



**TOWN OF FREETOWN
BOARD OF SELECTMEN
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MINUTES OF MEETING OF WEDNESDAY, JUNE 12, 2013

**COUNCIL ON AGING
227 CHACE ROAD E. FREETOWN, MASSACHUSETTS**

3:06 P.M. The meeting was called to order by Selectman Paul Sadeck. Those present: Selectman Lisa A. Pacheco, Selectman Lee J. Baumgartner and Town Administrator Richard Brown. Town Counsel Joseph Fair coming during the meeting. The meeting is being recorded by Selectmen Sadeck.

Weekly Public Discussion period

Consent Agenda:

Board of Selectmen: Action relative to:

- Discuss roadwork with Highway Surveyor Charles Macomber. –Mr. Labelle is here to discuss Lang Road with his neighbors. Mr. Labelle believes the conditions of his road are horrible and it is hazardous and the Town is liable. Vehicles need alignments all the time. His motor home cannot get down it. It needs to be paved. The builder was supposed to pave it. However, the Town never followed through on it and because it is a Town road the builder never did it. Ms. Lisa Saraiva a neighbor said that the builder was supposed to do this. Selectman Sadeck said he has gone down there numerous times. He does not understand what Mr. Labelle's concern is especially with the motor home. Chuck maintains it properly. Mr. Keith Forsblom a resident of 1 Lang Road says he goes down the road daily and the pot holes are horrible and they can't be expected to deal with this. He doesn't think that this road is maintained all the time. Selectman Pacheco says the problem is that the developer promised the residents not the Town, our Highway Surveyor does what he can but this is not a high priority street for the highway department. Mr. Forsblom thinks the road is not wide enough. Selectman Sadeck says this has been a dirt road forever. Mr. Labelle's concerns are that the subdivision was Nick Harris's (contractor) responsibility to pave the road. This was approved by the Town. Why? He asks what we as a Town are spending annually to maintain this road. Selectman Pacheco says that taxes go to the town not the road. Why are we spending the \$125,000 for the Village School House. Selectman Pacheco says if you want this on Town Meeting you have to get a petition to put this on a Town Meeting Warrant. Why didn't this get put on a Town Meeting Warrant, Mr. Labelle asks? Mr. Labelle says he was told by Jean Fox it would. He says that the Town has an obligation to enforce this. Mr. Macomber says that the whole Lang Road issue was brought up when Nick Harris created the Subdivision. We surveyed the road to find out the width of the road and if the Town was flushed with money then we could pave it however we don't have the money. Mr. Forsblom says the development shouldn't have been connected to the Kendyl Road. Selectman Baumgartner asks why there was a connection. Mr. Labelle says that the Town had an issue with the Conservation Commission and Nick Harris's paving. Selectman Sadeck says to Mr. Labelle that he came in front of the Board before purchasing his home and asked about this and they told him that they would not pave his road. Mr. Macomber, Selectman Sadeck asks, how much will this cost approximately. \$60,000 and that is only 14' wide. Selectman Pacheco says there is a litany of issues, there are wetlands and there is a problem at the beginning of the road. The Town would have to take property by eminent domain. Mr. Macomber says we don't truly know what the base of that road is, if you are going to do it

