



Town of Dartmouth

400 Stocum Road
Dartmouth, MA 02747

Board of Selectmen

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DARTMOUTH TOWN CLERK

Select Board Members Present:

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

Joseph Michaud
Shawn McDonald

The Chairman called the public meeting to order at 6:30 p.m. on September 26, 2011 in room 304.

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

PR11V1	-397.63	PR11	891,856.39	PD1211	1,187,750.58
D1212	389,217.27	P1212	16,209.05	P1212	16,209.05
S1212	720,836.62	T1212	17,093.41	PR09Caft	\$3,246.40
PR12	\$890,337.85	PD1212	\$765,361.86	S1213	\$27,948.52
T1213	\$149,439.66				

Application of Max's, 407 State Rd. for a Common Victualler License.

Steve Ginsberg was present for his Application.

After a motion was made by Selectman William Trimble and seconded by Selectman Shawn McDonald, it was voted unanimously to approve the Application of Max's, 407 State Rd, for a Common Victualler License.

Application of Ruby Tuesday for a Change of Manager.

Steve Parrott was present for his Application.

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman Shawn McDonald, it was voted unanimously to approve the Application of Ruby Tuesday for a Change of Manager.

Hearing-Application of the Score Sports Bar, Inc. for a Year Round All Alcohol License for 890 State Rd., Carrie Deus, Manager.

The Chairman opened the hearing.

The Applicant was not present.

Richard Medeiros, Owner of Caddy Shack, spoke on the parking situation and noted that when it was Stinky Pete's there were always fights and even a stabbing.

The Chief of Police spoke on this issue stating that he denied the application based on falsifying information; her Date of Birth was wrong and she put that she lives at 890 State Road but resides in Tiverton, RI.

The Chairman closed the hearing.

After a motion was made by Selectman Shawn McDonald and seconded by Vice-Chairwoman Lara Stone, it was voted unanimously to deny the Application based on the information provided by the Police.

Joint Meeting with the Cemetery Commission.

Kevin Melo, Chairman of the Cemetery Commission, briefed the Board on the Evergreen Cemetery asking for \$25,000 to be appropriated for a road. Mr. Melo also addressed the creation of a revolving fund.

Chairman Watson questioned the grass cutting stating that the invoices he received from accounting show that the Cemetery invoices for \$2405 for about five cuts vs. \$2,280.00 for previous work done by the Park Department for eight cuts of the grass. The Chairman stated the invoices he has are from 5/26, 6/11, 6/26, 7/16 and 7/30; he wants to make sure we are dealing with the same numbers.

New Business:

Annual Town Meeting Warrant.

ARTICLE 1: OUTSTANDING BILLS

After a motion was made by Selectman William Trimble and seconded by Selectman Shawn McDonald, it was voted unanimously to approve Article 1.

ARTICLE 2: ALLOCATION TO COMMUNITY PRESERVATION FUND RESERVES

After a motion was made by Selectman William Trimble and seconded by Vice-Chairwoman Lara Stone, it was voted unanimously to approve Article 2.

ARTICLE 3: COMMUNITY PRESERVATION ACT – AGRICULTURAL PRESERVATION RESTRICTION - DOMINICAN SISTERS FARM AT 858 TUCKER RD

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman William Trimble, it was voted unanimously to approve Article 3.

ARTICLE 4: COMMUNITY PRESERVATION ACT – TOWN OF DARTMOUTH -- RUSSELLS MILLS LIBRARY

After a motion was made by Selectman William Trimble and seconded by Selectman Shawn McDonald, it was voted unanimously to approve Article 4.

ARTICLE 5: DEED IN LIEU OF FORECLOSURE – PROPERTY LOCATED ON OLD PIERCE RD.

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman William Trimble, it was voted (4) four in favor and (1) opposed (Selectman Michaud) to approve Article 5.

ARTICLE 6: RESCIND BORROWING AUTHORIZATION

After a motion was made by Selectman Shawn McDonald and seconded by Vice Chairwoman Lara Stone, it was voted unanimously to approve Article 6.

ARTICLE 7: UTILITY EASEMENT FOR DARTMOUTH WOODS

After a motion was made by Selectman Shawn McDonald and seconded by Selectman William Trimble, it was voted unanimously to approve Article 7.

