



**TOWN OF FREETOWN
BOARD OF SELECTMEN**
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2018 JUN -7 AM 10:37

Ja Brown

**MINUTES OF MEETING OF MONDAY, MAY 21, 2018
COUNCIL ON AGING
227 CHACE RD, EAST FREETOWN, MA 02717**

6:00 P.M. Call to Order – Selectman Robert P. Jose calls the meeting to order at 6:07P.M. Selectman Charles B. Sullivan and Selectman Lisa A. Pacheco are present. Also present: Town Administrator David DeManche and Administrative Assistant Ali Golz. The meeting is being recorded by FREECAM. Selectman Jose reads the agenda aloud.

6:00 P.M. Marie's Way, Mark's Lane, John Phillip Drive, Christopher Drive and Brewster Drive. – Vote on intention to layout the way and place as an Article on the Warrant.

Selectmen Jose reads the public notice and a letter from the Planning Board aloud, dated 5/7/2018. The Letter says all issues have been resolved and this should be placed on an upcoming Warrant.

Ruth Card, 9 Brewster Dr – Ms. Card submits pictures of trees that the developer planted, the trees are sticks. She says they are an eyesore. She came to town in 2014 and spoke with Mr. Endrunas and nothing has been done about them. She would like the developer to change the trees before the roads are accepted as they aren't healthy. She would think there is something in bond still. Selectman Jose doesn't think there is anything in bond anymore, but this is a Planning Board issue, they would need to look into if there were waivers etc. Ms. Card says the subdivision control law says they have to be in good health until they accept the subdivision per the planning board. Selectman Jose explains that we recommend this to the town to accept it as a public way and that the Planning Board has given us a letter, we don't know when the Planning Board has accepted it, it may have been accepted by then. Selectman Jose says she should reach out to the chair and he can call a meeting if he feels necessary.

VOTE: Motion (Pacheco/Sullivan) to send a letter to the developer requesting them to look at the trees and why they are in bad condition and what the outcome resolution on that will be, passed unanimously.

VOTE: Motion (Pacheco/Sullivan) to accept the roadways and place on the warrant, passed unanimously.

6:00 P.M. Vote on FY19 Omnibus Budget

Town Accountant Kimberley Fales is present. The Board goes through the omnibus budget as it stands from previous discussions, placing holds on line items where they feel more discussion is necessary. Budgets not held will be considered recommended.

Town Administrator Budget – Mr. DeManche explains that he wants \$25,000 for engineering services for unforeseen expenses, this would be for consulting. Selectman Pacheco doesn't know where this is coming from. Selectman Pacheco thinks that unless we have a plan, this would be an unforeseen budget request, and that is when you go for it. She cautions everyone on continuing to raise the budget, since we are still negotiating contracts, so it's going to go up as it is. Selectman Sullivan says this isn't unforeseen because we are contemplating it already. Selectman Pacheco says she knows what this is, but asks if this fund will be used for everything, this is why we have a town administrator and other qualified people. Selectman Sullivan says it will be a vote of this Board to spend this money. Selectman Jose thinks it is prudent to carry the money along; if you don't want to carry it here, we can somewhere else where it's more clearly defined. Selectman Pacheco says you had a position in here that you pulled out. She doesn't think this takes care of the problem.

VOTE: Motion (Sullivan/Jose) to keep the \$25,000 in the expense line, motion carries 2-1 with Selectman Pacheco opposed.

Finance Committee Budget – Selectman Sullivan wants this level funded, as we are making an effort to get the word out. In addition, there is a warrant article that serves this purpose. Selectman Pacheco agrees. The expenses would go from \$2,000 to \$800.

VOTE: Motion (Sullivan/Pacheco) to level fund this budget to last year's figure of \$1,500, passed unanimously.

