



**TOWN OF FREETOWN  
BOARD OF SELECTMEN  
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2017 AUG -7 AM 9:08

*Jul Brown*

**MINUTES OF  
MEETING OF MONDAY, JUNE 19, 2017  
COUNCIL ON AGING  
227 CHACE RD, EAST FREETOWN, MA 02717**

**6:00 P.M. Call to Order** - Chairman Lisa A. Pacheco calls the meeting to order at 6:pm. Also present are Selectman Robert Jose and Selectman Charles Sullivan. Also present are Town Administrator Jack Healey and Administrative Assistant Ali Golz. The meeting is being recorded by Mrs. Golz and by FREECAM. Chairman Pacheco leads the Pledge of Allegiance.

**6:00 P.M. 3<sup>rd</sup> Graders Selectmen for the Day Essay Winners – Kamryn Berg, Reece Bethoney, Charlotte Desrosches, Brayden Packer, and Shelby Estrella.**

Each of the children read their essays. Selectman Pacheco swears each child in as Junior Selectman and explains that each child will march with them in the parade. Lisa thanks everyone here including Principal Ward and the teachers.

**6:05 P.M. Board of Health Variance – 31 Locust St.**

Selectman Sullivan opens the BOH variance. Steve Gilbert from SFG Associates Inc is present. There is one abutter, William Moffatt, who is present. Mr. Gilbert explains they want 3 variances- 10' from house (instead of 20'); 70' from abutting well (instead of 100') and 1 deep observation well. Selectman Jose asks what the front frontage is, saying it's not in the plans. Mr. Gilbert says it's 10'. Mr. Bernardo says it is in there, but everyone is in agreement that it is unclear. Selectman Jose says we can include it in the motion, and Mr. Bernardo suggests a new set of plans be submitted. Mr. Bernardo doesn't see any other issues, they would just require a 3 bedroom deed restriction. Mr. Moffatt asks if a water test required, and how it was done. Mr. Gilbert says there will be a water analysis after at the faucet. Selectman Sullivan says we would require there to be one done at the petitioner's expense. Selectman Sullivan closes the Public Hearing. Selectman Jose sees no issues. Selectman Sullivan

**Vote:** Motion (Jose/Pacheco) to allow the variance for 31 Locust Street with the stipulation that the petitioner is required to do a pre-installation water test on Mr. Moffatt's property at the property, all setbacks are as stated in the plan including the one 10' that isn't stated in the plan and to have the deed restriction to 3 bedrooms. Passed unanimously.

**Weekly Public Discussion**

Residents from Alexandra Dr. and High Street are present to discuss Excel ongoing issues. Jose Branco, 7 Alexandra Dr., explains today was like a battlezone and we need help from the Board of Health, adding that the police don't get there quickly. He speaks to debris in his pool and that his house was vibrating. Stephen Tripp, 4 Alexandra Dr., says the DEP report is in and it shows they aren't in

compliance. He says they run early and late. Michael Cabral, 42 High Street, also says they operate over the time frame. Mr. Tripp wants to know when we can shut them down. He also asks if Excel has permits to have more than 25 trucks per day. Selectman Jose says there is no by-law that limits that. Mr. Tripp asks about hazardous waste by-law. Selectman Jose says the DEP told us they would have the Air quality report, it would be to us by the first week of July. Mr. Cabral wants to know what the Town will do if they aren't in compliance. This will have to be on a future meeting's agenda.

Bob Adams, 4 Adams Ave. – he wants trees put back in his circle, which he's spoken to the Board about previously. Selectman Jose says the highway surveyor will have something to say about this, so we need to take that into consideration. Selectman Pacheco says maybe we won't get pine trees but some other trees. Selectman Jose wants Highway Surveyor Charles Macomber's input on this.

### **Consent Agenda:**

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

- Approve Hawker's and Peddler's License for the Annual Fireworks Celebration for William Frank and Michael Nicoletti. A third Hawker's and Peddler's license application was received after the agenda was finalized, so it was added to this agenda and will be re-affirmed at the next Board of Selectman's meeting. The Junior Selectmen join the Board of Selectmen for the vote on these items. Selectman Jose reads the licenses aloud before each motion is made, with the stipulations that the licenses do not allow for selling in Hathaway Park, and silly string may not be sold.

Vote: Motion (Sullivan/Pacheco) to approve the Hawker's and Peddler's license for Michael Nicoletti. Passed unanimously.

Vote: Motion (Sullivan/Pacheco) to approve the Hawker's and Peddler's license for William Frank d/b/a Candy Plus. Passed unanimously.

Vote: Motion (Sullivan/Pacheco) to approve the Hawker's and Peddler's license for Patricia Bollarino d/b/a Professional Novelties. Passed unanimously.

