



Freetown Board of Selectmen

Meeting Minutes

Monday, August 17, 2020 – 4:30pm

Council on Aging Pavilion

227 Chace Road, East Freetown, MA 02717

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4:30 P.M. Call to Order

Chairman Lisa A. Pacheco calls the meeting to order at 4:30pm. Present: Selectman George L. Grunwald and Selectman Trevor R. Matthews. Also present: Town Administrator David DeManche and Administrative Assistant Timm McIntosh. The meeting is being recorded by FREECAM.

- Discussion & Vote on Town Administrator Position & Posting

Selectman Pacheco found a legal opinion from a number of years ago that gives more information on whether or not we have to strictly adhere to the Town Administrator bylaw for the qualifications on the position, and it says we have a bit of leeway. She thinks we should leave the posting as is, but list that the salary is based on qualifications and experience. Selectman Grunwald asks if Selectman Pacheco is looking to lower the qualifications; Selectman Pacheco says not exactly, noting that someone that only has 3 years of experience but is local is probably a better option than someone with the experience but lives far away. Selectman Matthews agrees with Selectman Pacheco, saying that someone that may not explicitly qualify could be a better option than someone that just checks the boxes. He believes a higher budget figure is necessary, however, as he would not want this position to be used as a steppingstone. Selectman Pacheco agrees, but notes that the salary should only be compared to similar communities, indicating Acushnet and Lakeville being a better comparable than Hanson; Selectman Matthews agrees. Selectman Pacheco says that Town Meeting ultimately needs to agree with the Board, as well. Selectman Grunwald agrees on the salary but does not believe the qualifications should be reduced. He says the qualifications were approved at Town Meeting for a reason, he is not comfortable going below those qualifications; he understands that we may legally be able to do it but is not comfortable doing so. He would prefer asking Town Meeting to change the qualifications if we wanted to do that; the Board is unanimous that there is no time to do that now, however.

Selectman Pacheco asks how the Board would like to proceed. Selectman Matthews likes the idea of a screening committee that consists of people that work directly with the Town Administrator but is flexible as to the final composition of the committee; he thinks the important part is that the interviews are private, in executive session, and understands utilizing a screening committee is the only way that can happen. Selectman Pacheco agrees,

noting that people will be more apt to apply if everything is not in the public eye right away. She suggests a screening committee who will forward 3-5 finalists to the Board for final interviews; Selectman Matthews agrees. Motion made and seconded with discussion. Selectman Grunwald is fine with that plan, provided the screening committee is forwarding more than just two candidates.

Selectman Pacheco has come up with a timeline to post the position on September 1st and close the posting on September 25th, though she notes that it could be posted earlier; the Board has no problem with this timeline. Selectman Matthews has questions on where the posting is actually posted, and whether or not it should be updated to include the possibility of changing the qualifications. Mr. McIntosh explains it would be posted with the Massachusetts Municipal Association, newspaper, and depending on which newspaper we go with, those postings are cross posted to Indeed or Monster; Mr. DeManche thinks any applicant would find the posting with the MMA. Mr. McIntosh also notes that the last time we posted for Town Administrator, using basically the same posting, the office received a number of applicants, but only a fraction of them actually meeting the criteria; he doesn't think that would be a deterrent for applicants. He adds that if people ask questions, the office can let them know of the Board's thoughts. This makes sense to Selectman Matthews.

VOTE: Motion (Matthews/Grunwald) to post the advertisement for Town Administrator as is, but noting the salary is based on qualifications and experience; motion carries unanimously.

The Board finishes this discussion ahead of the scheduled public hearings, so they take the agenda out of order as time allows. These minutes are presented in posted agenda order.

