



**TOWN OF FREETOWN
BOARD OF SELECTMEN**
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**MINUTES OF MEETING OF MONDAY, AUGUST 22, 2016
COUNCIL ON AGING
227 CHACE ROAD, EAST FREETOWN, MA 02717**

6:00 P.M. Chairman Paul Sadeck calls the meeting to order. Others present include Selectman Robert Jose, Selectman Lisa Pacheco and Town Administrator Jack Healey.

6:05 P.M. Meet with Concerned residents over Stop & Shop trucks regarding the use of Exit 9 in Assonet.

Mr. Vincent Ferrerra, 115 So. Main St. and Mr. Bill Stathis, 74 Cliff Dr. are here to represent the petitioners.

Mr. Ferreira would like all of Stop & Shop trucks to use Exit 8B for safety reasons. He states they have tipped over and it is their understanding that there was a verbal agreement that they should be using Exit 8B. The trucks drive very fast in a residential area. I have over 65 signatures on a Petition. I have a letter from the Police Chief with 4 rollovers. Selectman Sadeck asks how many of the 4 rollovers were Stop & Shop trucks. Mr. Ferreira believes one was. Mr. Stathis said Exit 9 is a sharp exit and the trucks go too fast. The other issue they have is the sign in front of Stop & Shop and it tells them to use Exit 9. Selectman Pacheco says the Board was aware of several rollovers and we sent a letter to Stop & Shop asking them to use Exit 8B. You do have another avenue you can go to which is your Senator and State Representatives. We can only suggest that they do this. What we can do is send another letter. Selectman Jose asks Chief Abbott if there is anything the town can do. Chief Abbott says there is nothing statutory that we can hold them to, he further states the Department has run radar and for the most part they have been compliant. We are talking about Stop & Shop trucks not the gypsy trucks. Selectman Jose says we really can't do anything about this. The people that have signed this petition are very irate, Mr. Ferreira explains.

Motion (Jose/Pacheco) to send another letter to suggest to Stop & Shop that the trucks use Exit 8B instead of Exit 9, with a copy of the petition. Passed unanimously. Selectman Jose reiterates to them they have a strong voice with their Senator and State Reps.

6:15 P.M. Discuss Stop Sign at Ann Records Lane/Dr. Braley Rd.

Mr. & Mrs. Kendrick explain they would like a stop sign at the corner at Ann Records Lane and Keene Rd. They believe it is very dangerous. Mrs. Kendrick says she would

like one at the end. Motion (Pacheco/Jose) to approve the use of a stop sign at the end of Ann Records Lane. Passed unanimously.

Weekly Public Discussion

Consent Agenda:

Board of Selectmen: Action relative to:

- One Day Entertainment License for Tracey Knowles at 53 High St. Tracey would like an Entertainment License for one day. Tracey said her son would like to have this fundraiser for her son who has Crohn's disease. They own 22 acres on High St. They would like to have a mud crawling event to raise funds for his medical bills. There will be a lot of people. Neighbors will let us use their land for parking. The Knowles have pulled liability insurance. Selectman Pacheco asks what the time the event will take place. Mrs. Knowles says it will be from 10pm-9pm. Mrs. Pacheco asks how long the check in process will take because she is worried about traffic hold up on the road. Mrs. Knowles said it shouldn't back up because they will line up on Payne Rd. and then they can unload the day before. People will pre-register as well so that will alleviate much of the lineup. The state said they can use state road as access. The smaller vehicles wouldn't need to register it will just be the larger vehicles. Selectman Sadeck asks how many people. Mrs. Knowles said it looks like 400 people on Facebook, but probably more like 250. They would need the Entertainment license for the bands that will perform. Selectman Jose asks about the insurance, what about the vehicles coming. Mrs. Knowles said they are all insured but may not be registered. Chief Abbott asks about alcohol. Mrs. Knowles says they will not be serving, but if guests bring it, they won't stop them. Chief Silvia said they will need to get a detail from Fire. Selectman Sadeck wants to know how these people are getting in, will there be an admittance fee and if so where will that money go? Mrs. Knowles explains all the money is going to go to her son's medical bills. Mrs. Knowles said if we are asked to shut this down, they will shut this down immediately. They will have Security on site. Chief Silvia wants a map so we know where everything is in the event of an emergency. Chief Abbott likes the idea of a site visit which is brought up by Selectman Sadeck. Everyone is in agreement of a site visit on Sunday at 9:30am. Chief Abbot, Chief Silvia, Health Agent Kevin Bernardo and Selectman Sadeck and Selectman Jose will attend. This will go on the next Agenda to discuss approval.
- One Day Entertainment License for Republic Services. Motion (Pacheco/Jose) to approve. Passed unanimously. They will have a DJ only. They are having a BBQ for their staff and their families. Chief Abbott and Chief Silvia as well as Board of Health Agent Kevin Bernardo are ok with this. Chief Abbott says parking is entirely on their property so there will be no issues.
- Discuss Snowplow contract as well as the Snowplow rates for 2016 with Highway Surveyor Charles Macomber. Mr. Macomber would like to mirror Lakeville's rates. 8' – \$69.00, 9' - \$73.00, 10' - \$95.00, and loaders – \$125.00. Mr. Macomber explains that the Town's insurance company would like us to go from \$100,000/300,000 up to \$1mil/3mill. Mr. Macomber surveyed the area towns and they don't go that high, everyone except for Raynham is \$100,000/300,000.