- Approve/Sign Pitney Bowes Lease for Town Hall postage machine.

Vote: Motion (Jose/Sullivan) to approve the new lease. Passed unanimously.

- Renewal of annual audit contract with Roselli, Clark & Associates for FY17-19. This is the contract for the Town's audit.

Vote: Motion (Sullivan/Jose) to approve the contract. Passed unanimously.

- Discuss Town Website. Senior Clerk Timm McIntosh explains that he would like to improve the website, he has looked at other town's website and he is confident he can do this smoothly. Selectman Pacheco thinks this is a lot but this needs to be a stipend position. Selectman Sullivan agrees with this concept, but he would like this to be held off for a little bit, as he wants to make sure the union agrees with this. Selectman Jose thinks it would be a great idea, and to Selectman Sullivan's point, we need to discuss this further and send a letter to the union. Selectman Pacheco says this will be separate from

the union. Selectman Pacheco asks Mr. McIntosh to look around at what other towns and schools do for stipend amounts. Selectman Pacheco will speak to Atty. Joe Fair on this. Selectman Jose asks Mr. McIntosh to think about how much time this would involve.

Vote: Motion (Jose/Pacheco) to send this to Joe Fair, passed unanimously.

- Revote July 3<sup>rd</sup> closure. The Board voted to close at noon at their last meeting, but more details were needed about whether or not time lost would be paid.

Vote: Motion (Jose/Sullivan) to close Town Hall at noon and to cover the time. Passed unanimously.

- Approve Board of Selectman Minutes from May 1, May 10, May 15, and May 30, 2017. Selectman Jose notes there were some grammar issues, but nothing that really changes the minutes.

Vote: Motion (Jose/Sullivan) to approve the minutes as presented. Passed unanimously.

- Approve Reserve fund transfer request from Water/Sewer Department. Stephen Chandler, senior clerk in the Water Department, is in attendance to speak about the transfer request if needed. Selectman Jose asks why they can't just take this \$70K from the sewer enterprise fund. Selectman Pacheco says this is for 2017 and that was combined for 2018. Selectman Pacheco stresses to Mr. Chandler that the Water/Sewer department needs to get in order.

Vote: Motion (Jose/Sullivan) to forward the request to the Finance Committee. Passed unanimously.

- Approve Interdepartmental transfer request from Board of Assessors.

Vote: Motion (Jose/Sullivan) to forward the request to the Finance Committee. Passed unanimously.

- Approve Reserve fund transfer request from Finance Committee.

Vote: Motion (Sullivan/Jose) to forward the request to the Finance Committee. Passed unanimously.

- East Freetown Congregation Church is requesting approval from the Board to use the Council on Aging for their Annual BBQ on July 14 & 15, 2017. Selectman Sullivan asks that we improve this for insurance in the future.

Vote: Motion (Jose/Sullivan) to approve request. Passed unanimously.

- Approve Ambulance Abatement for the months of April and May 2017 as submitted by Fire Chief.

Vote: Motion (Sullivan/Jose) to approve abatements in the amount of \$27,068.95. Passed unanimously.

- Discuss/Approve change in Alarm fees with Chief Abbott. Chief Abbott explains there are 2 lines for Alarms. Police are \$35 and Police/Fire is \$70. This past FY we received \$700. Chief Abbott recommends an additional \$5 increase to cover any costs. Selectman Jose asks if \$5 will cover costs sufficiently. Chief Abbott believes it will. Selectman Sullivan would like this monitored so we are proactive on this. Motion made with discussion. Selectman Sullivan would like to hold off on this. Chief Abbott says we bill monthly. Selectman Pacheco suggests a 6 month review and have a one-time administrator fee. The Board and Chief Abbott are in agreement on this.

Vote: Motion (Jose/Sullivan) to approve the increase on the Chief's recommendation.  
Passed unanimously

- Sign contract for Purchase of cruiser tablets, as submitted by Chief Abbott. Chief Abbott explains he applied through the 911 grant and he needs a contract because the cost is over \$10,000. Selectman Jose confirms this will be reimbursed through the grant. Chief Abbott says that is the case. Selectman Jose asks if there will be any extra training and most officers are trained on them. They are.

Vote: Motion (Jose/Sullivan) to approve the contract. Passed unanimously.

- Discuss letter from Atty Gay & Gay regarding land next to Station 3. Mr. Healey reads the letter aloud from Atty Gay & Gay. Selectman Pacheco wants a follow up with Ryan Trahan to see how much is wetlands and this need to also be followed up with the Diocese as well.
- Approve/Sign CGA Contract. Selectman Pacheco says the contract arrived this morning and it was emailed out. Selectman Jose would like this on the next agenda, but Selectman Pacheco says work is already underway. She suggests voting to sign it, and we can fix it if the Board finds anything that needs to be fixed.

