



**TOWN OF FREETOWN
BOARD OF SELECTMEN**
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J. Brown

**MINUTES OF
MEETING OF MONDAY, JUNE 4, 2018
FREETOWN ELEMENTARY SCHOOL
43 BULLOCK ROAD, EAST FREETOWN, MA 02717**

5:30 P.M. Call to Order Selectman Robert P. Jose calls the meeting to order at 5:43 P.M. Selectman Charles B. Sullivan and Selectman Lisa A. Pacheco are present. Also present: Town Administrator David DeManche, Town Counsel Mark R. Reich, Town Accountant Kimberley Fales and Administrative Assistant Ali Golz. The meeting is being recorded by FREECAM. Selectman Jose reads the agenda aloud.

5:30 P.M. Presentation of Senate Citation by Senator Michael Rodrigues for retiring Deputy Chief Clifford Cardin years of service.

Senator Rodrigues presents Deputy Chief Cardin with the Senate Citation and for all the sacrifices that he and his family have made. He reads the Citation aloud. The Board presents Deputy Cardin with a letter. Deputy Cardin thanks Chief Silvia as well as the guys and tells the guys to look out for each other.

Weekly Public Discussion – Weekly Public Discussion was held until after the agenda was completed but before the Board enters into executive session. It is presented in these minutes in the posted agenda order.

Mark Rosofsky, 115 Chace Road, asks for clarification about the water line vote tonight. Selectman Jose says the Board has recommended withdrawing the article, but that means a motion will have to be made during the Town Meeting to actually withdraw it. Mr. Rosofsky states that people have taken time out to come to the meeting and he would like to have the vote take place. He apologizes if Selectman Pacheco felt attacked by his questions and comments, but he feels the questions should have been addressed. Gary Mendes, 178 Chace Road, asks what the situation is now, why wouldn't you need it now when we were told it was for safety reasons. He says we are getting mixed signals now. Selectman Jose says this is all discussion for Town Meeting floor. Mr. Mendes wants to know who is reimbursing the Finance Committee for the flyers they made. Selectman Jose says this isn't what Weekly Public Discussion is for. Mr. Rosofsky says he attended all the informational meetings and he doesn't think anyone personally attacked anyone.

Consent Agenda:

Board of Selectmen: Action relative to:

- Discuss Article 4 of the continued Special Town Meeting from March 14, 2018. Selectman Pacheco speaks to the water line project, explaining her vision for it and saying that it was borne out of the Police Sub-Committee Meetings. She believes it is the

right thing to do, but says sometimes that is not enough. She says the message has been marginalized by lies and distorting of facts. The arena for open debate has turned hostile and filled with offensive language. Selectman Pacheco says the most concerning thing about this is that the personal attacks have been targeted against her. She says it was a smear campaign directed towards her, and no one deserves to be treated like this because of political participation, man or woman. She makes a motion to withdraw the article.

VOTE: Motion (Pacheco/Sullivan) to withdraw Article 4 of the Special Town Meeting, passed unanimously.

Selectman Jose wants to know if the Board wants to support a motion to defeat or table the motion, should the motion to withdraw be defeated on Town Meeting floor? The Board agrees that this would be up to the floor at the time.

- Discuss Article 5 of Special Town Meeting at 7:00P.M. The Freetown Water & Sewer Commission (FW&SC) would like this to be pulled. Selectman Jose reads a letter from the FW&SC aloud. This is for the \$650,000 for the filtration site. Selectman Pacheco says this can wait until the fall and we can see what happens.

VOTE: Motion (Sullivan/Pacheco) to withdraw this article and wait until the fall, passed unanimously.

- Discuss Article 11 and Article 12 of the Annual Town Meeting at 7:30pm. Selectman Jose says the Town Accountant has asked about the funding sources for Articles 11 and 12; Ms. Fales said Article 11 should come out of the Water/Sewer Enterprise Fund, and Article 12 should come out of Capital Stabilization.

On Article 11, which is \$32,900 for a Sewer Feasibility study, Selectman Jose says he sees this as a benefit for the Town, not just the water customers. Selectman Pacheco agrees, and notes that this will only cost the Town around \$3,000 after getting money back from the state. She explains that this would help to further along future development for the town. Selectman Sullivan has no problem with this being from taxation as well. Because the Board is making no change, no vote is necessary.

On Article 12, which is the purchase of land next to the Fire Station, Selectman Sullivan confirms with Ms. Fales that money in excess tax levy is available. Selectman Jose says Ms. Fales's concern is that with contracts being finalized for the fall, the more money in excess levy the better, these were both articles she found that could be taken from elsewhere. Selectman Pacheco says this is a Capital project, so she agrees, but she doesn't care either way. Atty. Reich says the Warrant is misprinted, a 2/3 vote would be required regardless of which funding source was selected.

