



**TOWN OF FREETOWN
BOARD OF SELECTMEN
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MINUTES**

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Jd Brown

**MEETING OF MONDAY, FEBRUARY 5, 2018
COUNCIL ON AGING
227 CHACE RD, EAST FREETOWN, MA 02717**

6:30 P.M. Call to Order Chairman Pacheco calls the meeting to order at 6:45pm, as the preceeding Police Sub-Committee meeting ran late. Also present is Selectman Robert P. Jose, Town Administrator David DeManche and Administrative Assistant Ali Golz. Selectman Charles B. Sullivan is absent from the meeting. The meeting is being recorded by Mrs. Golz and by FREECAM.

Weekly Public Discussion

Mr. Steve Tripp, 4 Alexandra Drive – Mr. Tripp would like to know if the drain will ever be fixed at the bottom of Nottingham way. Selectman Jose would like a letter to be sent to Highway Surveyor Charles Macomber asking that this be fixed. Selectman Pacheco said if Mr. Macomber can't take care of this, then maybe this can be processed through the upcoming sewer project. Mr. Tripp would like to know about the testing done by the Department of Environmental Protection at Excel the other day and when they will have the results. The Board says that there are no results yet, but it should be within a few weeks. Selectman Pacheco says as soon as we can release the information we will. Counsel said hopefully tomorrow.

Consent Agenda:

Board of Selectmen: Action relative to:

- Discussion on proposed renovation of Bristol County Agricultural High School. Mr. DeManche explains the Bristol County Advisory Board will have a second vote on February 8 for the renovation project. He speaks to a tour of the facility he went on. The cost of the project is at \$103M, with \$53M of that borrowed; the rest would come from the Department of Education. They anticipate that the student population will increase, so the debt will go down. Freetown has 10 students currently at Bristol Aggie. The Advisory Board chose this option from a number of them in a feasibility study. The finished project would have 193,000 square feet, which represents 100,000 square feet of new construction, the rest renovated. The Board needs to give Selectman Jose direction on how he should vote on February 8. Selectman Pacheco thinks they are giving us a fluctuating number. Both Selectman Pacheco and Jose wonder if we actually have 10 students or we have to pay for 10 students. Selectman Jose notes if they don't end up getting the full 49% refunded from the state, then the towns have to foot the bill. Selectman Pacheco hasn't seen that but she would like to know the answer to that. Mr. DeManche says there was a 61% optimal rate. Selectman Pacheco asks what the borrowing rate is they are using, Mr. DeManche said 2%. The Board agrees that we won't get 2%. Selectman Pacheco says we don't fund the schools we have to the full amount now, and there are a lot of unanswered questions.

VOTE: Motion (Jose/Pacheco) because of the cost structure and not knowing about the reimbursement from the state they are opposed to this at this time now, passed unanimously.

- Discuss LakeCam and MCCAM agreements and possible renewal. Mr. DeManche says according to LakeCAM, the real cost is \$35,000/year. They have framed this out in a proposal for us. Mr. DeManche thinks that LakeCAM's option 1 would be the most feasible: we would share the server cost plus \$16,000 of the year, plus production costs; on the government side, we would have our own subcontractors for the meetings but they would air it for us. This cost would be \$35,000/year in total, for 5 years. Mr. DeManche notes we cannot enter into a contract for more than 3 years without Town Meeting approval. We would have to notice Middleboro that we will no longer be using their services. He doesn't know of any other option. He would like to see us do something with the studio for other programming. Selectman Pacheco thinks this is ridiculous and she wants to know when they need to know by. This will be revisited at the next meeting. Selectman Jose wants to know what the other options are, in addition to options outside of LakeCAM. Selectman Pacheco says we may want to do another option.
- Revote to determine final language for the ballot question. Selectman Pacheco notes Town Counsel initially had the Article numbers mixed up on ballot question wording previously voted on.

VOTE: Motion (Jose/Pacheco) to insert in the language that currently exists "Article 31" under the General By-Laws and, under the Zoning By-Laws, change the "11.34 Marijuana Establishments" to "11.35 Marijuana Establishments". Passed unanimously.

