



**TOWN OF FREETOWN
BOARD OF SELECTMEN**
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**MINUTES OF
MEETING OF MONDAY, SEPTEMBER 17, 2018
COUNCIL ON AGING
227 CHACE RD, EAST FREETOWN, MA 02717**

5:00 P.M. Call to Order Chairman Robert P. Jose calls the meeting to order at 5:00pm. Also present: Selectman Lisa A. Pacheco, Selectmen Charles B. Sullivan, Town Administrator David DeManche and Administrative Assistant Ali Golz. The meeting is being recorded by FREECAM at 6pm. Chairman Jose reads the agenda aloud.

Executive Session

At 5:05pm, motion (Sullivan/Pacheco) to enter into Executive Session, under the following exemptions, and return to open session following. Roll Call Selectman Robert P. Jose, Selectman Charles B. Sullivan and Selectman Lisa A. Pacheco. All voted in the affirmative when polled.

- M.G.L. c.30A, Sec. 21(a)(3) - to discuss strategy with respect to collective bargaining with the Freetown Full-Time Firefighters Association and Public Employees Union, Local 1144 LIUNA (Highway Union) because an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares. At 6:00pm, motion (Pacheco/ Sullivan) to return to open session. Roll Call Selectman Robert P. Jose, Selectman Charles B. Sullivan and Selectman Lisa A. Pacheco. All voted in the affirmative when polled.

6:00PM Board of Health Variance – 6 Andre Ave.

Board of Health Agent Derek Macedo explains that this is for a simple variance. Engineer Rick Charon is here for the variance. This is to allow overdig less than 5' on sides of leaching field, he proposes a 2' variance. Mr. Macedo doesn't have any issues with this. Selectman Jose says with the 2' vs 5' overdig, what will be the disturbance? Mr. Charon says there won't be any disturbance. Selectman Pacheco asks for the green cards. Mr. Charon doesn't have any and didn't think there needed to be a butter notification. Mr. Macedo agrees with Mr. Charon.

VOTE: Motion (Jose/Sullivan) to approve as written, passed unanimously.

6:00PM Board of Health Variance – 6 Point of Pines

Niles Zager, engineer from Zenith Consulting, is present. Selectman Pacheco reads the green cards aloud. Mr. Zager explains that they are asking a variance to an existing well, but it is a vacant property. The Conservation Commission has ordered that they remove it. They are within 100' of Long Pond. They are putting in a presby system. The system allows for vehicle travel. Selectman Sullivan asks if there is any danger for flooding. Elevation for flooding is at 57', and we are up at 63'. This was approved by the Conservation Commission. Selectman Jose clarified that Mr. Zager is asking for the set back from the pond and the well; Mr. Zager explains that is correct, plus more: 5' for the leaching field,

well setback 100' to 50'. Selectman Pacheco confirms this is a system for 2 bedrooms; Mr. Zager says that is correct.

VOTE: Motion (Jose/Sullivan) to approve as requested, passed unanimously.

Consent Agenda:

Board of Selectmen: Action relative to:

- Discuss/Approve Articles for Insertion on the Special Town Meeting Warrant. Selectman Jose reads each Article aloud, and the Board discusses assorted articles. The number for the article regarding Fire Station 1, \$8,700, so that number was added to the article by the Board. On the Article regarding the lease of police cruisers, which references the June 4th Annual Town Meeting, Selectman Jose thinks it should note that the meeting was continued to June 5th. The Board also opts to remove articles submitted by the Council on Aging, Planning Board and two from the Highway Department, which can be revisited in the future or, in the case of the Highway Department articles, be dealt with using Chapter 90 funds.

VOTE: Motion (Pacheco/Sullivan) to approve the warrant with the noted changes, passed unanimously.

The Warrant will now go to Town Counsel for further review, with final approval by the Board to follow.

- Discuss creation of Clean Energy Community Committee with Resident Wendy Graca. Ms. Graca would like to propose a Freetown Clean Community Advocate group. She goes over what it's mission would be, which would be broad enough so any resident can be involved if they wish. The committee would consist of 7 members, both town residents and town officials. Ms. Graca's focus would be on energy and there is a lot of funding to tap into in that area. She isn't looking for any money to do this, just permission to set this up. The Board likes the idea and wants to read the packet Ms. Graca provided, which can also go on the website. Ms. Graca would also issue a press release about it as well. This will be discussed again on a future agenda.
- Approve/Sign Road Opening Permit for 141 South Main Street.

