

Freetown Board of Selectmen
Meeting Minutes
Tuesday, April 16, 2024, 5:00pm
Police Station Community Room
15 Memorial Drive, East Freetown, MA

FREETOWN CLERK
REC'D APR 25 2024 AM 8:27

Call to Order

The meeting was called to order by Selectmen Trevor Matthews at 5:00pm, Selectmen Jared Zager, Selectmen Carlos Lopes, Town Administrator Deb Pettey and Executive Assistant Lu-Ann Souza are also present. He noted that the meeting would be recorded and be available on the Town's YouTube page. He continued that we would be going into Executive Session and will return to open session. They will be going into executive session for the following reasons listed below.

Motion to go into Executive Session was made by Selectmen Zager and seconded by Selectmen Lopes

- Vote was carried in a unanimous roll call vote
- Vote: Selectmen Lopes – yes, Selectmen Zager – yes, Selectmen Matthews - yes

Executive Session

Discussion/possible action on the following topics:

1. M.G.L. c. 30A, sec. 21(a)(6) – to consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.
2. M.G.L. c. 30A, sec. 21(a)(3) - to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares **Macomber vs Town of Freetown; Lawless vs. Freetown**
3. M.G.L. c.30A, Sec. 21(a)(3) – to discuss strategy with respect to collective bargaining with **Public Employees Union, Local 272 LIUNA (all bargaining units), Freetown Full-Time Firefighters Association** because an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares

Board of Selectmen

Discussion/possible action on the following topics:

4. Discussion, and vote whether to approve, not release, the executive session minutes from 3/25/2024
 - Motion to approve, not release, the executive session minutes from 3/25/2024 was proposed by Selectmen Zager and seconded by Selectmen Lopes
 - Vote approved by a unanimous roll call vote
5. Discussion, and vote whether to approve the open session minutes from 3/25/2024

- Motion to approve the open session minutes from 3/25/2024 was proposed by Selectmen and Zager seconded by Selectmen Lopes
- Vote approved by a unanimous roll call vote

6. Discussion, and vote on seasonal hours for Transfer Station

A brief discussion with the Transfer Station Supervisor Vicky King

- Motion to approve the seasonal hours for the Transfer Station as Monday closed, Tuesday through Saturday 8am to 4pm and Sunday 8am to 1pm was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote approved by a unanimous roll call vote
7. Discussion, and vote whether to approve & close Annual Town Meeting & Special Town Meetings warrants for submissions and to send draft of warrants to Town Counsel for review

Special Town Meeting

- Funding for Fire Station Renovation/Addition
- Funding OPEB (Other Post-Employment Benefits)
- Repairs & Maintenance for Freetown Elementary School
- Water Mapping Grant

Annual Town Meeting

- Town of Freetown Fiscal Year 2025 Operating Budget
- Salary & Compensation of Elected Officers of the Town of Freetown
- Operating Budget of the Water-Sewer Enterprise Fund
- Spending Limits for Assorted Revolving Funds
- Transferring Funds into Conservation Land Fund
- Fund the Purchase of Trailer for Highway Department
- Fund the Purchase of John Deere Backhoe for Highway Department
- Fund the Purchase of a Pickup Truck with Plow Setup for Highway Dept.
- Repair & Restoration of Monuments in Several Cemeteries
- Transfer Funds from Sales of Cemetery Lots for Maintenance Improvements
- Maintenance of Veterans Graves
- Cable Fund Appropriation
- Accepting GM Way as a Town Road
- Amending Zoning By-Law Regarding Special Permits
- Accessory Apartment By-Law Amendment
- Update Zoning By-Law on Accessory Apartment Definition
- Amend Zoning By-Law to allow Accessory Apartment by Right
- Funding for Online Permitting for Planning Board

- Amend Planned Mixed-Use Overlay District By-Law
 - Amend the Town of Freetown Zoning Map
 - Funding Replacement of Police Cruiser Totaled in Accident
 - Petition: Map 210 Lot 78 Relinquish
 - Funding Capital Improvement Plan
 - Adopt G.L. c 40 Sec 5B for monies to go directly into Freetown --
Elementary School Maintenance Stabilization Fund from rental income
from use of school property
 - Establish Freetown Elementary School Maintenance Stabilization Fund
 - Fund the Freetown Elementary School Maintenance Stabilization Fund
 - Tax Title Payment Plans
 - Uncashed Checks
 - Health Insurance Retiree Rate
 - Health Insurance for Spouse of the Retiree
 - Allow the Abatement of Unpaid Taxes on Land Under \$25.00
Stabilization Fund
 - Lease of James White Library
 - 10 Passenger Van for the COA
 - New Ambulance for Fire Department
 - Funding the Capital Improvement Plan
 - Funding the Capital Stabilization Fund
 - Funding the Stabilization Fund
- Motion to approve and close the Annual Town and Special Town Meeting warrants for
submissions and to send the draft warrant to Town Council for review was made by
Selectmen Zager and seconded by Selectmen Lopes
 - Vote approved by a unanimous roll call vote
8. Discussion, and vote on Annual letter from Board of Selectmen to Town Committees for
list of members seeking appointments
- Motion to approve the Annual letter from Board of Selectmen to Town Committees for
list of members seeking appointments was made by Selectmen Zager and seconded by
Selectmen Lopes
 - Vote approved by a unanimous roll call vote

