



Town of Dartmouth
400 Slocum Road
Dartmouth, MA 02747

Board of Selectmen

Select Board Members Present:

William J. Trimble-Chairperson
Michael P. Watson-Vice Chairperson
Lara H. Stone

Joseph Michaud
Shawn McDonald

The Chairman opened the Public Meeting at 5:45 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 Michaud, yes; Selectwoman Stone, yes; Selectman McDonald, yes; Chairperson Watson, yes; Chairman Trimble, yes.

The Chairman reconvened the meeting at 6:30 p.m. on September 27, 2010 in room 304.

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

\$893,489.30	PR11	\$1,097,759.11	PD1112	\$302,704.82	T1113
\$903,688.44	PR12	\$467,937.65	PD1113	\$69,546.56	D1114
\$24,890.84	P1114	\$281,652.36	S1114	\$207,021.04	T1114

Anthony Savastano, Town Counsel, briefed the Board on the By-Law that has been approved by the Attorney General. Attorney Savastano stated that we can proceed with the wind turbine project on Chase Road. In closing, Attorney Savastano informed the Board that he will file a motion to dismiss the pending litigation.

Application of St. George Greek Orthodox Church for a One Day Beer & Wine License for October 2, 2010.

Dennis Maniatis was present for the Application.

After a motion was made by Selectman Shawn McDonald and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to approve the Application of St. George Greek Orthodox Church for a One Day Beer & Wine License for October 2, 2010.

New Business:

Conservation Commission Appointment.

David Faria briefed the Board on his work history.

After a motion was made by Selectman Shawn McDonald and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to appoint David Faria to the Conservation Commission.

Alternative Energy Appointment.

After a motion was made by Vice-Chairperson Michael Watson and seconded by Selectman Joseph Michaud, it was voted unanimously to table this until next Monday's Select Board Meeting.

Waterways Management Commission Appointment.

After a motion was made by Vice-Chairperson Michael Watson and seconded by Selectman Joseph Michaud, it was voted unanimously to table this until next Monday's Select Board Meeting.

Clarks Cove Proposed Regulations.

Michael Gill, Chairman of the Waterways Management Commission, and Steven Melo, Harbormaster, discussed the proposed Clarks Cove Regulations with the Board and answered any questions.

After a motion was made by Vice-Chairperson Michael Watson and seconded by Selectwoman Lara Stone, it was voted (4) four in favor and (1) one opposed (Chairman Trimble) to endorse the Clarks Cove Regulations.

Crapo Fund-Secrets of Old Dartmouth.

The Executive Administrator informed the Board that they approved a grant of \$2,450 to re-publish the book Secrets of Old Dartmouth; however, there is a need for an additional grant of \$350.

After a motion was made by Selectman Shawn McDonald and seconded by Selectman Joseph Michaud, it was voted unanimously to adopt a motion authorizing the increase in the grant by \$350.

Select Board Town Meeting Recommendations

The Select Board reviewed the Fall Annual Town Warrant and made their recommendations.

Article Number	Title
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1	Outstanding Bills
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After a motion was made by Selectwoman Lara Stone and seconded by Selectman Shawn McDonald, it was voted unanimously to recommend Article 1.

2	Personnel By-Law
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After a motion was made by Selectman Shawn McDonald and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to recommend Article 2.

3	Authorization for Appropriation—Waterways
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After a motion was made by Selectman Joseph Michaud and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to recommend Article 3.

4	Solar Energy Generating Facility Lease
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The Select Board is in line with Dartmouth's commitment to Green Energy and this fits with the approach we are taking in our community.

Any Contractual Agreement should be subject to review and approval by the Select Board prior to being executed.

After a motion was made by Selectwoman Lara Stone and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to recommend Article 4.

5	Rescinding Borrowing Authorization
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After a motion was made by Selectman Joseph Michaud and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to recommend Article 5.

- 6** Amendment to Article 3—June 1, 2010 Community Preservation Act – MA Audubon Society Stone Barn Farm Restoration and Rehabilitation Project –786 Horseneck Rd.

It was noted that this vote was not made on the basis of approving the project as there was debate about this project at the June Annual Town meeting and thereafter. Instead, this was a consideration that it would be difficult to proceed without this vote.

After a motion was made by Selectwoman Lara Stone and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to recommend Article 6.

