

Freetown Board of Selectmen
Meeting Minutes
Monday, November 21, 2022 – 5:30pm
Police Station Community Room
15 Memorial Drive, East Freetown, MA

RECEIVED
FREETOWN TOWN CLERK
2022 DEC 13 AM 11:48

Call to Order

Selectmen Trevor Matthews called the meeting to order at 5:30pm. Selectmen Jared Zager, Selectmen Carlos Lopes, Interim Town Administrator Deborah Pettey, Police Chief Carlton Abbott, and Executive Assistant Lu-Ann Souza were also in attendance. Selectmen Matthews noted we will be going into Executive Session for reasons 1, & 2 below and will return to open session. He also noted we would be recording this meeting and posting it on the Town's YouTube channel.

- Motion to go into Executive Session was made by Selectmen Zager and seconded by Selectmen Lopes at 5:30pm.
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Lopes – yes, Selectmen Zager – yes, Selectmen Matthews – yes

Executive Session

Discussion/possible action on the following topics:

1. M.G.L. c.30A, Sec. 21(a)(2) – to discuss strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel. **Police Chief**
 2. M.G.L. c. 30A, sec. 21(a)(6) – to consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body
- Motion to adjourn Executive Session was made by Selectmen Zager and seconded by Selectmen Lopes at 6:08pm
 - Vote: was approved in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager – yes, Selectmen Matthews – yes

Board of Selectmen

Discussion/possible action on the following topics:

3. Discussion and vote on whether to approve the weekly warrants 023-027.
 - Motion to approve the weekly warrants 023-027 was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was approved in a unanimous roll call vote
4. Discussion, and vote on whether to approve, not release, the executive session minutes from 11/7/22.

- Motion to approve, not release, the executive session minutes from 11/7/22 was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was approved in a unanimous roll call vote
5. Discussion, and vote on whether to approve the open session minutes from 11/7/22.
- Motion to approve the open session minutes from 11/7/22 was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was approved in a unanimous roll call vote
6. Discussion on temporary space pod for Council on Aging.

Ms. Pettey stated the COA needs more space. The timeline of the new building is realistically five years out. The COA Board, Staff and I went to visit the classroom pods and they are very nice. Wide open space, heated, airconditioned. If purchased, you can add windows and handicap bathrooms. Units are 24x64. We could put it up against the existing COA and would give them a big open space for programming. Leasing them was One Hundred and Twenty Thousand (\$120,000.00) for a couple of years. If we purchase them, around Two Hundred and Fifty Thousand (250,000.00) they are mobile and can be moved to other locations and repurposed in the future. The COA was in favor of this, but everything has to go to Town Meeting to get funding. Building committee wants to make sure the Selectmen are on board. If ordered today its about eight to nine months lead time. If we were to lease it or rent it, they could have it much quicker. The Board was interested in more information.

7. Discussion, and vote whether to approve the Library Trustees recommendation on holiday closures for Christmas Eve and New Year's Eve.
- Motion to approve the Library Trustees recommendation on holiday closures for Christmas Eve and New Year's Eve was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was approved in a unanimous roll call vote
8. Discussion, and vote on whether to accept the donation of a 2011 Ford E-450 paratransit van currently leased from Southeastern Regional Transit Authority (SRTA) to the Town of Freetown.
- Motion to accept the donation of a 2011 Ford E-450 paratransit van currently leased from Southeastern Regional Transit Authority (SRTA) to the Town of Freetown. was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was approved in a unanimous roll call vote

9. Discussion, to authorize the Interim Town Administrator to sign documents needed to accept the donation of the 2011 Ford E-450 paratransit van currently leased from Southeastern Regional Transit Authority (SRTA) to the Town of Freetown.
 - Motion to authorize the Interim Town Administrator to sign documents needed to accept the donation of the 2011 Ford E-450 paratransit van currently leased from Southeastern Regional Transit Authority (SRTA) to the Town of Freetown was made by Selectmen Zager and seconded by Selectmen Lopes -
 - Vote: was approved in a unanimous roll call vote
10. Discussion, and vote whether to approve the application to plow from Shane Tavares for the Winter 2022-2023 season.
 - Motion to approve the application to plow from Shane Tavares for the Winter 2022-2023 season was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was approved in a unanimous roll call vote
11. Discussion, and vote whether or not to use Federal ARPA monies for design, construction and oversight of Fire Station #3's renovation/addition project.

