



**TOWN OF FREETOWN
BOARD OF SELECTMEN**
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**MEETING OF MEETING
MONDAY, MARCH 20, 2017
COUNCIL ON AGING
227 CHACE ROAD, EAST FREETOWN, MA 02717**

5:30 P.M. Call to Order Chairman Paul Sadeck calls the meeting to order. Others present are Selectman Jose, Selectman Pacheco, Town Administrator Jack Healey, Town Accountant Kimberly Fales and Administrative Assistant Ali Golz. The meeting is being recorded by Mrs. Golz and FREECAM. Selectman Sadeck leads the Pledge of Allegiance.

Being Selectman Sadeck's final meeting as Selectman, he thanks all the Selectmen and Town Administrator as well as Administrative Assistant Ali Golz. He will be here to serve the Town as a Water Commissioner for the next couple of years. He would like to say there are some great people working in Town and want to commend them for a job well done and he is very happy that he has been part of a great operation. He wants to make sure that everyone is recognized. He recognizes all Boards and Committees as well and reminds everyone to go out and vote on April 3rd and names all the candidates. Selectman Pacheco says she has worked with Selectman Sadeck for 6 years and it was a pleasure. Selectman Jose would like to reiterate that as well, and notes we haven't had a 2.5 override during his tenure and all the bridges have been repaired.

Weekly Public Discussion

5:30 P.M. Discussion w/Shawn Proventure from DCR regarding property off Chace Rd.

Present: Shawn Proventure of the Department of Conservation & Recreation, and Michael McCue, Senior Clerk, Conservation Commission.

Mr. Proventure said he is here regarding the update on the offer for the Chace Rd. parcel. This was the property being cleaned. Mr. Healey said that this is not possible for the Town to do. DCR will do this, however the offer will be lowered to \$150,000. Selectman Pacheco's understanding is the town doesn't own it now. Selectman Sadeck says the land that is landlocked needs to be taken. Assistant Assessor Karen Mello said in an email to Mr. Healey that we were granted the land, but it hasn't been granted to Board of Selectmen. DCR wants to keep the article on the warrant at Town Meeting. Selectman Jose asks if their title work will be done by then. Mr. Proventure says probably not. We would close FY18. Selectman Jose asks what the article would be for, Selectman Sadeck said it would be to allow the town to sell this land. He says we'd have to get clarification on whether or not the town can even sell it, first. Selectman Pacheco says maybe we should wait until the fall for an article. Selectman Sadeck

asks who has the list of the parcels. Mr. Proventure says Mr. Healey has the list. The Board says Mr. Healey needs to verify the list. Mr. Healey says that Mike McCue has helped with the list. Mr. McCue says part of it is easier to verify than others. Selectman Sadeck asks Mr. McCue if he knows who owed it all, Mr. McCue says some but not all. Selectman Sadeck says we can leave this on now and then pull it off on Town Meeting floor. Selectman Pacheco asks how far back did Mr. McCue go with the parcels in questions. He went back to 1895. Selectman Pacheco says maybe check for abandoned property. The Board agrees to leave this on the warrant at reduced price of \$150,000.

5:45 P.M. Discussion w/Lauren Moreau, Planning Tech regarding Marijuana.

Present: Lauren Moreau, Planning Technician, and Keven Desmarais, Chairman of the Planning Board.

Ms. Moreau is talking recreational Marijuana. The Planning Board is debating zoning of this. The Board of Selectmen needs to decide the limit of the number or type. Mr. Healey says he has seen a number of towns are placing a moratorium now. A moratorium gives Town time to decide what to do. Selectman Sadeck asks if the Planning Board is recommending this. Keven Desmarais, chairman of the Planning Board, says yes, the Planning Board is recommending this. He says that we need to work on this now to have proper zoning in place, because if not, it will be assumed that recreational will be able to go wherever medical can go. They will look at applications as early as April 1, 2018, so if we have a moratorium we will have a longer time. Mr. Desmarais says we need to have a serious discussion now, to have percentage of our liquor licenses. Selectman Sadeck says if we put a moratorium until July 2018, they can change the laws and we would be better. KP Law is recommending that we put forth a zoning by-law this at this year's Annual Town Meeting. There is no host community agreement in play regarding recreational marijuana. The Board agrees to have the planning board to place a zoning article on the warrant for a moratorium. Selectman Jose says we need to figure what direction we want to go, going forward. He notes that voting on the matter wasn't a landslide here.