5:00 P.M. Public Hearing – Board of Health Variance

- 14 North Main Street

Brad Fitzgerald of SFG Associates Inc. is present, as is Board of Health Agent Derek Macedo. Abutter Mary Rezendes Brown is present. Mr. Fitzgerald is requesting the following variances:

1. To allow the septic tank to be 4' from a cellar wall.
2. To allow the proposed soil absorption system to be 76' from the abutting well at 12 North Main St.
3. To allow the use of a sieve analysis to determine soil classification.
4. To allow the inlet and outlet tees to have less than the 12" minimum separation above the water table.

Mr. Fitzgerald says the main variance is to allow the proposed SAS to be 76' from 12 N. Main's well, which is actually an increase from the current distance. Selectman Grunwald asks if 12 North Main has "city water"; Mr. Macedo says they do and they have a connection, but they have not tied in. Mrs. Rezendes Brown asks if there is a liner in place on the system; Mr. Fitzgerald confirms there is. Mrs. Rezendes Brown has no further questions. The co-executor of the estate that owns 14 North Main Street is present and offers to pay for a well test for 12 North Main Street, to clear any potential liability going forward. Mrs. Rezendes Brown says the new system is farther away, so she doesn't see any issues, but has no problem with the water test. With no further questions, the public hearing is closed.

VOTE: Motion (Matthews/Grunwald) to approve the variance with the requested items and the well testing; motion carries unanimously.

5:00 P.M. Public Hearing

- Petition submitted by Verizon New England Inc. and NSTAR Electric Company, d/b/a Eversource Energy, to request permission to place one new pole (Pole #26/10) on Cushman Avenue.

Selectman Pacheco opens the public hearing. Abutters Lavoie, Boynton, Soucy and Moriarty are not present. Ross Milodew from Verizon is present. He explains that this new pole being installed will extend service to a new home that is actually on Koss Avenue. The Board has no questions. Selectman Pacheco closes the public hearing.

VOTE: Motion (Matthews/Grunwald) to approve; motion carries unanimously.

Executive Session

At 5:09pm, motion (Grunwald/Matthews) to enter into executive session, under the following exemption, and to return to open session following; motion carries after a roll call vote.

1. M.G.L. c. 30A, sec. 21(a)(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*, with respect to the following matter: Town of Freetown v. Allan D. Higbe, Tax Lien Foreclosure Case No. 17 TL 001433

The Board will be joined in executive session by Atty. David Coppola and Treasurer Jessica Thomas, and executive session is conducted in a different area of the grounds of the Council on Aging.

At 5:20pm, motion (Matthews/Grunwald) to exit executive session and return to open session; motion carries unanimously.

Board of Selectmen

2. Update from Treasurer on Revenues

Ms. Thomas remains present. She says we are in a good place on revenues. Mr. DeManche says there is a tiny drop on real estate and excise tax receipts, but overall a 97% collection rate; we will not need to worry about going out to get a revenue anticipation note (RAN) at this time. Selectman Pacheco notes that excise tax receipts look very low; Ms. Thomas explains that demand notices were not sent out when we were not in the office so those fell behind, but they have since been sent out and levels are back to normal there.

Selectman Grunwald asks if it is advantageous to go out for a bond on the Police Station now, instead of waiting. Ms. Thomas explains that we cannot borrow that until it matures, it's the legal process. She believes the bond matures in December. Selectman Grunwald does not like this. Selectman Pacheco says there is an article on the warrant to pay down the BAN, but we need to know when free cash will be available; Ms. Thomas says the Town Accountant is working on the paperwork now, but it's usually a quick process once everything is submitted. Selectman Pacheco would like the Financial Team to stay on top of all the required financial steps, as there are a number of moving parts right now.

Selectman Matthews has no questions, but he will follow up on his own if anything comes to mind.

Selectman Grunwald asks Ms. Thomas to look into going out for a bond on the Police Station now to see if it is possible.

3. Licensing Agreement with Verizon New England, Inc. re: 15 Memorial Drive (New Police Station)

Selectman Pacheco says this was something already voted on and approved, just not signed.

VOTE: Motion (Matthews/Grunwald) to approve; motion carries unanimously.