6:15PM

9. Hearing to discuss and vote on renewal of Excel Recycling's Junk Dealers License

Excel has paid and application submitted. Excel is in compliance with the Town
Administrator's office. Selectmen Lopes asked about the specific type of license they

hold, a junk dealer versus a scrap dealer. Ms. Pettey stated we don't allow scrap dealers which has been the argument and the whole litigation from the beginning. We have been specifically told this is the license that we have to issue. Building Commissioner and Board of Health Agent have inspected the facility and have turned in their reports. Residents are stating nothing has changed with the noise and smell and just get worse. Tractor trailers parking anywhere they want. DEP compliance needs to be adhered to. DEP needs to be involved. Tonight is only about the renewal of the license.

- Motion to approve the renewal of Excel Recycling's Junk Dealers License was made by Selectmen Zager and seconded by Selectmen Matthews
- Vote approved by a unanimous roll call vote

10. Discussion, and vote on whether to have Parade and Fireworks have exclusive use of Hathaway Park on July 3rd & 4th

- Motion to approve the Parade and Fireworks have exclusive use of Hathaway Park on July 3rd & 4th was made by Selectmen Zager and seconded by Selectmen Lopes
- Vote approved by a unanimous roll call vote

11. Discussion, and vote on whether to authorize Parade and Fireworks Committee to communicate directly with the Police Department during the 2024 Parade and Fireworks to aide in timely answers and smooth-running events

- Motion to approve to authorize Parade and Fireworks Committee to communicate directly with the Police Department during the 2024 Parade and Fireworks to aide in timely answers and smooth-running events was made by Selectmen Zager and seconded by Selectmen Lopes
- Vote approved by a unanimous roll call vote

12. Discussion, and vote on whether to approve the license for a swap meet and radio-controlled truck show at Patches Hill Farms on 6/22 & 6/23/24

- This agenda was skipped because of waiting for additional sign offs

13. Discussion, and vote on whether to utilize Federal ARPA monies as follows:

- a. \$40,000.00 for Hathaway Park improvements
- b. \$65,000.00 for Fire Equipment

Hathaway Park improvements are for a new replacement fence and clean-up of the old basketball court for the new pickleball court. Fire Department money is for an ambulance defibrillator and replacing outdated pagers.

- Motion to utilize Federal ARPA monies for \$40,000.00 for Hathaway Park improvements and \$65,000.00 for Fire Equipment was made by Selectmen Zager and seconded by Selectmen Lopes

- Vote approved by a unanimous roll call vote
14. Discussion, and vote on installing Solar at Freetown Elementary School
- This agenda was not discussed
15. Discussion, and vote on if the Town has any interest in purchasing land encompassed by a trust located at Parcel 207-111 & Parcel 207-38 (0 Richmond Road)
- Motion to not purchase land encompassed by a trust located at Parcel 207-111 & Parcel 207-38 (0 Richmond Road) was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote approved by a unanimous roll call vote
16. Discussion, and vote on whether to approve the Proposal from Starck Architects for the Vestibule at Council on Aging
- Motion to approve the Proposal from Starck Architects for the Vestibule at Council on Aging was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote approved by a unanimous roll call vote
17. Discussion, and vote on sending out school's survey regarding prioritizing school improvements on Freetown Flash
- Motion to utilize the Town's website for the school's survey regarding prioritizing school improvements was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote approved by a unanimous roll call vote
18. Discussion, and vote on whether to approve the ambulance abatements and write offs for March 2023 in the amount of \$75,465.66
- Motion to approve the ambulance abatements and write offs for March 2023 in the amount of \$75,465.66 was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote approved by a unanimous roll call vote
19. Discussion, and vote on whether to declare the retired 2009 Toyota Camry and 2008 Jeep Cherokee as surplus and post them on Municibid
- Motion to declare the retired 2009 Toyota Camry and 2008 Jeep Cherokee as surplus and post them on Municibid with a reasonable minimum bid was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote approved by a unanimous roll call vote

20. Discussion, and vote whether to approve the Public Entertainment License for the Lakeside Festival on 5/26/24 12pm-11pm

- Motion to approve the Public Entertainment License for the Lakeside Festival on 5/26/24 12pm-11pm was made by Selectmen Zager and seconded by Selectmen Lopes
- Vote approved by a unanimous roll call vote