6:30 P.M. Discussion w/Water Commissioner regarding the cost of the DEP required building to house the Filter Site.

Present: Freetown Water & Sewer Commission Members Bob Parker & Braid Paiva, Keven Desmarais and Ryan Trahan of Environmental Partners Group. Note: Selectman Sadeck is also a member of the Freetown Water & Sewer Commission (FW&SC)

Mr. Trahan explains that after there was an e-mail exchange between he, Mr. Healey and Town Counsel about the need for an Owner's Project Manager (OPM). Town Counsel says because the cost is over \$1.5M, an OPM is required by law. Mr. Trahan speaks about what an OPM's role is, and mentions that the requirements for the position can be written to meet the bare minimums of the law, as the building isn't going to be complicated. Mr. Healey asks if Mr. Trahan knows of any other towns that have had similar projects. Mr. Trahan says the requirement for an OPM frustrate him, as he's built pump stations that cost more and the building is a pre-built structure. Mr. Healey asks if there is an appeals process, Mr. Trahan says we can talk to the attorney general and better explain the situation.

Selectman Sadeck says the 600 or so rate payers alone should not be on the hook for an expense like this. He also says DEP wants the Town to cover the existing site in the meantime, which is a total waste of taxpayer money. Selectman Pacheco confirms with Mr. Trahan that this second building is not part of the figures given. She asks if there is a way to do this project in phases to get under the \$1.5M threshold. Mr. Trahan says he isn't sure but we can ask the attorney general. He believes, however, that the cost of the filters alone push it past that number. Selectman Pacheco sees this as two separate projects: the building and increasing the filter sizes. Furthermore, she sees the filter portion as a benefit to the town going forward, which should be a town borne by the Town. Mr. Trahan believes the AG would see it as one project.

Selectman Sadeck informs the Board about the meeting he and Mr. Desmarais had with a company on the Freetown/Fall River line, who is willing to lease the Town a parcel of land for \$1/year for 99 years to house the filter site.

Selectman Jose asks Mr. Trahan about a cost breakdown for the project. Mr. Trahan estimates the cost to purchase and set the filters would be \$500,000-600,000, the building would cost \$200-300,000. Selectman Jose echoes Selectman Pacheco's thoughts on doing the project in phases. Mr. Trahan says another option is building the structure that can later house the bigger filters, but says this isn't ideal and would cost 25% more. He's also concerned about whether the smaller filters could even handle the new facilities that are coming to Freetown soon. Mr. Desmarais asks about making the electronics being a separate bid item. Mr. Trahan says if it's done that way, you'd run into warranty issues, which often start on delivery. Mr. Desmarais echoes the Board, saying it's unfortunate how much this is costing.

Mr. Healey sees this as one project with two source of funds, and doesn't think it should be in multiple phases. Selectman Pacheco says we should do what's required to get DEP off the Town, then expand later. Selectman Sadeck says the FW&SC should meet with DEP to get their thoughts; Mr. Desmarais says he's waiting to hear back from DEP on that meeting. Selectman Jose doesn't think the Board is dragging its feet, they just want to do this as efficiently as possible given the other projects in town. The Board and FW&SC are in agreement on this.

**7:00 P.M. Meet with the Finance Committee to discuss FY18 Departmental Budgets:
Town Clerk, Board of Assessors, Treasurer/Collectors.**

Treasurer/Collector Budget Discussion

Present: Town Treasurer/Collector Jessica Thomas

Selectman Pacheco says there is still money in there for an extra person. Ms. Thomas says she has great assistants, so the extra person isn't needed. That reduces the budget by \$23,420.52. Residents have also been asking about the Treasurer/Collector's office accepting credit cards, something Ms. Thomas is interested in adding. There is a charge associated with that, like paying online, but that would not be borne by the Town. Selectman Pacheco would like this on the next meeting's agenda, and directs Ms. Thomas to speak to all departments in the Town Hall to see if they are interested in this as well.