ARTICLE 8: PERSONNEL BY-LAW – NEW TITLE/POSITION – CONFIDENTIAL LICENSING AIDE

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman William Trimble, it was voted unanimously to approve Article 8.

ARTICLE 9: GENERAL BY-LAW DELETIONS (FISCAL YEAR AND BICYCLE LAW) AND REVISIONS (PUBLICATION AND NOTICE OF TOWN MEETING WARRANT)

After a motion was made by Shawn McDonald and seconded by Vice-Chairwoman Lara Stone, it was voted unanimously to approve Article 9.

ARTICLE 10: GENERAL BY-LAW REVISIONS FOR PARKING REGULATIONS & RESTRICTIONS

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman Shawn McDonald, it was voted unanimously to approve Article 10.

ARTICLE 11: GENERAL BY-LAW - REVISION OF DOG KENNEL REQUIREMENT

After a motion was made by Selectman Shawn McDonald and seconded by Vice-Chairwoman Lara Stone, it was voted unanimously to approve Article 11.

ARTICLE 12: ADOPTION OF STRETCH ENERGY CODE

The Select Board took no action at this time, and plans to take action on this prior to Town Meeting.

ARTICLE 13: APPROPRIATION FROM THE CEMETERY SALE OF LOT FUND

After a motion was made by Selectman William Trimble and seconded by Selectman Shawn McDonald, it was voted unanimously to approve Article 13.

ARTICLE 14: CREATION OF CEMETERY REVOLVING FUND

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman William Trimble, it was voted unanimously to approve Article 14.

ARTICLE 15: COLLECTIVE BARGAINING AGREEMENT FOR MANAGEMENT UNION AND COLA FOR THE LIFEGUARDS

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman Shawn McDonald, it was voted unanimously to approve Article 15.

ARTICLE 16: AUTHORIZATION FOR APPROPRIATION – WATERWAYS

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman William Trimble, it was voted unanimously to approve Article 16.

ARTICLE 17: ACCEPTANCE OF CAPITAL PLANNING COMMITTEE REPORT AND FUNDING OF FY 2012 CAPITAL PLAN

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman Shawn McDonald, it was voted (3) three in favor and (2) two opposed (Selectman Trimble and Selectman Michaud) to approve Article 17.

ARTICLE 18: APPROPRIATION TO THE STABILIZATION FUND FOR FULL DAY KINDERGARTEN

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman Shawn McDonald, it was voted unanimously to approve Article 18.

ARTICLE 19: APPROPRIATION TO THE STABILIZATION FUND

After a motion was made by Selectman William Trimble and seconded by Selectman Shawn McDonald, it was voted unanimously to approve Article 19.

ARTICLE 20: APPROPRIATION TO A POST EMPLOYMENT HEALTH INSURANCE LIABILITY FUND

After a motion was made by Selectman William Trimble and seconded by Selectman Shawn McDonald, it was voted unanimously to approve Article 20.

ARTICLE 21: SUPPLEMENTS TO THE FY 2012 OPERATING BUDGET

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman William Trimble, it was voted unanimously to approve Article 21.

ARTICLE 22: COMPREHENSIVE WATERWAYS MANAGEMENT OVERHAUL – HOME RULE PETITION

The Select Board will make a recommendation from the Floor.

ARTICLE 23: CHARTER AMENDMENT-FIRST PROPOSED – DELETION OF TOWN AGENT

After a motion was made by Selectman William Trimble and seconded by Vice-Chairwoman Lara Stone, it was voted unanimously to approve Article 23.

ARTICLE 24: CHARTER AMENDMENT- SECOND PROPOSED – ELECTRONIC VOTING

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman Joseph Michaud, it was voted unanimously to approve Article 24.

ARTICLE 25: CHARTER AMENDMENT-THIRD PROPOSED – APPOINTMENT PROCEDURES

After a motion was made by Selectman Joseph Michaud and seconded by Vice-Chairwoman Lara Stone, it was voted unanimously to approve Article 25.

ARTICLE 26: CHARTER AMENDMENT-FOURTH PROPOSED-ELECTION OF SCHOOL COMMITTEE AND LIBRARY TRUSTEES

After a motion was made by Selectman Joseph Michaud and seconded by Vice-Chairwoman Lara Stone, it was voted unanimously to approve Article 26.

