

*Chief A. A. Silva*

RECEIVED  
FREETOWN TOWN CLERK

2021 AUG 18 AM 8:50

Freetown Board of Selectmen

Joint meeting with Finance Committee, Building Committee and Council on Aging Board

Meeting Minutes

Tuesday, July 13, 2021 – 2:30pm

Police Station Community Room

15 Memorial Drive, East Freetown

**Call to Order**

**Executive Session**

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.  
Opioid Litigation
2. M.G.L. c.30A, Sec. 21(a)(3) – to discuss strategy with respect to collective bargaining with Public Employees Union, Local 1144 LIUNA (all bargaining units), the Freetown Highway Department of Laborers' International Union of North America AFL-CIO 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 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
4. M.G.L. c. 30A, sec. 21(a)(3) – to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel. Contracts with Chief of Police and Treasurer/Tax Collector, and temporary/interim Town Administrator.

**Public Hearing 4:00PM**

In attendance is Selectmen Trevor Matthews, Selectmen George Grunwald, Selectmen Jared Zager, Executive Assistant Lu-Ann Souza, and Administrative Assistant Lola Furtado. Also, in attendance on behalf of the Council On Aging, Bruce Wilbur, Evelyn Alves, Marion Rylands, Robin Kendrick, Ruth

Ferland, Sonny Barros, Barbara Place. Public Health Nurse Lori Desmarais, Finance Committee Gary Martin, Town Accountant Kim Fales.

Selectmen Matthews open the public hearing at 4:07pm

5. NSTAR Electric Company d/b/a Eversource Energy requests permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in under, along and across the following public way or ways: South Main Street, Freetown, to install approximately 3, 285' (feet) of conduit and cable under the town road.

In attendance is Jessica Elder & Theresa Feuersanger NStar Electric Representatives, Mike Sweeney & Tim Reilly Manager of Conduit & Dig Safe Division. This is a system reliability project. They petitioned the project back on 4/20/21 for a small portion of Richmond Rd. South Main St is also a Mass State Highway. They have been approved by the Master Team Program Permit for the 3,285' feet and the 10 manholes. Selectmen Matthews said a concerned citizen who has been around these kind of utility projects, mentioned there was a lot of things going on around underneath there. Wanting to take into consideration our concerns if someday we want to bring the sewer system down main street, that we do not want this to get in the way of potential projects. We are thinking long term. Some of the existing stuff that is underground and how close everything is to the topcoat, the amount of space, resurfacing the road since it is one of our busier roads. Another concern was the size of the manholes. Mike Sweeney spoke about the engineering that they have in the footprint in the plans, they will test pit everything ahead of time to make sure that we have the room for the facilities. They are not impacting water or sewer or any other future on where they are trying to put the pipe and the manholes in. The manholes are a larger size for the reason it is a 12-duct system. In the event we end up maximizing all the conduits down the road we need the room inside for the guys to wrap the cable and splice it safely. As far as day-to-day operations goes, Mike Sweeney he is in contact with the contractors making sures they are set up for safely, going by the traffic management plan, job briefings, making sure the police details are all working safely and at the end of the day traffic can move freely, paving is done temporary, and area is all cleaned up and if people have any issues, he is the direct point of contact. Tim Riley will be doing the bulk of the work.

If there is issues that we can't put the footprint in that we want in, they will go back to engineering and we may minimize the pipes and manholes, adjusting down. Selectmen Zager asked about resurfacing curb to curb. Mike Sweeney said they do not do curb to curb. They normally do 2 to 3 feet beyond either side of the trench and do a grind and inlay or center line to curb, it can be discussed. Selectmen Matthews asked if we were missing something for this project. Theresa spoke

on this and how they do a lot of these projects for reliability every year. They will identify areas that could tremendously benefit. It is a large-scale project, but it has a benefit to all the residents in this area and where the reliability plays into the construction of this project. The project provides an alternative resource to switch people to another resource make sure that you never go out of power. It's an important project for the company and the residences. Engineering prior to that of Teresa point they look at a particular area for the last 12 months of the year and say the area of Freetown has this x number of outages in 12 months, so they get the directive to look at engineering and ask how we can improve the service reliability for this area. Do we add transformations, do we go underground, or do we have more polls? That is looked at constantly for all the areas that we have outreaches on and give you better reliability down the road. Mike will take back for pricing curb to curb paving and have an internal discussion. He can't guarantee anything, but he is comfortable to say what we'll do is right side of shoulder will do centerline all the way to the end when we did any trenches.