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

- Approve Traffic Plan for St. Bernard's Harvest Festival on September 21-23, 2018, as submitted by Chief Abbott. Chief Abbott explains the only difference from last year is that Santander Bank will provide a shuttle. The Police have recommended that High St. be a one way. The Fire Department has stated this will not present any issues with them.

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

- Discuss bill submitted by Finance Committee for Davol Printing. Selectman Sullivan says in his opinion, and why he was and still is opposed to this, the process of incurring this bill needs to be

addressed. The Finance Committee took the money from the reserve fund, which is for emergency or unforeseen circumstances, and while they didn't know this would happen, the chairman spoke about this and there was an opportunity to put the funds in the budget. He doesn't think that the vendor should be stiffed. He wonders if the Finance Committee has a budget, there aren't any check-and-balances, that maybe we should put their budget in another budget. He would like a good explanation on this and going about this. He has problems with the transfer. Selectman Pacheco says you can't be the banker and have the keys as well. There needs to be some sort of repercussion here. Selectman Jose doesn't want to hold Davol Printing up; they should be paid and his issue is with the Finance Committee, not Davol. Selectman Sullivan thinks maybe they put forth a by-law or a ruling from DOR, but the Finance Committee shouldn't be incurring bills, as there is no check-and-balance. Selectman Pacheco agrees and says we need to contract DOR.

VOTE: Motion (Sullivan/Pacheco) to pay the bill to Davol Printing, passed unanimously.

VOTE: Motion (Pacheco/Sullivan) to get a ruling or an opinion from DOR on this bill and/or any bills going forward, passed unanimously.

- Approve Fire Abatements for the Month of August, as submitted by Chief Silvia.

VOTE: Motion (Pacheco/Sullivan) to approve in the amount of \$81,845.91, passed unanimously.

- Approve Board of Selectmen's Minutes for August 16, 2018 and August 20, 2018.

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

- Town Administrator's Report.
 - Mr. DeManche is scheduled for a procurement seminar the week of September 25, which will complete his procurement training and get him certified.
 - The South Main St. Bridge project will start on or before October 1. Lane closures will be kept to a minimum. Mary Rezendes Brown will approve the grout used and the staging will be at Hathaway Park, with divers and boats being utilized. Selectman Pacheco reminds Mr. DeManche to get in touch with the school bus company to let them know about the project.
 - Mr. DeManche has met with SRPEDD on the housing production program, which has been approved by the Planning Board. The Board will need to approve that as well, it will be on a future agenda. The plan will then get sent to the state, and once approved, it will open up some grant money. On the Open Space & Recreation Plan, the town will need to form a committee and they will do a survey to get public input. The result of this will be a seven-year action plan which, once approved by the state, will again open up grants and other funding. On the Municipal Loanability Plan, we are approaching it regionally, with Lakeville and Rochester. This will identify hazards in the community, and will again allow the Town to apply for grants and funding.

- Mr. DeManche has been working with Ryan Trahan on stormwater discharge, there is an EPA deadline coming up on October 1. The money is in the budget to take care of this.
- On the Harpers program, Mr. DeManche explains that we need to change the payroll period dates to a Thursday-Wednesday period to help the program along, to eliminate guesswork and estimation at the end of each pay period. The initial pay period will be short two days, which will be made up in the following pay period. The pay dates will remain the same. We will go before the Unions and explain to them what we are doing, this will go into effect on October 24th. Selectman Pacheco cautions that we'll need to do impact bargaining before we do anything. Mr. DeManche says he's in contact with the Unions. Town Accountant Kimberley Fales speaks to how important this would be when we move to a time clock system, as that can't be estimated easily. Mr. DeManche notes this is a one-time switch, not something that will go back and forth.
- Mr. DeManche is working with Bruce Wilbur about the freezer, which they hope to get done before the snow starts.
- On Public Power, the Electric Aggregation legal group has agreed to the amendment 10.122 to 10.430 per kW, which is still lower than the second bid. The average increase for customers will be \$1.50-\$1.80 a month.
- We have received 2 letters from the Department of Conservation and Recreation regarding more land abutting the Freetown State Forest, giving us 120 day notice of purchasing. This can be waived if the Board votes to do so.
- Finally, Mr. DeManche and Mrs. Rezendes Brown has been working with an Eagle Scout about a project at the Bandstand, he will be appearing before the Board at the next meeting