- Discuss Department of Conservation and Recreation – Chace Road Project and potential approval of date and time for Special Town Meeting. Selectman Jose says this hasn't changed, beyond getting a better price. Mr. DeManche says that DCR still wants the Town to do the clean-up of smaller items as needed. They did walk the land to look for obvious signs of possible contamination, but didn't see anything. He would like to see if the Board would insert certain language, requesting a hold harmless agreement should they find any contamination on the property. He reads an example of such language that he wrote, he would want Town Counsel to approve the language. Mr. DeManche goes over the benefits this Article provides, if it were to pass. There would also be two procedural articles to rescind the prior vote on this land and to transfer land to the Conservation Commission. Selectman Jose says he'd want language to indemnify the Town as well.

VOTE: Motion (Jose/Pacheco) to include the language as noted by David with review of TC and to strike line 2 about environmental contamination so it would be on the state to clean up any environmental contamination found

The Board looks over the date options laid out for them by Mrs. Golz, selecting the March 14th option. This would mean the Warrant would be posted by February 28th. Mr. DeManche suggests opening and closing the warrant at the Board's meeting on February 20th.

VOTE: Motion (Jose/Pacheco) to hold the Special Town Meeting on Wednesday, March 14th at 7pm at that Freetown Elementary School. Passed unanimously.

Selectman Pacheco says the Warrant should include the DCR articles discussed, the free cash article that was passed over at the last Special Town Meeting and a water line article. Selectman Jose says Capital Stabilization should be addressed as well.

- Approve Board of Selectmen minutes for January 16, 23 (9am), 23 (10:15am) & 26, 2018.

VOTE: Motion (Jose/Pacheco) to approve as read. Passed unanimously.

- Discuss declaring surplus property. Mr. DeManche has supplied a list of vehicles that should be declared surplus. He says there needs to be a notice posted two weeks prior to either do this by sealed bids or by auction, but the Board needs to declare this as surplus first. This would create revenue for the Town and also clear the lot at the Highway Department.

VOTE: Motion (Jose/Pacheco) to declare the property as surplus. Passed unanimously.

- Approve Senior Work off Program participants, as submitted by Council on Aging Director Barbara LaFleur.

VOTE: Motion (Jose/Pacheco) to approve. Passed unanimously.

- Approve/Sign Vadar (accounting software) Cloud Contract. Selectman Pacheco says this was approved at Town Meeting, this is to sign the actual contract

VOTE: Motion (Jose/Pacheco) to approve and sign. Passed unanimously.

- Sign Mattress Grant contract, as submitted by Board of Health Agent Derek Macedo. Selectman Jose says this is a renewal of the same contract we've had.

VOTE: Motion (Jose/Pacheco) to sign. Passed unanimously.

- Sign Container Contract for the Transfer Station, as submitted by Board of Health Agent Derek Macedo. Selectman Jose says \$14,000 was appropriated at Town Meeting, the lowest bid came back at \$12,300 to Nemco LLC.

VOTE: Motion (Jose/Pacheco) to award the bid of \$12,300 to Nemco LLC and sign the contract. Passed unanimously.

- Approve Ambulance Abatements for the month of December 2017.

VOTE: Motion (Jose/Pacheco) to approve in the amount of \$116,515.52. Passed unanimously.

- Approve/signing of 12th Annual Patriot Half Triathlon for June 16, 2018 through town.

VOTE: Motion (Jose/Pacheco) to approve. Passed unanimously.

- Approve/signing of 17th Annual Cranberry Trifest for August 25 & 26, 2018 through town.

VOTE: Motion (Jose/Pacheco) to approve. Passed unanimously.

- Approve/signing of 3rd Annual “Tour de Crème” for May 20, 2018 through town.

VOTE: Motion (Jose/Pacheco) to approve. Passed unanimously.