4. Agreement with Bear Communications, Inc. d/b/a Comtronics for Radios for New Police Station

Selectman Pacheco says this is the same as in item #3. She adds this is already in the Police Station budget.

VOTE: Motion (Matthews/Grunwald) to approve; motion carries unanimously.

5. Set Location & Process for Public Hearing re: Application for Class II Motor Vehicle Dealers License submitted by Copart, Inc.

Selectman Pacheco the Governor's order is still in place, and outdoor gatherings are limited to 50 people, and we are still subject to that. She says a hearing by Zoom is an option, or we could push it off farther, but she is at a loss. Selectman Matthews asks if there are any issues with Zoom, if everyone would feel it is a fair shake; Selectman Pacheco says that is the question. Mr. DeManche adds that 30-35 people showed up at the Planning Board

hearing, but that does not necessarily translate. Mr. McIntosh notes that he has heard from many residents in Berkley, adding he would expect them to come to the meeting as well. After a discussion on logistics, the Board agrees to have the meeting as planned on the 26th, under the Council on Aging Pavilion, and continue it if we go over 50 participants.

6. Set Tentative Date & Location of Fall 2020 Special Town Meeting

Selectman Pacheco says between all the elections and holidays, the only real option is Saturday, October 3rd, but we can discuss location and procedure for the meeting at our next meeting.

VOTE: Motion (Matthews/Grunwald) to set the meeting for Saturday, October 3rd; motion carries unanimously.

7. First Review of Submitted Warrant Articles for Fall 2020 Special Town Meeting

Selectman Pacheco directs Mr. McIntosh to send the warrant to Town Counsel for review, even though that is a bit backwards from how we usually do it, and the Board can review the content of the articles at the start of next Wednesday's meeting.

8. COVID-19 Travel Policy for Employees

Mr. DeManche explains that this policy was developed in response to the Governor's order regarding out-of-state travel. If an employee travels into an area that is not on the approved list, they are required to quarantine or get tested. This policy tells employees that travel is not prohibited, but they have to give us notice and informs them that they have a procedure to follow; they will have to use their personal or vacation time to take care of the quarantine. It frames out the argument for the employees. Mr. DeManche says the Town is compelled to do this, per the Governor's orders, and arrived at this particular document by combining elements of a number of other documents. He adds that impact bargaining is likely but notes that the Unions do not really have a recourse as this is a State order.

VOTE: Motion (Matthews/Grunwald) to approve the policy for employees; motion carries unanimously.

9. Vocational Education Options

Selectman Pacheco says we are still waiting on word from Old Colony. We did receive a letter back from the Department of Elementary & Secondary Education seeking more information from us. She has set up a tour of Bristol-Plymouth on August 24th at 9am and invites her fellow Board members if they are interested. Mr. DeManche says we have to be cognizant that students will be applying in October. Selectman Grunwald asks if students will be able to apply to both schools; Selectman Pacheco we would need to buy in to both to let that happen. Selectman Pacheco asks Mr. DeManche to send out a reminder letter to remind Old Colony we are waiting. She said Dighton was recently in the same spot we were, and the State allowed them to join Bristol Plymouth, so we would be looking for the same thing. Mr. DeManche asks if Dighton became a member community or was it a similar

arrangement as we have with Old Colony; Selectman Pacheco says they were able to join with a lower buy-in than we have at Old Colony.

10. Minutes: August 3, 2020

VOTE: Motion (Matthews/Grunwald) to approve; motion carries unanimously.