Bob Jones from Assonet had questions about if it was going to be a trunk line to be able to break off and do fetal lines off that or is it going to be just a primary, like a Kendrick line through line? Mr. Sweeney said it could be both. We could do both. No polls are going in, all upgrade is an underground project. Another question is under the highway are you stepping down because being a tight space that's a fixed space. There's no diversion of extra room, so are you stepping down the size, layout there is that central layout where we head into if were trenching for waterlines or sewer lines were only limited to that and that's regulated by Mass Highway too. Mr. Sweeney said they will have the ability to adjust as needed. The sewer or water facilities underground will not be impacted.

Selectmen Matthews closed the public hearing at 4:20 pm

## **Board of Selectmen**

Discussion/possible action on the following topics:

6. Approval of the meeting minutes from 6/22/21 & 7/2/21.
  - Motion to approve the meeting minutes from 6/22/21 & 7/2/21 was made by Selectmen Zager and seconded by Selectmen Grunwald
  - Vote: approved in a unanimous roll call vote
7. Approval of the weekly warrants 054-058 related to 6/30/21.
  - Motion to approve the weekly warrants 054-058 related to 6/30/21 was made by Selectmen Zager seconded by Selectmen Grunwald
  - Vote: approved in a unanimous roll call vote

8. Update on the Council on Aging project from Andy DiGiammo and Daniel Newhall from Compass Group Architects. They were hired by the Town of Freetown to do a feasibility study on the Council of Aging building and to pursue three specific options and an opinion of costs for each and give a recommendation. Property overview total value of building and covered barbecue area may be included. Code compliance issues is driven by the cost of the structure. From the tax records they assigned is \$227,500.00 for the cost of the structures.

First option - First thing was to measure the existing conditions and learned everything we needed to learn about the building. Upper and lower-level floor plan was discussed, each is accessible from grade because the grade slopes up and the gross square footage with the new freezer cooler is 2,196 gross square feet. Upper-level area is 1,924 gross square feet. Total building 4,120 gross square feet. Just a note the building was made of 4 modular units. The recommendations were coming out 20 feet in front of the building. They talked to the COA and discussed programs, problems, and challenges, and the 1<sup>st</sup> scheme recommended enlarging 6,709 square feet. 2<sup>nd</sup> scheme was for a smaller footprint of 6,009 square feet. Then came a code compliance of the existing building to clean up any code issues at the same time or forced to clean up by hitting certain thresholds. Existing code compliance is height, fire protection, means of egress. Code upgrades (if necessary) fire resistance rated requirements for building elements, existing plumbing fixtures, existing accessibility, and existing HVAC. Service sinks and drinking fountain would need to be installed. Existing Accessibility – this type of project exceeds 30% of the value of the structure the whole building must come up to compliance. This includes an elevator. Both levels are acceptable, but the code 521 CMR specifically says if the building is accessible from two levels, and they are not distinct uses and if they are connected with a stairway, you need an elevator.

1<sup>st</sup> scheme showed renovated COA with 20 feet by 70 feet addition. New gathering room, new vestibule, new lobby and elevator, new meeting space/storage/distribution room. This addition would add 1,222 square feet bringing the total square feet to 3,418 square feet. 2<sup>nd</sup> level renovated area would be, having a larger activity/recreation room with a possible concept of a folding petitions to make 2 rooms when needed. Renovated areas are, altered reception/waiting room, with altered office area with interior window. Adding a computer commons room, and 2 altered break/meeting rooms.

Smaller scheme #2 adds to one side. Problems is it goes over the accessibility threshold and will still need the elevator and machine room. Leaving the left side of kitchen with natural light. On 2<sup>nd</sup> floor 2 new offices and enlarged recreation room only. Total of the 2<sup>nd</sup> floor up to 2,981 square feet. Total new addition area 1,141 S.F. Renovated area 1,130 S.F. Total work area of 3,335 S. F.

Second option - was a new COA building, 7,000 S.F. x \$550.00 a square foot = \$3,850,000.00 total cost project.

Third option - was a combined COA/Library building. 7,000 +17,000 square feet x \$500.00 a square foot = \$12,000,000 total project cost.

