



**TOWN OF FREETOWN
BOARD OF SELECTMEN**
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JA Brown

**MINUTES OF MEETING OF WEDNESDAY, MARCH 14, 2018
FREETOWN ELEMENTARY SCHOOL
43 BULLOCK ROAD, EAST FREETOWN, MA 02717**

5:30 P.M. Call to Order Chairman Lisa A. Pacheco calls the meeting to order at 5:30pm. Also present are Selectman Robert P. Jose, Selectman Charles B. Sullivan, Town Administrator David DeManche and Administrative Assistant Ali Golz. Atty. Mark R. Reich, Town Counsel, is also present, for executive session. The meeting is being filmed by FREECAM.

Please note: due to the Special Town Meeting, scheduled for 7pm, and the Board needing to enter into Executive Session with Town Counsel present, this meeting's agenda was taken out of order. These minutes are presented here in posted order.

5:30 P.M. Meet with the Freetown Water & Sewer Commissioners (FW&SC) to discuss a possible water line on Chace Road.

Present from the Freetown Water & Sewer Commission: Chairman Robert Parker, Paul Sadeck and Brad Paiva. Also present is Data Acquisition and Infrastructure Manager Keven Desmarais. Town Accountant Kimberley Fales is also present.

Selectman Pacheco says we are here to discuss the water line from Braley Rd. to Chace Rd. The Board has received a cost estimate from Environmental Partners Group (EPG), which is \$5 million. Mr. Sadeck explains this is a project born of the Police Station project. The water line project would enhance fire protection for all buildings, and help future growth. It would feature a 12 inch main and hydrants approximately every 500'. A booster pump would be installed near the Highway Department, which would increase water pressure. EPG has worked out several options for the project, and the one selected and presented here is the best. The project would also help the Freetown Elementary School, which has to filter and maintain their current well.

Members of the public, residents of Chace Road, ask the meeting participants questions about the project, expressing concerns about what happens to their wells when this project is constructed.

The residents are displeased with the process behind this water line project. Selectman Pacheco explains this project came from the Police Sub-Committee, which has been planning for a new police station. The police station project will come back to the voters separately. She speaks to the benefits of the water line and how it would enhance the new police station project.

Selectman Pacheco explains this water line project would be funded through taxation, not a betterment, going over a spreadsheet provided by the Town Accountant. Selectman Sullivan says this project will increase land value once completed. Selectman Jose says there is no requirement for residents to tie-in. Residents express concern about the quality of water in the water line, Mr. Desmarais says the water is tested regularly and meets the Department of Environmental Protection's guidelines.

The Board notes this meeting is solely to discuss the dollar figure. Ms. Fales explains her breakout sheet on the debt services. With repurposing of funds already present, we are able to cover the cost of the borrowing within the tax levy. Mr. DeManche says we can apply at 2%, so we can get savings there as well; Ms. Fales says around \$1 million. This shows how the debt services would work. This shows with repurposing etc we are able to cover the cost of the borrowing within the tax levy. Mr. DeManche says we can apply at 2% so we can get savings there. Ms. Fales says that would be about a million dollars of savings. Selectman Pacheco believes this is an affordable project. The Board votes on a recommendation for the Special Town Meeting (see below).

Weekly Public Discussion

Steve Tripp, 4 Alexandra Dr., notes the wall is back up at Excel, asking if the building inspector is he going to inspect. He also asks about Cease and Desist the Board sent to Excel. Selectman Pacheco says all those matters are being discussed in executive session tonight. Mr. Tripp also wants to know if any water testing is being done.

Pedro Neves, 9 Alexandra Dr., says everyone is so concerned about the Chace Road wells now, but nobody was concerned about the wells around Excel then.

Selectman Jose thinks there was a drainage study done, but notes that the Board can only enforce our license; we can't enforce DEP. Selectman Pacheco says their frustration level is as much as theirs is, stressing that the Board is trying daily.

Please note: the Board of Selectmen were forced to take a recess for the Special Town Meeting, and finish their meeting afterwards. These minutes are submitted in order of the posted agenda.

Consent Agenda:

Board of Selectmen: Action relative to:

- Vote on a recommendation for the water line article. This item was voted and discussed as part of the above discussion.

VOTE: Motion (Jose/Sullivan) to recommend based on the figures as presented by Environmental Partners Group, passed unanimously.

- Approve/Sign Reserve Fund Request submitted by Highway Department.

VOTE: Motion (Jose/Sullivan) to approve and send to the Finance Committee, passed unanimously.

- Approve Fire Abatements for the month of February 2018, as submitted by Chief Silvia.

VOTE: Motion (Jose/Sullivan) to approve in the amount of \$57,868.01, passed unanimously.

Board of Health:

Personnel Board:

- Approve new employment applications. This agenda item will be held until the next meeting.
- Approve/Sign Change of Status form for Kenneth Pleiss, as submitted by Charles Macomber, Highway Surveyor.

VOTE: Motion (Sullivan/Pacheco) to approve, passed unanimously.

- Discuss/Approve hiring of independent analysis. Selectman Pacheco says she would like to hire someone for independent analysis of the current Excel folder, all materials from the Excel matter.

VOTE: Motion (Jose/Pacheco) to approve the hiring of an independent analyst, motion carries 2-0, with Selectman Sullivan abstaining.

- Discuss Part-Time Zoning Enforcement Agent. Atty. Reich has been looking into this for the Board. Selectman Jose says he'd like to hear what Atty. Reich has to say on this before taking action. This agenda item is held for a future meeting.

New Business:

- Dates for upcoming Board of Selectmen Meetings: Monday March 19th, Tuesday April 3rd, Tuesday April 17th, Monday May 7th, Monday May 21st, Annual/Special Town Meeting Monday June 4th, Monday June 18th, Monday July 2nd, Monday July 16th, Monday August 6th, Monday August 20th.

Executive Session:

At 6:30pm, motion (Jose/Sullivan) to go into executive session, under the following exemption, and return to open session following. Roll call Selectman Lisa A. Pacheco, Selectman Robert P. Jose and Selectman Charles B. Sullivan. All voted in the affirmative when polled. Selectman Sullivan does not enter into executive session with the Board, as he has recused himself from all matters involving Excel Recycling.

M.G.L. c. 30A, sec. 21(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. Lisa Pacheco, Robert Jose, and Charles Sullivan Individually and as Members of the Freetown Select Board, CA No. 1773CV00612.

At 7:00pm, motion (Jose/Pacheco) to exit executive session, return to open session and recess the meeting until the close of the Special Town Meeting. Roll call Selectman Lisa A. Pacheco and Selectman Robert P. Jose. All voted in the affirmative when polled.

The meeting is called back into order at 8:26pm, to complete the agenda. Selectman Sullivan rejoins the meeting at that time. Remaining agenda items include the fire abatements and the items listed under the Personnel Board.

At 8:29pm, motion (Jose/Sullivan) to adjourn, passed unanimously.

Respectfully submitted,



Ali Golz, Administrative Assistant

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

- Request for Transfer from the Reserve Fund, as submitted by Highway Surveyor Charles Macomber
- Memo to Town Accountant from Fire Chief Gary Silvia & Board of Selectmen re: Ambulance Abatements Write Offs for February 2018
- Draft Employment Application, as submitted by Senior Clerk Timm McIntosh
- Change of Status Report form for K. Pleiss