



Freetown Board of Selectmen Meeting Minutes

Monday, September 21, 2020 – 4:30pm

Meeting Will Be Held Virtually

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4:30 P.M. Call to Order

Chairman Lisa A. Pacheco calls the meeting to order at 4:32pm. Selectman George L. Grunwald and Selectman Trevor R. Matthews are present. Also present: Town Administrator David DeManche and Administrative Assistant Timm McIntosh. All members are participating remotely. Open session portions of this meeting are being live streamed at youtube.com/FreetownMA.

Executive Session

At 4:32pm, motion (Matthews/Grunwald) to enter into executive sessions, under the following exemptions, and to return to open session following; motion carries unanimously after a roll call vote.

1. M.G.L. c.30A, sec. 21(a)(1) – to discuss the reputation, character, physical condition, or mental health, rather than professional competence, of an individual.
2. M.G.L. c.30A, sec. 21(a)(3) – to discuss strategy with respect to collective bargaining with the Freetown Fulltime Fire Fighters Association because an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares.
3. M.G.L. c.30A, sec. 21(a)(3) – to discuss strategy with respect to collective bargaining with the Freetown Police Association because an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares.
4. 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 – Excel Recycling, LLC vs. Town of Freetown
5. M.G.L. c.30A, sec. 21(a)(2) – to discuss contract negotiations with non-union personnel – Timm McIntosh, Administrative Assistant

The Board will be joined in executive session by the individual referenced in exemption #1 and their legal counsel and Atty. Brian Maser of KP Law.

At 5:30pm, motion (Matthews/Grunwald) to return to open session; motion carries unanimously.

Board of Selectmen

6. Update on Cable Negotiations

Atty. William Hewing of KP Law is present. Mr. DeManche wanted to provide the Board

with an update, as the contract expires in the next couple weeks, and negotiations are in progress. He says as long as negotiations are continuing by both parties, the contract continues. The Cable Advisory Committee, using input from the Board, had been discussing increasing the subscriber franchise fee from 1% to 2%, 3 standard definition public access channels, one high definition public access channel, a senior discount, an electronic guide, free cable drops in municipal buildings and a \$250,000 capital improvement fee, all for a 5-year term. Comcast countered with a 3% franchise fee, a \$100,000 capital improvement fee, and agreed to the channel request, though those could not be implemented right away. The Committee has learned that a senior discount is not part of the contract, instead part of a side letter, and the electronic guide is not a possibility. Mr. DeManche says that Comcast does not typically do capital requests, so getting that was a victory, and after some number crunching, it was determined that the Town is actually making out ahead with the lower capital fee but higher franchise fee, though probably best to consider it a wash given the decreasing subscriber numbers. Atty. Hewing things this is a great short-term benefit for the Town. Mr. DeManche did not want to blindside the Board with the final contract in the coming weeks, he wanted to make them aware of the progress so far.

7. Chapter 61 Right of First Refusal for 0 Braley & 75 Quanapoag

Selectman Pacheco says the Board has received correspondence from the Conservation Commission that they do not have interest in pursuing this land.

VOTE: Motion (Matthews/Grunwald) to waive the Board's right of first refusal; motion carries unanimously after a roll call vote.

8. Declaration of filing cabinets as surplus equipment

Mr. DeManche says we have cleaned out the map room, several filing cabinets proved to be extra. Some employees have expressed an interest in buying them, but the Board must declare surplus property for private sale before they can be sold to employees or the public. There are no issues with the cabinets.

VOTE: Motion (Matthews/Grunwald) to declare the filing cabinets surplus; motion carries unanimously after a roll call vote.

9. Memorandum of Agreement with Town Administrator David DeManche

Mr. DeManche says that the Board had previously discussed a 2% cost of living increase retroactive to July 1st, and this would be the first step in getting that. He is requesting a memorandum of agreement be drawn up for the 2%.

VOTE: Motion (Grunwald/Matthews) to enter into the memorandum of agreement as discussion; motion carries 2 votes to none after a roll call vote, with Selectman Pacheco abstaining.

10. Ambulance Abatements / Write Offs for the month of August 2020

Contractual allowances for the month of August were in the amount of \$86,615.50 and write-offs were in the amount of \$32,730.80, for a total of \$119,346.30. Selectman Grunwald would like to see a report on the total amount collected, to see what the revenue is like with all these write-offs and abatements.

VOTE: Motion (Grunwald/Matthews) to approve; motion carries unanimously after a roll call vote.

11. Agreement with JJManning Auctioneers for auction of former Freetown Screw property, parcel 245-090

Mr. DeManche explains that this is a standard agreement, used in the previous auction handled by JJManning. There is no cost associated, the auctioneer will receive 10% of the proceeds. This would be an absolute auction to tentatively take place on October 15th, and the auctioneer is responsible for everything regarding the auction. Selectman Pacheco asks if there is a reserve price; Mr. DeManche says this is an absolute auction with no reserve due to the environmental issues with the parcel of land. Selectman Pacheco wants to make sure we make enough money from this to pay back whatever we owe on the grant; Mr. DeManche says there is no pay back for the grant, this auction would release us from those obligations.