Summary - As per the requirements of the purchase Description for the Feasibility Study on the Council on Aging dated 11/20/2020. Compass Group Architecture, LLC has analyzed three potential options:

1. The renovation of the existing Senior Center
  - Scheme 1 New addition area 2864 S.F. Opinion of Cost \$1,921,450
  - Scheme 2 New addition area 2129 S.F. Opinion of Cost \$1,660,400
2. The construction of a new Senior Center
  - Area 7,000 S.F. Opinion of Cost \$3,850,000
3. The construction of a new Senior Center/Library
  - Area 24,000 S.F. Opinion of Cost 12,000,000

Compass Group Architecture LLC. recommends Option 1, Scheme 1 as the best value for Town of Freetown.

Selectmen Matthews asked for a total construction time estimate for Scheme 1. Mr. DiGiammo suggested 8 months to a year.

Mr. Paul Sadek asked if this proposal would be ready to go to the Town Meeting in September?

Mr. DiGiammo would like to take it one step further before going to the Town Meeting and highly recommends bring the drawings to an independent cost estimator and have them price it out as well.

Building Committee Chairman Lisa Pacheco stated Committee consensus was to go with Scheme # 1 also Committee had talked about taking money out of the stabilization to offset some of that cost. Also depending on the timing of the project and if it were summertime, you could use a wing at the school, probably the activities room or the gymnasium as well as the attic upstairs that is accessibility dependent on what the needs are in this build is this space.

Mr. DiGiammo also stated this would have to go out to bid and submit a R F Q from other firms.

- Motion to go forward with Scheme 1 and go through the Mass General Law requirements to move this forward by Selectmen Grunwald and seconded by Selectmen Zager
- Vote: approved in a unanimous roll call vote.

9. Update on Highway Barn Roof from Building Commissioner Jeffery Chandler.

Commissioner Chandler is working on a materials list so he can send it to two other vendors and scheduling to get it done by the end of July. He discussed with 3 roofing companies about

insulating boards and cost wise to code it was less to insulate inside. Right now, were taking care of the front side.

Mr. Chandler is purchasing the materials and paying a contractor to come in and install for under 10,000.00.

10. Discussion, and vote on the contract between the Town of Freetown and T. L. Edwards, Inc. for Bituminous concrete at plant effective 7/1/21-6/30/22.
  - Motion to approve the contract between the Town of Freetown and T. L. Edwards, Inc. for Bituminous concrete at plant effective 7/1/21-6/30/22 made by Selectmen Zager and seconded by Selectmen Grunwald
  - Vote: approved in a unanimous roll call vote
11. Discussion on a potential Light Pollution Bylaw.
  - Discuss this with other committees and town boards. Tabling this until able to invite the Planning Board and Conservation Commission to a meeting to discuss this thoroughly.
12. Discussion on food pantry insurance.
  - Craig Cabral called today. He has the Binder for Insurance but not the Certificate of Liability we need and having some difficulty with the Insurance Co. He called again today, and we hope to have it tomorrow.
13. Discussion, and vote on Transfer Request for the Transfer Station from Uniform Allowance to Additional Gross Overtime in the amount of \$163.04.
  - Motion to approve Transfer Request for the Transfer Station from Uniform Allowance to Additional Gross Overtime in the amount of \$163.04 made by Selectmen Zager and seconded by Selectmen Grunwald
  - Vote: approved in a unanimous roll call vote
14. Discussion, and vote on Transfer Request for Town Administrator in the amount of \$10,754.76.
  - Motion to approve Transfer Request for Town Administrator in the amount of \$10,754.76 made by Selectmen Zager and seconded by Selectmen Grunwald
  - Vote: approved in a unanimous roll call vote
15. Discussion, and vote on Transfer Request from the Planning Additional Gross Overtime to PFT Salary/Wages in the amount of \$1,000.00



- Motion to approve Transfer Request from the Planning Additional Gross Overtime to PFT Salary/Wages in the amount of \$1,000.00 made by Selectmen Grunwald and seconded by Selectmen Zager
  - Vote: approved in a unanimous roll call vote
16. Discussion, and vote on Transfer Request from Police Personnel Salary/Wages to Police Overtime in the amount of \$26,707.65.
- Motion to approve Transfer Request from Police Personnel Salary/Wages to Police Overtime in the amount of \$26,707.65 made by Selectmen Zager and seconded by Selectmen Grunwald
  - Vote: approved in a unanimous roll call vote
17. Discussion, and vote on Transfer Request from Assessors to Revaluation in the amount of \$6,300.00
- Motion to approve on Transfer Request from Assessors to Revaluation in the amount of \$6,300.00 made by Selectmen Zager and seconded by Selectmen Grunwald
  - Vote: approved in a unanimous roll call vote
18. Discussion, and vote on Transfer Request from Town Administration Professional & Tech Consulting to Trash/Single Stream Recycling Fees in the amount of \$4,000.00
- Motion to approve on Transfer Request from Town Administration Professional & Tech Consulting to Trash/Single Stream Recycling Fees in the amount of \$4,000.00 made by Selectmen Zager and seconded by Selectmen Grunwald
  - Vote: approved in a unanimous roll call vote

