



**TOWN OF FREETOWN  
BOARD OF SELECTMEN**  
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**MINUTES OF MEETING OF MONDAY DECEMBER 01, 2014**

**COUNCIL ON AGING  
227 CHACE ROAD, EAST FREETOWN, MASSACHUSETTS**

**6:00 P.M. Call to Order** by Selectman Lee Baumgartner those present are Selectman Paul Sadeck and Town Administrator Jack Healey. The meeting is being recorded by MCCAM and Selectman Sadeck and John Garcia from Standard Times. Selectman Baumgartner reads the Agenda aloud.

**6:00 P.M. Board of Health Variance – 23 Hemlock Point – Abutters Notified**  
Kevin Bernardo says the Abutters did not have to be notified. He reads aloud from the sheet. Mr. Healey asks why there was no abutter notification. Jamie Bassonet from Prime Engineering says the well that is affected is the residents well only no other well. Selectman Baumgartner asks Mr. Bassonet to explain this system. Mr. Bassonet says the variances are reductions of SAS to a surface water supply from 400' to 100+, Reduction of Septic Tank to a surface water supply from 400' to 2100 and a reduction of a SAS to a private water supply well from 100' to 50+ (1 wells total) Mr. Bernardo has 2 conditions, he wants the on site well tested within 1 year of the Certificate of Compliance issuance and the residence must be a 2 bedroom deed restriction. Motion (Sadeck/Baumgartner) to adopt the variance at Mr. Bernardo's recommendations. Passed unanimously.

**Board of Health Variance – 25 Hemlock Point – Abutters Notified**  
3 Abutters were notified and they are present. Variances are reduction of SAS to a surface water supply from 400' to 100+, reduction of Septic Tank to a surface water supply from 400' to 100+, and reduction of a SAS to a private water supply well from 100' to 50'+.4 wells are around the areas. The adjacent wells are 78' and 84' away. The Presby Wells are a cleaner well. Selectman Baumgartner asks when you replace an old system what happens. Mr. Bassonet says the old one will be crushed and filled in. Mr. Bernardo says the conditions he would like placed on this system are the following: onsite well should be tested within 1 year and a copy of the water analysis needs to be submitted to Board of Health. There will be a deed restriction. Any abutters have any issue. No issues. Victoria Morro 24 Island Road has no issues. Expansion deed is only on the Septic. No bedrooms can be added. Selectman Sadeck wants more explanation. Mr. Bassonet says that they can remodel but not add more bedrooms. Motion (Sadeck/Baumgartner) to adopt at the recommendations of Mr. Bernardo Health Agent. Passed unanimously.

**Board of Health Variance – 6 Elm Street – Abutters Notified**  
No Abutters need to be notified with this address. Selectman Sadeck asks what is to assure us that this gets fixed if something goes wrong. Mr. Bernardo says this is monitored by

a service. This will have a maintenance contract. Conditions will be that we have a copy of the maintenance contract with every 6 month check. Mr. Bassonet says the protocol that DEP puts into place that they need a maintenance contract is what works. Mr. Healey wants to require a copy of the contract and copy of the reports to be on file at the Board of Health and Mr. Bernardo wants a deep hole inspection at time of construction and a restriction of maximum of 5 bedrooms. Motion (Sadeck/Baumgartner) as recommended. Passed unanimously.

### **Signing of Biweekly payroll/vendor warrants Weekly Public Discussion period**

Selectman Baumgartner announces the ACO flyer.

Mr. Rick Garant of South Main Street is concerned about the Road Improvement that Stop and Shop will be doing. He spoke with a representative of VHB. They said the sidewalk will be on the opposite side of the road. Mr. Healey said that the sidewalk will be on his side of the road. Mr. Garant said they can't sleep early in the morning. Mr. Healey has reviewed the plans, Geneveve Burke is who Mr. Garant spoke with. Mr. Healey said the sidewalk will be on Garant's side and this will help your line of sight. Mr. Garant said in 2003 the sidewalk was widened to help the North side and he wants to know who is saying this is safe and this is since 2012. Selectman Sadeck says we cannot stop trucks from going by your house but we can increase the road. This should have been done in 2012. Selectman Sadeck said this is now being done by Stop & Shop for the Town. Mr. Healey said the engineer will be removing some vegetation and adding a sidewalk and that will help you other than that he doesn't think there is anything else that they can insist upon. Mr. Garant says well now Stop & Shop purchased 3 houses across the road and they are 3 abandoned houses now and his property value is going down and now who knows what they are doing with the 12 acres with what they are buying up the land for. Selectman Baumgartner says we don't want anything that demeans the community. Mr. Garant feels he is being punished for being on the wrong side of the road, he would like the Town to do something on his behalf. Selectman Sadeck says that isn't our responsibility to do that on your behalf. Mr. Garant says my fight is with Stop & Shop then? Selectman Baumgartner says if you are looking for them to buy your property then you would need to speak with them and it doesn't feel right for us to speak to them on your behalf. Mr. Healey says he will see if he can get a phone number for him.