Police Budget – Selectman Pacheco spoke with Chief Abbott and she said he reduced his budget, which the Board and Ms. Fales have now. She reads through the reductions Chief Abbott gave, including assorted training stipends. Selectman Jose doesn't think it is a good idea to take the training stipends for a perspective in-house candidate for a new Chief. He says if Chief Abbott decides to retire, doing this would eliminate any possibility of in-house replacement. Selectman Sullivan agrees that this should be kept. Selectman Jose says he's fine with it if Chief requested it. Selectman Pacheco says we can add the \$2,250 for the Chief training back in. This would make that line \$11,850, bringing the total request to \$2,001,961.03

VOTE: Motion (Sullivan/Pacheco) to approve that budget at \$2,001,961.03, passed unanimously.

Communications Center Budget – In Selectman Pacheco's conversation with Chief Abbott, he said we can use the grant like we used to. She does admit that is hearsay however. She says we can leave it along and talk to him, and lower it on Town Meeting floor if needed. Selectman Sullivan says most of the 911 Grant is used for purchases, and you can supplement for support and training. This year, he has used this for salary.

VOTE: Motion (Sullivan/Pacheco) to leave the budget as requested, passed unanimously.

According to Ms. Fales, the total for public safety is now at \$3,673,576.12.

School District Budget – Selectman Sullivan mistakenly held this budget. The comment on the request answers his question.

VOTE: Motion (Sullivan/Jose) to approve \$25,929.00 for the Freetown Lakeville Regional School District truck, motion carries 2-0 with Selectman Pacheco abstaining.

Highway Department – Selectman Pacheco notes the Board recommended a different amount for the salary of the Highway Surveyor, a 2% raise instead of a 3% raise, so the budget line item needs to be adjusted. This would bring the personnel line item to \$392,720.75, and the total to \$481,210.75.

VOTE: Motion(Sullivan/Pacheco) to approve at \$481,210.75, passed unanimously.

Trash & Recycling – Selectman Jose notes there may be an increase in the recycling budget, given the recent troubles. There's likely to be an increase, do we want to deal with it now or in the fall? Selectman Pacheco asks if we have a number. Health Agent Derek Macedo says we are looking at a minimum of \$100/ton, it could be up to \$150/ton. We were at \$30/ton, but it's since jumped to \$100/ton. Mr. Macedo says the market is completely out of whack right now and everyone is scrambling. He says we are lucky because we generate only about 10 tons a week, which isn't a huge amount by comparison. Other towns are in a much worse situation. He doesn't foresee any impact on service for the residents at this time. Selectman Pacheco says we don't have a number just yet. The Board opts to hold until the fall to fix the budget on this.

Ms. Fales says the operating grand total is currently at \$23,653,036.14.

Town Building & Other Improvements – Mr. DeManche has gotten the number for the generator, which is \$50,000 installed. On the Village School house, now that the concrete floor is in and the Archives installed, the next phase is to make it habitable for the records, including insulation, electric service, masonry work, an exterior door and some wallboard, at a cost of around \$25,000. He speaks to the potential for an HVAC system, but doesn't have figures on that. Selectman Jose and Selectman Pacheco don't like these numbers, saying this is what they were afraid of when they started this project last year. Mr. DeManche speaks to the holes created by insects and other animals that would be effecting the files. Selectman Jose says his issue is we are spending money when we might tear the building down at a later time. Mr. DeManche says the insulation should be done at a minimum, plus electricity and the door, for a total of \$17,000. Selectman Jose says we aren't heating it, so insulation isn't necessary. Filling the holes would be good. He thinks for \$5,000, we could install a door and fill the holes, plus have a little left over to figure out lights. Mr. DeManche says he can work with that. Selectman Jose says to bring specific needs for the project to the Board at a later date, we can figure out the appropriation then.

VOTE: Motion (Pacheco/Sullivan) to approve at 95K for town buildings, passed unanimously.

Ms. Fales says that if all warrant articles were passed, we'd be left with an additional \$107,000. Selectman Pacheco asks what we did last time in union negotiations with the extra for when they were finalized, Ms. Fales said a personnel reserve was created, which can be done at the fall town meeting. She says doing now that gives the unions a number. Selectman Pacheco says we did that last time. Selectman Jose says we can leave it in free cash. Ms. Fales says even if you reserve it now, you will still have to have an article to move it in the fall. Selectman Pacheco wants to make sure the money is there, that

another department doesn't come in and take it. Selectman Jose would be comfortable with taking \$75,000 into a personnel reserve and leaving the rest in free cash.