## **Board of Health**

Discussion/possible action on the following topics:

### **19. Update from Public Health Nurse, Lori Desmarais.**

Since the beginning Covid Cases 997. Last 2 weeks we have 2 cases, currently there are no active cases. Positivity rate is the 1.23%. Since our last meeting we had 8 cases for the month of June, July had the 2 cases. 1 case was between 30- and 49-year-old and the other was between 50 and 64 years old. 4 cases were the delta variant. Still continuing to vaccinate as requested. 2021 there were 14 cases hospitalized and 2 deaths.

Mosquito Testing started in the state on June 14, we have no cases of triple EEE or West Nile Virus. She wants to make sure everyone protects themselves by repellents, avoiding peak mosquito times. Spraying can still be requested; Tuesday is the Freetown day. Tick Borne Disease is a high risk here in Freetown. Most common we have is Babesiosis and had 3 cases in July, 1 in June and 6 cases to

date. 1 Anaplasmosis case this month, 2 in June and 5 to date, 1 Lyme Disease this month, 9 in June and 20 cases year to date. 2020 we had 52 cases total.

Nurse Clinic hours at the COA started today on the second Tuesday of the month from 10 to 11am and stayed after hours for their cookout, to touch base with the residents and let them know I'm back with clinic hours. Update on Tobacco - Joseph Carvalho who gets paid through a state grant does inspections and compliance checks will start his inspections again. There are new laws started in 2019 to let businesses know about certain paperwork needed and a schedule of fees for our respondents.

### **Personnel Board**

Discussion/possible action on the following topics:

20. Acknowledge the resignation of Peter M. Jankowski as Town Administrator effective 6/28/2021.
21. Acknowledge the resignation of Walter J. Sawicki as Constable effective 6/30/2021.
22. Acknowledge the resignation of Tim Dacey as Boat Ramp/Beach Attendant effective 7/7/2021.
23. Appoint Tim Dacey as Seasonal Beach Attendant effective 7/7/2021-9/30/21.
24. Rescind the appointment of Maurice DeMoranville as Moth Superintendent effective 7/1/21-6/30/24
25. Appoint Maurice DeMoranville as Moth Superintendent effective 7/1/21-4/1/2024.
26. Appoint Michael McCue to Commuter Rail Task Force Delegate effective 7/13/21-6/30/22.
27. Appoint Michael McCue to Freetown Vocational Education Exploratory Committee effective 7/13/21-6/30/22.



28. Appoint Mike McCue, Mark Logan, and Christopher Kelley, Sr as Agents to Locate and Mark Town Boundaries on behalf of the Board of Selectmen effective 7/13/21-6/30/22.
29. Discuss and appoint Mike McCue to SRPEDD – Joint Transportation Planning Group effective 7/13/2021-6/30/2022.
30. Appoint Cheryl Estrella to Freetown Vocational Education Exploratory Committee effective 7/13/21-6/30/22.
31. Appoint Jared Zager to Freetown Vocational Education Exploratory Committee effective 7/13/21-6/30/22.
- Motion to approve # 20 thru #31 made by Selectmen Matthews and seconded by Selectmen Zager
  - Vote: approved in a unanimous roll call vote
32. Discussion and vote to appointment a Selectmen to the following positions effective 7/12/21-6/30/22.
- a. Economic Development Committee
  - b. Heath Insurance Advisory Committee
  - c. Priority Development
  - d. Sexual Harassment Officer
- Selectmen Matthews to accept the Economic Development Committee and Sexual Harassment Officer, Selectmen Zager to accept the Health Insurance Advisory Committee, Selectmen Grunwald to accept the Priority Development
- Motion to approve by Selectmen Matthews and seconded by Selectmen Zager
  - Vote: approved in a unanimous roll call vote
33. Appoint Robert L. Gregory and Sharon J. Rosen to the Scholarship Committee effective 7/1/21-6/30/24.
- Motion to approve the Appoint Robert L. Gregory and Sharon J. Rosen to the Scholarship Committee effective 7/1/21-6/30/24 made by Selectmen Matthews and seconded by Selectmen Zager
  - Vote: approved in a unanimous roll call vote

34. Approve the appointment of Kim Johnson as Recording Clerk for the Economic Development Committee, Building Committee and Finance Committee effective 7/13/21-6/30/22.