11. Town Administrator's Report

- a. On Freetown Screw, Mr. DeManche had a meeting today with Atty. Coppola, the Town's tax title lawyer, and Manning Auctioneers about setting up a tax title auction. We are looking at a tentative date of October 15th.
- b. On the Assessor's Map Room, the file cabinets have been removed. Files are starting to be moved as needed, and this work will be completed in time for early voting.
- c. On the Town Hall Custodian position, we still have just the one applicant, even with the new posting in different locations. Mr. DeManche will work with Selectman Matthews on how to proceed with this.
- d. On the Police Station cleaning contract, we want this done and in-place by mid-September, even if the building is not fully open. A purchase description going out this week and will include a walk-through. This is not a sealed bid process.
- e. The Council on Aging has received their new Jeep Cherokee.
- f. Mr. DeManche says that many moons ago, there was a discussion between the owners of King Philip Cave donating the property to the Town, but it fell by the wayside for many decades. It has been in progress of late, the original owners have been tracked down once more after several years, and they appear to still be interested. Mr. DeManche says this is probably 50 years in the making.
- g. Finally, brick work at Fire Station #1 has begun, and they will be trying to reuse as many of the existing bricks as possible.

12. Police Station Update

This agenda item skipped.

Board of Health

13. Security Cameras as the Transfer Station

Mr. Macedo has distributed a sheet with different options for security cameras he has found. He has focused on one particular model that is both cloud-based and has a hard drive. Mr. DeManche thinks duplicity is important in this case. Selectman Grunwald thinks a cloud-based system is the way to go and would like to go over all of these models together. Selectman Pacheco suggests approving this tonight, based on Selectman Grunwald's recommendation, allowing him to continue; Selectman Grunwald says he cannot make a recommendation without looking into the options first, which he will do ahead of a future meeting.

14. Trash & Recycling Pick-Up Survey

Selectman Grunwald says this came from the last meeting, stemming from complaints about trash pickup. He recommends doing a survey of Town residents, and Mr. McIntosh has a no-cost option to allow us to this. Mr. Macedo will work with Mr. McIntosh on questions; the Board asks that they review the questions before it is sent out.

VOTE: Motion (Matthews/Pacheco) to do the survey; motion carries unanimously.

While on the subject of Trash & Recycling, Mr. DeManche reminds the Board that work needs to begin on the Request for Proposals, as the timeline is very important. Mr. Macedo and Selectman Pacheco agree that work should start just after the first of the year.

Personnel Board:

15. Appointment of Election Workers (see page 9 of these minutes for a list of names), effective September 1, 2020

VOTE: Motion (Pacheco/Grunwald) to approve; motion carries unanimously.

16. Appointment James Campbell to Cable Advisory Committee, effective August 17, 2020

VOTE: Motion (Pacheco/Grunwald) to approve; motion carries unanimously.

17. Parks & Recreation Committee Mission Statement, Purpose & Scope of Authority

Selectman Pacheco has included something that was worked on many years ago by herself and Chief of Police Carlton Abbott; it looks like a by-law, but it is actually a policy, allowing for it to be changeable, so it is a good starting point. She thanks Mr. DeManche for putting together the scope but would just like to add a line like “striving to provide clean and safe recreational areas”.

VOTE: Motion (Pacheco/Grunwald) to approve the Mission Statement, Purpose & Scope of Authority; motion carries unanimously.

Resident Ellen Lima, 41 High Street, says she would like to be on that committee, noting that conditions at Porter Pastures, specifically, are terrible. Selectman Grunwald agrees. Selectman Pacheco asks Mr. DeManche to come up with a list of parks and conservation areas to have the Parks & Recreation Committee look at.

Old Business:

- Town Hall Phone System – Mr. McIntosh says there is yet another delay on this, as the phone numbers are all mixed up on Verizon’s end. The porting date is to be determined.
- Road Race/Events: Patriot Half Triathlon – Mr. McIntosh heard back from the applicant, who understood the Board’s concern and will hopefully return next year.
- Council on Aging Building Addition - this will be on for the next meeting.