Vote: Motion (Jose/Sullivan) to endorse, pending Pomroy's approval. Passed unanimously.

#### **Board of Health:**

- Discuss Boat Ramp hours for July 4<sup>th</sup> week. Selectman Sullivan explains the Board may want to open the Boat Ramp on Monday July 3<sup>rd</sup>, because it is so busy.

Vote: Motion (Jose/Pacheco) to open the boat ramp on July 3<sup>rd</sup> and 4<sup>th</sup>. Passed unanimously.

#### **Personnel:**

- Discuss Letter from Victoria King regarding Vacation carry over. Selectman Jose reads the letter aloud. Selectman Jose explains this will be decided in Executive Session.
- Discuss Letter from Timm McIntosh regarding Vacation carry over. Selectman Jose reads the letter aloud and explains this will be decided in Executive Session.

- Letter from Town Clerk regarding Assistant Town Clerk's position. Selectman Jose reads Town Clerk Jacqueline Brown's letter aloud. Per MGL, the Town Clerk appoints the assistant town clerk, and Mrs. Brown has appointed Cheryl Estrella to the position.

Vote: Motion (Sullivan/Pacheco) to accept the appointment. Passed unanimously.

- Sign Change of Status form and Appoint Kevin Bernardo to Board of Health Agent – Per Diem., effective June 8, 2017. This agenda item is held over until Executive Session
- Discuss/Appoint Eugene Borges as Alternate Building Inspector, effective June 1, 2017. The Board votes on paying Mr. Borges for work he did on June 1 & 2, 2017. Selectman Jose asks if Mr. Borges is a certified inspector for MA. Mr. Healey hasn't seen anything. Selectman Pacheco said she was told by Mr. Barbato today that he works in the Fall River building office but she hasn't verified this. Selectman Pacheco thinks this was just a one-time thing. Selectman Jose wants to know if the Board wants to entertain appointing another person. Selectman Pacheco doesn't want to. Selectman Sullivan says why doesn't this go on the next meeting. Selectman Pacheco says we should have this go on a case by case basis. We should still find out if he is certified, Mr. Healey will find out the Certification tomorrow.

Vote: Motion (Sullivan/Pacheco) to pay Mr. Borges's bill for June 1 & 2, 2017. Passed unanimously.

- Sign FY18 Change of Status forms for all town employees, as on file with Town Clerk's Office.

Vote: Motion (Sullivan/Pacheco) to approve as on file with Town Clerk's office. Passed unanimously.

- Sign Re-Appointments for FY18. These are annual re-appointments for most town employees and appointees.

Vote: Motion (Sullivan/Pacheco) to sign Re-Appointments for FY18. Passed Unanimously.

### **New Business**

- Dates for upcoming Board of Selectmen Meetings: Monday July 10<sup>th</sup>, Monday July 24<sup>th</sup>, Monday August 7<sup>th</sup>, Monday August 21<sup>st</sup>.

### **Old Business:**

- Trash - Selectman Sullivan says there have been a number of complaints recently, and apparently Republics has a new driver and he isn't picking up the right routes. He has missed the Lane and Highland Rd, amongst others. The things that are disturbing are when he drops the barrels he doesn't pick them up. He recommends the Board should send a letter with the complaints.

As a new Selectman, Selectman Sullivan asks the Board if they want them to come before the Board with these types of issues or just make these decisions and let the Board know afterwards. Selectman

Pacheco has no problem with Selectman Sullivan handling small issues, but decisions like sending letters should come to the Board.

- Credit Card Payments
- Building Fees

**Executive Session:**

At 7:40pm, motion (Sullivan/Jose) to enter into executive session, under the following exemptions, and not return into open session after. Roll Call Chairman Lisa A. Pacheco, Selectman Robert P. Jose, Selectman Charles B. Sullivan. All voted in the affirmative when polled.

- M.G.L. c.30A. Sec.21(a)(2) To conduct strategy sessions in preparation for negotiations with non-union personnel or contract negotiations with non-union personnel.
- M.G.L.c.30A.Sec.21(a)(3) To discuss strategy with respect to collective bargaining with Freetown Town Hall, Library, Highway, if an open meeting may have a detrimental effect on the bargaining of the public body and the chair so declares.
- M.G.L. c. 30A, Sec. 21(a) 3 To discuss strategy with respect to bargaining and litigation (Pigeon v. Town)

At 9:30pm, motion (Sullivan/Jose) to adjourn. Roll Call Chairman Lisa A. Pacheco, Selectman Robert P. Jose, Selectman Charles B. Sullivan. All voted in the affirmative when polled.

Respectfully submitted,



Ali Golz  
Administrative Assistant