He recommends the Town stays at our current rate because his fear is that we will lose all our contractors. Selectman Jose asks if any of the other towns tried to do this once before. Mr. Macomber said Dighton did and they lost a lot of their contractors. Selectman Pacheco asks if with these rates the contractors will still take care of their own blades, if the only thing that will change is the \$100,000/300,000. Mr. Macomber confirms that they will still take care of their blades. Selectman Sadeck asks if Ms. Fales has any issue with the contract. Ms. Fales says she doesn't, she did look at the draft before and didn't see any issue. Motion (Pacheco/Jose) to approve with the recommendation of the Highway surveyor rates with the caveat of the \$100,000/\$300,000 change and all required paperwork to be handed into the Accountant for review. Passed unanimously. Ms. Fales asks if all the drivers will be required to have Commercial Liability and if they will provide a Certificate of Insurance and Workers Comp. Mr. Macomber says he will ask them to all provide the proper documentation.

- Sign Agreement between the Town of Freetown and PK Valuations Group. Mr. Healey explains PK Group has done this for many years. Motion (Pacheco/Jose) to approve the signing of the annual contract. Passed unanimously.
- Discuss Flag Pole Location for Hathaway Park. Mr. Healey reminds the Board they have already accepted the Flag Pole. The Building Inspector is working with the Highway Surveyor on the location. The Board looks at the photos. The Flag Pole is 55' high. The base is maybe 10' round with a stamped concrete base. Mr. Barbato wants to decide on the color with Mary Rezendes Brown. The placement of it, Mr. Macomber says isn't his concern he can put it anywhere, however he thinks if it is going to have a light on it then it should near the Basketball court because of the electricity. Selectman Jose says maybe the Parade and Fireworks Committee and Friends of Hathaway Park should meet before the next meeting. Mr. Healey will set that up.
- Approve Ambulance Abatements for the month of July 2016 as submitted by Chief Silvia. Motion (Pacheco/Jose) to approve in the amount of \$42,089.11. Passed Unanimously.
- Approve Board of Selectmen's Minutes from January 6, 2016, January 20, 2016, February 10, 2016, February 19, 2016, March 1, 2016, March 3, 2016 March 29, 2016, April 1, 2016, April 8, 2016, April 25, 2016, May 11, 2016, May 16, 2016, May 17, 2016, May 18, 2016, May 23, 2016, June 6, 2016, June 7, 2016, June 9, 2016, June 13, 2016, June 20, 2016 July 11, 2016 and July 18, 2016. This agenda item was passed over, and will go on the next Agenda.
- Discuss Approval and Release of Executive Session Minutes from 1/11/10, 4/26/10, 5/10/10, 8/9/10, 12/16/10 and 12/21/10. This agenda item was passed over, and will go on the next Agenda as an executive session.
- Sign Woodward and Curran FY17 Contract. This is the standard contract for the landfill. Motion (Pacheco/Jose) to sign, passed unanimously. Passed unanimously.
- Sign documents for All American for New Highway Dump Truck. Mr. Fales explains this is a 5 year lease and the contract will need to go before town meeting or you can condense the lease for

a 3 year lease. Motion (Pacheco/Jose) to go to a 3 year lease. Then we don't have to go to Town meeting and worry about this not getting approved. Passed unanimously.

- Discuss New Town Wide Phone System with Town Administrator Mr. Healey. Mr. Healey would like this taken off the plate for now until he can have a meeting with the Dept Heads per a suggestion by the Town Accountant. Selectman Sadeck asks if we have an issue with our current phones, addressing Chief Abbott. Chief Abbott says we don't have any issues with our phones now, but he thought this was a way to improve our old phone system. Mr. Healey says this is an opportunity to improve at little to no cost. Selectman Jose asks if there Grant money available. Mr. Healey doesn't know of any. Selectman Sadeck really doesn't see a need for this. Selectman Pacheco agrees, she says she hasn't heard anyone complain about this. The Board thinks Mr. Healey can spend more time on other more pressing issues.
- Town Administrator's Report. – Mr. Healey reads his Town Administrator's report aloud. Please see attached document.