- 7** Amendment to Article 3—June 1, 2010 Community Preservation Act – Town of Dartmouth Department of Parks and Recreation-Creation of Dartmouth Community Park—Dartmouth Street

As was noted in Article 6, the same rationale was used with this vote.

After a motion was made by Selectman Joseph Michaud and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to recommend Article 7.

- 8** Community Preservation Act—Russells Mills Library

The Select board believes the Town needs to address these issues before the Town can move forward with this Historical Building and to do nothing would be irresponsible.

After a motion was made by Selectperson Joseph Michaud and seconded by Selectwoman Lara Stone, it was voted unanimously to recommend Article 8.

- 9** Community Preservation Act—Dartmouth Community Park Phase II

After a motion was made by Vice-Chairperson Michael Watson and seconded by Selectman Joseph Michaud, it was voted unanimously to recommend Article 9.

- 10** Community Park Grant Authorization

Money would not be expended by the town unless it came to Town by State Grant to be used as the local match.

After a motion was made by Vice-Chairperson Michael Watson and seconded by Selectwoman Lara Stone, it was voted unanimously to recommend Article 10.

- 11** Zoning By-Laws—"For Sale" Signs and Real Estate Development Signs in Commercial and Industrial Districts

After a motion was made by Vice-Chairperson Michael Watson and seconded by Selectman Shawn McDonald, it was voted unanimously to recommend Article 11.

- 12** Zoning-By-Laws—Office Industrial Zoning District for Faunce Corner Road

Some Selectman recommended they preferred issuing a recommendation from the floor of Town Meeting if it desires.

After a motion was made by Vice-Chairperson Michael Watson and seconded by Selectman Joseph Michaud, it was voted (3) three in favor and (2) two opposed (Chairman Trimble and Selectman McDonald) to recommend Article 12.

- 13** Acceptance of Massachusetts General Laws, Chapter 39 Section 23D-Adjudicatory Hearings

After a motion was made by Vice-Chairperson Michael Watson and seconded by Selectwoman Lara Stone, it was voted unanimously to recommend Article 13.

- 14** Acceptance of Massachusetts General Laws, Chapter 32B Section 9E—Town Contribution of More Than 50 Percent of Employee Health Insurance for Retirees

After a motion was made by Selectwoman Lara Stone and seconded by Selectman Michael Watson, it was voted unanimously to recommend Article 14.

- 15** Special Petition to Legislature to Create a Trust Fund for Police Officer Medical Benefits

After a motion was made by Vice-Chairperson Michael Watson and seconded by Selectman Shawn McDonald, it was voted unanimously to recommend Article 15.

- 16** General By-Laws – Parking Regulations

After a motion was made by Selectwoman Lara Stone and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to recommend Article 16.

17 Handicapped Parking

Approval of the recommended increase in fees to support the initiative of the Dartmouth Disability Action Committee and MOU is pending.

After a motion was made by Selectwoman Lara Stone and seconded by Selectman Shawn McDonald, it was voted unanimously to recommend Article 17.

18 General By-Laws -- Black Friday

After a motion was made by Selectman Shawn McDonald and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to amend Article 18 to read the business entity submits an application along with a Safety Plan.

After a motion was made by Selectman Joseph Michaud and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to recommend Article 18 as amended.

19 Acceptance of Capital Improvement Planning Committee Report and Funding of FY2011 Capital Plan

There was some discussion about re-purposing some unexpended funds for previously bonded capital projects in the General Fund and Water Fund. Vice-Chairperson Watson indicated that if such funds were available they should be used for CIP needs, such as roads.

After a motion was made by Selectman Shawn McDonald and seconded by Selectman Joseph Michaud, it was voted unanimously to recommend Article 19.

20 Borrowing – Quinn School Roof Replacement

After a motion was made by Vice-Chairperson Michael Watson and seconded by Selectman Joseph Michaud, it was voted unanimously to recommend Article 20.

21 Collective Bargaining and Non-Union COLA for FY2011

Selectman Michaud did not vote in favor of this article because he felt that the Town should not give out raises when private sector is not giving out increases.

After a motion was made by Vice-Chairperson Michael Watson and seconded by Selectman Shawn McDonald, it was voted (4) four in favor and (1) one opposed (Selectman Michaud) to recommend Article 21.

