

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 5:00 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 December 7, 2009 in room 304.

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

\$ 984,184.86 PR22 \$ 1,140,326.51 PD1022 \$ 189,453.22 D0123

\$ 3,876.25 SM1023 \$ 592,657.78 S1023 \$ 175,637.45 T1023

6:30/Application of TGI Friday's for a New Officer/Director.

Attorney Albert DeNapoli was present for the Application of TGI Fridays.

After a motion was made by Vice-Chairperson Nathalie Dias and seconded by Selectman Michael Watson, it was voted unanimously to approve the Application of TGI Friday's for a New Officer/Director.

6:35/Application of Country Club of New Bedford for a Change of Manager.

David DiPaolo, General Manager of Country Club of New Bedford, was present for his Application.

After a motion was made by Selectman Michael Watson and seconded by Vice-Chairperson Nathalie Dias, it was voted unanimously to approve the Application of Country Club of New Bedford for a Change of Manager.

6:40/Application of Not Your Average Joes Inc. for a Change of Manager.

Tracy Mason, General Manager, was present for the Application.

After a motion was made by Selectwoman Lara Stone and seconded by Selectman William Trimble, it was voted unanimously to approve the Application of Not Your Average Joes Inc. for a Change of Manager.

6:45/Application of Ayur-Shri for a Common Victualler License.

The Executive Administrator explained to the Board that he met with Mr. Ramsamodj owner of Ayur-Shri and explained what he needs to do and who he needs to see to resolve any issues of a decision of the Zoning Board of Appeals 1999 for that location. Mr. Cressman stated there are no issues pending.

After a motion was made by Selectman William Trimble and seconded by Vice-Chairperson Nathalie Dias, it was voted unanimously to approve the Application of Ayur-Shri for a Common Victualler License.

6:50/Police Department to discuss Interim Police Chief.

Captain Gary Soares, Sergeant Robert Szala and Detective George Perry were present to discuss Interim Police Chief.

After a motion was made by Selectman Michael Watson and seconded by Selectwoman Lara Stone, it was voted unanimously to appoint Captain Soares as interim Police Chief and Sergeant Robert Szala as Interim Deputy Police Chief.

Detective George Perry will move in Sergeant Robert Szala's position.

Steven Sullivan, Supervisor of Water Pollution, presented the Board with a hand out which was a flow chart of why Dartmouth had to do a tier 1 public notification. He went through the flow chart step by step explaining about Total Coliform samples and how E Coli was found in a raw water sample at well D which triggered the water department to contact DEP and issue the tier 1 public notification within 24 hours of being notified from the lab about the problem water samples. Steve also spoke about the 5 additional water samples he was required to take at Well D and additional sampling that was taken on Smith Neck Road because of the Total Coliform positive samples. He worked with DEP to determine if a boil, non-boil or do not drink a non-boil was chosen by DEP. Steve told the BOS all 5 samples that were taken before the well was shut off, came back negative with total coliform and absent of E Coli.

Mr. Sullivan stated on December 1, 2009 water samples taken at wells, tanks distribution system and all active wells. On December 3, 2009 two samples on Smith Neck Road tested positive for Total Coliform and well D tested positive for Total Coliform and positive E Coli. Well D was sampled again five water samples were taken from this location, an additional 6 samples on Smith Neck Road were taken, 1 each at the original source of the Total Coliform hit and upstream and downstream samples were taken near original problem areas.

Mr. Sullivan mentioned that on December 4, 2009 Water Department issued Tier 1 notification to Radio Stations and the Standard Times. The lab notified Water Department that the five samples from Well D were negative Total Coliform and negative E. Coli. They also notified Water Department 5 of the 6 samples came back negative Total Coliform. Dartmouth notified DEP about samples the Water Department returned to take the three samples at the failed site and took the upstream and downstream samples again.

The Supervisor stated that on December 6, 2009 the last three samples on Smith Neck Road were absent of Total Coliform and on December 7, 2009, Dartmouth notified DEP all samples were clean and tier 1 notification was lifted by DEP. Well D was then restarted.

Wendy Henderson, Director of Board of Health gave the Board an update on Swine Flu clinic coming up for the month of December. We have scheduled a H1N1 Flu Vaccination Clinic to be held on Monday December 14th. The Director of Health mentioned there will also be another clinic to provide the second dose on December 21st for children under 10 years old, who received their dose at the November 20th clinic.

7:00/Update on Town's new Website.

Michael Courville, Information Systems Manager, introduced to the Board the new Town website. Mr. Courville mentioned that Kevin Lee, Youth Advocate, and Steven Sullivan, Supervisor of Water Pollution, assisted in this task. Mr. Courville introduced to the Board some of the nice features of the website, News Banner, Area Special News and calendar to name a few. In Closing Michael Courville thanked all the Department Heads for there assistance.

New Business:

Conservation Restrictions for 840 Smith Neck Road, Bogusky/Purdy and Golden.

Dexter Mead, Director of DNRT, was present for the Conservation Restriction.

After a motion was made by Selectman William Trimble and seconded by Selectman Michael Watson, it was voted unanimously to approve the Conservation Restrictions for 840 Smith Neck Road, Bogusky/Purdy and Golden.

Board to vote on Special Town Meeting for January 12, 2010.

After a motion was made by Selectman William Trimble and seconded by Selectwoman Lara Stone, it was voted unanimously to approve a Special Town Meeting for January 12, 2010.

Board to sign Order of Taking.

After a motion was made by Selectman Michael Watson and seconded by Vice-Chairperson Nathalie Dias, it was voted unanimously to sign the Order of Taking.

Letter of resignation from Barry Walker from C.P.C.

