

Select Board Members Present:

Joseph Michaud-Chairman
Nathalie L. Dias-Vice Chairwoman
William J. Trimble

Lara H. Stone
Michael P. Watson

The Chairman opened the Public Meeting at 5:30 p.m.

The Chairman polled the Board for a roll call vote to convene into Executive Session Pursuant to M.G.L. Ch. 39 Sec 23B: Selectman Trimble, yes; Selectwoman Stone, yes; Selectman Watson, yes; Vice-Chairwoman Dias, yes; Chairman Michaud, yes.

The Chairman reconvened the meeting at 6:30 p.m. on November 16, 2009 in room 304.

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

\$ 864,430.59 PR19 \$ 357,214.75 PD1019 \$ 136,815.43 D1020
\$ 75,190.39 S1020 \$ 386,068.22 T1020 \$

6:30/Hearing-Joint Meeting with Select Board and Board of Assessors for Tax Classification Hearing.

Paul Bergman, Administrator of Assessing, presented the board with the following information.

Per General Laws Chapter 40 Section 56 a determination of percentages of the local levy to be borne by each class of property must be made by the Board of Selectmen.

For fiscal Year 2010 Tax Levy purposes, Dartmouth has a full and fair valuation of \$5,292,640,560.

Class 1-	Residential	(R)	4,431,609.385	83.7315%
Class 2-	Open Space	(O)	-0-	-0-
Class 3-	Commercial	(C)	660,620,515	12.4819%
Class 4-	Industrial	(I)	86,940,200	1.6427%
Class 5-	Personal Property	(P)	113,470,460	2.1439%

R and O account for 83.7% of valuation and CIP for 16.3%.

The percentages for this and the previous six years are as follows:

	2010	2009	2008	2007	2006	2005	2004
R-O	83.7	84.1	84.6	85.7	86.2	85.5	84.6
CIP	16.3	15.9	15.4	14.3	13.8	14.5	15.4

The Town has the option of establishing one tax rate for all classes of property or shifting part of the R-O Tax Levy to the CIP Classes. The shift cannot exceed 150% of the CIP percentage allocations.

In FY2009 the Board voted to shift 40% to the CIP classes. The resulting percentages of the Tax Levy were Residential- 77.8% and CIP- 22.2%.

In addition, the small commercial exemption was voted in at the maximum 10%.

If the Board elects to maintain the same shift this year the Residential share would go down slightly from last year's 77.8% to 77.22% with the CIP ticking up to 22.78%.

This means that there would be a slight shifting of the tax burden further to the CIP classes by keeping the same 40% shift.

The tax rates with 40% shift with the small commercial exemption.

<i>Residential</i>	<i>\$7.85</i>
<i>Commercial/Industrial</i>	<i>\$11.99</i>
<i>Personal Property</i>	<i>\$11.91</i>

(the single rate would be \$8.51)

After a motion was made by Selectwoman Lara Stone and seconded by Selectman Michael Watson, it was voted unanimously to adopt a Residential factor of 0.92228 which would continue the 40% slip to CIP.

After a motion was made by Selectwoman Lara Stone and seconded by Selectman Michael Watson, it was voted to adopt the small Commercial Exemption at the maximum 10% as allowed in Massachusetts General Law Chapter 59 Section 51.

After a motion was made by Selectman Michael Watson and seconded by Vice-Chairperson Nathalie Dias to draft a letter to the State House Representative Quinn and Senator Montigny to revisit this State Law that limits the small business exemption to take a look at this going forward.

6:45/Application of Ayur-Shri for a Common Victualler License at 387 State Rd.

Ramadheen Ramsamodj, Restaurant owner, was present for his application. Mr. Ramsamodj had concerns on the specific number of seats and only allowed four employees. Mr. Ramsamodj stated that this was a restriction by the Town put forth under the previous owner.

Members of the Board stated that this does not fall under them and that the Executive Administrator will give him some guidance in trying to resolve these issues.

After a motion was made by Vice-Chairperson Nathalie Dias and seconded by Selectman Michael Watson, it was voted unanimously to table the Application of Ayur-Shri for next week.

New Business:

Notification from ABCC to set estimate of resident population, under M.G.L. Chapter 138, Sec. 17.

