

Board of Selectmen
Combined Meeting with Finance Committee Freetown
Meeting Minutes

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Wednesday, May 3, 2023, 5:30pm
Police Station Community Room
15 Memorial Drive, East Freetown, MA

Call to Order

Selectmen Trevor Matthews called to order the meeting at 5:30 pm. This meeting will be recorded and available on our YouTube page. We will be going into Executive Session and returning back into Open Session. We will be going into Executive Session for the following reason below.

Also in attendance are Selectmen Jared Zager, Selectmen Carlos Lopes, Interim Town Administrator Deborah Pettey and Executive Assistant Lu-Ann Souza.

Motion to enter Executive Session made by Selectmen Zager and seconded by Selectmen Lopes

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)(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 – **Charles Macomber**

Board of Selectmen

Discussion/possible action on the following topics:

2. Discussion, and vote whether to approve and release the executive session minutes from 4/24/23.
 - Motion to approve and release the executive session minutes from 4/24/23 was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was approved in a unanimous roll call vote
3. Discussion, and vote whether to approve the open session meeting minutes from 4/6/23.
 - Motion to approve the open session meeting minutes from 4/6/23 was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was approved in a unanimous roll call vote
4. Discussion, and vote to open, and review the Annual & Special Town Meeting Warrants for 6/5/23.

Selectmen Matthews stated some dollar values have been updated. Ms. Pettey stated we removed the opioid articles because of timing, they will be in free cash next year. We removed the article for the Two Thousand Dollar donation because you cannot take taxpayers dollars and put it into a donation fund. She added a warrant article to reclassify the article to give Fifty Thousand Dollars, Five Hundred for the backup generator at Chipaway Rd for the Water Department that was approved at last year's town meeting. We

received ARPA funds to do the project and now while they are redoing all the meters, they are finding all kinds of problems with the water system and they need money for big repairs. We are asking to reallocate the article money for water infrastructure repairs, hydrants, valves that will not open because nobody's tried to open them in 20 years and now, they are breaking. As they are out there doing this makes sense to try and fix these as they become apparent. The rest of the articles have not changed. There have been changes in the indirect costs of the Water Sewer Enterprise Fund.

- Motion to approve the open, and review the Annual & Special Town Meeting Warrants for 6/5/23 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 Weights & Measures fee schedule to cover expense of this service.

Selectmen Matthews stated the fees will be \$25.00 for gas meters, zero to 100 pounds scales \$25.00, 101 pounds to 1000 pounds \$125.00 and the same for 1001 to 10,000.

- Motion to approve the Weights & Measures fee schedule to cover expense of this service made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved in a unanimous roll call vote

6. Discussion, and vote on whether to approve the agreement between the Town of Freetown and Greater New Bedford Regional Refuse Management District effective 7/1/23-6/30/25.

Selectmen Matthews asked about the increase for next year. \$76. 00 a ton in July 2023 through June 30, 2024, July 1st 2024 through June 30, 2025 will be \$81.00. Selectmen Zager stated the last two years we have had the same discussion about them running out of space, and how we need to go over to SEMASS. They charge over \$100.00 a ton.

- Motion to approve the agreement between the Town of Freetown and Greater New Bedford Regional Refuse Management District effective 7/1/23-6/30/25 made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote

7. Discussion, and vote on whether to approve the road opening permit for 8 Nick Drive.

- Motion to approve the road opening permit for 8 Nick Drive 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:

8. Discussion, and vote on whether to approve the reappointment of Lisa Marie Podielsky as Animal Control Agent/Inspector of Animals effective 5/1/23-4/30/24.

- Motion to approve the reappointment of Lisa Marie Podielsky as Animal Control Agent/Inspector of Animals effective 5/1/23-4/30/24 made by Selectmen Matthews and seconded by Selectmen Zager
- Vote: was approved in a unanimous roll call vote

The Board signed document pertaining to this meeting's agenda.

- Motion to recess made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote

Recess has ended and we are back into open session

Margaret French stated at 6:05pm having a quorum I will call the Finance Committee meeting to order. Also in attendance were George Grunwald, Bob Alderson, Katie Calheta, Christina Dupras.

