



**TOWN OF FREETOWN  
BOARD OF SELECTMEN  
3 North Main Street/P.O. Box 438  
Assonet, MA 02702-0438  
PHONE: 508-644-2201; FAX: 508-644-3342**

**MINUTES OF MEETING OF MONDAY, MARCH 11, 2013 – 6:00 P.M.**

**FREETOWN ELEMENTARY SCHOOL- ACTIVITIES ROOM  
43 BULLOCK ROAD, EAST FREETOWN, MASSACHUSETTS**

**6:00 P.M. the Meeting was called to order by Chairman Jean C. Fox. Those present: Selectman Paul G. Sadeck, Selectman Lisa A. Pacheco and Town Administrator Richard Brown.**

**Signing of biweekly payroll/vendor warrants  
Weekly Public Discussion period**

Mr. Brad Paiva addresses the Selectmen about a letter he is going to submit tonight to the Board of Selectmen regarding the unfair treatment he believes he has endured due to his wife being on the Election Board. He is very upset as he reads his letter verbatim. He doesn't know what action he will take but he doesn't believe it is acceptable that he is not allowed to put political signs on his own property because his wife works on the Election Board. She is only one person in the household may not share his political views so he should be allowed to put up whoever's sign he wants to. Selectman Fox says she believes the Town Clerk establishes those guide lines. The issue needs to go directly to the Town Clerk. Selectman Fox believes Mrs. Brown has her fingers on the pulse. Mr. Paiva says he doesn't care whose sign it is. He says that the Board of Selectmen need to take this up not the Clerk. Selectman Fox will have Mr. Brown speak with our Town Clerk. He will follow up on this and get back to him. Selectman Sadeck understands Mr. Paiva's concerns. He states there should be some sort of revision made. He has no issue with Mrs. Brown's policy but it shouldn't negate others in the household. Selectman Pacheco says we need to follow protocol. Maybe there is a law that Mrs. Brown is following that we are not aware of. Selectman Pacheco agrees we all have rights.

Mr. Charles Moss states that two (2) weeks ago he delivered packets to the Selectmen at the meeting. He wants to submit a second packet now. The information in this packet he believes backs up his concerns with a building permit that was issued and subsequently a building that was constructed at 6 Winslow Way.

Mr. George Lambert addresses the Board stating that he and his family moved to Freetown in 2001. They loved living here. In November 2011 they had a fire. They wanted to rebuild after the fire. He knew they could rebuild due to his construction background. Shortly after the fire he received a letter from Paul Bourgeois stating that he needed to tear down the house. As a result of past issues with Mr. Bourgeois they decided to sell rather than rebuild. What he put down in that letter he submitted to the Board of Selectmen today is just a scratch on top of the surface. The crowd is very disruptive and Selectman Fox says no one will be hearing anything if

this is not being done in an orderly fashion. We need to conduct this in an organized manner. No outbreaks. Please. Mr. Lambert states he had an additional property in Assonet Bay Shores in early 2000's. A Freetown electrical inspector almost purchased it but he was able to outbid him. He hired many local people. Mr. Lambert hired a Bob Viana to build a deck. He did obtain a building permit first. Mr. Lambert states that when Mr. Viana was just about completed with his deck that a fellow came over to his house while he was outside. The guy was drunk and was very inappropriate. This guy said who are you to think that you can do this without Conservation Commission's approval. Mr. Lambert argued with him. The guy said if you are going to do this then you need to deal with us we run this Town. If you do not cooperate then you will get a cease and desist. He ordered this drunk off of his property. He is alleging that this man was Keven Desmarais. The next morning he went to see Paul Bourgeois. Paul Bourgeois was crazy at the counter so he left. Then next day he got a cease and desist from Paul Bourgeois stating that he needed to remove porch. The only way he could keep the porch was to go for a variance. So he hired an engineer. Mr. Lambert is also alleging that a man showed up from the Conservation Commission and said he needed to get silt fencing and gave him a card to call him and buy the silt fence from him and also stated that the he should call a dumpster company that he represented and get rid of the one he already had. Mr. Lambert's alleging that this man's name was John Trahan. All his proof he says went in his house fire. His wife and daughter were there as witnesses when Mr. Desmarais was there. At the Conservation Commission hearing Keven Desmarais showed up and he asked who he was. Mr. Desmarais told him that he was doing all sorts of bad things around the property. He finally got the variance. He then wanted to get a permit for the flooring which he believed he didn't need. His builder went down to get a permit and he didn't have his construction supervisor's card so he was denied a permit. Another altercation with Mr. Bourgeois was when he power washed his property and he received a cease and desist because Mr. Bourgeois said he had put new siding on which he didn't. Then the electrical inspector Chris Cabral (who he bid on the property against) made him change the whole panel before signing off on the final inspection.