Ms. Pettey stated we had the feasibility study done with different scenarios. Details are being finished up and we are ready for the next step of hiring an OPM, architect and getting construction drawings done. We have Federal ARPA money of Nine Hundred and Seventy-Five Thousand Dollars (\$975,000.00). She wants to designate Seven Hundred and Fifty Thousand Dollars (\$750,000.00) to start the process. The Fire Station needs bunk rooms for male and female firefighters, new bay for apparatus and equipment, deacon rooms, day room, training room. Critical needs of the Fire Department. Last price tag was 2.95 million and this is not our soft cost but the construction cost. Probably now a 3.5 million project. We need to meet with the building committee, but we also need the funding to go to the next step. We will have to go to the Town Meeting for the funding and the thought process would be to take out of free cash. Federal ARPA funds are allowed to be used for any governmental expense. The Bristol ARPA funds can only be used for like water (water meter replacement project), sewer, broadband, fiberoptic, radios for our communication projects. This is not coming out of our tax money.

- Motion to approve use Federal ARPA monies for design, construction and oversight of Fire Station #3's renovation/addition project was made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote

12. Discussion, and vote to approve Change Order #1 from MG Painting Contractors LLC for repair of siding on schoolhouse in the amount of \$1,117.00.

Ms. Pettey stated the schoolhouse had squirrels eating through the siding and said to MG Painting Contractors to go ahead and repair/replace and paint the siding. This was the cost of the repairs.

- Motion to approve Change Order #1 from MG Painting Contractors LLC for repair of siding on schoolhouse in the amount of \$1,117.00 was made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote

13. Discussion, and vote on whether to authorize the Interim Town Administrator to sign documents for Sansoucy Associates regarding solar litigation.

Selectmen Matthews stated this is regarding an expert witness that will be utilized in the solar litigation we are having with solar companies based on the assessed value of the property. Ms. Pettey stated it may get billed to KP Law and we will pay KP Law instead. The structure on how we pay might change in the future.

- Motion to authorize the Interim Town Administrator to sign documents for Sansoucy Associates regarding solar litigation was made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote

14. Discussion, and vote on whether to approve the placement of a temporary trailer at 4 Dorsey Drive, as the home is having water & mold damage fixed.

- Motion to authorize the placement of a temporary trailer at 4 Dorsey Drive, as the home is having water & mold damage fixed was made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote

Personnel Board

Discussion/possible action on the following topics:

15. Acknowledgement of the retirement of Sergeant Dwyer effective 12/1/22.
16. Discussion, and vote whether to approve these individuals to the Council on Aging/Library Community Building Committee effective 11/22/22-6/30/23.

- a. Library Representatives – Paul Sadeck, Paul Lubin & Nicole Davignon
 - b. Council on Aging/Senior Representatives – Wayne Jaye, Norman Landreville & Robin Kendrick
 - c. At Large Members – Michael McCue, Jeffrey D. Amaral, Amanda Barlow & Kent Wilkins
 - d. Board of Selectmen Representative – Carlos A. Lopes
 - e. Alternates – Thomas Matthews & Linda Fournier
- Motion to approve a-e individuals to the Council on Aging/Library Community Building Committee effective 11/22/22-6/30/23 was made by Selectmen Matthews and seconded by Selectmen Zager
 - Vote: was approved in a unanimous roll call vote
17. Discussion and vote on whether to approve the appointment of Harrie Ashley, Jr. effective 1/3/23-6/30/23 as:
- a. Fire Chief/Paramedic
 - b. EMA Public Safety Director
 - c. Forest Fire Warden
 - d. Local Emergency Planning Committee
 - e. Municipal Coordinator “Right to Know”
 - f. Public Records – Clerk – Fire Department
 - g. SRPEDD Pre-Disaster Mitigation Committee
- Motion to approve the appointments a-g of Harrie Ashley, Jr. effective 1/3/23-6/30/23 was made by Selectmen Matthews and seconded by Selectmen Zager
 - Vote: was approved in a unanimous roll call vote
18. Discussion, and vote on whether to approve the Following appointments:
- a. Edward J. Dwyer as Reserve Police Officer effective 12/2/2022-6/30/23
 - b. Catarina P. Medeiros as Full Time Signal Operator effective 11/27/22-6/30/23
 - c. Lauren R. Sunshine as Full Time Signal Operator effective 11/28/22-6/30/23
 - d. Deanna Hayes as Full Time Senior Clerk – Assessor/Floater effective 12/12/22-6/30/23
- Motion to approve the appointments a-d was made by Selectmen Matthews and seconded by Selectmen Zager
 - Vote: was approved in a unanimous roll call vote

19. Discussion, and vote whether to keep Facilities Manager position separate from Building Commissioner/Zoning Enforcement Agent position or combine them.

Selectmen Matthews stated we separated this position last year for a reason. Ms. Pettey stated since Jeff Chandler left, Nadine Dimond in the building department has stepped up and has accomplished a lot with help from Tim Devine and myself. Such as the Highway Barn roof is done, the Schoolhouse building has been painted, COA doors are being resolved. They make a good team, Nadine in the office making calls and getting quotes and Tim on the road facilitating what needs to be done.

