



Town of Dartmouth
400 Slocum Road
Dartmouth, MA 02747

Board of Selectmen

Select Board Members Present:

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

Joseph Michaud-absent
Shawn McDonald

The Chairman called the public meeting to order at 6:30 p.m. on October 17, 2011 in room 304.

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

\$405.80	PR14V1	\$898,173.36	PR14	\$1,581,757.18	PD1214
\$14,871.30	P1215	\$30,714.01	S1215	\$136,431.41	T1215
\$897,295.12	PR15	\$1,342,839.37	PD1215	\$252,888.90	S1216
\$572,833.25	T1216				

Application of CEC Entertainment Inc. d/b/a Chuck E. Cheese for a Change of Officers/Directors.

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 CEC Entertainment Inc. d/b/a Chuck E. Cheese for a Change of Officers/Directors.

Application of Portuguese American Social Club for a One Day Beer & Wine License for October 30, 2011; this one day event was originally scheduled for August 7, 2011.

Ryan Fonseca was present and informed the Board that at this time they will not be hosting this event. He requested from the Board a \$75.00 credit towards the next event.

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman Shawn McDonald, it was voted unanimously to credit a \$75.00 fee for the next event to be held.

Appointments to the Dartmouth Cultural Council.

After a motion was made by Selectman Shawn McDonald and seconded by Vice-Chairwoman Lara Stone, it was voted unanimously to appoint Nancy Hayes and Kathryn Gollub to the Dartmouth Cultural Council.

New Business:

Letter from the City of New Bedford re: Constable Licenses.

The Executive Administrator stated that the New Bedford City Committee on Ordinances held a meeting on September 20, 2011, requesting that the Committee on Ordinances look into including language in the current Constable Ordinance that in the event of pending criminal charges, that the Constable license held be immediately suspended until such time as a court ruling has been presented to the City Council.

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman William Trimble, it was voted unanimously to draft a letter of support and adopt the policy for our town.

Resignation letter from Lorraine Gagne, Dartmouth Youth Commission.

The Board accepted her resignation and requested a letter of acknowledgement and a citation.

Reappointment to the Dartmouth Agricultural Commission.

After a motion was made by Selectman Shawn McDonald and seconded by Vice-Chairwoman Lara Stone, it was voted unanimously to reappoint Sandra Gosselin to the Dartmouth Agricultural Commission.

Comcast-Public Access.

The Executive Administrator informed the Board about the discontinued playback of the Dartmouth Public Access Channel. And, the Town shall give notice to Comcast as to

which entity or party will take responsibility for such Public Access Programming playback.

Bay Scallops.

Based on the attached October 5, 2011 e-mail from the Harbormaster, I would recommend that the Select Board adopt a motion exempting the harvesting of Bay Scallops and Conch from the Town's Management closures.

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman Shawn McDonald, it was voted unanimously to exempt Bay Scallops and Conch from the Town's Management closures.

Ramos vs. Dartmouth Indemnification.

The Executive Administrator stated in a letter dated September 26, 2011 letter from Att. Gambaccini concerning Ramos vs. Dartmouth Indemnification. While the Town has accepted M.G.L. c 258, s 13, Town Counsel believes it is appropriate to vote to indemnify Officers Brooks and White up to and beyond the limits of the Town's insurance policy concerning this "subject" provided that they were acting within the scope of their employment.

After a motion was made by Selectman Shawn McDonald and seconded by Selectman William Trimble, it was voted unanimously to indemnify Officers Brook and White up to and beyond the limits of the Town's insurance policy concerning this "subject" provided that they were acting within the scope of their employment.

Local Receipts.

Greg Barnes, Director of Budget and Finance, briefed the Board on the Local Receipts stating that the Town is meeting projections. Mr. Barnes stated that we have an increase of \$44,306 from last year; this increase is due to Hotel/Meals Tax.

Solar Energy Contract.