The Chairman read that as of July 10, 2010 the estimated resident population is 32,873.

After a motion was made by Vice-Chairperson Nathalie Dias and seconded by Selectman William Trimble, it was voted unanimously to accept this estimate 32,873 for the Alcoholic Beverages Control Commission.

Amendment to M.R.I. Contract for Police Chief.

The Chairman stated that M.R.I. was currently searching for a Deputy Chief however, with the recent notification of the Police Chief retiring we asked M.R.I. to focus their search for a Police Chief.

After a motion was made by Vice-Chairperson Nathalie Dias and seconded by Selectwoman Lara Stone, it was voted unanimously to change the contract reflexing a \$2075 increase.

Selectman Watson stated the timeline for the Police Chief. Resumes December 11th, candidates essay on December 28th, phone interviews January 5-6th and interviews the following week.

Review and Sign DNRT Lease.

Chairman Michaud gave a summary of the terms of the proposed Lease Agreement.

- Lease Term:** Beginning November 1, 2009 and terminating January 31, 2015.
- Rent:** \$1.00 for the Lease Term and Lessee pays all utility costs.
- Maintenance:** Lessee shall maintain the exterior and interior of Property, including the structure, in accordance with all laws, by-laws, codes and applicable historical preservation regulations and standards.
- Insurance Amount:** Lessee must procure and maintain general liability insurance in the amount of \$1,000,000.00, naming the Town as additional insured.
- Alterations:** Lessee shall not make any alterations, repairs, or improvements without Town's written consent.
- No Parking:** Section 21 of the Lease Agreement prohibits any parking by or in the vicinity of the property on Elm St, north of its intersection on Prospect Street and on Prospect St, east to its intersection with Elm Street.

After a motion was made by Selectman William Trimble and seconded by Selectman Michael Watson, it was voted unanimously to approve the DNRT lease.

Recreation Dartmouth/Westport.

Selectman Michael Watson updated the Board on the possible regionalization of the Recreation Department with the Town of Westport. Selectman Watson stated he has not heard back from the Town of Westport pertaining to this matter.

NStar Petition permission to obstruct and disturb the surface of Lot 173 William Street-Between house 60 & 63 William St.

After a motion was made by Vice-Chairperson Nathalie Dias and seconded by Selectman William Trimble, it was voted unanimously to approve the NStar Petition to obstruct and disturb the surface of Lot 173 William Street-between house 60 & 63 William St.

The Chairperson announced that he would like to dedicate the Town landing in honor of the late Harbormaster Arthur F. Dias. The Chairperson stated Mr. Dias retired in December 2002, after 31 years as the Town's Harbormaster.

After a motion was made by Selectman Michael Watson and seconded by Selectwoman Lara Stone, it was voted (4) four in favor and (1) one abstention (Vice-Chairperson Nathalie Dias) to name the Town Landing in honor of the late Harbormaster Arthur F. Dias.

The Chairperson also announced that he would like to dedicate the Appanagansett Bridge for the former Select Board Member Len Gonsalves. The Chairman stated Mr. Gonsalves was a major figure in town politics for more than 30 years.

After a motion was made by Vice-Chairperson Nathalie Dias and seconded by Selectperson Lara Stone, it was voted unanimously to name the Apponagansett Bridge in honor of the late Len Gonsalves.

Minutes:

Minutes of November 2, 2009.

After a motion was made by Selectman Michael Watson and seconded by Vice-Chairperson Nathalie Dias, it was voted unanimously to approve the minutes of November 2, 2009.

Old Business:

NStar tree cutting on Horseneck Road.

The Chairman stated that we have received a memo from Town Counsel on this matter. The Chairman requested a meeting in Executive Session with Town Counsel, Tree Warden and the Town Planner.

Selectwoman Lara Stone mentioned that on December 9th the Public Forum will be held at the Dartmouth High School. Selectwoman Stone stated we should have the report from Atlantic Design by November 20th.

Announcements:

Over the weekend the Dartmouth Football, Girls Soccer and Dartmouth Junior Pee Wee Football all won games.

With no further business to be discussed the Chairperson declared the regular meeting adjourned.

Attest:



David G. Cressman, Executive Administrator

Transcribed by: Linda Torres