Patricia Davidson owned a Subway in Freetown and she would like to share her story. She said she tried to open the store and Mr. Bourgeois came in like a crazed man with the Fire Chief and said that she was not supposed to open without him inspecting it first. She had the Subway district managers there and she felt that once she introduced them to him he calmed down. She feels that he has an issue with women. She was able to open but not without a confrontation. An unidentified man says that when Mr. Tolly was the Building Inspector/Health Agent it was like this. He feels everyone has their own horror story. If you call any contractor they feel the same way. He wants to know how the Selectmen did not know this was going on. Selectman Fox says she know Mr. Bourgeois didn't pass the charm school test and she knows many people have had positive experiences with him, which is evident in the numerous positive letter we have received. The man says that Freetown is a laughing stock. Selectman Pacheco says we know he is rough around the edges and he has been reprimanded on several occasions. Communication is a problem with him. Selectman Pacheco feels that the issues that are being brought up from 2004 and 2003 we cannot be responsible for that. That is unfair for you to ask where we were. She has gotten all the emails and is soaking this all in. Everyone may not like the results but we are going about this in a fair manner.

Susan Lawrence tells her story. She alleges that Mr. Bourgeois costs her \$20,000 in variances for her septic. He wanted her septic 3' higher. She had to spend another \$3,000 to put in a dry

well. He made her have her septic plans redesigned which cost her more money. This held her up a year and cost her \$22,000 on her mortgage. She even had to incur storage fees. She wants to know why the citizens of Freetown need to be financially burdened by this man. She has spoken with other building inspectors and they have said that she should not have had to go for a variance. Selectman Sadeck says he would like all these people to please put it in writing. We did receive the letter from the Subway woman last week; however all the other people need to submit a letter. This all needs to be in writing so we can investigate this. Selectman Sadeck will ask for a vote for a private investigator. His understanding is that there is a former police officer that will be doing the investigation. Selectman Pacheco says our attorneys are now using the Attorney General's office as well as the Board of Ethics to help with their investigation. Selectman Fox reiterates that we do need all these issues in writing.

Thomas Derosier – He would like to submit something in writing. He is alleging that someone filed a false claim against him for doing some electrical work at his home a while ago. Because of this the wiring inspector put a cease and desist on his home. He believed that Mr. Bourgeois was involved with the wiring inspector at the time. You should look at that complaint, someone took their own life because of the false accusation against me, and he had them on tape lying to a Police Officer about the claim. He stated he has a business in Hanson and has supported the community in Hanson. He wanted to open another business and called the Town Hall the lady took all his info. When he received a call back and she said that he could not have a business there he asked why and she said that the location did not have a bathroom on the premises. Then two (2) months later there was another company at that location doing business. After awhile that company left. So he tried again, he called the landlord and he asked if there was a bathroom, to which the answer was yes. He then went down to the Town Hall in person and now there was a question as to Zoning. He spoke with Paul Bourgeois and he let it slide. He gets in the store and he puts up a sign and Mr. Bourgeois stops in and says he needs a sign permit. However he wants to know why the people before him said they never needed a sign permit? Why was this info not on file when he called? He also doesn't understand why the decision was made without doing a site survey. Why were there three (3) companies before me that operated there? Who else applied for a sign permit at this location?

