



**TOWN OF FREETOWN
BOARD OF SELECTMEN
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Joe Brown

**MINUTES OF MEETING OF
MONDAY, AUGUST 07, 2017
COUNCIL ON AGING
227 CHACE RD, EAST FREETOWN, MA 02717**

6:00 P.M. Call to Order Selectman Robert Jose calls the meeting to order in Chairman Lisa A. Pacheco's absence. Also present is Selectman Charles Sullivan and Administrative Assistant Ali Golz. The meeting is being recorded by Mrs. Golz and by FREECAM. Selectman Jose leads the Pledge of Allegiance. Selectman Jose goes over the Agenda.

Weekly Public Discussion – No residents appeared before the Board with public discussion.

Consent Agenda:

Board of Selectmen: Action relative to:

- Sign annual renewal for VADAR Systems, Tax Collection and Financial Applications. Selectman Jose explains they met at the last meeting with Town Accountant Kim Fales and went over this and it was all in order.

Vote: Motion (Sullivan/Jose) to approve, passed unanimously.

- Approve Ambulance Abatements for the Month of June, 2017, as submitted by Fire Chief Silvia. Selectman Jose asks Chief Silvia why the discrepancy in figures on the abatements. Chief Silvia explains it is the difference between the contractual prices and the write offs.

Vote: Motion (Sullivan/Jose) in the amount of \$89,571.35, passed unanimously.

- Discuss/Vote to establish a K9 donation account. Selectman Jose explains the Board spoke about this at the April 4th meeting and we wanted to wait until after the Annual Town Meeting. Chief Abbott explains this is an account that needs to be established for K9 donation funds and he has given the information to the Town Accountant and the Board as to what the donation can be used for. Additionally, anyone donating can say specifically what they their donation to go towards, like food only.

Vote: Motion (Sullivan/Jose) to establish a K9 fund as recommended by Chief Abbott.
Passed unanimously.

- Discuss renovation of Station 1 with Fire Chief Gary Silvia and Building Inspector Scott Barbato. Selectman Sullivan asked Chief Silvia to come in because Engine 1 needs to be replaced soon, and he would like to figure out a way to get a new fire engine in the current fire station with the doors being so tight. Chief Silvia said he sees three options: we can have them custom build an engine which would be compact but it will fit, we could raise the height of the doors, or we could lower the floor. Selectman Sullivan asks if we lowered the floor, how much would that help? Chief Silvia said it would help, but the width would still be an issue, saying we've just outgrown the station. Mr. Barbato says any of the options would work; it's just what you want to do. Selectman Jose says we need to have a study done to see what we need and what our best option would be for the Town. Mr. Barbato says we may not get the look you want, but he can get a few masonry people to look at it. Chief Silvia is wondering if we can redo the arches higher. Selectman Jose would like them to come back to them with a few options.
- Request from Angels in America re: Go Gold Ribbons throughout Freetown in support of Kids Fighting Cancer. Angels in America previously hung blue ribbons around Town in support of the Police, and are seeking permission to hang gold ribbons in support of childhood cancer.

Vote: Motion (Sullivan/Jose) to approve the ribbons to be hung around Town in support of Kids Fighting Cancer, passed unanimously.

- Highway Surveyor, Charles Macomber, relative to Chapter 90, Project Request for Crack sealing Various Roads. Selectman Jose asked if this will exhaust our Ch. 90 money. Mr. Macomber explains we have just under \$400,000 and he anticipates he will also be paving Narrow Rd. as well as the south side of S. Main Street.

Motion (Sullivan/Jose) to approve \$36,560.00 for crack sealing various roads including Forge Rd., High St., Cranberry, Howland and Locust, passed unanimously.

- Discuss with Building Inspector Scott Barbato issues at 0 Lark Lane and 2 Buddy's Crossing.