VOTE: Motion (Pacheco/Sullivan) to take from Cap Stabilization, passed unanimously.

- Approve Board of Selectmen's Minutes from May 21 & May 24, 2018.

VOTE: Motion (Pacheco/Sullivan) to approve, passed unanimously.

- Approve Chapter 90 Request for resurfacing of Forge Road and Locust Street. Highway Surveyor Charles Macomber joins the meeting to confirm the dollar amounts.

VOTE: Motion (Sullivan/Pacheco) to approve chip sealing for Forge Rd in the amount of \$53,893.70, and to approve chip sealing for Locust Street \$74,862.00, passed unanimously.

- Award FY19 Roadway Materials and Services for the Highway Department. Mr. Macomber reads the bids being awarded, which were all low bids in each category.

Winter Sand – G. Lopes Construction, Inc. - \$15.93 per ton
Highway Salt – Eastern Minerals, Inc. - \$55.65 per ton
Road Striping – Hi-Way Safety Systems, Inc. - \$0.043 per linear foot
Crack-Sealing – Sealcoating, Inc. - \$8.13 per gallon
Bituminous Concrete, at plant – P.J. Keating Company - \$64.60 per ton
Bituminous Concrete, in-place – P.J. Keating Company - \$74.50 per ton
Cold Planing – P.J. Keating Company - \$2.10 per ton
Stone Seals, single – All States Asphalt, Inc. - \$2.20 per square yard
Stone Seals, double – All States Asphalt, Inc. - \$4.22 per square yard
Stone Seals, 20% rubber – All States Asphalt, Inc. - \$4.75 per square yard
Stone Seals, shimming – All States Asphalt, Inc. - \$136.00 per ton

VOTE: Motion (Pacheco/Sullivan) to approve as recommended by Highway Surveyor, passed unanimously.

Board of Health:

Personnel Board:

- Sign Chief Abbott's employment contract. Selectman Pacheco says it is the same contract as previously discussed, with a two changes. The changes have been written into the contract provided to the Board for tonight's vote.

VOTE: Motion (Jose/Pacheco) to endorse as amended, passed unanimously.

- Appoint Robin Kendrick to Counsel on Aging Board, as recommended by Council on Aging Board.

VOTE: Motion (Pacheco/Jose) to appoint Robin Kendrick to COA Board, passed unanimously.

- Accept Michael Motta's letter of resignation for Library Planning Committee. Selectman Sullivan reads Mr. Motta's letter to the Town Clerk aloud.

VOTE: Motion (Pacheco/Jose) to accept letter of resignation, passed unanimously.

New Business:

- Dates for upcoming Board of Selectmen Meetings: Monday June 18th, Monday July 16th, Monday August 6th, Monday August 20th.

Executive Session:

At 6:03pm, motion (Sullivan/Jose) to enter into Executive Session, under the following exemptions, and return back to open session following. Roll Call Chairman Robert P. Jose, Selectman Charles B. Sullivan, Selectman Lisa A. Pacheco. All voted in the affirmative when polled. The Board will do We Care first and Excel. As Selectman Sullivan has recused himself from all matters regarding Excel Recycling, he will exit Executive Session after We Care is discussed.

M.G.L. c. 30A, sec. 21(a)(3) - to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares – We Care

M.G.L. c. 30A, sec. 21(a)(3) - to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares – Excel Recycling, LLC vs. Town of Freetown

At 6:33pm, motion (Pacheco/Jose) to exit executive session to open session and recess the meeting to the close of the Annual Town Meeting. Roll Call Chairman Robert P. Jose, Selectman Lisa A. Pacheco. All voted in the affirmative when polled.

At 8:00pm, motion (Pacheco/Sullivan) 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).

- Excerpt of Special Town Meeting (STM) warrant, with Article 5 highlighted.
- Letter from Freetown Water & Sewer Commission re: Article 5 of STM
- Excerpt of Annual Town Meeting (ATM) warrant, with Articles 11 and 12 highlighted.
- Draft minutes from Board of Selectmen meetings of May 21st and 24th, 2018
- Chapter 90 Project Request forms for Forge Road and Locust Street
- Letter from Highway Surveyor Charles Macomber regarding Roadway Materials and Services bids
- Letter from Council on Aging Board Chairman Jeanette Tisdelle re: R. Kendrick's appointment
- Draft Appointment slip for R. Kendrick
- Letter of resignation from Michael Motta