VOTE: Motion (Pacheco/Sullivan) to put \$75,000 into a personnel reserve, passed unanimously.

Weekly Public Discussion

Steve Tripp, 4 Alexandra Drive, would like no littering signs for Alexandra Dr. and South Main Street. The Board will have the Highway Surveyor look at this.

Consent Agenda:

Board of Selectmen: Action relative to:

- Approve Reserve Fund Transfer Request, as submitted by Highway Surveyor Charles Macomber.

VOTE: Motion (Sullivan/Pacheco) to approve reserve fund request in the amount of \$12.29 and forward to the Finance Committee, passed unanimously.

- Approve Ambulance Abatements for April 2018, as submitted by Fire Chief Gary Silvia.

VOTE: Motion (Sullivan/Pacheco) to approve in the amount of \$82,462.43, passed unanimously.

- Tuesday Club of Assonet in association with the Freetown Cultural Council will be having their Annual Strawberry Festival on June 17, 2018 from 11am - 4pm and are requesting approval from the Board for use of the Village Bandstand.

VOTE: Motion (Sullivan/Pacheco) to allow the use of the bandstand, passed unanimously.

- Approve Board of Selectmen Minutes for April 23 & 30, 2018 and May 7 & 16, 2018. The Board wants the 4/23 and 4/30 minutes to include the YouTube link for the meetings. Selectman Jose and Selectman Pacheco have had issues opening the file for the stenographer portion of the April 23rd meeting. Mr. DeManche has requested that a link to recordings be added to the minutes.

VOTE: Motion (Pacheco/Jose) to accept the minutes for 4/23 and 4/30 as noted, and to accept the stenographers minutes separately at a later time, motion passes 2-0 with Selectmen Sullivan abstains.

VOTE: Motion (Sullivan/Pacheco) to accept May 7th and 16th as submitted, passed unanimously.

- Discuss Parking Zones throughout town. Selectman Sullivan doesn't know if areas in town are proper, and would like the Highway Surveyor to measure and articulate where no parking areas are in town, so we can legally accept them if they aren't properly accepted. Selectman Pacheco asks if we are just getting a recommendation from the Highway Surveyor. Selectman Sullivan says we would need to get a document from him and then decide. Selectman Jose asks if

Selectman Sullivan is concerned there are signs up that the Board of Selectmen has never accepted. Selectman Sullivan says he knows there hasn't been a public hearing for many.

VOTE: Motion (Sullivan/Pacheco) to send a letter to Mr. Macomber and research if there was ever a Public hearing, passed unanimously.

- Town Administrator's Report.
 - The next department head meeting is on May 30, and the next Finance Team Meeting is on May 31, if the Board wants anything on the agenda to let Mr. DeManche know.
 - The Town Surplus Auction on Saturday brought in over \$10,000. Mr. DeManche says Mrs. Golz and John Ashley did a great job.
 - We have taken a dog hearing off the agenda for a future meeting, as the Animal Control Officer and Mr. DeManche are working with the parties to resolve this.

Board of Health:

Personnel Board:

