After a motion was made by Vice-Chairperson Robert Carney and seconded by Selectperson Nathalie Dias, it was voted (4) four in favor and (1) one opposed (Selectperson Diane Gilbert) to appoint Michael Travers as permanent on the Zoning Board of Appeals.

Reappointment of Alternate Member Allan Turner.

Michael Gagne read the Letter from Allan Turner requesting reappointment as alternate on the Zoning Board of Appeals Board.

After a motion was made by Vice-Chairperson Robert Carney and seconded by Selectperson Nathalie Dias, it was voted unanimously to reappoint Allan Turner as alternate on the Zoning Board of Appeals Board.

Letter from Gregory DeMelo on vacancy of Zoning Board of Appeals.

The Executive Administrator read the letter from Gregory DeMelo expressing his interest in serving on the Zoning Board of Appeals Board.

After a motion was made by Vice-Chairperson Robert Carney and seconded by Selectperson Nathalie Dias, it was voted unanimously to appoint Gregory DeMelo to the Zoning Board of Appeals Board.

Petitions of NStar Gas to obstruct and disturb the surface of: 186 Cross Road, 606 Dartmouth St and 224 Sharp St.

After a motion was made by Selectperson Nathalie Dias and seconded by Vice-Chairperson Robert Carney, it was voted unanimously to approve the petitions of NStar Gas to obstruct and disturb the surface of: 186 Cross Road, 606 Dartmouth St and 224 Sharp St.

Renewal of Surety Bond for Town Collector and Treasurer's Bond.

After a motion was made by Selectperson Nathalie Dias and seconded by Selectperson William Trimble, it was voted unanimously to approve the renewal of Surety Bonds for Town Collector and Town Treasurer's.

Letter from Town Clerk requesting to set the date for Annual Town Election 2009.

Michael Gagne read a letter from Lynn Medeiros, Town Clerk, requesting to set the date for Annual Town Election 2009.

After a motion was made by Vice-Chairperson Robert Carney and seconded by Selectperson Nathalie Dias, it was voted unanimously to set the date for the Annual Town Election the first Tuesday in April 2009.

Minutes:

After a motion was made by Selectperson William Trimble and seconded by Nathalie Dias, it was voted unanimously to set date for the Annual Town Election the first Tuesday in April 2009.

With no further business to discuss, the Chairperson declared the regular meeting adjourned.

Attest:



Michael J. Gagné, Executive Administrator

Transcribed by: Linda Torres