ARTICLE 27: CHARTER AMENDMENT-FIFTH PROPOSED-DELETE CEMETERY COMMISSION AND REPLACE WITH PARKS AND RECREATION BOARD

After a motion was made by Selectman Shawn McDonald and seconded by Vice-Chairwoman Lara Stone, it was voted unanimously to approve Article 27.

ARTICLE 28: CHARTER AMENDMENT-SIXTH PROPOSED-TITLE CHANGES/HIRING AND SUPERVISION OF TOWN OFFICERS

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman Joseph Michaud, it was voted unanimously to approve Article 28.

ARTICLE 29: CHARTER AMENDMENT-SEVENTH PROPOSED-INITIATION OF WARRANT ARTICLES

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman Joseph Michaud, it was voted unanimously to approve Article 29.

ARTICLE 30: CHARTER AMENDMENT-EIGHTH PROPOSED-ANNUAL TOWN ELECTION-BALLOT ORDER

After a motion was made by Selectman Shawn McDonald and seconded by Selectman Joseph Michaud, it was voted (4) four in favor and (1) one opposed (Vice-Chairwoman Lara Stone) NOT to Recommend Article 30.

ARTICLE 31: CHARTER AMENDMENT- NINTH PROPOSED - MODERATOR APPOINTMENT OF DEPUTY MODERATOR

After a motion was made by Selectman Joseph Michaud and seconded by Selectman William Trimble, it was voted (4) four in favor and (1) opposed (Selectman McDonald) to approve Article 31.

ARTICLE 32: CHARTER AMENDMENT-TENTH PROPOSED-SECTION 7 –TRANSITIONAL PROVISIONS-RELOCATE, DELETE AND RE-CODIFIED SECTIONS 7-1 THROUGH 7-5

After a motion was made by Selectman William Trimble and seconded by Selectman Joseph Michaud, it was voted unanimously to approve Article 32.

ARTICLE 33: CHARTER AMENDMENT-ELEVENTH PROPOSED-CHANGE EXECUTIVE ADMINISTRATOR TO TOWN ADMINISTRATOR

After a motion was made by Selectman William Trimble and seconded by Selectman Shawn McDonald, it was voted unanimously to approve Article 33.

ARTICLE 34:

CHARTER AMENDMENT-TWELFTH PROPOSED-CREATE NEW SUB-SECTION 3-1(i) – RECALL OF ELECTED TOWN OFFICERS

After a motion was made by Selectman Shawn McDonald and seconded by Selectman Joseph Michaud, it was voted (4) four in favor and (1) opposed (Selectman Trimble) NOT to recommend Article 34.

After a motion was made by Selectman William Trimble and seconded by Selectman Shawn McDonald, it was voted unanimously to approve and post the warrant for the Fall Annual Town Meeting and Special Town Meeting.

Appointment to the Bicycle Path Committee.

Michael Labossiere was present for his Appointment.

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman Shawn McDonald, it was voted unanimously to appoint Michael Labossiere to the Bicycle Path Committee.

Correspondence from Safety Officer, Joseph Vieira re: Handicap Parking Sign in front of 108 Osborne St.

After a motion was made by Selectman Shawn McDonald and seconded by Vice-Chairwoman Lara Stone, it was voted unanimously to approve the Handicap Parking Sign in front of 108 Osborne St.

Resignation letter from Caren Harple, Dartmouth Cultural Council.

The Board accepted the Resignation.

Employee Handbook.

Mr. Cressman stated that attached is the Employee Handbook which Travelers Insurance requested the Town develop. If you approve it I will then review it with the Department Heads and Unions and then return it for final approval. Additionally, over time I hope to add to it.

After a motion was made by Selectman William Trimble and seconded by Vice-Chairwoman Lara Stone, it was voted unanimously to approve the Employee Handbook.

Old Business:

Minutes:

Minutes of September 12, 2011.

After a motion was made by Selectman Shawn McDonald and seconded by Selectman William Trimble, it was voted unanimously to approve the minutes of September 12, 2011.

Announcements:

Attest:



David G. Cressman, Executive Administrator

Transcribed by: Linda Torres