Board of Health:

- Discuss Republic contract extension. Present: Brian Penny and Gail Vanasse of Republic, along with Board of Health Agent Derek Macedo. Mr. Macedo explains that the purpose of tonight is to sign into the 2 year extension. He notes we currently have had 2 weeks with no complaints. Mr. DeManche says that Republic has put together a plan to recycle with certain costs. Mr. Penny from Republic says we have been receiving recycling and it is getting tight now and we don't have contracted tons with Freetown. Republic would like that tied in, and if we don't have it in a contract, we may not be able to accept it. He notes the new DEP regulations about clean recycling, saying about 20% now is not clean and it needs to get to 5%. They may stop and only accept cleanest materials. Mr. Penny believes he has fixed the issues. Selectman Pacheco knows that they have been taking care of problems, but she believes there are issues that need to be addressed. She has some questions, saying that recycling now may be against the wall but there may be other countries that may take our recyclables. Mr. Penny says he has been in this business for 30 years and he has never seen this before. Selectman Pacheco thinks if we didn't have this problem we wouldn't be talking about extending your contract. Ms. Vanasse says they have stepped up and corrected the issues. Selectman Sullivan says personally he has seen a much better response in the last 8 months. He is more inclined now than in January to extend the contract. Selectman Jose agrees with Selectman Sullivan but he hasn't seen any contract proposals regarding per ton. Mr. DeManche says this will go on the next Agenda with the amendment.

Personnel Board:

- Accept letter of resignation from Aleesha Friere as part-time senior clerk & sign change of status form, effective Sep 21, 2018.

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

- Sign Change of Status form for Cheryl Estrella, Assistant Town Clerk, effective Aug. 19, 2018.

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

- Sign Change of Status form for Eric Richard, Heavy Equipment Operator, effective Oct 10, 2018.

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

- Sign Change of Status form for Kenneth Pleiss, Mechanic, effective Oct 24, 2018.

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

- Appoint David DeManche American Disability Act Administrator, effective July 1, 2018.

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

- Appoint Joyce Collins-Ruffley as Election Worker, effective Aug 31, 2018.

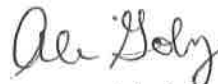
VOTE: Motion (Pacheco/Jose) to approve, passed unanimously.

New Business:

- Dates for upcoming Board of Selectmen Meetings: Monday October 1st, Special Town Meeting Monday October 15th, Monday November 5th and Monday November 19th, Monday December 3rd, Monday December 17th, Monday January 7th, Tuesday January 22nd, Monday February 4th, Tuesday February 19th, Monday March 4th, Monday March 18th.

At 8:35pm, motion (Pacheco/Jose) 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)

- Board of Health Variance Application for 6 Andre Ave
- Board of Health Variance Application for 6 Point of Pines
- Articles submitted for October 15th Special Town Meeting, put into draft warrant form
- Full text of proposed Assonet Bay Shores Overlay District zoning by-law
- List of parcels effected by proposed zoning change to Open Space & Recreation by-law

- Street and Sidewalk Opening Permit application for 141 South Main Street
- Letter from Police Chief Carlton E. Abbott, Jr. re: Traffic Management Plan for the Harvest Festival
- Maps and Standing Order for Harvest Festival event
- Copy of Departmental Schedule of Bills Payable, submitted by the Finance Committee to the Town Accountant, June 5, 2018
- Copy of invoices from Davol Printing
- Copy of mailing made by Finance Committee for June's Special Town Meeting
- Copy of Warrant approval form for Warrant 2018-050B and accompanying ledger information
- Text of Massachusetts General Law, Part 1, Title VII, Chapter 41, Section 56
- Draft Ambulance Abatements – Write Offs Memo for August 2018
- Draft Board of Selectmen's minutes from August 16th and August 20th, 2018
- Letter of resignation from A. Freire
- Memo from Town Clerk Jacqueline Brown re: appointment of J. Collins-Ruffley as Election Worker
- Letter of interest from J. Collins-Ruffley re: election worker
- Draft Employee Change of Status Report for A. Freire, C. Estrella, E. Richard and K. Pleiss
- Draft Certificate of Appointment for D. DeManche, and J. Collins-Ruffley