



Town of Dartmouth
400 Slocum Road
Dartmouth, MA 02747
January 30, 2023

Select Board Members Present:

David Tatelbaum - Chair
Stanley Mickelson- Vice Chair
Shawn McDonald
Heidi Silva Brooks
Frank Gracie via Zoom

The Chair opened the public meeting at 5:00 p.m.

The Chair called the public meeting to order at 5:00 p.m. on **January 30, 2023** in room 304.

Date	Warrant #	Warrant Description	Amount
JANUARY 7, 2023	PR28	PAYROLL EXPENSE	\$ 1,315,237.63
JANUARY 13, 2023	PD2328	PAYROLL DEDUCTION	\$ 534,044.32
JANUARY 17, 2023	D2329	DPW EXPENSE	\$ 241,441.04
JANUARY 17, 2023	P2329	POLICE EXPENSE	\$ 8,213.52
JANUARY 17, 2023	S2329	SCHOOL EXPENSE	\$ 1,040,002.13
JANUARY 17, 2023	T2329	TOWN EXPENSE	\$ 588,206.85
JANUARY 14, 2023	PR29	PAYROLL EXPENSE	\$ 1,272,402.13
JANUARY 20, 2023	PD2329	PAYROLL DEDUCTION	\$ 522,750.42
JANUARY 23, 2023	D2330	DPW EXPENSE	\$ 250,466.95
JANUARY 23, 2023	P2330	POLICE EXPENSE	\$ 11,471.06
JANUARY 23, 2023	S2330	SCHOOL EXPENSE	\$ 8,011.09
JANUARY 23, 2023	T2330	TOWN EXPENSE	\$ 110,711.54

6:00 p.m. Executive Session pursuant to M.G.L. Ch. 30A, Sec. 21.
Room 309 (See attached agenda)

6:30 p.m. Open Meeting begins in Room 304
Pledge of Allegiance to the Flag
Moment of Silence
Signing of the Warrant

I. Appointments:

6:30 P.M. Farm and Coast Market Change of Alcohol Sales Hours Request

Present was Mimi Powell, representing Farm and Coast Market. She is requesting that the select board consider allowing alcohol sales earlier on Saturdays. Currently the sale of alcohol starts at 9am on Saturdays and they would like to change it to 8am. It was checked with the ABCC and this would be a select board decision, as the state allows for alcohol sales at 8am. All of our licenses are for 9am, so the board can make the decision on this license alone.

After a motion was made by Selectman Shawn McDonald, and seconded by Heidi Silva Brooks, it was voted unanimously to approve Farm and Coast Market an 8am start for alcohol sale on Saturdays only, from the Saturday before Memorial Day to the Saturday after Columbus Day.

II. New Business:

A. Police Assignments and Re-Assignments

Police Chief Brian Levesque was present with two separate requests. The first being, Sergeant Peter Canuel is requesting reassignment to the rank of police officer. This is a voluntary decision that was made by Sergeant Canuel, and not of any disciplinary action. It is recommended by Chief Levesque this reassignment request be approved.

After a motion was made by Selectman Shawn McDonald, and seconded by Vice Chair Stanley Mickelson, it was voted unanimously to approve the reassignment of Sergeant Peter Canuel to the rank of Police Officer.

Secondly, the resignation of Sergeant Scott Lake, as well as Sergeant Peter Canuel, has created two supervisory vacancies that Chief Levesque is requesting to fill. He recommends that the board promote Officer Marc Vachon, the number two ranked candidate on the sergeants promotional list, and Officer David Oikarinen, the number three ranked candidate, to the rank of Police Sergeant. This will fill both vacancies.

After a motion was made by Selectman Shawn McDonald, and seconded by Vice Chair Stanley Mickelson, it was voted unanimously to approve the promotion of Officer Marc Vachon and Officer David Oikarinen to the ranks of Police Sergeant.

B. Bliss Corner EPA Request for Stockpiling Location

The EPA is requesting access to the former Dartmouth police station on Russell's Mills Road as a comprehensive use rather than a partial use. At this point in time they are utilizing 85 McCabe Street for some of their operations and because of limitations with that site and the need to get going on the 5 properties. They entered into an agreement to clean that property for the partial use of it. Looking ahead into the next calendar year, they are requesting the town's permission to

utilize the former police station as a single base of operations for all of their soil needs. This would include managing the soil for temporary storage from the properties as they prepare it to ship off site, as well as their clean soils.

After a motion was made by Frank Gracie, and seconded by Heidi Silva Brooks, it was voted unanimously to approve the EPA's request to use the former Dartmouth police station for the temporary storage of soils.

C. MassDEP Title 5 Amendments Update

Chris Michaud, Director of Public Health, with an update. At 5pm today, January 30th, the public comment period closed. However, this does not stop the public from contacting Gary Morin, whose email can be found on our website. The public is encouraged to do so if they are concerned about these regulations. Just to note: Mr. Michaud's letter was very comprehensive, with 1200 pages to be exact.

Mr. Michaud received two emails, one from Mark Montigney and one from the Mass Association of Boards and Health, in response.

It is a focus to show the EPA, the DEP, the governor, etc., that we are serious about cleaning up, but doing it in a way that makes sense, rather than waste time and money. It's not so much the regulations that bother us, but the process. This is not just a community issue, this is a statewide issue in the commonwealth. There are 23 watersheds that cover 95% of the state of Mass.

Chris Faye, town resident, present to voice his concerns. He is very impressed with the excellent job Chris Michaud has done thus far. However, he feels as though lawyers need to be brought in at this point. Particularly lawyers who have dealt with the CLF's and the DEP's of the world. He does make a recommendation from the industry on a lawyer that is well versed in matters with the CLF and DEP.

Update on the legal front: Town Council has been spoken to in depth about this issue, in which he is very much aware. They are proposing a policy change, it has not been implemented yet. Once the policy changes have been implemented, we will then look into taking some sort of legal action, whether individually with the town or collectively as part of a regional action.

D. Select Board Response to New Bedford's CSO Notifications

This agenda item pertains to the City of New Bedford's sewer system. Last year regulations went into effect that require sewer system operators, or wastewater treatment operators, to come up with notification plans. Our Department of Public Works has one, but it is based on modern plant design. We only have sanitary sewers and not combined sewer discharges. Combined sewer discharges are common in older cities, especially that of the Northeast.

In response to this long standing process in Massachusetts, a law was passed by the Baker Administration, requiring DEP to come up with these regulations, known as 314 CMR 1600. The