Town Clerk Budget Discussion

Present: Town Clerk Jacqueline Brown

Selectman Pacheco would like to speak about salary. Mrs. Brown states she would like to promote senior clerk Cheryl Estrella to Assistant Town Clerk. Mrs. Brown feels that Mrs. Estrella has gotten to this point now. She would come in at step 3. Mrs. Brown says she is doing the same thing as has been done in the past with the others. She says for her to be making less than the other assistants and she has been here longer isn't fair. Discussion turns to changing the step Mrs. Estrella would begin on, but Selectman Pacheco says that's a collective bargaining issue. Ms. Fales says they were just moved vertically in the same track. Mrs. Brown says as far as her salary, she put in an extra \$1,500 for the Public Records Clerk, which was extra duties for her. The increase Mrs. Brown is asking for is \$2,580 in total, the \$1,500 is included in that figure. Mrs. Brown says if you look at the compensation plan for someone in place for 20 years, it isn't even close. She doesn't feel like she is asking for an excessive amount and it isn't a big difference from area Town Clerks. She reminds the Board that Early Voting has caused a lot more work. Mrs. Brown says she thinks she has the knowledge because she is called all the time to ask questions. Selectman Sadeck says he thinks she is on solid ground.

Board of Assessors Budget Discussion

Present: Assessor Michael Motta, Assistant Assessor Karen Mello

Selectman Pacheco says they are looking for a new staff person and she would like to know why. Ms. Mello says she has been here for 25 years and she knows she needs someone in the office to assist her. Mr. Motta says she also would need someone in the office for when she needs to go out and do inspections outside the office. Selectman Pacheco said you started by saying you would be retiring soon can you elaborate a little on that. Ms. Mello says she feels it will be at least 2 3-year re-evaluation cycles for someone to learn this. Selectman Sadeck says if something happens to Ms. Mello and we don't have someone trained in the office we are in trouble. He thinks it's important to have someone in there. To obtain the dollar amount in her budget, Ms. Mello used a wage at step 5.

Consent Agenda:

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

- Award bid for Water Valve project on South Main Street. Ryan Trahan of Environmental Partners Group explains that the lowest bidder was CN Corp. He has vetted all the references and they recommend them in the amount of \$54,002.19. Motion (Jose/Pacheco) to award the bid in the amount, motion passes 2-0 with Selectman Sadeck abstaining. Mr. Trahan needs this signed.
- Abatements for the month of February, as submitted by Chief Silvia. Motion (Pacheco/Jose) to approve in the amount of \$21,136.94 for the month of February, passed unanimously.
- Town Administrator's Report. Mr. Healey gives an update on the sprinkler system for AmeriCann. On the Freetown Screw project, Mr. Healey submitted the proper paperwork to file additional funds for clean up. On Excel Recycling, the office received information for final air approval and suggested the Board review it. John Winkler, who worked on the report, was an expert and Mr. Healey worked with him previously. This should help resolve some issues over there.