- Motion to separate Facilities Manager position separate from Building Commissioner/Zoning Enforcement Agent position depended on what legal review says was made by Selectmen Matthews and seconded by Selectmen Zager
- Vote: was approved in a unanimous roll call vote

20. Discussion, and vote on whether to take the next steps to add a Programming and Outreach Librarian position to the union collective bargaining unit.

Selectmen Lopes asked Nicole Davignon, Library Director if its in the budget to go forward. She stated the pay scale will be the same at least for this year. Next year all 3 positions will change to add this new position. To create a new position, you will have to adjust them all at the same time for it to make sense.

- Motion to take the next steps to add a Programming and Outreach Librarian position to the union collective bargaining unit was made by Selectmen Matthews and seconded by Selectmen Zager
- Vote: was approved in a unanimous roll call vote

21. Discussion, and vote on whether to approve the updated job description for Planning and Land Use Administrator.

Victoria D'Antoni has been handling planning, conservation, and zoning department, this job description will reflect that she does all three. Her board has approved this as does Ms. Pettey. Since we don't have a conservation agent as of right now it makes sense to combine that into one position. This is an existing position within the union, we are just changing the job description. It is a higher paying position and there is money in that budget. We had budgeted for our town planner, and we did not hire one.

- Motion to approve the updated job description for Planning and Land Use Administrator was made by Selectmen Matthews and seconded by Selectmen Zager
- Vote: was approved in a unanimous roll call vote

22. Discussion, and vote to set up, approve the charge and determine the makeup of a sewer committee.

This agenda has been tabled

23. Interviews with finalist(s) Carl Bizarro and Eugene Borges for Building Commissioner/Zoning Enforcement Agent

Carl Bizarro has over 20 years' experience in inspecting properties. He has worked in New Bedford, Somerset, and currently in Rochester. Has an Inspectors and Commissioners license. Has experience with online permitting. Highly recommends it for homeowners and contractors. All departments share the same information making it a fast track and fast turnaround time for approvals or denials. Suggests keeping hard copies during the transition, have a computer in the office hallway to help residents facilitate the online portal. He has small town experience. Zoning experience to protect the town and ensure that the master plan is followed. Bylaws language is most important and needs to be exact. He was involved in the Somerset Middle School building and planning committee.

Eugene Borges was not in attendance.

Selectmen Matthews stated we will be going to Executive Session, and we are going to be coming back out into open session. We will be going to Executive Session for the following reason.

Selectmen Matthews read the reason for Executive Session.

Executive Session

Discussion/possible action on the following topics:

24. M.G.L. c. 30A, sec. 21(a)(2) – 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. Building Commissioner/Zoning Enforcement Agent.
- Motion to go into Executive Session was made by Selectmen Zager and seconded by Selectmen Lopes at 7:18pm.
 - Vote: was approved in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager – yes, Selectmen Matthews – yes

The Board adjourned Executive Session and returned to open session at 7:28pm.

Personnel Board

Discussion/possible action on the following topics:

25. Discussion and vote on which candidate to offer the Building Commissioner/Zoning Enforcement Agent position.

- Motion to offer Carl Bizarro the Building Commissioner/Zoning Enforcement Agent position and for the Town Administrator to negotiate with Mr. Bizarro for his salary made by Selectmen Matthews and seconded by Selectmen Zager
- Vote: was approved in a unanimous roll call vote

Board of Health

Discussion/possible action on the following topics:

- No topics for discussion

Board of Parks Commission

Discussion/possible action on the following topics:

- No topics for discussion

Town Administrator's Report

Discussion/possible action on the following topics:

PUBLIC HEARING #1 TOWN OF FREETOWN

Proposed fees posted with agenda as attachment A

Monday, November 21, 2022, 7pm &
Monday, December 5, 2022, 7pm

Police Station Community Room
15 Memorial Drive, East Freetown, MA 02717

Transfer Station Fee Increase

The Board of Selectmen will be holding two (2) public hearings on increasing Transfer Station fees effective 1/1/2023. The hearings will be conducted on **Monday, November 21, 2022, 7pm and Monday, December 5, 2022, 7pm** at the Police Station Community Room 15 Memorial Drive, East Freetown, MA 02717.

FREETOWN BOARD OF SELECTMEN

Trevor R. Matthews, Chairman
Jared C. Zager
Carlos A. Lopes

Selectmen Matthews opened the public hearing at 7pm.