On 0 Lark Lane, Mr. Barbato says this is a legal battle with an existing house on Lark Lane. The house is now gone and a new house is being built, but the debris from the former house/homeowner remains. Mr. Barbato received a complaint about this, and wasn't sure how to proceed. He contacted Town Counsel. The owner of the in-construction home said they would remove it, but Mr. Barbato would like to get an injunction to remove the debris because the former owner's claim is in doubt. Selectman Jose wants to know if there is a health danger now. Mr. Barbato says there's a relationship and it's shown in the past to be the case with absentee land owners, which this is. Mr. Barbato isn't interested in a prolonged legal battle, but the danger is clear because it is a marsh land. DEP has investigated. Selectman Sullivan asks if the current owner has any right to have anything on the property now, as it may be illegal dumping. He suggests a route for this would be to go after illegal dumping. Selectman Sullivan also notes it is under Tax Title now. Mr. Barbato is seeking authorization to work with Atty. Jeff Blake to work on this with Town Counsel. Selectman Jose says the courts were involved in this and the debris was on this person's property and it was moved onto this property. He wants clarification if the court was aware of this. Mr. Barbato says they were and picked and chose which codes were

being met and enforced, which doesn't solve the whole problem. Mr. Barbato wants to ask a Land Court Judge for the right to remove the debris and put a permanent injunction in place to prevent it from happening again. Selectman Jose asks if it is rubbish or property, noting that rubbish falls under the Health code. Mr. Barbato says we need to find out, noting that it changes from time to time. Mr. Barbato reminds the Board that we have a person that is willing to do a clean-up for free.

Vote: Motion (Sullivan/Jose) to send a letter to the Tax Collector/Treasurer Jessica Thomas instructing her to expedite the tax title of 0 Lark Lane through the Board of Assessors, passed unanimously.

Selectman Jose says we don't even know who legally owns the property yet, so pinning down who to bring to court is a challenge, unless we can prove the Health code violations. The Board and Mr. Barbato understand it is private property. Selectman Jose says we need to bring the new Health Agent in on this. Mr. Barbato notes he has spoken to him and he has some experience in the area. Mr. Barbato said this isn't eminent danger situation; it's more a nuisance at this point. Selectman Sullivan says there are also five unregistered cars on the property, noting that we have a by-law for the cars. Selectman Jose says that'd be a good place to start.

On 2 Buddy's Crossing, Mr. Barbato says he had a call about this because there was a garage too close to the street. He wasn't the official when the garage was built, but it is clear by zoning that it needs to be moved now. The issue here is that previous inspectors said detached structures under 400 sq. feet don't need a building permit, but that was changed to 200 sq. feet when Mr. Barbato got here. He understands the owner, Charles Cavallaro, was going to move the detached structure. Mr. Cavallaro is present at the meeting. In the fall of 2014 he went to the building inspector's office. He was told he needed to meet the setbacks plus be less than 400 square feet, with the setbacks being 50' from the front, 10' from the side and 10' from the rear. When he noted he was on a corner lot, he was told it didn't matter, he only had one frontage. Mr. Cavallaro says he explicitly asked if he could build 10' from Jordan Lane, and was told yes. The structure is 12' off Jordan Lane and 396 sq. ft. Mr. Cavallaro says he now feels "screwed", though acknowledges that he doesn't have this in writing. He also understands state code is under 200 sq. feet. Selectman Jose asks if Mr. Barbato has given a ruling in writing yet; Mr. Barbato says he sent a letter requesting the structure to be moved. Mr. Barbato understands the situation, which is why he made a request instead of an order. Selectman Jose asks Mr. Cavallaro if he has thought about going to the Zoning Board of Appeals, as they've had many cases like this. Mr. Cavallaro said he doesn't want to spend all that money and then lose. He says the woman he spoke to read from a book, and Mr. Barbato says the book does indeed say 400 sq. ft. Mr. Cavallaro says what further complicates this is the then building inspector spoke to someone else that he knows that works for the Town and confirmed that this situation was fine, the garage could be exactly where it is. Selectman Jose says the Planning Board, and the ZBA when he was a part of that, does treat the setbacks as Mr. Cavallaro spoke of them, with 1 frontage, from Buddy's Crossing. Mr. Barbato says he doesn't have an issue with Mr. Cavallaro, but if he was presented with this situation for a new building, he'd view it as 2 frontages, because it is two streets. Selectman Jose asks what would happen on a lot with 3 frontages? Selectman Sullivan believes if Mr. Cavallaro is willing to move the structure, it might be the best thing to do. The

Board and Mr. Cavallaro all agree that he should have something in writing. Mr. Barbato says he feels bad about this situation.

- Approve One Day liquor license for Camp Welch on August 19, 2017. This is an annual event at Camp Welch.

Vote: Motion (Sullivan/Jose) to approve the one-day liquor license for August 19th, passed unanimously.

