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**TOWN OF FREETOWN
BOARD OF SELECTMEN**
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**MINUTES OF
MEETING OF MONDAY, JUNE 20, 2016**

**COUNCIL ON AGING
227 CHACE ROAD, EAST FREETOWN, MA 02717**

5:00 P.M. Call to Order – Selectman Sadeck call the meeting to order. Others present are Selectman Jose and Town Administrator Jack Healey. The meeting is being recorded by FREECAM.

6:05 P.M. Board of Health Variance – 17 Denise Ave. - Darren Michaelis explains the BOH variances requested. Health Agent Kevin Bernardo recommends the deeds restrictions a 3 bedrooms. Motion (Sadeck/Jose) to approve with the BOH recommendations, passed unanimously.

6:10 P.M. Meet with Water Commissioners
Selectmen Sadeck notes that he is a Water Commissioner, but for this meeting, is present as the Chairman of the Board of Selectmen.

Selectmen Sadeck explains the letter that he hands out. Selectmen Jose asks what THM's are, and Ryan Trahan explains it: THMs, or trihalomethanes, are the byproducts of organics treated with chlorine in the water supply. The Department of Environmental Protection has a limit of 80 parts per million of THM that they monitor. The levels had been above that limit, which led to the installation of filters. DEP says they have a big concern with the security with the site. Also part of the report is that 8 homes aren't serviced by the Town's filter site, 6 of them have Town water, with filters installed by the Town Water Department. They recommend either running a new line to those homes or moving the filter site. Selectmen Sadeck notes that ISP said that they would give us some of their land, but he isn't sure if that is still the case. Funding is an issue, DEP was "shocked" to learn this was under an enterprise fund. DEP said the enterprise fund method works for a municipality system that covers an entire town, but it cannot address the needs for our town (water for around 400 homes come from Fall River's supply, with another 260 coming from New Bedford).

Selectmen Sadeck says the most significant issue is that a new company can't put in a new fire suppression system due to a flow issue. Keven Desmarais says the issue is not so much the sprinkler system, the bigger issue is if someone gets on a

fire hydrant it drains the flow and then closes. Brent Larue from Air Gas says their engineer said they couldn't go forward with the system. Ryan Trahan says it was in our report from 3 years ago. You can have a valve that would sense a flow dip. Selectmen Sadeck asks if this would be the quickest way to solve the issue. Mr. Trahan says your hand would be forced. Selectmen Jose asks if it is a volume or pressure questions; it's more an issue of trying to squeeze all that flow into 3 or 4 inch hoses through the pressure filters. Keven Desmarais says the town doesn't have pressure issues anywhere, but should there be an accident involving a hydrant, for example, that's when there'd be a volume issue which leads to a pressure issue. Robert Parker says the Commission is looking for a temporary fix so Mr. Larue can continue on. Brad Paiva doesn't want to do things twice. Selectmen Jose wants to know if this new valve will be retrofitted to the new system? Mr. Trahan says this would cost \$50,000-75,000. Mr. Parker asks if there is some way we can open the valve at a cheaper cost. The valve Mr. Trahan is speaking about is very sophisticated and expensive still. Paiva asks if you could dig the valves we put in the site and use them in the future. Mr. Trahan and Mr. Desmarais say you can do that. Town Accountant Kim Fales says you can try and have a town meeting or you do have a borrowing authorization for \$75,000 so you have an appropriation already, contingent on borrowing. Selectmen Sadeck asks who is responsible for the borrowing for that. Ms. Fales says it comes from the enterprise fund but the general fund can subsidize this, some of the rate takers can share the cost of it. Ms. Fales and Selectmen Sadeck disagree on whether the town can operate under an enterprise fund. Selectmen Jose says we have money in Capital Stabilization, asking if we can we use that. Ms. Fales says you would need town meeting authorization for that. Mr. Paiva said if we don't do this we will get fined and DEP is going to do another report in August. Selectmen Sadeck says we are dealing with a THM issue in the summer and we have to filter the Fall River water because the water isn't clean. Mr. Larue says his company is only 1 ½ months away from being complete, minus the fire suppression system. Selectmen Sadeck asks Mr. Trahan if the valve goes in it will fix the problem. Mr. Trahan says it will. Selectmen Sadeck says once we move the site it is going to cost us \$2-3million. Mr. Trahan says DEP said you will be ordered in August with deadlines to do things and if you don't meet things then they will start to charge you with fines. Selectmen Sadeck disagrees with the Town Accountant on the Enterprise Fund. We got sued by people on Braley Rd and then the enterprise fund was created and it took over the responsibility of assuming the debt, which is wrong. Luckily last year, we reversed that last year. Ms. Fales says the adoption of the enterprise fund did not dictate that it pays the debt, it could have been negotiated and like she stated, you can make an agreement with the Boards as to how it is paid. Selectmen Jose asks if Air Gas can alter their design. Mr. Larue says they wouldn't want to do that. To clarify, Selectmen Jose asks if the water from Fall River is potable... Commissions say no, that it needs to be filtered. Mr. Desmarais says the town has been compliant for years, but this needs to be handled as soon as possible. He confirms with Ms. Fales that we would save a lot of time if we use the \$75,000 that we have now instead of waiting until town meeting. When asked by Selectmen Sadeck, Mr. Trahan says if we start the bid

