



**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**

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**MINUTES  
MEETING OF MONDAY, DECEMBER 4, 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 6:00 p.m. Also present are Selectman Robert P. Jose, Selectman Charles B. Sullivan, Town Administrator David DeManche and Administrative Assistant Alexandra Golz. The meeting is being recorded by Mrs. Golz and FREECAM. Selectman Pacheco leads the Pledge of Allegiance and reads the agenda aloud.

Selectman Pacheco thanks the Cultural Council for the Christmas Tree Lighting last night.

**6:00 P.M. Board of Health Variance – 94 Richmond Rd.**

Selectman Sullivan opens the hearing. Darren Michaelis from Foresight Engineering and Health Agent Derek Macedo are present. He says no green cards are required. He is asking for three variances:

1. Inlets and outlets, 12" to groundwater
2. Allowance for a sieve analysis, as they were not able to do a perc test. There are no wells within 100'.
3. A reduction from 5' to 4' to water table for the leeching field.

Selectman Pacheco asks if there will be any conditions on this, Mr. Michaelis says there are not. There is a 3-bedroom deed restriction in place. Mr. Macedo recommends this variance. Selectman Sullivan opens the hearing to public comment. Hearing none, Selectman Sullivan closes the public hearing.

**VOTE:** Motion (Jose/Pacheco) to grant the variances as noted with a deed restriction of 3 bedrooms. Passed unanimously.

**6:10 P.M. Board of Health Variance – 41 Flagg Swamp Rd.**

Selectman Sullivan opens the public hearing. Steve Gilbert from SFG Engineering is present. Mr. Gilbert explains there is only 1 area for a septic system on the property, but by putting it there, it is close to the wetlands. They don't have any choice. The deed restriction is for 4 bedrooms. Mr. Gilbert is asking for 2 variances:

1. To allow the septic system/leeching area to be less than 100' from wetlands (to 51').
2. To allow the septic tanks to be less than 100' from wetlands (to 84')

Anticipating the Board's requests, Mr. Gilbert has added a deed restriction to four bedrooms. Selectman Jose thanks him for that, saying that is pretty much standard for the variances before the Board. Selectman Jose goes over the plans with Mr. Gilbert. Selection Sullivan opens the hearing to the public for input. Hearing none, Selectman Sullivan closes the hearing. The Board has no further questions for Mr. Gilbert.

VOTE: Motion (Jose/Pacheco) to allow the variances with the distances noted on the plan, with the noted deed restriction of 4 bedrooms. Passed unanimously.

### **Weekly Public Discussion**

Steve Tripp, 4 Alexandra Drive, wants to know who will be sweeping Ridge Hill Rd. for debris from Excel Recycling. Mr. DeManche will follow up on this.

Fatima Soares, business owner of F&F Auto, asks about a transfer of his Class II license. Mrs. Golz explains it would have to be a new license, complete with a Public Hearing.

### **Consent Agenda:**

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

- Renewal 2017 Class II License for Main Street Auto. Selectman Jose says last year there was an issue with taxes, and the Board renewed the license contingent on paying that, if they even renewed it at all. Selectman Sullivan notes this is his 2017 license. Selectman Pacheco says from what she understands, the owner is entering into a payment agreement on taxes, and only owes current taxes now. Selectman Jose would want to renew with contingent on the same thing as last year.

ORIGINAL MOTION: Motion (Sullivan/Jose) to approve the license for 2017, once the taxes are under a payment plan. This motion was amended after a brief discussion.

Selectman Sullivan wants to set a deadline of June 30, 2018 for the payment plan.

AMENDMENT: Motion (Jose/Sullivan) to add Selectman Sullivan's stipulation of a June 30, 2018 deadline. Passed unanimously.

VOTE: Motion (Sullivan/Jose) to approve the license for 2017, once the taxes are under a payment plan, with a deadline of June 30, 2018. Passed unanimously.