VOTE: Motion (Matthews/Grunwald) to sign the agreement; motion carries unanimously.

12. Change Orders 17-20 for Freetown Police Station Project General Construction Contract

Selectman Pacheco recaps the proposed change orders, which each consist of various smaller proposed change orders. Overall the change orders are in the amounts of \$49,666.54 (#17), \$1,867.37 (#18), \$25,200.00 (#19) and \$4,389.05 (#20). She is happy to report that the COVID costs, represented in change order 17, are coming down.

VOTE: Motion (Matthews/Grunwald) to approve the change orders; motion carries unanimously after a roll call vote.

Selectman Pacheco says the goal all along has been to return money from the contingency to the Town, but unfortunately COVID has cut into about \$200,000 of that. Mr. DeManche says there were some costs in the first CARES Act requisition, but we have not heard back on that yet. He will follow up.

13. Request to use Council on Aging Pavilion by Building Commissioner for district meeting on September 30th and October 28th

Selectman Pacheco says she has learned the Building Commissioner has spoken to the Council on Aging Board on this and they have no issues, even with other things happening there.

VOTE: Motion (Matthews/Grunwald) to approve; motion carries unanimously after a roll call vote.

14. Award Bid and Contract for Implementation of a Fiscal 2021 through Fiscal 2023 Revaluation Program

Mr. DeManche requests that the Board approve this bid contingent on approval by the Board of Assessors, who are meeting right now.

VOTE: Motion (Matthews/Grunwald) to award the contract to Kapinos/pk Valuation, pending positive approval from the Board of Assessors; motion carries unanimously after a roll call vote.

Selectman Grunwald would like to know if the Assessors or these people will be inspecting Stop & Shop for their taxable personal property. Selectman Pacheco says that is a question for the Board of Assessors; Mr. DeManche will get the information for Selectman Grunwald.

15. Minutes: September 8th and September 9th, 2020

VOTE: Motion (Matthews/Grunwald) to approve; motion carries unanimously after a roll call vote.

16. Town Administrator Report

- a. Mr. DeManche says our new Custodian is starting on September 23rd, earlier than initially planned.
- b. Mr. DeManche would like to know how the Board intends to hold Town Meeting, which has been posted for Apponequet on October 3rd. Will this be drive-in style or using the football field? Selectman Pacheco has no preference. Mr. McIntosh says drive-in style is probably easier, logistically. The Board has no preference and tells Mr. DeManche and Mr. McIntosh to get the Town Clerk and Moderator on board with whatever method works.

17. Police Station Update

Selectman Pacheco says the Police Sub-Committee had a walk through recently, and the building looks incredible. They are still working on some sort of opening ceremony and open house, though there are obvious limitations to that right now.

Board of Health

18. Security Cameras for Transfer Station

Selectman Grunwald has reviewed the options and recommends purchasing a set of Google Nest cameras instead, which he estimates would cost about \$500 for 2 cameras. He says installation is easy, and it is a fully cloud based system. There is an annual charge

depending on the number of cameras. He would be asking for \$1,200 to get 4 cameras, plus around \$200/year for the annual fee.

VOTE: Motion (Pacheco/Matthews) to approve; motion carries unanimously after a roll call vote.

Selectman Pacheco would like to explore using one of the four cameras at the Town Hall to monitor the front mailbox, asking if that is possible; Selectman Grunwald will find out.

Selectman Grunwald would like to speak about the handling of cash at the Transfer Station on October 5th.

Personnel Board

19. Wage & Classification Study

Selectman Matthews thinks this would be good for the Town, given the recent turnover. He says it would provide an inventory on where we stand, who does what, and what sort of structure we need going forward. Selectman Grunwald thinks this is a great idea and would like to add that we need to figure out a chain of command. Selectman Matthews is not sure how to get this done, if it would require a request for proposals or what. Selectman Grunwald thinks it can all be done internally, though he is not opposed to going with an external firm. Selectman Pacheco says she has spoken to most of the employees in Town Hall in recent days and has learned that the outstanding issues have nothing to do with money; it is all about workload, leadership, accountability, and equity. She stresses that she is not throwing anyone under the bus, but she urges her fellow Board members to talk to the people down at Town Hall. Selectman Matthews says he has talked to some of them and agrees with what Selectman Pacheco found. He believes that this sort of study will actually quantify the workload and determine where salaries should be.

Selectman Pacheco asks if the job descriptions have gone out to employees to update; Mr. McIntosh says if they were, he was not part of those emails. Selectman Pacheco thinks people are doing far more than their job descriptions. Selectman Grunwald speaks to seeing a personnel handbook long ago that needed to be updated and recommends that Selectman Matthews look that over. Selectman Pacheco thinks that the Board is thinking of the Town Hall as a business, but it is not a business; it is a Town Hall. She believes it should be more of a conversational place for the residents, not a strict business. She has learned that people are not feeling heard. Selectman Grunwald thinks the Town Hall is similar to a company, but the difference is that a company is purely profit driven; both are all about customer service.