22 Appropriation to the Stabilization Fund

After a motion was made by Selectman Shawn McDonald and seconded by Selectman Joseph Michaud, it was voted unanimously to recommend Article 22.

Town Phone Audit.

The Executive Administrator informed the Board several months ago that Chambers Advisory Group, a state approved vendor, would audit the Town's telephone expenses which totaled \$83,304 in FY 10. Within the past two weeks, they presented Finance Director Barnes and myself with a list of seventeen tasks. If all proposed tasks are implemented, this could result in a savings of approximately \$2,000 per month or \$24,000 per year. The implementation phase will occur over the next six to twelve months.

Citation for Robert Metcalf.

The Select Board read the citation for Robert Metcalf for his outstanding services to the Town, serving twenty years on the Capital Improvements, Planning Committee, six years on the Waterways Commission and several years on the Waterways Advisory Board.

Resolution for the James M. Quinn Elementary School Roof Replacement Project.

RESOLUTION NO.
RESOLUTION TO AUTHORIZE THE SELECT BOARD TO SUBMIT TO THE
MASSACHUSETTS SCHOOL BUILDING AUTHORITY A STATEMENT OF INTEREST
(SOI)
FOR THE JAMES M. QUINN ELEMENTARY SCHOOL ROOF REPLACEMENT
PROJECT

RESOLVED: Having convened in an open meeting on September 27, 2010 the Select Board of the Town of Dartmouth, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority, the Statement of Interest, dated September 20, 2010 for the James M. Quinn Elementary School, 529 Hawthorne St., Dartmouth, MA 02747 which describes and explains the following deficiencies and the priority category(s) for which the Town of Dartmouth may be invited to apply to the Massachusetts School Building Authority in the future. Replacement, renovation or

modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility; roof replacement at the Quinn Elementary School . The proposed roof being replaced was installed in 1991. It is twenty years old and has surpassed its useful life. A five-year plan is submitted on an annual basis for approval to the School Committee. Upon approval by the Committee, it is presented to the CIP Committee and their recommendation is presented to the Finance Committee. The recommendations of the Finance Committee is forwarded on a Warrant to the Town Meeting for voter approval. On our five year plan, a request is being made for the roof replacement at the Quinn Elementary School, and hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment; from the Massachusetts School Building Authority, or commits the Town of Dartmouth to filing an application for funding with the Massachusetts School Building Authority.

After a motion was made by Selectman Joseph Michaud and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to authorize the Superintendent to submit to the Massachusetts School Building Authority the above Statement of Interest.

Proclamation for the Coalition for Buzzards Bay.

After a motion was made by Selectwoman Lara Stone and seconded by Selectman Joseph Michaud, it was voted unanimously to refer this to Town Counsel for review.

Selectwoman Lara Stone mentioned that the Executive Administrator will provide the Board with a report on goals and objectives within his contract, reviewing the tools we are using for his evaluation. Selectwoman Stone stated this will be on the agenda for October 18th and the completed tool will be discussed in Executive Session.

Old Business:

Continued discussion on a Business Plan for the Town of Dartmouth Improving the Governance Structure & the Functioning and Inter-Departmental relationship of all Town Departments, and continued discussion on Municipal Solutions. Community Development.

After a motion was made by Chairman William Trimble and seconded by Selectman Joseph Michaud, it was voted unanimously to table this issue for another meeting.

Minutes:

Minutes of September 13, 2010.

After a motion was made by Vice-Chairperson Michael Watson and seconded by Selectman Shawn McDonald, it was voted unanimously to approve the minutes of September 13, 2010.

Executive Session Minutes of March 29, 2010, Issue 3.

After a motion was made by Selectman Joseph Michaud and seconded by Vice-Chairperson Michael Watson, it was voted unanimously to approve the Executive Session Minutes of March 29, 2010 Issue 3.

Announcements:

13th Annual Cornell Pond Fishing Derby will be held on Saturday, October 2, 2010.

The Dartmouth Music Association will be hosting the annual USBA Named Competition on Saturday afternoon, October 9, 2010 at the football stadium.

The Coalition for Buzzards Bay Watershed Ride will be held on October 3, 2010.

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

Attest:

David G. Cressman, Executive Administrator

Transcribed by: Linda Torres