- Discuss application process/CORI for all employees and Boards/Committee members. This agenda item is passed over.
- Discuss Recording Secretary. Selectman Sullivan says there is an issue with Mrs. Golz accumulating comp time, which she doesn't want to do. Over the last 4 years, Mrs. Golz has averaged 95 hours. This ends up being an issue. She is absent from the office 4-5 weeks of the year. We have carried over the comp time and, which means we pay it at a higher rate the next year. The taking of the minutes and polishing up of the minutes takes up time. If we had a recording secretary, the price would be reduced by \$800-\$1,000 per year. Selectman Sullivan's proposal would be to hire a stipend position. Selectman Jose wants to know if this would be for just this office or other offices. Selectman Sullivan said it could be for whatever boards needed. Selectman Jose says 15 hours per week, then we pay when needed? Selectman Sullivan says this would be a per-meeting flat fee. Selectman Jose doesn't want to have another union position; we don't have enough work for that person. He says would we stipulate that if the other boards use comp time then they use the recording sec first. Selectman Pacheco is opposed to this. She thinks that Mrs. Golz isn't a recording secretary, she answers all the questions. She says Mrs. Golz's duties are vital to the Board of Selectman's office. Selectman Sullivan notes that Mr. DeManche is here to answer the questions and the costs to answer the questions that can be answered before. He says we talk about comp time and yet we give it out more than anyone. Selectman Pacheco says we can negotiate something in her contract to reflect this. She says Mrs. Golz doesn't have to come every meeting; she can split time with Mr. McIntosh, the senior clerk in the office. Selectman Sullivan it cuts down on office time. Selectman Pacheco is looking at her at so much more than a recording secretary. She thinks this is bad idea. Selectman Jose would be willing for all offices, as this could save money, but he isn't sure that this can be put into place. Selectman Jose agrees with Selectman Pacheco's point, especially when Mr. DeManche wasn't here. Selectman Sullivan says her duties at meetings are those of a recording secretary. He agrees with

the other boards. Selectman Jose says you would have to figure what the other boards would do, and then address this as a whole town. Selectman Sullivan thinks those are good points. Selectman Jose would like to know what other Boards would be looking for this, and that this doesn't necessarily need to be Mr. McIntosh. Selectman Pacheco says this may be in violation of Mrs. Golz's contract, as well as the collective bargaining agreement.

- Appoint/Sign Change of Status form for Sandra DiLillo, as Board of Registrar, as submitted by Jacqueline Brown, effective May 21, 2018.

VOTE: Motion (Pacheco/Jose) to appoint Ms. DiLillo, passed unanimously.

- Sign Change of Status form for James Gonneville as Full-Time Firefighter, effective June 3, 2018.

VOTE: Motion (Pacheco/Jose) to sign for Mr. Gonneville, passed unanimously.

New Business:

- Dates for upcoming Board of Selectmen Meetings: Annual/Special Town Meeting Monday June 4th, Monday June 18th, Monday July 16th, Monday August 6th, Monday August 20th.

Executive Session:

At 7:40pm, motion (Pacheco/Sullivan) to Enter into Executive Session, under the following exemptions, and not return 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.

- 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.
- M.G.L. c.30A, Sec. 21(a)(2) To conduct strategy sessions in preparation for contract negotiations with non-union personnel, Police Chief Carlton E. Abbott, Jr.
- 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. Town of Freetown.

Please note: as he has recused himself from all matters involving Excel Recycling, Selectman Sullivan will depart the meeting before the third topic is discussed.

At 8:06pm, motion (Pacheco/Jose) to adjourn. Roll Call Chairman Robert P. Jose, Selectman Charles B. Sullivan, Selectman Lisa A. Pacheco. 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).

- Notice of Public Meeting, re: layout of Marie's Way, Mark's Lane, John Phillip Drive, Christopher Drive and Brewster Drive.
- Letter from Planning Board re: layout of Marie's Way, Mark's Lane, John Phillip Drive, Christopher Drive and Brewster Drive.
- Draft copy of omnibus budget
- Updated Police Department budget request
- Request for Appropriation Transfers Between or Within Departments, submitted by the Highway Surveyor
- Draft memo from Fire Chief Gary Silvia and Freetown Board of Selectmen re: Ambulance Abatements Write Offs, April 2018
- Letter from Tuesday Club of Assonet re: request for use of bandstand for Strawberry Festival, June 17, 2018
- Draft Board of Selectmen minutes from April 23 and 30, May 7 and 16, 2018
- Memo from Town Clerk Jacqueline Brown re: Board of Registrars vacancy
- Letter from S. DiLillo re: Board of Registrars vacancy
- Change of Status report for J. Gonneville