Combined Meeting with Board of Selectmen & Finance Committee

Discussion/possible action on the following topics:

9. Omnibus Fiscal Year 24 Budget Review with Finance Committee. It is anticipated that Departments listed below will be reviewed. Others may be discussed as may come up or as they relate.
 - a. Library

Library Director Nicole Davignon

Mr. Bob Alderson asked about the books and magazines. Ms. Davignon stated these books and magazines are in our locations but are lending out in the network. Ms. French asked about applications for the Senior Librarian position. Ms. Davignon stated there has been six applications.

- b. Town Clerk

Town Clerk Cheryl Estrella

Ms. Estrella started off by saying this was a difficult budget. Due to mandates with The Voters Act and the state mandates. She is in charge of 3 departments 161 Town Clerk, 162 Elections, and 163 Registrars. At the RMV when you register for a Real ID you are automatically registered to vote. Any changes made, I receive and send out a notification via mail and a vote by mail application whether or not an election is scheduled. Any changes from Social Security Office, Transitional Assistance, Welfare, SSI. Any State agencies you are automatically enrolled. Public is notified by mail for any reason so that they are aware of changes that have been made so that there is no fraud. Postage and paper have gone up. We have 4 scheduled elections in 2024. In 2024, out of the 52 weeks, 44 weeks will be strictly dedicated to doing election work. We have 6912 registered voters in town. It is a state mandate to send out notices if you do not answer a town census, you are put on an inactive list. If you do not vote or sign a petition, come June of that year, all registered voters receive a state mandated confirmation card which we have to provide postage to and from the voter. Once you reply on the confirmation card you will get reactivated. If there is no activity on your name or your account for two Federal elections, approximately four years you automatically get dropped off.

Town Clerk clerical wages decreased due to the part time person leaving. Timm McIntosh promoted to Assistant Town Clerk. Clerical hours were also raised to 40 hours a week if necessary. Mr. Alderson asked about the 8% increase of pay. Compared to other Towns, we are number 29 out of 32 towns. Selectmen Lopes mentioned how much we appreciate Ms. Estrella and questioned the 8% increase as well. Selectman Matthews stated salaries in town, are union and contractual, COLA's every year, increases and fringe benefits. Ms. Estrella stated she does not participate in the town health insurance, or eligible for the stipend. Selectmen Zager stated what if the Town Clerk walks out tomorrow, what are

we going to have to pay to replace her. He would like to see employees in the middle of the road for salaries. Ms. Christina Dupras asked if he thinks other employees are in the middle of the road, and how can you do it for one employee and not another? Everybody here is underpaid. Selectmen Lopes stated he is looking for guidance from the Finance Department. Ms. Katie Calheta asked about staffing, assistant town clerk is 36 hours bumping him up to 40 hours a week, and a part-time clerk for 16 hours a week. She asked for other towns comparable staffing for comparison. Lakeville is hoping to get a third person in and waiting for it to be passed at their town meeting. Lakeville's population is 10,300 and the town clerk gets paid Seventy-Three Thousand, Seven Hundred and Forty-One Dollars and has been there for 25 years. Rehoboth has 3 full time and 1 part time with 10,300 people. Rehoboth Town Clerk salary is Eighty-Four Thousand, Four Hundred and Ninety-Six Dollars, she has been there for 8 years. Dighton has 8101 people and 3 full time staff. Their clerk is not certified. He is paid Seventy-Five Thousand. Town and Assistant Town Clerks are leaving in droves and if elected they will be starting at those salaries. Ms. Calheta stated there was a significant bump from 2021 to 2022, roughly 11% increase. The basis for that was just trying to play catch up. Last year she did not ask for a huge increase. She wanted to prove herself worthy of it. Mr. Grunwald and Selectmen Matthews stated this is not an unreasonable request. Ms. Calheta thinks this is justified due to other towns and salaries for this year. Ms. Pettey stated Ms. Estrella is an elected official she is paid that salary whether she works 10 hours a week or 55 hours a week which is normal. The other department heads get time and a half over 40 hours. Ms. Estrella does not, so this is it for her.