Roger Chochette – He alleges that his dealings with Mr. Bourgeois were very unfortunate and it has cost him \$300,000. He says in February of 2012 he met with Chief Abbott and Paul Bourgeois. He has done this in Fall River twice and has never had a problem. They say they love him. "This isn't his first rodeo." The first thing he remembers Mr. Bourgeois saying is that they aren't zoned properly and he doesn't want a gun shop in his Town. He says what Mr. Bourgeois gives in his attitude, Chief Abbott almost makes up for in his professionalism. Chief Abbot was extremely well prepared at the meeting. He provided all the info that they needed. They agreed to put steel liners on the walls of 10 gauge thickness, added to the front and back. While we were waiting for their Federal and State licenses to come in there was a wall that they wanted to move. It really was just a partition. He asked Mr. Bourgeois if he needed a permit to do anything and said he didn't need one. His exact words were "It was a partition it isn't load bearing." That was his first mistake. Ask anyone about Mr. Bourgeois they have stories about him. Every town has stories. This has cost me more than \$300,000 and that doesn't account for sleep and stress. He alleges that he is a liar and a crook. He states you have a room full of people. How can everyone be wrong and you not do anything? You don't have anyone doing anything about this!

He is still working today? Why? I don't want to tell the Board what to do. He also states that The Mayor of Fall River made it a point to be part of our dream when they opened and I have never met Selectman Pacheco or Selectman Fox or Mr. Brown. When you have a business that comes into Town and employs many people you should pay attention to it. How much has this person cost you in lawyers? You should show people a sign of good faith. Selectman Sadeck says he knows that Chief Abbott did a lot and that he was surprised that it took this long to get a building permit. Selectman Sadeck stated that he received a call from Mr. Padelford asking for him to intervene. When he did they got their permit. However not without additional concerns from waiting on signatures from the Electrical/Plumbing inspectors. He thinks this is very upsetting.

Rosemarie Walsh – She states her story was from 2005 she lives on Middleboro Rd. They were excited to come and live in Freetown. She has worked in many towns in construction and she has never seen a town that has had a health and building department official as one and the same. She feels she was threatened by him several times. She thought he had a personal problem with her. She just wanted her permit and he took 120 day over the time limit for her permit. She was at his office when he pointed to a sign saying that she was not allowed to tape him, she wants to know who does that. She finally did get her permit but it cost her lot of money. She feels this was all because of Paul Bourgeois. Then recently she found out she was bidding against his business partner Ed Medeiros. Regardless she says she is not sure why Mr. Bourgeois had a problem with her. She doesn't know why there is one guy in total control of one department. By the way she was the previous business owner of the Mr. Derosier who spoke before and no she didn't need a sign permit.

Selectman Sadeck asked about the architect that Mr. Chochette hired. Mr. Chochette said they hired Joanne Bentely from Fall River. The issue was Mr. Bourgeois wanted two (2) ADA compliant bathrooms. They both fought back and forth he never got involved. He alleges Mr. Bourgeois was trying to get her to do things outside the code. They ended up with one bathroom with a swinging door that is not used by customers. He believes Mr. Bourgeois was lying or grossly misinformed. The metal wall makes sense and they volunteered to put that up there with bollards as extra support.

John Chase – He states his problem with Paul Bourgeois started in 2006 when he wanted to fill in a cranberry bog. He went before the Conservation Commission to build a new house and it cost him \$50,000 to fill it in. He alleges Mr. Bourgeois came up with everything he could think of to stop him. I went before the Planning Board to get them to agree that Cleveland Park is a way in existence before subdivision control. Then that is when Mr. Bourgeois took me to Superior Court. All of this was dismissed because of a technicality he believes, Mr. Bourgeois said he sent them a letter but he never got it. Then they went back to court again. In the end he believes that an Open Meeting Law was violated because one of the Planning Board members said they made a decision before the meeting ever even happened. Mr. Chace thinks Mr. Bourgeois wears too many hats. He never got to build a house.

Lee Baumgartner – Mr. Bourgeois answers to the Board not to Mr. Brown is that correct? The Board agrees. Well then some of you have been multi-year boards why have none of your constituent come to you? Were they afraid? Selectman Pacheco says she can't speak for them as to why they haven't come forward. She has had one complain and she handled it. She is just

hearing some of these claims for the first time. She has to rely on the process. The Board will now go back and discuss what we heard tonight. We can't have an answer for all of this now. Has anyone ever come to the Board? Selectman Pacheco says unless there is a formal complaint there is nothing to go by. Everything needs to be in writing. Mrs. Davidson says she was not afraid but she sent it and it never got to them. Selectman Fox states that she has resolved issues in the past. She applauds people for coming out.