Board of Health:

- Discuss 251A Middleboro Road septic issue with ET Engineering Enterprises. Azu O. C. Etoniru, chief engineer of E.T. Engineering Enterprises, explains the existing house was in the water. They received prior approvals to move the house from the flood zone. In 1991, the Board approved a plan with a variance. Then in 2013, another variance was granted and appealed by a neighbor but was finally approved by the courts. There was now no as-built on record in the Board of Health office. When they went in for approval again, Kevin Bernardo went out to the site and the same neighbor said they only had 10' approval. At that point, Mr. Bernardo wanted test pits done, but now with Mr. Bernardo gone, they would like guidance as to the next step. He already has an inspection port. Selectman Jose asks about the 18" cover and if it has been opened, and if there has been a Title 5 done. Mr. Etoniru says no, that they would have to reintroduce water into it, and he doesn't want to do that. Selectman Sullivan says there are no wells in question. The engineer says this is town water. You are only here for a side set back and a field, Selectman Jose says. Selectman Jose asks what the field is made up of. The engineer says it is made up of chambers. Selectman Jose says the engineer would need a variance for the field to be 8'8" off the side north side for the leaching field. Selectman Sullivan says they are just looking for guidance, not a decision at this time. Selectman Jose explains they will need to work through the Health Agent and file a variance on this and come before the Board at a future meeting.
- Discuss Transfer Station dumpsters and possible approval of purchase of new dumpsters. Selectman Sullivan says Republic won't transport the roll offs anymore and we have taken the initiative to rent them at \$25 per month. We have a 4th roll off that we had replaced. We have a grant to replace one now so that will need to be done. Selectman Sullivan has spoken to Vicki at the Transfer Station, she said we need more roll offs in total of six. They have all been there for 30 years. Selectman Jose asks how many are new. Selectman Sullivan says four are owned and new by us. Selectman Jose says maybe we can repair them. Selectman Sullivan says the cost for a new one is \$4,500, or \$1,500 for a repair. The new one is more cost effective, with a 30 year life span. We will need at least 2 ASAP. Selectman Jose says we should discuss this at the Special Town Meeting, the Health Agent will need to put an article on. Selectman Jose also suggests a layout change to help.

Personnel:

- Reappoint Election workers, as submitted by Town Clerk Jacqueline Brown. Please see attached. Selectman Jose will recuse himself on appointing his mother, Susan Jose, so she will be placed on the next agenda.

Vote: Motion (Sullivan/Jose) to appoint Election workers, as listed with the exception of Susan Jose, passed unanimously.

- Discuss setting up meeting with Town Hall/Library/Highway Department Union. This agenda item will be held until August 21.
- Accept/Sign Change of status resignation for Jordan Costa, as submitted by Charles Macomber, Highway Surveyor.

Vote: Motion (Sullivan/Jose) to accept and sign the change of status for Mr. Costa, passed unanimously.

- Discuss recommendation as well as appoint/sign change of status form for part-time Council of Aging for Senior Clerk Sarah Gilbert, as submitted by Jeannette Tisdelle, COA Chairman.

Vote: Motion (Sullivan/Jose) to appoint Sarah Gilbert as senior clerk and sign the change of status reflecting it, contingent upon passing a CORI report, passed unanimously.

- Discuss recommendation as well as appoint/sign change of status form for two Library Technicians, Chelsea Hester and Brittany Normandin, as submitted by Dorothy Stanley-Ballard, Library Director.

Vote: Motion (Sullivan/Jose) to appoint Chelsea Hester as library technician and sign the change of status reflecting it, contingent upon passing a CORI report, passed unanimously.

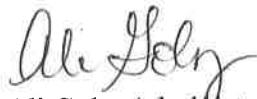
Vote: Motion (Sullivan/Jose) to appoint Brittany Normandin as library technician and sign the change of status reflecting it, contingent upon passing a CORI report, passed unanimously.

New Business:

- Dates for upcoming Board of Selectmen Meetings: Monday August 14th, Monday August 21st, Wednesday August 23rd.

At 7:16pm, motion (Sullivan/Jose) to adjourn, passed unanimously.

Respectfully Submitted,



Ali Golz, Administrative Assistant

List of documents/exhibits used in this meeting, pursuant to M.G.L. c. 30A, § 22(a).