Personnel Board

Discussion/possible action on the following topics:

21. Acknowledge the resignation of Gary Sylvia as Truck Driver effective 4/8/24

- Selectmen Lopes acknowledged the resignation of Gary Sylvia as Truck Driver effective 4/8/24

22. Discussion, and vote whether to approve the following appoints:

- a. Steven Tripp to Sewer Line Extension Committee – Planning Board Representative effective 4/9/24-6/30/24
 - b. Deborah L. Pettey SRPEDD Commissioner Member – Board of Selectmen Rep effective 5/31/24-6/1/25
 - c. Victoria Alfaro Duran SRPEDD Commissioner Member – Planning Board Rep effective 5/31/24-6/1/25
 - d. Patrick Lee as Police Department – Acting Sergeant effective 3/27/24-6/30/24
 - e. Melanie A. King to Master Plan Committee effective 4/17/24-6/30/24
- Motion to approve a thru e was made by Selectmen Matthews and seconded by Selectmen Zager
 - Vote approved by a unanimous roll call vote.

Board of Parks Commission

Discussion/possible action on the following topics:

23. Discussion, and vote whether to approve the Kayak Storage Agreement for Hathaway Park Kayak Rack

- Motion to approve the Kayak Storage Agreement for Hathaway Park Kayak Rack by Selectmen Matthews and seconded by Selectmen Lopes
- Vote approved by a unanimous roll call vote

Town Administrator's Report

Discussion/possible action on the following topics:

24. Update on Fire Station Renovation

Ms. Pettey meet with them and we are getting right down to the wire in terms of being able to go out to bid, everything is moving forward

25. Update on Town Hall Bathroom Construction

Two bids came in, pretty close to each other, Starck is vetting the applicants in terms of their background

26. Review the Community Programmer Newsletter

It is quite extensive, we are trying to send it out by email, lots of information and it will continue to grow

Board of Selectmen

Discussion/possible action on the following topics:

27. Reorganize Board of Selectmen, choose a Chairman, Personnel Board Chair, and Board of Parks Commission Chair

- Motion to keep the Board as is, Selectmen Trevor Matthews remains Chairman, Selectmen Carlos Lopes remains Personnel Board Chair and Selectmen Jared Zager remains Board of Parks Commission Chair, was made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote approved by a unanimous roll call vote

Old Business:

Potential discussion on pending items – action will not be taken at this meeting:

Public Input

The Board signed documents associated with tonight's meeting.

- Motion to adjourn the meeting was made at 7:47pm by Selectmen Zager and seconded by Selectmen Lopes
- Vote approved by a unanimous roll call vote

Respectfully Submitted,



Lola Furtado

Administrative Assistant

List of Documents/Exhibits utilized by the Board during this meeting:

- Agenda

- Meeting Minutes from 3/25/2024
- Memo - Transfer Station Seasonal Hours 2024
- Draft - Warrant for Special Town Meeting
- Draft - Warrant for Annual Town Meeting
- Memo – Annual Letter from Board of Selectmen to Town Committee’s for list of members seeking appointment
- Excel Documents:
 - Freetown’s Bylaw for Junk Dealers License
 - Land Court Judgement
 - Superior Court Judgement
 - Application for license renewal 2024-2025
 - Email from Tax Collector
 - Draft renewal license for 2024-2025
 - Annual Inspection Reports from:
 - Building Commissioner, Carl Bizarro
 - Fire Chief, Harrie Ashley Jr.
 - Police Chief, Scott Rose
 - Board of Health Agent, Keven Desmarais
 - Excel Complaint log 10/10/2022 - 4/9/2024
 - Draft license for 2024-2025
- Application for Permit - Patches Hill Farm - Food Truck Event
- Zoll Medical Corporation – Invoice
- E-Mail - Wakenda Henke – Real Estate Sale Proposal – 0 Richmond Road
- E-Mail – Mike McCue – Real Estate Sale Proposal – 0 Richmond Road
- Conservation Commission – 0 Richmond Road
- Conservation Commission – Report
- Conservation Restriction to Wildlands Trust of Southeastern Massachusetts
- Starck Architects Proposed Vestibule
- Email – School Survey
- Freetown Fire & Rescue – Comstar
- Memo – Declaring Camry and Jeep surplus and post on Municibid
- Application for Permit – St. John Neumann Lakeside Festival
- Resignation of Gary Sylvia
- Certificate of Appointment – Steven Tripp Sewer Line Extension Committee & Planning Board Representative
- Certificate of Appointment – Deborah L. Pettay – SRPEDD Commission Member
- Certificate of Appointment – Victoria Alfaro Duran SRPEDD Commission Member
- Certificate of Appointment – Patrick Lee – Acting Sergeant
- Certificate of Appointment – Melanie A. King – Master Plan Committee
- Kayak Storage Agreement
- Freetown Event Newsletter