Lois Huntress – In Oct 2011 and Nov 2011 she stated her lawyer sent letters she didn't receive an answer. Selectman Sadeck asked if she sent it to the Board. She said yes she did. Here are the two letters that were sent.

Brad Paiva states that it would be a good policy if there was a procedure put in place for submitting letters/complaints. Paul Bourgeois is a like a policeman he is a form of law enforcement. There has to be a procedure. Selectman Fox says it is tough to be anonymous with properties.

Tom Derosier – He asked if you need to live here to be elected a Selectman. His point is that he has lived here for two (2) years and in that short time he knows about this man why don't they if they have lived here for awhile. He understands that there are processes to follow. Selectman Pacheco states she is standing by her morals. She will handle it person to person. She will not ignore it. Mr. Derosier says that the Selectman delegate and he believes that they are delegating wrong. Selectman Pacheco says she is not ignorant. Selectman Sadeck says he is recording the meeting, he forgot to state that earlier. Some of the stories tonight he has heard over the last month. The Board needs to do this investigation as a whole. The full board needs to make a vote. Mr. Derosier asks why everyone else has known about this and you the board haven't heard anything. Selectman Fox says that this is a hot issue but this needs to be wrapped up. This needs to be written up and sent into the board. Only a couple more statements will be allowed. Mr. Derosier says the process is terrible. Why in 2007 or 2008 when there was a complaint with the State Ethics Commission does that stuff never comes to you? Selectman Pacheco says it only comes to us if there is a finding. If there is no finding then it won't.

Dick Padelford- The appointment of a Building Inspector/Health Agent, what is that a lifetime appointment? All Selectmen state no it isn't. Then Mr. Padelford asks them to "Deal with that". Selectman Fox states that is what we are doing with the investigation. Mr. Moss would like to Thanks Mr. Kent and Mr. Padelford for bringing this all to light.

Motion (Sadeck/ Pacheco/ Fox) all say aye to look at any and all complaints that come in and that are forwarded to our Attorneys and include these in the information to the Investigator.

Mr. Lambert wants to make one last point. He says that John Laronda said that John Ashley and Larry Ashley didn't want to hear anything about Paul Bourgeois when they were in office. So that is why he never did anything about it then.

Selectman Fox states we are taking a 5 minute break.

### **Consent Agenda**

#### **Board of Selectmen: Action relative to:**

- Approval for Ambulance Abatement Fee – Month of August 2012 Motion (Sadeck/Fox) to approve. Passed unanimously

- Approve/Sign Warrant for Annual Town Election submitted by Town Clerk Jacqueline A. Brown. Motion (Pacheco/Sadeck) to approve. Passed unanimously.
- Discuss location of Annual Town Meeting. Discuss deadline for Article submission for Annual Town Meeting. Motion (Pacheco/Sadeck) to hold the Annual Town Meeting at the Freetown Elementary School in the auditorium with the addition overflow seating in the Gymnasium, the First Monday at June as well as the Special Town Meeting. The Special Town meeting will be at 7:00P.M. and the Annual Town Meeting will be at 7:30P.M. . Passed unanimously. Motion (Sadeck/Pacheco) to open the Warrant tomorrow, Tuesday March 12, 2013 and close the Warrant on Monday March 25, 2013 for all Articles. Passed unanimously.
- Motion (Pacheco/Sadeck) to Approve Minutes from December 3, 2012. Passed unanimously. Motion (Sadeck/Pacheco) to Approve Minutes from December 17, 2012. Passed unanimously. Motion (Pacheco/Sadeck) to Approve Minutes from December 31, 2012. Passed unanimously. Selectman Fox abstains as she was not present at that meeting. Motion (Sadeck/Fox) to Approve Minutes from January 14, 2013. Selectman Pacheco abstains as she was not present at that meeting. Motion (Sadeck/Pacheco) to Approve Minutes from February 14, 2013. Passed unanimously. Motion (Sadeck/Pacheco) to Approve Minutes from February 25, 2013. Passed unanimously.
- Selectman Pacheco asked if the letter went out in December to the Schools about half day for School for our Annual Town Election. Mr. Brown will check on that. Selectman Pacheco asks when we send out a letter like this please remind them that our Election is the same day every year so please take this date into consideration for future half days. Selectman Pacheco asks Mr. Brown how our master plan is coming along. He said he is working on this. He stated he sent copies to her of master plans from other towns.