- Town Administrator’s Report.
 - Mr. DeManche is giving the Board members their budget books tonight. He will be making the budget presentation to the Board, and the Department heads will be present to answer questions if need be. The Board would want to see anyone that has a huge increase.
 - Mr. DeManche is working on the street light plan – he has contacted Real Energy, who are putting together a proposal to convert what we have. He is also trying to see if internally would be cheaper, and is working with a contact from Plymouth. LED lights are a much better option and we don’t have those now.
 - On Freetown Screw, Mr. DeManche has met with Tracey Costa and she said the wet lands needs to be delineated. We would need both pieces of land or this project won’t work financially.
 - Mr. DeManche’s second of three procurement training courses is March 14-16, and there is an MMA seminar on performance reviews on March 22 that he will be attending. Dates for the next Department Head (Feb 13) and Financial Team meeting (2/21) have also been set.
 - Harpers Payroll company personnel came in to give a presentation on a module that complements our existing payroll system. Mr. DeManche says the system is inexpensive, around \$200/month, and believes this will solve a lot of personnel issues we have, including the comp time issue. On that issue, Mr. DeManche has come up with some recommendations, with input from Mrs. Golz, that will likely end up as a bargaining thing later on.
 - At Town Hall, new toilets have been installed, as well as repairs to the floor in the women’s room. A new sink for the women’s room is also coming soon. These new fixtures are all ADA compliant.
 - Finally, Mr. DeManche has started work on an IT plan. He is gathering info on this and would like to apply this for a grant next year.

- Discuss dates to meet with Unions to renegotiate contracts. Selectman Jose has reached out to the unions, asking them to submit letters to start this process. He notes that we've heard from the National Laborers, which covers the Town Hall Union and the Dispatchers, and have had to reschedule the start of the Police negotiations already. Mrs. Golz says they received a letter from the Fire union today. Selectman Jose asks Mrs. Golz to send the dates out to figure something out.

Board of Health:**Personnel Board:**

- Approve Change of Status for James Gonneville, as submitted by Fire Chief Gary Silvia, effective February 1, 2018. This is a rehire to make Mr. Gonneville a call firefighter.

VOTE: Motion (Pacheco/Jose) to approve. Passed unanimously.

- Approve Change of Status for Steven Chandler, as submitted by the Water Department, effective February 16, 2018. This is a length of service increase.

VOTE: Motion (Pacheco/Jose) to approve. Passed unanimously.

New Business:

- Dates for upcoming Board of Selectmen Meetings: Tuesday February 20th, Monday March 5th, Monday March 19th, Tuesday April 3rd, Tuesday April 17th, Monday May 7th, Monday May 21st, Annual/Special Town Meeting Monday June 4th, Monday June 18th, Monday July 2nd, Monday July 16th, Monday August 6th, Monday August 27th.

Executive Session:

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

- M.G.L. c. 30A, sec. 21(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. Lisa Pacheco, Robert Jose, and Charles Sullivan Individually and as Members of the Freetown Select Board, CA No. 1773CV00612.
- M.G.L. c.30A, Sec. 21(a)(3) To discuss strategy with respect to collective bargaining with the Educators' Association of Freetown and Lakeville, if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares.

At 8:07pm, motion (Jose/Pacheco) to adjourn from executive session. Roll call Chairman Lisa A. Pacheco and Selectman Robert P. Jose. All voted in the affirmative when polled.

Respectfully submitted,



Ali Golz, Administrative Assistant

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

- Ledger information for Town's Cable Access Account
- Draft Absentee Ballot question showing incorrect ballot question language
- Draft Absentee Ballot question showing ballot question language corrections
- Letter from Massachusetts Department of Conservation & Recreation re: Parcels 240-4 and 240-5 on Chace Road
- Letter from Administrative Assistant Ali Golz regarding scheduling for Annual Town Meeting and prospective articles required
- Draft minutes, Board of Selectmen's meetings of January 16th, January 23rd (9am & 10:15am), and January 26th, 2018
- List of Surplus Equipment, provided by Town Accountant Kim Fales
- List of Senior Work Program participants, as submitted by Barbara Lafleur, Director Freetown Council on Aging
- Draft Application Services Provision Agreement for VADAR Cloud Service
- Massachusetts Standard Contract Form paperwork for mattress grant contract
- Draft agreement between the Town of Freetown and Nemco LLC for transfer station container repairs
- Ambulance Abatements Write Offs letter for December 2017
- Letter from Mark Walter re: Patriot Half Triathlon & Cranberry Trifest, with maps
- Draft Event Notification Form for Patriot Half Triathlon & Cranberry Trifest
- Letter from Marc Anderson re: Tour de Crème, with map
- Draft Event Notification Form for Tour de Crème
- Letter from Massachusetts & Northern New England Laborers' District Council re: Notice of Intent to Renegotiate, on behalf of the Freetown 911 Dispatchers and the Freetown Clerical/DPW unions
- Change of Status Reports for J. Gonneville & S. Chandler