



TOWN OF FREETOWN BOARD OF SELECTMEN

MINUTES

Friday, March 20, 2020 - 10:00am

Meeting Held Virtually,

Pursuant to Governor Baker's March 12th, 2020 Order Suspending Certain Provisions on the Open Meeting Law, G.L. 30A, section 19

RECEIVED
FREETOWN TOWN CLERK
2020 MAY -5 PM 3:25
DeBrown

10:30am **Call to Order** – Chairman Charles B. Sullivan calls the meeting to order at 10:30am. Selectman Lisa A. Pacheco and Selectman George L. Grunwald are present. This meeting is being held virtually; all participants are participating remotely. Also present: Town Administrator David DeManche, Board of Health Agent Derek Macedo and Administrative Assistant Timm McIntosh. This meeting is being recorded by Mr. McIntosh and being livestreamed on the Town's YouTube Channel.

Before continuing, Mr. McIntosh reads a prepared statement from Town Counsel, regarding this meeting: "Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions on the Open Meeting Law, G.L. 30A, section 19, and the Governor's March 15th, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Freetown Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort is being made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to view this meeting while in progress may do so by accessing the live stream of this meeting on the Town's YouTube channel or by joining the meeting themselves. Instructions can be found on the news tab of the Town's website, freetownMA.gov. As we typically do, a recording of this meeting will be posted to the Town's YouTube channel as soon as we are able."

Board of Selectmen:

1. Emergency Preparations for the ongoing COVID-19 Pandemic, potentially including (but not limited to) Emergency Declarations, meeting process and potential office, building & departmental closures

Selectman Sullivan wants to begin with declaring a state of emergency, which he says has already been announced by the Bristol County Board of Commissioners. Mr. DeManche informs Selectman Sullivan that a meeting was held earlier in the day with Town Counsel, and we've been advised to wait on the Declaration at this time, that perhaps next week would be better. Selectman Pacheco says she has been in touch with Representative Fiola, and that she's learned there may not be a need for the Declaration; the Governor has set aside some \$5M in funds for local Boards of Health, accessible by simply filling out a form. Mr. DeManche is concerned with FEMA funds, noting that we may need the Declaration for that. He says that if we do issue the Declaration, he's held department head meetings and they have set up a procedure and protocols for how to continue day-to-day business, and the Town's EMA Director has asked to retain copies of receipts for any COVID-19-related expenditures. Selectman Pacheco notes the importance of first responders having supplies they need; Mr. DeManche says the office has been

working with Stop & Shop to get supplies and they've been very gracious, but he hasn't heard anything back from Amazon yet. Representative Fiola has sent over another contact at Amazon, as well.

Selectman Sullivan has the next issue is to talk about non-essential employees working from home. He speaks to the value of social distancing, saying he wouldn't want to see anyone ending up in the hospital. He says he sees an issue with the highway department and custodial staff but thinks we should be proactive here. Mr. DeManche would like to state that his position has not changed; his primary concern is people's safety, and thinks we will all look back later on, see what we did, and ask if any of it was important. He believes essential functions of the Town Hall can be done remotely when possible, and thinks this is a good opportunity to work on projects that just can't get finished. He says we've come up with ways to work remotely where we can. Selectman Pacheco agrees that all non-essential personnel don't need to be at Town Hall, but all essential personnel should be at the Town Hall a few times a week, suggesting a schedule be determined. She would also like to see an extension on excise taxes with no penalties, and an increase to the Town's unemployment fund. She also thinks we should look into a deep cleaning if offices are going to be closed, which could be paid for through the reimbursement through the Board of Health she spoke of earlier; Mr. DeManche says that is already in progress. Mr. DeManche says he wouldn't be in the Town Hall every day, and notes that the department heads are largely in the target group for this virus; he just doesn't want to make everyone sick. Selectman Grunwald agrees with most things that have been said. He is looking for leadership from the state, and all the agencies he is aware of are all open but closed to the public, as the Board voted last week. Mr. Macedo says everyone he has spoken to in the Department of Public Health has been working remotely; Mr. DeManche adds that Town Counsel is also working remotely. He repeats his opinion that it's not worth putting someone's life on the line to, for example, issue a building or septic permit. He adds that if someone brings this sickness into the building while we have workers there, we'll need to close regardless.

Selectman Pacheco says Mr. DeManche is asking for exactly what she suggested, but that essential personnel need to come in a couple times a week; they are on the same page. She thinks the Board needs a weekly meeting with everyone to check in, to make sure everyone is up to date. She doesn't think we should be penalizing the residents. She is not suggesting changing the public closure guideline; she says she is fine with non-essential personnel staying home, but we need to keep the Town up and running. Mr. DeManche has come up with a list of who is essential and who is not, along with other Building Closure procedures, which has been distributed to the Board and is before them this morning. He says he is asking for further cooperation with Department Heads, but reiterates that essential functions can be done remotely. Selectman Pacheco wants to hear directly from Mr. DeManche that essential people will work regularly on site; Mr. DeManche says he said that right away. He acknowledges that while some tasks can be done remotely, some need to be done on site, saying that everyone knows their responsibilities. He thinks everyone will be coming in once or twice a week to take care of everything that is a necessity. Selectman Grunwald suggests setting a schedule; Mr. DeManche says this is all fluid and that everyone knows what their jobs are.