**Board of Health:**

**Personnel Board:**

- Accept Letter of Resignation from Brandon Wixon effective February 11, 2013 along with Change of Status form from Police Chief Abbott for resignation. Selectman Pacheco reads the letter. Motion (Fox/Sadeck) to approve with regret. Also send out letter of Appreciation. Passed unanimously.
- Approve Change of Status request from Police Chief Abbott for Lisa Podielsky. Motion (Fox/Sadeck) to approve. Passed unanimously.
- Reappoint Mary Bowen to Board of Registrar. Motion (Fox/Sadeck) to approve. Passed unanimously.
- Reappoint Donat J. LeBlanc as Veterans Agent Director & Veterans Graves Officer. Motion (Sadeck/Fox) to approve. Passed unanimously.

Dan LeBlanc states that every Sunday in March there is a breakfast at the VFW. Selectman Fox would like us to call the person that does our web site and we can ask them to fix it. Mr. LeBlanc would like to add things to the web. He is up to 19 clients now. Mr. LeBlanc says we are very active. He believes can help people more and reach out to more people if he is online.

- Approve/Sign contract for Administrative Assistant Alexandra Golz. Selectman Pacheco makes mention of this. We will hold for the next meeting.

**New Business:**

- Student summer stipend program – Selectman Fox would like the Board to consider a summer stipend program for beautification purposes around Freetown. Employ eighteen (18) year old town kids which in turn will help with teen unemployment. The cost would be \$2,000 for the summer.
- Selectman Pacheco says that she has received word that Stop & Shop is having a meeting to decide to leave Freetown. It's her understanding that they have three (3) years left their TIF agreement. That is where we get a large tax source. Selectman Fox said it is her understanding that they just finished negotiations. This information was from employees of Stop and Shop no managements. Selectman Pacheco will call Ray Levy tomorrow. Mr. Brown will look at the TIF document to make sure we understand the TIF agreement. Selectman Sadeck will touch basis with Karen Mello tomorrow to get information and Selectman Fox will call her contact at Stop and Shop to find out any information she can. Selectman Sadeck said when Algonquin closed that was a financial crush for Freetown. If we lose them this will kill us.
- Grant assistance for Dams - \$17 million for grant assistance. Selectman Fox said if we can get some to help bolster it that would be great. Selectman Fox asks Mr. Brown to see what the grant says.
- Dates for upcoming Board of Selectmen Meetings: Monday, March 25<sup>th</sup>, April 8<sup>th</sup>, and April 22<sup>nd</sup>.

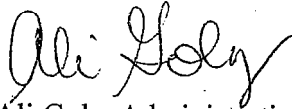
**Old Business:**

- Old Colony & Bristol Aggie – They agree they will discuss after town meeting.
- Water Department-Fall River – Mr. Brown has no update.
- Employee Handbook/Safety Committee – Mr. Brown has a draft he is working on.
- Possible retention of a Town planner – This is on hold.
- Budget Meetings with Finance Committee set up for March 20<sup>th</sup> – Finance Committee is trying to get a quorum.
- Update from New Bedford on the Solar Array - Selectman Fox was notified that they are taking down the dead trees on the island and will make it look nice. They are not going to remove it.
- Library painting–Mr. Brown has this in the works. He has called and spoken with Naomi
- Dept Head meeting – Selectman Pacheco wants to make sure that every department knows what is in the contract and they know how their employees are to receive stipends. Selectman Sadeck says the stipend issue should be squared away.

- Quarterly reports. – Mr. Brown said he has received some from department heads and is awaiting more.

**Adjournment of regular meeting** at 8:02PM, Motion (Pacheco/Sadeck) to enter into Executive Session and to not return to open session to Approve Executive Session Minutes from December 3, 2012, December 17, 2012, January 17, 2013, February 20, 2013 and February 25, 2013

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ali Golz". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Ali Golz, Administrative Assistant