- Annual renewal of liquor and other licenses issued by the Board of Selectmen:
  - All Alcohol Package Store:  
Assonet Star Market, Inc.; Circle K; K&E. Liquors, Inc.
  - All Alcohol Veterans Club:  
Freetown Memorial Post #6643, VFW
  - All Alcohol Restaurant:  
Independence Harbor, Inc.; The Nephew's Italian American Kitchen, Inc.
  - Wine & Malt Package Store:  
Grandpa's Place, Inc.; Prime Express

- Entertainment License:  
Independence Harbor, Inc.; The Nephew's Italian American Kitchen, Inc.; Freetown Memorial Post #6643, VFW.
- Jukebox Licenses:  
Freetown Memorial Post #6643, VFW.
- Automatic Devices:  
Freetown Memorial Post #6643, VFW.

VOTE: Motion (Sullivan/Jose) to issue these licenses, with the same stipulation as above, passed unanimously.

- Annual renewal of Class II and Class III Motor Vehicle License and other licenses by the Board of Selectmen:

- Class II Motor Vehicle Licenses:  
Clermont's Auto Sales; J.M. Auto Sales; Chipaway Auto Sales; John's Auto Body & Sales; F&F Auto Sales; Evolution Auto Sales; Bob's Motor Works; C.J. Auto Sales; Miller's Auto Sales; Ray's Garage; Herb's Auto Body, Repair & Sales; Boehler's Garage; P.J.'s Tire Inc.; San-Man Auto Sales; DPF Enterprises; Euro Classics; Choppahead Kustom Cycles; Basic Used Cars, Trucks & Equipment; Nathan's Garage.

VOTE: Motion (Jose/Sullivan) to accept and renew the listed licenses, passed unanimously.

- Class III Motor Vehicle Licenses:  
J&T Auto Salvage; Westgate Auto; Home Town Automotive; Bugs Stevens' Freetown Auto; Millis Industries Inc; Big Wheels Truck Sales, Inc.; East Freetown Auto Salvage, LLC; C.S.A Auto Parts; D.M.Auto Enterprises.

VOTE: Motion (Sullivan/Jose) to issue for class III, as listed, passed unanimously.

- Graveyard License:  
Millis Industries Inc.

VOTE: Motion (Jose/Sullivan) to renew, passed unanimously.

- Auctioneer License:  
J&T Auto Salvage.

VOTE: Motion (Sullivan/Jose) to renew, passed unanimously.

- Discuss Special Election options for marijuana retail sales.
  - Selectman Pacheco asks for an update on this from Mr. DeManche. He says the Town Clerk would need 35 days notice to issue an election. Selectman Jose says we held this over at the last meeting because of the Police Station Sub-Committee. Selectman Pacheco says should

we wait to have another PSC meeting. Selectman Jose says we should look at a drop dead date. Selectman Pacheco will be having a meeting with Pomroy to go over the time line, but we keep pushing things out and we are behind schedule. Selectman Jose thinks we should have a tentative date of March 1<sup>st</sup>. Selectman Pacheco thinks this should be 2 separate elections, and that we should make a date for the marijuana issue now. Selectman Sullivan asks about the state forest land, what the deadline is for them? Mr. DeManche says the state said March 1 initially, now says March 31<sup>st</sup>, but he is still waiting for a letter from them. Mr. DeManche says there are other things that could be on there. Selectman Jose doesn't think we need to set a date tonight. Selectman Pacheco says she will have a better idea after her meeting. Selectman Jose wants to make sure that everything is all set with the Attorney General. He suggests maybe we should seek Town Counsel's opinion. This will be held until the meeting after the new year.

- Approve/Sign Road Opening Permit for 93 South Main Street submitted by Eversource.

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

- Charge the Cable Advisory Committee. Mr. DeManche explains he framed out some ideas that he thinks the committee should be geared towards. He would be happy to sit with them and explain it to them. Selectman Jose says Comcast is supposed to provide 3 channels: public access, government access and educational access; Mr. DeManche believes that is correct. The Board agrees with the charge provided by Mr. DeManche.
- Discuss Town Christmas Party and closure of Town offices for Christmas. As in years past, the Town Hall is looking to close early one day in December for its holiday party.

VOTE: Motion (Jose/Sullivan) to approve early closure on December 19<sup>th</sup> at 1pm, passed unanimously.

- Approve Minutes of Board of Selectmen's meeting of November 20, 2017.

VOTE: Motion (Jose/Sullivan) to approve as read. Pacheco abstains.