- Discuss letter sent by COA regarding Brown Bag Program. Selectman Sadeck hands the letter over from the COA regarding himself. Mr. Healey reads the letter aloud. Selectman Sadeck says as a member of the Board of Selectman, he was covered by the Town's insurance, but now he isn't covered, and he won't drive anymore because he won't be covered. Selectman Pacheco wants to ask Town Counsel if this is allowed, please ask Joe Fair. Selectman Jose wants to know if there has to be a one year separation. Town Clerk Jackie Brown states it can't be just one person, it has to be a group. Selectman Jose asks Mr. Healey to look into an insurance plan for all volunteers. Selectman Sadeck says if you adopt Chapter 152, then it would cover all appointed and elected officials.
- Establish a donation account for K9 as requested by Chief Abbott. Motion (Jose/Pacheco) to establish a donation account. Selectman Pacheco says only if this passes on town meeting floor. This would be established only if it passes at town meeting. Motion passed unanimously.
- Vote on Financial Policies submitted by Town Accountant. Ms. Fales explains the Financial Policies and Procedures, this is the start of the process. She goes over the documents she has presented to the Board. Selectman Pacheco says she has a lot of questions and she would like to discuss further. Selectman Jose will go through these further as well. Selectman Pacheco wants to make sure none of this goes against our CBA's.
- Discuss new telephone system for town offices. This agenda item is on hold
- Approve reserve fund transfer request as submitted by Tree Warden Maurice Demoranville. Selectman Pacheco says we have taken trees down that we shouldn't have and she previously asked him if he had all the money he needed. Selectman Sadeck says he thinks that trees die and Mr. Demoranville has to hire people because we don't have the proper equipment. Selectman Pacheco would like an updated list of what needs to be done; she wants to know what has been done and what needs to be done. Ms. Fales says all of the article money has been spent. To add to the expense, the trees also require a police detail and it is a 4 hours minimum. Mr. Demoranville has 3 more trees to take down. He has it listed out now. Selectman Jose says the \$7,000 listed is already negative. Selectman Pacheco says he needs the \$1,425 now. Ms. Fales says he would need \$54.36 and he is then out of money, so he can't do anything else. She advises that, at a minimum, you need to recommend \$54.36. We also haven't paid the police detail fund back, which is \$1,880. Selectman Jose sums it up that \$1,425 will fund Mr. Demoranville for the rest of the year and \$1,880 will pay for the police; so \$3,305 will fund him now but doesn't take out any more trees. Motion (Pacheco/Jose) to forward to a request in the amount of \$3,305 to the Finance Committee, passed unanimously.
- Adopt and Absentee Ballot/Early Voting Policy as submitted by Town Clerk. Town Clerk Jacqueline Brown joins the meeting. Mrs. Brown states that we are very limited as to what we can do, as the Town Hall isn't considered a Polling place. This policy would prohibit any "political persuasion" on Town property during election times. She asks that the Board vote and ratify this. Motion (Pacheco/Jose) to adopt this policy as presented, passed unanimously.
- Adopt Public Records Access guidelines as submitted by Town Clerk. This needs to be adopted by law. KP|Law has provided us a template and Mrs. Brown has followed this

template. She has no issue if the Board wanted to have KP|Law look over the final guidelines. Motion (Pacheco/Jose) to approve as presented. Passed unanimously.

- Discuss raising rates for Municipal Lien Certificates as submitted by Temporary Treasurer/Collector Jessica Thomas. Ms. Thomas recommends \$50 for residential Municipal Lien Certificates and \$100 for commercial Municipal Lien Certificates. Motion (Pacheco/Jose) to approve residential in the amount of \$50 and commercial in the amount of \$100, passed unanimously.
- Approve Board of Selectmen Minutes from February 21, 2017. Motion (Pacheco/Jose) to approve the minutes as presented, passed unanimously.

Board of Health:

Personnel Board:

- Appoint Steven Chandler to the Cultural Council, effective March 20, 2017. Motion (Pacheco/Jose) to appoint Mr. Chandler to the Cultural Council, passed unanimously.

New Business

- Dates for upcoming Board of Selectmen Meetings: Tuesday April 4th, Tuesday April 18th, Monday May 1st.

Old Business:

Executive Session:

At 7:58pm, motion (Jose/Pacheco) to enter into executive session under the following exemption, and not to return into open session afterwards. Roll call Chairman Paul Sadeck, Selectman Lisa Pacheco and Selectman Robert Jose. All voted in the affirmative when polled.

M.G.L. c.30A, Sec. 21(a) 3 to discuss strategy with respect to collective bargaining with Highway/Clerical/Library Union if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

At 8:03pm, motion (Jose/Pacheco) to adjourn. Roll call Chairman Paul Sadeck, Selectman Lisa Pacheco and Selectman Robert Jose. All voted in the affirmative when polled.

Respectfully submitted,



Ali Golz
Administrative Assistant