Selectman Grunwald wants to revisit that state offices are open but closed to the public. Mr. Macedo reiterates that everyone he has spoken to in the Department of Public Health has been working remotely. Selectman Sullivan wants to know what Selectman Grunwald's point is; Selectman Grunwald says that business needs to go on as normal as possible, we cannot have residents thinking we've "up and left town." Selectman Sullivan says Selectman Grunwald is afraid of people saying we are just taking

time off; Selectman Grunwald says that is way off base. Selectman Sullivan says he is the Chair of this Board and can ask the questions. He believes someone working to their pay is irrelevant right now, he just wants to keep everyone out of the hospital; the more we can keep people away from each other, the better we are going to be. He believes Mr. DeManche has come up with a workable plan, and cannot understand why people don't understand this; he says people are never going to understand. Selectman Pacheco says Lakeville is working remotely and with a skeleton crew in the office; Mr. DeManche says roughly one person per office. Selectman Grunwald thinks that makes sense. Mr. DeManche says everyone is missing the bigger point, that contamination is going to spread if anyone at all comes into the office. Selectman Grunwald says the government needs to continue working; Selectman Pacheco says under her suggestion, you are probably down to one person per office. She also thinks that this is all a moot point, as she expects a lockdown in the next couple days. She agrees with Selectman Grunwald that it is vital that the government keeps going; Mr. DeManche says it can keep going remotely. Mr. Macedo says that as a Department Head, he has already volunteered to come in a couple times a week. Mr. DeManche says that is the plan. Mr. Macedo thinks Selectman Pacheco's plan will work.

Selectman Pacheco takes exception to Mr. DeManche's dismissive behavior in this meeting and others she's been a part of regarding this crisis, asking him to stop rolling his eyes at her. Selectman Sullivan demands Selectman Pacheco stop. She would like to make a motion to create a schedule to ensure that essential personnel is present; Selectman Sullivan does not allow the motion to be seconded, saying that he is fine with Selectman Pacheco not respecting him, but this situation is far too serious to have a personality clash. Selectman Grunwald agrees with Selectman Pacheco. Selectman Sullivan calls for a motion.

VOTE: Motion (Pacheco/Grunwald) to allow all non-essential personnel, unless directed to work by their department head, to work remotely, and to create a weekly log of all work done to be sent to the Town Administrator, and that all essential personnel work two days a week, until a shelter in place order comes from the Governor; motion carries unanimously.

Selectman Grunwald adds that he would like to review that work schedule. Selectman Sullivan says this is not a decision.

Selectman Pacheco wants to revisit the excise tax request she raised earlier. Selectman Sullivan doesn't think it is allowed statutorily. Selectman Pacheco says if it's not allowed, then we don't do it.

VOTE: Motion (Pacheco/Grunwald) to make an extension on excise tax, without penalty, for the next month, if allowed by statute; motion carries two votes to one, with Selectman Sullivan opposed.

Mr. DeManche says next is meeting policy. The primary idea of this is to discourage meetings at this point. He understands some meetings are required, certainly, but if something is not critical, we hold off. He would encourage meetings set up like this meeting, all remote participation; the office can assist with this. Selectman Pacheco agrees on using remote participation as much as possible but thinks this should be left to the individual chairs. Selectman Grunwald has no further comments. Selectman Sullivan says we have a draft policy before the Board that outlines all this.

VOTE: Motion (Pacheco/Grunwald) to adopt the draft policy; motion carries unanimously.

Mr. DeManche says that he and department heads have been meeting regularly and welcomes suggestions from the Board at any time, noting that this is a constant learning situation. He says that it is important to remember that we are all human and we are doing everything we can to solve these problems, but this is an unusual situation. He thinks this is a real opportunity to show ourselves as a community. Selectman Pacheco adds that it is important to provide factual information, and would like to see an emergency meeting with public safety this afternoon to prepare for a lockdown type situation; Mr. DeManche will set up a conference call soon. He also says he would like the Board to be involved in future Department Head meetings, which he says is more important than open meeting law concerns.

At 11:23am, motion (Pacheco/Grunwald) to adjourn; motion carries unanimously.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Timm McIntosh", written in a cursive style.

Timm McIntosh
Administrative Assistant

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

- Draft Declaration of Emergency
- Draft Building Closure Policy
- Draft COVID-19 Town Meeting Policy