process immediately, we could probably make the deadlines. Mr. Healey explains that it would be wise to let the public know that if you drink 2 liters of water with more than 80 parts per million of THM a day for 70 years, you have a slight chance of contracting cancer. It isn't likely that anyone will contract anything. We need to meet the requirements but no one should have a concern on this. Mr. Desmarais said for clarification, we meet or exceed all the requirements, while the risk is very, very slight: the limit is 80 and ours is 10-15. Motion (Paiva/Parker) to start the process to borrow the money needed to get this issue fixed, passed unanimously amongst the Water Commissioners.

Selectmen Sadeck wants the cost of this not born on the enterprise fund. This needs to be paid out of the General Fund. Ms. Fales says she'd recommend the Board and the Commissioners meet with the Finance Committee before making any payment agreements on where the cost is paid from.

Mr. Trahan said that as soon as we get authorization, the money is there, and we can engineer the whole thing in perhaps 6-8 weeks. When discussed, any cost overruns would have to go to Special Town Meeting.

Mr. Desmarais spoke with the Fire Chief today and they have filled up fire trucks and they haven't had issues. There are enough volumes there. Selectmen Sadeck wants to know how it flunked in that case. The hydrant flow test did. He would have to have a booster pump. Selectmen Sadeck asks if they other businesses running off town water have booster pumps. Mr. Desmarais says he knows Stop & Shop does and Independence Harbor does not, but is unsure at the moment about Crystal Springs. Selectmen Sadeck says that means they are at risk if the town had volume issues.

Weekly Public Discussion

Consent Agenda:

Board of Selectmen: Action relative to:

- Discuss OPEB investments with Interim Town Treasurer Jeff Cannon. Mr. Cannon says we have \$367,000 and we don't want this sitting in a money market account. He would like to know where the Board wants to head on this. This is a long term investment. Other postemployment benefits money is retiree health insurance. We can continue to do what we are doing now and park the money or what the State does. For tonight's purposes Mr. Cannon has selected Rockland Trust. He came up with a dozen comparisons. He would recommend selecting Plymouth County. Ms. Fales asks if there is a minimum. Mr. Cannon says there is. In investment fees, you don't get a choice as to how you want to invest with the State. Mr. Cannon explains his whole sheet. He says the higher you can convince an actuary, the higher you can get. You can take a less aggressive stance early on. Ms. Fales says the actuary from Odosy was there and there is new Gasbpy rules and the new OPEB liability will be put on the liability sheet. What they said, the more that can be funded and the more that can be