- Town Administrator's Report.
  - Mr. DeManche has been working toward a resolution for a dog complaint. He believes it will work out, as they left the meeting shaking hands. He will be meeting with another party, that is completely separate, and hopes for the same outcome.
  - VADAR Cloud Implementation – Senior Clerk Timm McIntosh has installed the required software. Mr. DeManche believes it will be working properly.
  - Heating Issues – we have had 2 recent heating issues, one with the Fire Department and one with the library. The fire department has received a DCAM waiver and we are having a bid meeting Wednesday. Mr. DeManche has contacted MIIA regarding a boiler replacement, but if they do not, we will need to figure out where that money will be

coming from. At the White Library, it is believed the heat issue was with the fuel that was delivered. Library Director Dorothy Stanley-Ballard says Wilkinson has been great in the past.

- We had our first finance team meeting. We spoke about OPEB, budgets, sales of surplus property as well as having an investment advisory service. That service will come in and make a presentation to us. The team is also talking about raising the purchase order threshold, but we need to address the purchase order process first.
- The next department head meeting is scheduled for December 12, and budget material will be distributed. Departments will be requested to submit level funded budgets, and to explain any requests beyond level funding. Mr. DeManche will meet with all the department heads prior to the meeting with Board of Selectmen and the Finance Committee. He will be giving the Finance Committee the budget for review once it is compiled.
- Mr. DeManche has received an offer from Paula Charette to help with an IT grant. This would be for regionalization of IT services, as named in the Community Compact Agreement. Selectman Pacheco says this is a great time to look at this.
- The S. Main Street bridge project meeting is scheduled for December 18 to determine to when the work will be started. We are looking at a spring commencement. The aim is also to get an agreement with the parties for access of the land.
- We have received an administrative consent order from the Water Department, and they are asking that the Board sign off on it. The Water and Sewer Commissioners don't want to bind the town. Selectman Pacheco says this is technically between DEP and the Water Commissioners, but it needs to be a joint sign off. Mr. DeManche says the Commissioners don't want to sign off on the penalty funds that they won't pay. Selectman Pacheco asks where the penalties come from, the general fund or the water or sewer enterprise funds? Selectman Sullivan sees their point as the Board is the ultimate signing authority on contracts.
- Finally, Fred Baker will be retiring from the School District, and Mr. DeManche would like to send a letter. The Board agrees.

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

Selectman Jose and Selectman Pacheco want 137 Chipaway to be checked on by Mr. Macedo.

#### **Personnel Board:**

- Approve Change of Status for Dorothy Stanley-Ballard as Library Director, effective December 10, 2017.

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

- Discuss letter send by Library Director Dorothy Stanley-Ballard regarding increase of library technician's hours. Ms. Stanley-Ballard says the library currently has a 10-hour position vacant, but she doesn't want to go through the interview process, as a 4<sup>th</sup> person isn't necessary at this time. She would instead like to raise the hours of the two new hires, Chelsea Hester and Brittany Normandin, from 25 hours to 30 hours each.

VOTE: Motion (Pacheco/Sullivan) to increase the hours for both employees by 5 hours, passed unanimously.

**New Business:**

- Selectman Pacheco says she received a call from Ray Lavey today, and would like to know where that stands. Selectman Jose says Mr. Lavey wants to change the Host agreement to allow for retail sale. Selectman Pacheco says it has been changed by him, do you want him to send it in for review and then have him come in at a later time for a presentation? The Board agrees with this. Selectman Jose wants to know during that time how close he will be to opening.
- Dates for upcoming Board of Selectmen Meetings: Monday, December 18<sup>th</sup>, Tuesday, January 2<sup>nd</sup>, Tuesday, January 16<sup>th</sup>.

Motion (Jose/Sullivan) to adjourn at 6:55p.m, 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).

- Application for Board of Health Variance for 94 Richmond Road.
- Application for Board of Health Variance for 41 Flagg Swamp Road.
- Letter from Administrative Assistant Ali Golz re: license renewals.
- Draft licenses for all businesses noted above.
- Street & Sidewalk Opening Permit application for 93 South Main Street.
- Draft Charge for Cable Advisory Committee.
- Letter from Administrative Assistant Ali Golz re: Town Christmas Party.
- Draft Board of Selectmen's Meeting Minutes from meeting on November 20, 2017
- Change of Status Report form for D. Stanley-Ballard
- E-mail from D. Stanley-Ballard re: extending hours of B. Normandin & C. Hester