Selectmen Matthews was ok with elections increases. Ms. Estrella noted the elections for next year are the March presidential primary, the April town election, the September state primary and the November presidential. Vote by mail is mandatory for state and federal elections. Paper and postage have gone up. Ms. French asked about the election coordinator. Ms. Estrella stated it takes a tremendous amount of time to prepare and maintain elections. Other towns have hired a temporary seasonal employee who is trained on the state system administrative functions for 18 hours, 22 weeks. Ms. Pettey asked if this person will be able to oversee the in person early voting at the Police Station Community Room because the early voting at town hall is extremely difficult giving our space constraints. Ms. Estrella said yes.

c. Highway

Highway Surveyor Chuck Macomber

Mr. Macomber started off personnel is all contractual. For repairs and maintenance of roadways he is asking for an additional Forty-Five Thousand Dollars. Last year with the drought and not needing to mow they were able to rebuild sidewalks. This year with a mild winter and no plowing, they were able to rebuild catch basins and putting in drainage systems. He has requested a Fifteen Thousand Dollar transfer from personal to carry us through the rest of this fiscal year. A Fifteen Thousand Dollar increase for repair and maintenance to vehicles. Our fleet is not old but through the generosity of the town and different grants its crazy how much it costs to fix new vehicles. Asking for a Two Hundred and Fifty Dollar increase for rental and leases. Five Hundred Dollar increase for tires. Two Thousand Dollars for oil including the COA building. One Thousand Dollars increase for parts and accessories. Two Thousand for other supplies. Ms. French asked about the Thirty-Six Thousand Dollars highway signs and lines which was the same amount as last year. Mr. Macomber stated this has kept us afloat for the last two years. We had used all the money for road repairs, and the money we would normally spend to

stripe the roads and signs, we have used in other places. The company to stripe the roads has us on a waiting list. Selectmen Lopes asked about updates on the new truck. The dump truck was order about a year ago is supposed to be delivered to the upfitter who actually builds the truck at the end of June, we will be lucky if we see that truck in January. The pickup truck was ordered the same time and the company we have the contract with won't answer the phones. Last he heard is Ford issued a VIN number for the truck but no build date. It could be here tomorrow or next January. He is requesting a 6% raise. He would like to see his men get a 6% raise. He praised his workers as the best and a top-notch crew.

d. Health Inspection Services

Board of Heath Agent Keven Desmarais

Trash Contracts- Whether it is the solid waste stream or the recycling stream. There is an increase in the rate per ton. Our recycling costs more to get rid of per ton than it does for solid waste. We encourage people to recycle more. The contract is up next year 2024 for the trash hauling. Borges Brothers has helped us get a better rate on our recycling. One Hundred and Ten Dollars (\$110.00) a ton. We have a good relation with Crapo Hill. SEMASS is One Hundred and Twenty-Five Dollars a ton (\$125.00). Right now, we are going up to Seventy-Six Dollars (\$76.00) and Eighty-One Dollars (\$81.00) a ton. Selectmen Lopes asked about having Amazon carry our town bags for delivery to homes. Mr. Desmarais stated he will have Senior Clerk Humberta St. Louis look into it with Waste Zero.

Health Inspection Services-Contractual increases for Ms. St. Louis salary. No increase to Dale Barrows, 2% increase for the Public Health Nurse, and Mr. Desmarais increase of Five Thousand Dollars (\$5,000.00). A 7.5% increase. Ms. Calheta asked about the assistant position at 15 hours a week and that the plan was to phase that position out. Mr. Desmarais stated the position is still needed with all the certification classes, health issues, 5 weeks of vacation and having someone in the office while he does inspections or vice versa. Advertising budget is for public hearings, notifying abutters in the newspaper. Health Professional Tech is for technical, engineering oversight of the industrial zone with Excel.

10. Discussion, and vote on The Board of Selectmen's and Finance Committee recommendations on each warrant article for the Annual and Special Town Meeting on 6/5/23.

Article: 1 Transferring Funds into the Conservation Land Fund - Ms. French stated Conservation Commission has One Hundred and Four Thousand in their land fund. Last year it was on town meeting to transfer money from the rollback taxes. Land that is under chapter 61a, get a discount on their taxes until it comes out if they want to sell their land or no longer want to have it under that protection. They have to pay back 7 or 10 years of taxes and that is called rollback taxes. The Conservation Commission requests that money goes into their land fund, so they have the funds if something comes up like the town or Conservation Commission has first right of refusal on any property that is being taken out of the protection. Currently there is a piece of property that they are looking to buy for Forty-Eight Thousand Five Hundred (\$48,500.00). That can come out of the land fund. Seventy-Three Thousand, One Hundred-Nine Dollars and Fifty-Nine Cents (\$73,109.59) is the amount of rollback taxes that are on the books currently.