demonstrated will be better for the Town. We are on schedule to fully fund the liability for 2034 or 2036 which seems like a long time but it is a good thing. Cannon says the assumed discount rate is 7.25% and Plymouth County is using 8%. Selectmen Sadeck would like to wait and do nothing until after the General Election. Mr. Cannon agree with him in a sense. He doesn't want to get into a program and be stuck with it. He would suggest going private. Selectmen Jose asks who would be doing the day to day operations of choosing where our shift bonds go? Mr. Cannon says it would be the trustees of Freetown in consultation with the bank. It would be twice a year. Selectmen Jose says you have better returns, yield-wise, with the state but more flexibility with the private bank. A sub-committee is recommended to look into this further, to determine what options are best. Ms. Fales says it may make sense to put this Board together to see what is going to happen. Mr. Cannon suggests the Board, FinComm members, Ms. Fales and the Treasurer. Selectmen Sadeck doesn't want to discuss this in July, suggesting the August 8 Board meeting as a date.

- Discuss Trailer request for 2 Pickens Ave. – Mrs. Jane Freeman would like to stay in the mobile trailer and would like to do maintenance in that trailer and Frades pumps out the septic. She would like to stay were sometimes. Selectmen Sadeck asks where she gets the electric from. She is going to have an electrician come out. Selectmen Jose asks where she gets the water from. She pumps. Health Agent Kevin Bernardo asks where her permanent resident is. Mrs. Freeman lives in Florida and in Sagamore, M,A and also stays in Lakeville. Mr. Bernardo says the by-law only allows 3weeks plus 3 weeks. He is concerned with the septic. Mrs. Freeman says it is for solids. Selectmen Sadeck says you make the transfers for the septic? Mrs. Freeman says she doesn't stay there. She asks if it has to be 3 weeks consecutive? Selectmen Sadeck says he has concerns. He has concerns because she is transferring solids herself, also she has a hose that she is transfer herself. She would like to know about a smoke detector. Mr. Bernardo said that is another concern, that it has everything that a house has. Frade's comes every 3 weeks as long as she is there. MR. Bernardo points out that it would only come one time. Selectmen Jose says then you would be amenable to the inspections and then we can make our decision. We want carbon monoxide, smokes and the receipts. Mr. Healey asks what kind of camper it is. Mrs. Freeman says it is a Tagalong Sunline 80. She will apply for an additional one. Motion (Sadeck/Jose) to continue this until we get a report for next week, passed unanimously.
- Open Meeting Law Complaints (3) – Patrick Higgins, June 10, 2016 – acknowledge receipt, consider complaints, determine resolution. Motion (Jose/Sadeck) to authorize Counsel's response to Atty General's office, passed unanimously.

Board of Health:

Personnel Board:

- Approve/Sign all Change of Status forms for Fiscal Year17 for Fire/Communication Center/Town Hall Departments/Highway/Library/COA/Veteran's Agent/Zoning/Conservation Commission/Tree Warden. Motion (Jose/Sadeck) to sign and approve all change of status forms for all of the above, passed unanimously.

- Sign Re-Appointments for Fiscal Year 17. Motion (Jose/Sadeck) to approve all except harbormaster, passed unanimously.

New Business

- Dates for upcoming Board of Selectmen Meetings; Monday June 27th, July 11th, Monday July 25th, Monday August 8th, Monday August 22nd.

Old Business:

- Water Agreement

Executive Session:

- Motion (Jose/Sadeck) to enter into executive session and not return to open session, under M.G.L. c.30A, Sec. 21(a)(3), to discuss strategy with respect to litigation with the City of Fall River regarding a water agreement dispute if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Roll Call Chairmen Paul Sadeck and Selectmen Robert Jose, all voted in the affirmative when polled. The Water Commissioners are also in attendance.

Respectfully Submitted,

Ali Golz, Administrative Assistant