



Town of Dartmouth
400 Slocum Road
Dartmouth, MA 02747

Board of Selectmen

Select Board Members Present:

Lara H. Stone- Chair
Michael Watson

Joseph Michaud

Absent: Shawn McDonald –Vice Chair, William J. Trimble

The Chair opened the public meeting at 5:45 p.m.

The Chair polled the Board for a roll call vote to convene into Executive Session pursuant to M.G.L. Ch. 30A, Sec 21: Chair Stone, yes; Selectman Watson, yes; Selectman Michaud, yes;

The Chair called the public meeting to order at 6:30 p.m. on October 15, 2012 in room 304.

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

Date	Warrant #	Warrant Description	Amount
10/6/2012	PR14	Payroll Expense	\$921,281.53
10/11/2012	PD1315	Payroll Deduction	\$367,270.50
10/15/2012	D1316	DPW Expense	\$429,976.55
10/15/2012	P1316	Police Expense	\$27,621.72
10/15/2012	S1316	School Expense	\$786.09
10/15/2012	T1316	Town Expense	\$884,406.77
10/13/2012	PR15	Payroll Expense	\$918,658.88
10/18/2012	PD1316	Payroll Deduction	\$374,393.22
10/22/2012	S1317	School Expense	\$274,623.49
10/22/2012	T1317	Town Expense	\$357,195.89

I. Appointments:

6:30 p.m. M.G.L. c 61A, § 14-Public Hearing-DeCosta Property Lots 18 & 20 on Assessors Map 12-Approximately 22.7 acres-Intent to Remove from Agricultural Classification

Chairperson opened the hearing.

- DeCosta property will be removed from Agricultural Classification.
- 22.7 acre parcel.
- Selling the property for a single building lot.
- The Town considers it a bona fide offer.
- Assign the rights to DNRT.
- Extremely valuable soil for agricultural use.
- Ad Commission is in favor along with the Agricultural Committee.
- DNRT's intent is to accept the assignment and they plan to put a restriction on the property to only sell the parcel for agricultural and conservation purposes.
- DNRT will be offered the Right of First Refusal from the Town.

Chairperson closed the hearing.

- The Select Board has had the opportunity to vote to assign the Town's Right of First Refusal to DNRT.
- DNRT is putting a restriction of 100% agricultural use on the property; the Select Board recommends 70%.
- The Select Board cannot reacquire the Right of First Refusal once given to DNRT.
- DNRT has voted affirmatively to move forward on the parcel of land.

After a motion was made by Selectman Michael Watson and seconded by Selectman Joseph Michaud, it was voted unanimously (3-0) to approve the DeCosta Property Lots 18 & 20 on Assessors Map 12-Approximately 22.7 acres-Intent to Remove from Agricultural Classification and assign the Right of First Refusal to DNRT with a 70% restriction at minimum on the property for agricultural use only.

6:45 p.m. Appointment to the Cultural Council-Linda Bush

After a motion was made by Selectman Michael Watson and seconded by Selectman Joseph Michaud, it was unanimously voted (3-0) to approve the appointment of Linda Bush to the Cultural Council.

6:50 p.m. Application for Change of Manager for GMRI, Inc. d/b/a Olive

Garden, 80 North Dartmouth Mall to Daniel J. Amaral

After a motion was made by Selectman Joseph Michaud and seconded by Selectman Michael Watson, it was unanimously voted (3-0) to approve the Application for Change of Manager for GMRI, Inc. d/b/a Olive Garden, 80 North Dartmouth Mall to Daniel J. Amaral

II. New Business:

- A. Black Friday Application-Walmart
- All stores need to get their requests in on time. They need to be in compliance with the Town By-Law.

After a motion was made by Selectman Michael Watson and seconded by Selectman Joseph Michaud, it was voted unanimously (3-0) to approve the Black Friday Application for Walmart.

- B. Video Games & Gambling
- Letter sent out to all license holders notifying them of the new law effective November 1st in regards to gambling video gaming devices.
 - All devices need to be removed by October if they are currently in their establishments. After November 1st there will be consequences.
 - Removal of vending machines will occur by October 26, 2012 by Attorney Cabral's client.
- C. Old Westport Rd/Chase Rd. Intersection
- DPW Director is looking to get a number for this project and needs letters of support in order to do this. UMass Dartmouth has given their letter of support; he would like the Select Boards support as well.
 - The Select Board will have a letter of support sent to Mr. Hickox in regards to this project.

After a motion was made by Selectman Michael Watson and seconded by Selectman Joseph Michaud, it was unanimously voted (3-0) to approve the Town Administrator to send a letter of support to David Hickox to move forward with the Old Westport Rd./Chase Rd. Intersection project.

III. Old Business:

- A. Planning Board's Proposed Solar Bylaw and Mr. Avila's Proposed Amendment

After a motion made by selectman Michael Watson and seconded by Selectman Joseph Michaud, it was voted unanimously (3-0) to not take a position on the Planning Board's proposed Solar Bylaw and Mr. Avila's proposed amendment.

- B. Roadway Project Update
- Updated report from DPW in regards to upcoming construction and roadway improvement projects:
 - Reed Rd.
 - Elm St.
 - Wilson St.
 - Gladys St.
 - Day St.
 - Helen St.
 - Shipyard Ln.
 - Potter St.
 - Roger St.
 - Future projects -Second phase of Dartmouth St., Rock O' Dundee project and Flag Swamp Rd.

IV. **Minutes:** Meeting Minutes of September 24, 2012

After a motion was made by Selectman Michael Watson and seconded by Selectman Joseph Michaud, it was voted unanimously (3-0) to approve the minutes of September 24, 2012.

Attest:

David G. Cressman, Town Administrator

Transcribed by: Stephaney Santiago