Victoria King, Transfer Station Supervisor stated prices are rising across the board. The DPW set guidelines for the three ban items organic materials, mattresses, box springs and textiles. Right now, we are at a flat fee on all sizes, Twenty Dollars. Our hauler sent us a notice in July that it was going up to One Hundred Dollars that if they found any items that were listed. Just recently she received another notice that it is going up to One Hundred and Twenty-Five Dollars. We are still actively taking them and organizing them. Highway found mattresses on the side of the road which were dirty and wet, which met the criteria of trash, but if we put them in, we are fined. That's what the fee schedule was all about so that we can cover ourselves. Another issue with the fees is the brush. Its already big and only a year and half pile. Small truck load will be a small fee and a big truck load will be higher. Other items were increased by Five or Ten Dollars. She also added 3 new items which were the Colman canisters, latex paints, and palettes. Ms. Pettey stated the Transfer Station revenue that we generate from the fees is about Eighty-Nine Thousand for the year. The cost to run the Transfer Station is Two Hundred and Ninety-Five Thousand Dollars a year. Just so we are aware that these fees do not pay for the Transfer Station, they just offset it. They are a service to our community.

- Motion made to close the 1st Public Hearing made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved in a unanimous roll call vote

**PUBLIC HEARING #2
TOWN OF FREETOWN**

Monday, November 21, 2022, 7pm
Police Station Community Room
15 Memorial Drive, East Freetown, MA 02717

Change of Officers Circle K Massachusetts, LLC.

Notice is hereby given that an application has been filed for a change of officers for an existing
Alcoholic Beverages Retail License
(All alcohol to be drunk off premises) for
Circle K Massachusetts, LLC.

4 Chace Road
East Freetown, Massachusetts 02717

A public hearing to consider the above matter will be held on **Monday, November 21, 2022, 7pm** Police Station Community Room 15 Memorial Drive East Freetown, MA 02717

26. Discussion, and vote whether to approve the change of officer's request for Circle K Massachusetts, LLC.

Selectmen Matthews opened the 2nd public hearing.

Tyler Henseler an Attorney with Upton Connell and Devlin in Boston 112 Water Street. He is here to represent Circle K in Massachusetts LLC. Mr. James Beres is being moved as LLC Manager and being replaced by Mr. David Seredjko, also Betty Watts and Sylvain Aubry are being removed as SOC signatories and being replaced by Melissa Duncan and Valerie Zamuner. There are no operational changes. There is no change in the upper tier management structure as well.

- Motion to close the public hearing was made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote
- Motion to approve the changes of officer's request for Circle K Massachusetts, LLC was made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote

Old Business:

Potential discussion on pending items – action will not be taken at this meeting:

- Town Buildings

Public Input

ARPA

- Motion to adjourn at 7:45 pm made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote

List of Exhibits and Documents utilized by the Board during this meeting:

- Agenda
- Meeting Minutes from 11/7/2022
- Willscot Trailer Summary
- Freetown Board of Library Trustees – Holiday Schedule and Closures
- Memo – TA Signing Documents regarding donation of a van to the COA from SRTA
- Snowplow Contract – Shane Tavares
- MG Painting Contractors LLC. Change Order Request

- Memo – TA signing documents regarding Skip Sansoucy for Solar Litigation
- E-Mail – Nadine Devine-Dimond and Building Permit at 4 Dorsey Dr.
- Police Department – Retirement and Appointment
- Memo – COA/Library Community Building Committee
- Certificate of Appointment – Paul Lubin
- Certificate of Appointment – Paul Sadeck
- Certificate of Appointment – Nicole Davignon
- Certificate of Appointment - Thomas Matthews
- Certificate of Appointment – Carlos Lopes
- Certificate of Appointment – Kent Wilkins
- Certificate of Appointment – Amanda Barlow
- Certificate of Appointment – Jeffrey D. Amaral
- Certificate of Appointment - Michael T. McCue
- Certificate of Appointment – Robin Kendrick
- Certificate of Appointment – Norman Landreville
- Certificate of Appointment – Wayne Jaye
- Certificate of Appointment – Linda Fournier
- Certificate of Appointment – Harrie Ashley Jr.
- Certificate of Appointment – Edward J. Dwyer
- Memo – Chief Abbott – Full Time Dispatch Appointments
- Certificate of Appointment – Catarina P. Medeiros
- Certificate of Appointment – Lauren R. Sunshine
- Certificate of Appointment – Deanna Hayes
- Email - Nicole Davignon – Programming and Outreach Librarian Job Description
- Planning and Land Use Administrator – Job Description
- Interview Questions for Building Commissioner Interviews
- Public Hearing #1 – Transfer Station Fees
- Public Hearing #2 – Change of Officers Circle K Liquor License

Respectfully Submitted,



Lola Furtado
Administrative Assistant