- Software Application Agreement between the Town of Freetown & VADAR Systems, Inc.
- Ambulance Abatements Write Offs, June 2017
- Letter and documentation from Police Chief Carlton Abbott re: Police K-9 Donation Account
- Letter from GoGOLD/Angels in America re: hanging gold ribbons on Town offices
- Chapter 90 Project Request paperwork
- Correspondence from Building Commissioner Scott Barbato to Mr. & Mrs. Cavallaro, 2 Buddys Crossing
- One-Day Liquor License Application for Camp Welch
- E-Mail correspondence from Kevin Bernardo and letter from Mr. Azu O.C. Etoniru, re: 251 Middleboro Rd. septic issue
- Memo from Town Clerk re: appointment of Election Workers
- Election Workers' appointment list from Town Clerk Jacqueline Brown (attached)
- Letter of resignation from Jordan Costa
- Letter of recommendation from Library Trustees re: hiring of Chelsea Hester & Brittany Normandin
- Letter of recommendation from Council on Aging board re: hiring of Sarah Gilbert
- Change of Status Report for Jordan Costa, Sarah Gilbert, Chelsea Hester & Brittany Normandin
- Certificate of Appointment for Chelsea Hester & Brittany Normandin



ANNUAL APPOINTMENT OF ELECTION WORKERS

Term: August 16, 2017- Sept. 1, 2018

Republican

Elizabeth D Ashley -68 Keene Rd, E. Freetown
Kenneth L Bock -137 Bullock Rd, E. Freetown
Lauren Collins- 2 Bayberry Ln, E. Freetown
Judith A Gurney -22 Gurney Rd, E. Freetown
Jennifer Lewis -2 Nottingham Wy, Assonet
Roger Martin -106 Bullock Rd, E. Freetown
Michael T McCue -7 South Hillside St, Assonet
Lorraine Noel- 34 East Howland Rd, P O Box 31, E. Freetown
Christine Paiva- 71 Bullock Rd, E. Freetown
Melony Parris- 26B Gurney Rd, P O Box 299, E. Freetown
Sandra Pettey- 117 Richmond Rd, Assonet
Rhonda Porawski- 120 County Rd, P O Box 602, E. Freetown
Judy A Reese - 10 Manomet St, P O 136, New Bedford
Terry Shaw- 29 Dunham Rd, Assonet

Democrat

Susan Freeman-Aronofsky- 23 Simpson Ln, Assonet
Manuel Arruda Jr- 15 Dean St, Assonet
Travis Bowie- 2 High St, Assonet
Michele Castonguay -83 Bullock Rd, E. Freetown
Nancy P Graca -2 Olivia Ln, E. Freetown
Marjorie Laporte- 86 County Rd, P O Box 126, E. Freetown
Myrna C Lubin -1 Rounsevell Dr, E Freetown
Paul D Lubin -1 Rounsevell Dr, E Freetown
Diane Martin- 106 Bullock Rd, E. Freetown
Edward Orłowski- 69 Dr Braley Rd, E. Freetown
Nancy Roberts - 72 Richmond Rd, Assonet
Grace Rose -5 Howland Rd, Assonet
Patricia Rushton- 37 County Rd, E. Freetown
Susan Simiao-Veloza- 7 Colonial Dr, Assonet
Elizabeth Youngblood - 173 Braley Rd, E Freetown

ELECTION WORKERS
Term: 8/16/17 – 9/1/18

Unenrolled

Arnold C. Boucher- 5 Pierce Way East, E. Freetown
Victoria A Brownell- 218 Slab Bridge Rd, P O Box 212, Assonet
Paula Charette - 123 Richmond Rd, P O Box 734, Assonet
Peter Charland - 45 South Main St, P O Box 215, Assonet
Karen Carling-Chudolij- 4 Betty Spring Rd, E. Freetown
Kenneth Collard- 9 Ashley Ave, E. Freetown
Rochelle Cox - 10 Ashley Ave, E. Freetown
Leo Desorcy- 143 Bullock Rd, E. Freetown
Joy Grunwald -5 Jeffrey Ln, Assonet
Anita Howland- 24 High St, Assonet, MA
Susan Jose- - 26R Elm St, P O Box 794, Assonet, MA
Frank A Lach- 105 Bullock Rd, E. Freetown
Lois Pereira - 22 Slab Bridge Rd, P O Box 848, Assonet
Linda H Remedis- 114 County Rd, PO Box 24, E. Freetown
Grace M. Medeiros - 13 Paul Ave, PO Box 145, E Freetown
Carol Weiner -14 Algonquin Way, E. Freetown

FREETOWN BOARD OF SELECTMEN/PERSONNEL BOARD

Lisa Pacheco, Chairman

Robert Jose

Charles Sullivan

Signed: _____, 2017