- Motion to appoint Kim Johnson as Recording Clerk for the Economic Development Committee, Building Committee and Finance Committee effective 7/13/21-6/30/22 by Selectmen Matthews and seconded by Selectmen Zager
- Vote: approved in a unanimous roll call vote

35. Discussion and vote to approve the Collective Bargaining MOU between Freetown Full-Time Firefighters Association and The Town of Freetown effective 7/1/21-6/30/24.

- Motion to approve the Collective Bargaining MOU between Freetown Full-Time Firefighters Association and The Town of Freetown effective 7/1/21-6/30/24 made by Selectmen Matthews and seconded by Selectmen Zager
- Vote: approved in a unanimous roll call vote

36. Discussion on requiring drug and/or alcohol testing.

In the CDA's we cannot do drugs. Email from Attorney Joe Fair stated if their working for us and has a CDL License its required by law to be doing random drug testing. Chuck Macomber said all the existing employees all have CDL's and gave us that Custom Drug Testing, is who they used before and comes in on site and randomly tests. Need to decide where the monies are coming from and who's budget to cover that. Pending questions is we have some new hires that we are making for the highway department and are we going to require a pre-employment drug testing. Attorney Joe Fair says we can because they're not members of the collective bargaining agreements at this point. We have someone starting on 7/26 and tell them that we need the pre-testing done. We need to decide who, when and with what company. Selectmen Matthews has an issue with marijuana testing. Selectmen Grunwald and Selectmen Zager suggests getting legal council's opinion first.

#### **Board of Park Commissioners**

Discussion/possible action on the following topics:

- No topics for discussion

Please note: The Board may take up any other business to properly come before the Board that was not reasonably anticipated 48 hours before this meeting.

Motion made to adjourn by Selectmen Zager and seconded by Selectmen Grunwald  
Vote: approved in unanimous roll call vote

Respectfully Submitted,



Lola Furtado

Administrative Assistant

#### List of Documents/exhibits used

Public Hearing -Public Notice – NSTAR d/b/a Eversource Energy  
Meeting Minutes June 22, 2021  
Meeting Minutes July 2, 2021  
Agreement T.L. Edwards, Inc.  
Light Pollution ByLaw - Draft  
Email between Lu-Ann Souza and Craig Cabral  
Request for Appropriation Transfer - Transfer Station  
Request for Appropriation Transfer – Town Administrator  
Request for Transfer from The Reserve Fund – Town Administrator  
Request for Appropriation Transfer - Assessors  
Request for Appropriation Transfer – Town Admin Prof & Tech Consulting  
Town Administrator Formal Notice  
Resignation of Walter Sawicki  
Resignation of Tim Dacey, Boat Ramp Attendant  
Certificate of Appointment Tim Dacey, Seasonal Beach Attendant  
Certificate of Appointment Maurice DeMoranville, Moth Superintendent  
Certificate of Appointment Michael McCue, Commuter Rail Task Force Delegate  
Certificate of Appointment Michael McCue, Freetown Vocational education Exploratory Comm.  
Memo Annual Boarder Check  
Certificate of Appointment Michael McCue, Christopher Kelley Sr. & Mark Logan Agents to  
locate and mark Town Boundaries on behalf of the Board of Selectmen

Certificate of Appointment Michael McCue, SRPEDD Joint Transportation Planning Group  
Certificate of Appointment Cheryl Estrella, Freetown Vocational Education Exploratory Comm.  
Certificate of Appointment Jared Zager, Freetown Vocational Education Exploratory Comm  
Certificate of Appointment Robert L. Gregory & Sharon J. Rosen, Scholarship Committee  
Certificate of Appointment Kim Johnson, Recording Clerk for Economic Development Comm,  
Building Committee and Finance Committee  
Memorandum of Agreement Freetown Full-Time Firefighters Assoc.