The Chairman read a letter of resignation from CPC by Barry Walker.

Appointment to Southeastern Regional Transit Authority Advisory Board.

The Chairman recommended William Mosher to serve on the Southeastern Regional Transit Advisory Board.

Appointment to Council on Aging.

The Chairman stated there are three individuals for consideration to fill this opening. Mary Ann Ferreira, Susan Thompson and Olivia Andre.

After a motion was made by Selectman Michael Watson and seconded by Selectman William Trimble, it was voted unanimously to appoint Mary Ann Ferreira, to the Council on Aging Board.

The Board thanked the other two individuals for their interest in serving on the Council on Aging Board.

Board to sign Mutual Aid Agreement.

After a motion was made by Selectman Michael Watson and seconded by Selectwoman Lara Stone, to sign the Mutual Aid Agreement.

Sundry License Renewals subject to approval from the Fire Chief, Building Department and Police Chief.

Liquor Renewal Applications - 2009

Restaurant - All Alcoholic – Common Victualler
Applebee's Neighborhood Grill & Bar
The Olive Garden
Texas Roadhouse
Thai Taste Too

Gumbo Restaurant
China Belle Restaurant
Not Your Average Joe's
The Black Bass
Ruby Tuesday
99 Restaurant Pub
Ying Dynasty
Fay's Too
Wasabi Japanese Restaurant
Rachael's Lakeside
TGI Friday's
Trio Café & Lounge
Stoneforge – Dartmouth

Restaurant – Wine & Malt Beverages – Common Victualler
Cape Quality Seafood Restaurant
Jimmy's Pizza
Friendly Pizza
Peking Garden
Healthy Grille

All Alcoholic – Restaurant - Common Victualler, Amusement Devices, Juke Box, Pool Table,
Entertainment with Alcohol
The King's Inn – 2 A.M. closing
Miller's Homeport – 2 A.M. closing
Marshall's Pub – 2 A.M. closing

All Alcoholic – Restaurant – Common Victualler – Entertainment with Alcohol
Hawthorne Country Club – requests 2 A.M. closing for New Year's Eve.
Allendale Country Club

Restaurant Wine & Malt Beverages – Amusement Devices – Arcade
Chuck E Cheese's

Club – All Alcoholic – Common Victualler
Stackhouse Fairgrounds

Club – All Alcoholic – Common Victualler – Entertainment with Alcohol
New Bedford Yacht Club

Club – All Alcoholic – Amusement Devices, Pool Table, Juke Box, Entertainment with Alcohol
V.F.W. – Memorial Post #9059 of U.S.
Portuguese American Social Club

Club – All Alcoholic – Common Victualler – Entertainment with Alcohol
Country Club of New Bedford

Club – All Alcoholic – Common Victualler – Entertainment with Alcohol
UMass Dartmouth, At Dartmouth (SMUSERV, Inc.)

Package Goods Store – All Alcoholic
Cardoza's Wine and Spirits (State Rd.)
Acme Liquors
C.V. Variety
Keystone Wine & Spirits d/b/a Cardoza's Wine & Spirits (F.C. Rd.)
Dartmouth Market Plus
Town Liquors

Package Goods Store – Wine & Malt Beverages
C & S Variety
Bliss Express
Hixville General Store

I. Renewals - Common Victualler

C.V. Variety
Panera Bread
Persey's Place
Taco Bell
Tropical Smoothie Café
Soexo at Acushnet Ball Plant 2
D'Angelo's Sandwich Shop (F.C. Rd.)
D'Angelo's Sandwich Shop (Dartmouth St.)
Smith Mills Mobile
Hess Express
Good Friends
Rainoni's
Village Café
Baker Books (Bean & Leaf Café)
Cecily's Café
Burger King
Mirasol's Café
Caddy Shack
Davoll's General Store
Town Donut Shop
Shaw's Supermarket
Five Guys Burgers & Fries
Friendly's (State Rd.)
Friendly's (Dartmouth St.)
Palace Pizza
Just Another Phoenix
Lukulos Pizza
Sunrise Bakery (Russells Mills Rd.)
Sunrise Bakery (Dartmouth St.)
BJ's Wholesale Club
I Hop

Renewals – Motor Agents

Class I

Dartmouth Nissan (483 State Rd.)
Toyota of Dartmouth

Class II

Dartmouth Auto Sales
Rose Motors
Estrella's Vintage Auto
Bliss Express
Petal Auto Sales (813 State Rd.)
Richie's Auto Sales

Class III

Richie's Auto Sales
Will's Auto Wrecking
Gabriel's Auto Parts
Acme Auto Salvage

Amusement

Caddy Shack

The Chairman mentioned that Caddy Shack was on the list twice and was corrected.

After a motion was made by Vice-Chairperson Nathalie Dias and seconded by Selectman Michael Watson, it was voted unanimously to approve the Sundry License Renewals subject to approval from the Fire Chief, Building Department and Police Chief.

Old Business:

NStar tree cutting on Horseneck Road.

The Chairman stated that Dennis Galvin, NStar, has been keeping the Town updated on any tree trimming in Town.

Minutes:

Minutes of November 16, 2009.

After a motion was made by Selectman William Trimble and seconded by Michael Watson, it was voted unanimously to approve the minutes of November 16, 2009.

Announcements:

Dartmouth Senior Center Open House for Artists will have 50 paintings displayed.

Primary Election Day on Tuesday December 8, 2009.

Dartmouth High School Theater Company did an outstanding job this weekend.

Agriculture Preservation Trust Council Request for Proposals are due by December 16, 2009 for the Souza/Lagasse Farm.

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

Attest:

David G. Cressman, Executive Administrator

Transcribed by: Linda Torres