VOTE: Motion (Pacheco/Grunwald) to ask the department heads to have the job descriptions back by the end of the week, to discuss this more on October 5th; motion carries unanimously after a roll call vote.

20. Advertise for Executive Assistant / HR Director Position

Mr. McIntosh suggests holding this item until an added meeting on Friday morning. The Board agrees.

21. Establish & Appoint Freetown Vocational Education Exploratory Committee

Selectman Pacheco says this approach was recommended by the Superintendent, to be a joint endeavor between the Town and Schools. She would like to be considered as part of the committee, along with two members of the regional school committee, the Superintendent, and the Town Administrator.

VOTE: Motion (Grunwald/Pacheco) to go forward with the committee and to appoint the Superintendent, two members of the regional school committee, Town Administrator and Selectman Pacheco; motion carries unanimously after a roll call vote.

22. Appointment of new Board of Health Agent

a. Recommendation to be made at the meeting by Town Administrator

Selectman Grunwald says they were only able to interview one person for the position, so he would recommend re-advertising. In the meantime, he would also recommend appointing Mary Friere-Kellogg, who is currently appointed on a part-time basis, on an interim basis for 90 days while we try to find an option. Selectman Pacheco asks if there has been any discussion on regionalization; Selectman Grunwald thinks that is a great idea. Mr. DeManche thinks all these recommendations are spot on. If the Board does not wish to appoint Ms. Friere-Kellogg as interim, he would recommend authorizing Selectman Grunwald to sign off the documents, as Ms. Kellogg is not going to sign off if she is just part-time. Selectman Grunwald is not crazy about that idea and would like to hear about the interim appointment first. He says an interim appointment would buy us time while we figure this out. Selectman Pacheco would like to wait on this, until we hear from Lakeville on regionalization; Selectman Grunwald would like to act now, saying an interim appointment would take the duress out of everything. Mr. DeManche suggests a 30-day interim period; Selectman Grunwald proposes a 60-day period as a compromise.

VOTE: Motion (Matthews/Pacheco) to bring Ms. Friere Kellogg in for 60 days as Interim Board of Health Agent; motion carries two votes to none with Selectman Pacheco opposed.

23. Resignation from Catrina Goncalves as Recordings Clerk for Economic Development Committee & Zoning Board of Appeals (effective October 1, 2020) and Police Sub-Committee (effective October 9, 2020)

Ms. Goncalves has said she will stay on for the duration of the Police Station project with

the Police Sub-Committee. Selectman Pacheco would like a letter sent thanking Ms. Goncalves for all her hard work.

VOTE: Motion (Grunwald/Pacheco) to accept Ms. Goncalves' resignation from as recordings clerk of the Economic Development Committee and Zoning Board of Appeals; motion carries unanimously.

Old Business:

- Town Hall Phone System – Dates still pending
- Council on Aging Building Addition

Selectman Grunwald says the Council on Aging has been working with the current building for a very long time, and the project was approved by the voters to refurbish the building; this isn't a new building. He would like to give the Council on Aging permission to follow the correct process to do this and to get the first steps underway, which is hiring an architect to make sure the \$500,000 appropriated is enough. Selectman Pacheco says an email went out months ago with the correct process that the Town needs to follow; she will make sure that email is recirculated, and we can take up this matter on October 5th.

- Board of Assessors Staffing – No new updates
- Town Clerk Position

The Town Clerk will be present on October 5th to discuss a number of matters.

At 6:30pm, motion (Matthews/Grunwald) to adjourn; motion carries unanimously after a roll call vote.

Respectfully submitted,



Timm McIntosh
Administrative Assistant

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

- Letter from Department of Telecommunications and Cable re: expiration of cable television license
- E-Mail correspondence from Town Administrator re: expiration of cable television license
- Letter from Freetown Conservation Commission re: 45 & 63 Braley Road and 76 Quanapoag Road
- Correspondence from Forster M. Labossiere & M.E. Hawes Lees re: 45 & 63 Braley Road and 76 Quanapoag Road

- E-Mail correspondence from M. McCue re: surplus filing cabinets
- Draft Memo re: Ambulance Abatements/Write-Offs for August 2020
- Draft Absolute Auction Listing Agreement between the Town of Freetown and JJManning Auctioneers
- Draft Change Orders, numbered 017-020, for General Construction Contract for New Freetown Police Station
- E-Mail correspondence from Building Commissioner re: use of Council on Aging Pavilion for meetings on September 30th and October 28th
- Bid Opening Minutes for Implementation of a FY21-FY23 Revaluation Program, held on September 17, 2020
- Draft minutes of meeting of the Board of Selectmen on September 8th and September 9th
- List of proposed security camera options for Transfer Station
- Excerpt of Minutes from the Meeting of the Board of Selectmen on September 30, 2019, re: Wage & Classification Study
- E-Mail correspondence between Town Administrator, School Superintendent R. Medeiros, and Selectman Pacheco re: formation of a Vocational Education Exploratory Committee
- Blank Certificate of Appointment for Board of Health Agent
- Letter of resignation from C. Goncalves
- E-Mail correspondence from C. Goncalves re: remaining with the Police Sub-Committee to its completion