- Board of Assessors Staffing – No new updates – Mr. DeManche will be discussing this with Selectman Matthews.
- Board of Assessors “Map Room” – As noted earlier in the meeting, this is now all set.
- Town Clerk Position – No new updates

Before the Board adjourns, Mrs. Lima is here to speak on behalf of the Tuesday Club. She explains that the Tuesday Club has a number of their annual scholarships committed, but with COVID-19 cancelling the Strawberry Festival this year, they are interested in hosting a Chicken Barbeque here at the Council on Aging, as the East Freetown Congregational Church typically does. They are not holding their event this year, but the Tuesday Club is looking to do this in early October. Mrs. Lima says she was referred to the Board of Selectmen by the Council on Aging Director. She speaks about the company they would be hiring, and they are seeking to do this “drive through” style, as the COA grounds allow for that nicely. Selectman Pacheco suggests that Freetown Elementary may be an even better venue, with the circular driveway. The Board has no problem with this.

VOTE: Motion (Matthews/Grunwald) to allow the Tuesday Club to pursue a drive-by BBQ; motion carries unanimously.

Steve Tripp, 4 Alexandria Drive, presents the Board with information about the city of Johnston, RI dealing with a scrap metal facility in their city.

At 5:57pm, motion (Matthews/Grunwald) to adjourn; motion carries unanimously.

Respectfully submitted,



Timm McIntosh

Administrative Assistant

List of Documents/Exhibits Used by the Board in This Meeting

- Draft Posting for Upcoming Town Administrator Vacancy, with notes on process from Executive Assistant Ali Golz
- Compensation Comparison, compiled by Executive Assistant
- E-Mail from Atty. M. Reich re: Town Administrator by-law qualification adherence
- Letter from SFG Associates, Inc. re: variance request for 14 N. Main Street
- Application for Board of Health Variances for 14 North Main Street
- Petition #MA2020-29 from Verizon New England, Inc. and NStar Electric Company d/b/a Eversource Energy
- E-mail correspondence from Town Accountant re: monthly revenue and collections report
- Table of Local Receipts and Tax Summary, dated July 22, 2020
- Draft licensing agreement with Verizon New England, Inc. for 15 Memorial Drive

- Draft agreement with Bear Communications, Inc. d/b/a Comtronics for purchase, delivery and installation of a radio system at the new Freetown Police Station
- Draft #1 of the October 2020 Special Town Meeting warrant
- Supplemental Omnibus Budget, accompanying draft #1 of the October 2020 Special Town Meeting warrant
- E-mail from Town Administrator with background information on the draft COVID-19 Travel Policy
- Draft COVID-19 Travel Order Policy
- Draft minutes of August 3, 2020 meeting of the Board of Selectmen
- Letter from Administrative Assistant re: Trash & Recycling Pick-Up Survey
- List of security camera models, provided by Board of Health Agent
- Memo from Town Clerk re: Appointment of Election Workers
- E-Mail letter of interest in joining the Cable Advisory Committee from J. Campbell
- Draft Freetown Parks and Recreation Committee, prepared by Town Administrator
- Draft Recreational Facilities Rules & Regulations, dated May 13, 2003
- Draft Certificate of Appointment for J. Campbell and Election Workers noted below

List of Annual Appointments of Election Workers

Republican	Democrat	Unenrolled
Elizabeth Ashley	Susan Freeman-Aronofsky	Louise Boucher
Lauren Collins	Manuel Arruda Jr	Karen Carling-Chudolij
Jennifer Lewis	Carolyn Baker	Kenneth Collard
Roger Martin	Michele Castonguay	Rochelle Cox
Michael T McCue	Marjorie Laporte	Pamela Dellarocco
Christine Paiva	Myrna Lubin	Leo Desorcy
Melony Parris	Paul Lubin	Paula Desorcy
Sandra Pettey	Diane Martin	Ashley Emery
Rhonda Porawski	Edward Orlowski	Linda Fournier
Judy Reese	Nancy Roberts	Joy Grunwald
	Grace Rose	Melissa LaPerriere
	Margaret Seward	Caitlyn Moore
	Susan Velozo-Simao	Carolyn Kiley Moore
		Lois Pereira
		Nicole Perrault
		Paula Riley
		Paul Thibodeau