Mr. Cressman stated attached is the proposed Utility Credit Purchase Agreement with EMI Dartmouth Solar, L.L.C. and I would recommend the Select Board adopt a motion authorizing the Executive Administrator to sign it.

For your information, I will highlight the following issues concerning this document:

- EMI Dartmouth Solar, LLC was one of two proposers and was judged as the best Proposal.
- The proposed agreement has been reviewed by Att. Kalpin on behalf of the Town.
- The proposed agreement language mirrors the Town's earlier agreement with Borrego.
- Solar and there are no significant language revisions.
- The Term is for 20 years with an option for two five year renewals.
- The price is 9.9¢ kwh with no escalator
- The price was determined by using the Borrego Price and having the Town's Assessor

calculate a value for the cost of a lease.

-The system will be rated at 6.88 MW and produce almost 7.9 MW and will be located at Energy Park near Dartmouth Power.

Mr. Barnes calculated the value of the proposed contract with net metering using slightly higher production value of 8.0MW and estimated that the Town would see a net benefit at the beginning of \$322,943 per year going to a cumulative benefit almost \$10.4 million.

Finally, due to the expedited work by all parties on this agreement the developer should be able to attain federal tax credits which expire on December 31, 2011. Since it is unlikely that the federal tax credit will be renewed after that date due to the federal fiscal problems, there will be a decrease in the development of alternative energy projects after that date and/or less favorable purchase prices for alternative energy.

After a motion was made by Selectman William Trimble and seconded by Selectman Shawn McDonald, it was voted unanimously to authorize Mr. Cressman to sign the EMI Dartmouth Solar Document.

Executive Administrator's Goals & Objectives.

The Executive Administrator read some of his Goals and Objectives. The Board is very pleased with the Executive Administrator's work and mentioned that they will do his evaluation at one of the Executive Session Meetings.

Highland Ave. Bridge Replacement Update.

The Executive Administrator stated that he received comments back from the School, DPW and Fire Department. Mr. Cressman stated that he would like to see this project happen in the summer and take no longer than three months to complete.

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman William Trimble, it was voted unanimously to incorporate these items provided and send a letter to Mass Highway.

Old Business:

Town Meeting Article Review.

Article 2:

Revised Warrant to see if the Town will vote to appropriate or reserve for later appropriation monies from FY2012 Community Preservation Fund Annual Revenue in the amount of \$109,800 to be allocated as follows:

\$66,000 Community Housing Reserve
\$8,800 Historic Preservation Reserve
\$35,000 Open Space Reserve

After a motion was made by Selectwoman Lara Stone and seconded by Selectman Shawn McDonald, it was voted (4) four in favor and (1) one absent (Selectman Michaud) to recommend Article 2.

Article 5:

After a motion was made by Selectman Shawn McDonald and seconded by Selectman William Trimble, it was voted (4) four in favor and (1) one absent (Selectman Michaud) to withdraw Article 5.

Article 12:

After a motion was made by Selectman Shawn McDonald and seconded by Vice-Chairwoman Lara Stone, it was voted (3) three in favor, (1) one absent (Selectman Michaud) and (1) one opposed (Selectman Trimble) to withdraw Article 12.

Article 22:

After a motion was made by Vice-Chairwoman Lara Stone and seconded by Selectman Shawn McDonald, it was voted (3) three in favor, (1) one absent (Selectman Michaud) and (1) one opposed (Selectman Trimble) to recommend Article 22.

Minutes:

Minutes of October 3, 2011.

After a motion was made by Selectman William Trimble and seconded by Selectman Shawn McDonald, it was voted unanimously to approve the minutes of October 3, 2011.

Announcements:

A Design Public Hearing will be held by MassDOT to discuss the proposed reconstruction of Faunce Corner Rd, the replacement of FCR Bridge, the I-195 ramps and intersections.

Wednesday, November 2, 2011 at 7:00 p.m.
Dartmouth Town Hall
Room 304
400 Slocum Rd
Dartmouth, MA 02747

Attest:

David G. Cressman, Executive Administrator

Transcribed by: Linda Torres