### **Consent Agenda:**

#### **Board of Selectmen: Action relative to:**

- Final Review and Action on the Following Agreements:
  1. Tax Increment Financing Agreement – Amazon.com Motion (Sadeck/Baumgartner) Passed unanimously.
  2. Non-Disclosure Agreement – Amazon.com Motion (Sadeck/Baumgartner) to sign and authorize Selectman Baumgartner to sign on Chairman's behalf.
  3. Intermunicipal Agreement – City of Fall River Mr. Healey explains the IMA which is an agreement to cooperate between the communities. Mr. Reich's concern initially was that Fall River was trying to do certain things within Freetown; they wanted Freetown to give up things. The agreement is a cooperative agreement and I am

comfortable with this. Motion (Sadeck/Baumgartner) to sign with recommendation from Town Counsel. Passed unanimously.

Attorney Reich said he spent some time speaking with Adam Andrews at Amazon and Ken Fiola at FRDA the difference was binding as long as it was certified and the big issue was the non-disclosure agreement. Attorney Reich said he gives the blessing.

- Town Administrator's Report – Senior Work Off Program to approve one applicants due to extra ordinary expenses. Selectman Sadeck says he was first told the income will not happen in the future. Motion (Sadeck/Baumgartner) to approve. Passed unanimously.
- Annual renewal of liquor and other licenses issued by the Board of Selectmen: Motion to approve as read (Sadeck/Baumgartner). Passed unanimously.
  - All Alcohol Innholder-Assonet Inn, Inc.
  - All Alcohol Package Store-Assonet Star Market, Inc.; New England Farms, Inc.
  - All Alcohol Veterans Club-Freetown Memorial Post #6643, VFW
  - All Alcohol Restaurant- Independence Harbor, Inc.; The Nephew's Italian American Kitchen, Inc.
  - Wine & Malt Package Store- Grandpa's Place, Inc. – This is under a payment plan and he is making an effort.
  - Entertainment License-Independence Harbor, Inc.; The Nephew's Italian American Kitchen, Inc.; Freetown Memorial Post #6643, VFW.
  - Jukebox Licenses- Assonet Inn, Inc.; Freetown Memorial Post #6643, VFW.
  - Sale of Second-Hand Furniture and Merchandise- Winter Hill Antiques.
- Annual renewal of Class II and Class III Motor Vehicle License and other licenses by the Board of Selectmen: Motion (Sadeck/Baumgartner) to approve all Class II licenses and all Class III licenses except Bugs Stevens. Passed unanimously. Motion (Sadeck/Baumgartner) to approve graveyard and Auctioneer licenses. Passed unanimously.
  - Class II Motor Vehicle Licenses: Clermont's Auto Sales; Chuck's Import Village; Bob's Motor Works; Main Street Gas & Auto Sales-Payment Plan, making an effort; Chipaway Auto Sales; San Man Auto Sales; P.J. Auto Sales; Miller's Auto Sales; Evolution Auto Sales, Inc.; C.J. Auto Sales; Nathan's Garage; Jimmie's Used Cars.
  - Class III Motor Vehicle Licenses: J&T Auto Salvage; D.M. Auto Enterprises; Westgate Auto; Home Town Automotive; Bugs Stevens' Freetown Auto-Payment plan but it has been difficult and they were not making the payments before. They have signed doubling the agreement, they owe for 2012, 2013 and 2014. Sadeck will hold on this License on this. Last year we did the same thing; Millis Industries Inc; Big Wheels Truck Sales, Inc.
  - Graveyard License Renewal for Millis Industries Inc.
  - Auctioneer License Renewal for J&T Auto Salvage

**Board of Health:**

**Personnel Board:**

- Approve Change of Status for John Pina as submitted by Police Chief Carlton Abbott, effective 12/01/2014. Motion (Sadeck/Baumgartner) Passed unanimously.
- Accept Letter of Resignation from Cheryl Rau as submitted by Police chief Carlton Abbott, effective November 13, 2014. Motion (Baumgartner/Sadeck) Passed unanimously. Accept with Regrets and send letter.
- Appoint Tracy Knowles, Veterans Agent, effective December 1, 2014. We recently had to interview for this position because Dan LeBlanc is resigning. Tracy is a Freetown resident and a disabled vet. Motion (Baumgartner/Sadeck) to appoint Tracy to the position.

**New Business**

- Dates for upcoming Board of Selectmen and Monday December 15<sup>th</sup>, Monday January 12<sup>th</sup> and Monday January 26<sup>th</sup>.
- December 10<sup>th</sup> Space Needs Study at 6:30pm at the FES.

**Old Business:**

- Status of Space Needs study.
- Freetown Elementary lease agreement.- We are at an impasse with this. The School has declined to increase the Capitol Improvement. Selectman Sadeck says 5,000 is too low he thinks it should be at least 20,000.
- Pending report of South Main Bridge scheduled for October 2014. – Mr. Macomber gave it to Ali.
- Union negotiation meeting. – We should have a discussion next meeting on this and have Joe Fair.
- Meeting with DESE-Selectman Sadeck is writing this up.
- Key Fobs-
- Town Bounds- remove this.
- Status of employee requesting reduction of hours.-Speak about this next week.
- Status of 4 South Main Street Building. – This is the red building.

**Executive Session:**

Motion (Sadeck/Baumgartner) to 7:20p.m. Adjourn. Passed unanimously.

Respectfully submitted,



Ali Golz, Administrative Assisant