correctly you would need an engineer. The best thing that the Board and I can say is to put it on the Warrant for the Fall and let the Resident's decide. Selectman Sadeck asks what cost. Mr. Macomber will have a cost by warrant time. Selectman Pacheco says without doing land taking what is the size. Mr. Macomber says then it would have to be 16'. Selectman Baumgartner asks about the wetlands. Mr. Macomber says those questions would need to be directed towards Conservation Commission. You can fill in wetlands but then you have to replicate them elsewhere. This would be totally up to the Board. We can pave 14' wide 16' thick but we would still need to run this by Conservation Commission. Selectman Sadeck says Town Meeting will have to vote on a dollar amount. Mr. LaBelle says that 15' is acceptable. Mr. Macomber says maybe we would need to run a stilt fence. Selectman Sadeck asks if that this would be enough time for LaBelle. Mr. Saraiva of 7 Lang Rd. asks why can't the Town go after Nick Harris to pave the road Lang Road. He doesn't understand why they allowed him to connect Kendyl Road. Mr. Macomber says that we plow Lang Road not Peacock Estates (Kendyl Road). Selectman Sadeck asks if this is the same developer. Yes it is. Nick Harris is the developer for both Lang Road and Peacock Estates. Mr. Forsblom says that he will have to file for an abatement. Selectman Pacheco and Sadeck ask Mr. Brown to check with the Planning Board records and put a deadline on this of July 15th. Mr. Brown asks Mr. LaBelle what the developer may have offered and if he has any records. Mr. LaBelle asks if there is a way to not leave build ups when the road is graded. All Selectmen agree there is no way to do that. Mr. LaBelle ask what if there is a way if we pay for a portion of this? Mr. Brown says we can accept a gift of funds for a purpose of paving Lang Road. If this is a private road then you can do this however if it is a Town road and it needs to go through a normal process.

- Lisa Podielsky, Animal Control Officer, regarding Dog hearing for Monday – Mr. Carlos Custudio says that John Prizio's dogs are still barking. Officer Podielsky states the Board has not ordered Prizio to do anything and she thinks that this should be a Civil matter. She has interviewed several residents in the area and they don't have any issues with these dogs. She has submitted a report to the Board for them to look over and in her opinion thinks that this is a neighbor dispute. Selectman Sadeck asks if the cruiser responds every time. Officer Podielsky states yes the cruisers have responded most times. Mr Brown says until the dog leaves the property this won't be resolved. Selectman Pacheco asks Officer Podielsky to put a grid together to see in how many calls with no barking and barking.

Board of Health:

Personnel Board:

- Sign Contract for Treasurer/Tax Collector Diane Lawless and discuss start date. -- Mrs. Lawless has a question under employment the "conflict" she has a retail business on the side. She works at Sephora on the side. All Selectmen are okay with this, 40 hours are changed to 36 hours, all selectmen agree to this change. 60 days vs 90 day notice, Selectmen would like 90. Mrs. Lawless agree to 90 days notice. Mrs. Lawless would like the annual pay increase from \$61,900 annually to \$66,900 annually if Healthcare is not taken. Selectman Sadeck says the Town offers a stipend for not taking Healthcare and he would not vote for that change. Selectman Baumgartner agrees with the stipend as for the 5% increase she would like annually, he thinks that is over the top for him. Selectman Pacheco says maybe we could give conference money in the contract and stipulate the amount, there isn't anything in there about a favorable review raises which would reflect that. She stated 5% has never been done. Selectman Pacheco says in all the 3 year contract we have done 3 years the \$1,200 was added to the base. Mrs. Lawless says the value of the health insurance should be included. Selectman Sadeck says we would pay the health insurance if you need it. Selectman Pacheco says she would agree to \$61,900 this year, year 2 \$63,100 and year 3 \$63,100 +3% without a stipend. Certification – she would like that clarified that it should be 3 years not 2 years for the Certification. Selectman Sadeck says he looked at another contract and it allowed that if they didn't take it then there was a % increase contingent on the evaluation. Selectman Sadeck- states he would give year 1 Base, year 2- 2% and year 3- 2% with \$1,200 stipend for not receiving healthcare and Selectman Baumgartner agrees. Mrs. Lawless says

then she would take the Health insurance. Attorney Fair asks about the Certification he interprets that as 3 years, correct, for each based on the minimum required by the MCTA. Selectmen and Mr. Brown agree.

New Business:

Old Business:

- Discuss Employee Handbook.
- Discuss Safety Committee.
- Discuss Floater Position.
- Town Hall Parking Lot

Adjournment of Regular Meeting: At 4:30 P.M., Motion (Baumgartner/Pacheco) to enter into Executive Session and return to Open Session if needed. All members voted in the affirmative when polled.

Executive Session: To discuss strategy in preparation for negotiations with non-union personnel.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Ali Golz', written in black ink.

Ali Golz, Administrative Assistant