Board of Health:

- Update on 137 Chipaway Road – Health Agent Mr. Kevin Bernardo and Animal Control Officer Lisa Podielsky are present. Mr. Bernardo explains that the resident needs additional time to remove these items, at this time he isn't in compliance. Mr. Bernardo explains the Town is unable to access the property. Mrs. Podielsky tells the Board the case has been taken over by the MSCPA and is out of her hands. She will go with her to gain access to the property at the next inspection. She doesn't think he is complying though. Selectman Jose asks if Mr. Bernardo will ask for an Administrative Appeal soon from the courts. Selectman Pacheco asks if Mrs. Podielsky can describe the conditions of the stable. Mrs. Podielsky says it was full of feces about 2ft. high and the horse can't move or lay down at all. Selectman Jose asks if the barn is structurally sound. Mrs. Podielsky doesn't know, she says before she started the MSPCA removed chickens and other things but let the horse stay. She wants the Board to understand that she doesn't have any authorization to bring animal cruelty charges against the owner, only the MSPCA does. Selectman Pacheco says she understands the MSPCA needs to build their case but this is disgusting. Mrs. Podielsky says there are chickens there again. Selectman Sadeck asks why the horse is still there. Mrs. Podielsky doesn't know. Mr. Bernardo says he can go back to court, Mrs. Podielsky says she doesn't know what Officer Wagner will do until tomorrow. Selectman Sadeck asks Mrs. Podielsky to send the Board pictures after tomorrow. Selectman Jose wants an officer to go with her tomorrow. Mr. Bernardo says January of 2016 the owner did clean up but now it is back to a mess again. The Board would like the building inspector to look at this tomorrow at 9am with everyone else. Motion (Sadeck/Pacheco) for a \$100 fine and have Mr. Bernardo pursue compliance in court. The Board will also wait to hear from Mrs. Podielsky regarding Officer Wagners's decision. Passed unanimously.

Personnel Board:

- Discuss Posting for Floater Senior Clerk. Selectman Pacheco says we need to hire a full-time floater. 20 hours in Board of Selectman's office and 16 hours as a Floater and Selectman Pacheco will run this

by Town Counsel to see if we have to post this in house or not. Motion to make the current part time floater 20 in Selectman's office and 16 hours as the Floater, if it needs to be posted then it will be in house. Passed Unanimously.

- Discussion regarding Change of Status rates for Assistant Treasurer and Assistant Collector. Selectman Pacheco explains to Pam Sousa, Linette Langevin-Uzzell and Isabel Ferreira that the Board is going to listen to everything the ladies want to say and then the rest needs to be done in Executive Session. Mrs. Sousa explains that both Linette and Isabel were promoted to Step 2 and Step 1 respectively. She feels they have experience and should on the same Step they were before as Senior Clerks. Selectman Sadeck asks what has been done before? Mrs. Sousa points out that John Bernardo was promoted from Truck Driver to Foreman and he was kept on the same step. Selectman Jose asks if her pay rate was declined. They said it wouldn't. Selectman Sadeck says the one person we need to refer to is John Bernardo and the number of years working for the Town. Selectman Pacheco thanked the ladies for coming in and said this would be placed on the September meeting for Executive Session.
- Discuss/Appoint Sign Change of Status form for Senior Clerk for Library, as submitted by Library Director, effective August 22, 2016. Selectman Pacheco says the issue we brought up last time but has been cleared up now after speaking with Town Counsel. Selectman Sadeck has an issue with the hiring process, about 4 years ago the hiring process changed so that a Board member was always present during the interview. He further explains during the interview the candidate is ranked properly and this is very important because last week at the Council on Aging interviews we hired someone no one knew over two people we did know, additionally whole documents are then kept in the file. What upsets him is he explained this to the Library Director. He doesn't believe this procedure was followed on the Library interviews. Motion (Sadeck/Jose) to re-advertise the position and interview the correct way. Passed unanimously. Selectman Pacheco asks that this be reposted and the normal course of interviews followed.
- Discuss/Appoint, Sign Change of Status form for Senior Clerk for Council on Aging, as submitted by Council on Aging Board Member, Edward Medeiros, effective August 22, 2016. Motion (Sadeck/Jose) Passed unanimously.
- Sign Change of Status forms for Jeremy Bernardo and Michael McCue, as submitted by Charles Macomber, Highway Superintendent. Motion (Sadeck/Jose) to approve Jeremy Bernardo's Change of Status form. Passed unanimously. Motion (Sadeck/Jose) to approve Mike McCue Change of Status form. Passed unanimously.

New Business

- Dates for upcoming Board of Selectmen Meetings Tuesday September 7th, Monday September 19th, Monday October 3rd, Monday October 17th and Monday October 31st.
- Board votes to cancel the 10/31 meeting and STM will need to be chosen maybe 17th we will work on that next time. Ali will get some dates from Town Accountant, Town Clerk and Town Moderator.

Old Business:

Executive Session:

Motion (Pacheco/Jose) to enter Executive Session at 8:00pm and not to enter back into executive session for the following reasons.

- M.G.L. c. 30A, Sec. 21(a) 3 To discuss strategy with respect to litigation (Pigeon v. Town)
- M.G.L. c.30A, Sec,21(a) 3 to discuss the strategy with respect to litigation in Lawless v. Director of Division of Employment Security, as discussing the matter in an open meeting may have a detrimental effect on the Town's litigating position.

Roll Call Chairman Paul Sadeck, Selectmen Lisa Pacheco, Selectmen Robert Jose. All voted in the affirmative when polled.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Ali Golz". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ali Golz, Administrative Assistant