- Motion to recommend made by Katie Calheta and seconded Christine Dupras
- Vote: 5 yes, 0 nay, 1 abstain

Article: 2 Authorizing Board of Assessors to Enter into Pilot Agreements – Ms. Pettey stated we have been in litigation with some of the companies that operate the solar farms for 5 or more years. We are at a point that we are going to settle them and part of the settlement is to enter into these pilot agreements. A pilot agreement is a payment in lieu of taxes. Mike McCue and the Assessors have an issue that we do not have the same remedy if they do not pay. If you don't pay your real estate taxes, we can take your property away. But with the pilot we do not have that. Hopefully the language that Town Counsel has been working on gives us a remedy if they do not pay. It evens out the taxes. They put in a solar farm and the value is very high in the beginning and with depreciation it drops off. Entering into a pilot gives us more of an even income for a 20-year period. The town and the solar farm can budget accordingly. It sets a precedent for the town and it is a good figure.

- Motion to recommend made by Katie Calheta and seconded by Christine Dupras
- Vote: was approved in a unanimous roll call vote

Article: 3 Authorizing Board of Assessors Contract Term in Excess of 3 Years – Ms. Pettey stated we are not allowed to exceed a three-year contract; this is requesting we go to a five-year contract. The company that does the property appraisal and revalue cycle will be in sync with the state.

- Motion to take no position made by Bob Alderson and seconded by Emily Dors
- All in favor of not taking action
- Vote: was approved in a unanimous roll call vote

Article: 4 Funding for the Fire Station Renovation/Addition – Ms. Pettey stated the funding of the Fire Station addition renovation is approximately Three Million Dollars (\$3,000,000.00). We are pulling it for two different funding sources, this one is coming out of free cash. Which needs a level of vote approval of fifty percent (50%) majority vote.

Article: 5 Additional Funding for Fire Station Renovation/Addition – same as above but from the Capital Stabilization Fund you need three quarters majority vote.

- Motion made to recommend Articles 4 and 5 made by Emily Dors and seconded by Katie Calheta
- Vote: was approved in a unanimous roll call vote

Article: 6 Sale of South Main Street with Deed Restrictions – Selectmen Matthews stated we are selling the red building at the 4 Corners with deed restrictions so it maintains the character of the town and the Historical Committee criteria.

- Motion made to recommend made by Emily Dors and seconded by Katie Calheta
- Vote: was approved in a unanimous roll call vote

Article: 7 Purchase Temporary Office Space (Pods) for additional space at the Council on Aging Building Selectmen Zager stated this is an immediate fix for the Seniors who need more space. This is reallocating money from a prior vote.

Article 8: prior year fiscal bill

- Motion made to recommend Articles 7 and 8 made by Bob Alderson and seconded by George Grunwald
- Vote: was approved in a unanimous roll call vote

Article: 9 Funding to the Capital Stabilization Fund

Discussion to fill in an amount on the floor in the event an article fails this number would be adjusted during the meeting.

- Motion to recommend a base on the amount to be filled in on Town Meeting floor made by Katie Calheta and seconded by Christine Dupras
- Vote: was approved in a unanimous roll call vote
- Motion to recommend Articles 1 thru 9 made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote
- Motion made to adjourn by Bob Alderson at 8:42pm and seconded by Emily Dors
- Vote: was approved in a unanimous roll call vote

Article: 1 Town of Freetown Fiscal Year 2024 Operating Budget

Article: 2 Salary & Compensation of Elected Officers of the Town of Freetown

Article: 3 Operating Budget of the Water-Sewer Enterprise Fund

Article: 4 Spending Limits for Assorted Revolving Funds

Article: 5 Engineering study for the Assonet Four Corners Intersection

Article: 6 Maintenance of Veterans' Graves

Article: 7 Continuing Police Cruiser Lease Purchase Program

Article: 8 Amend General By-Law Article 10, Personnel Classification/Comp, Fire Chief

Article: 9 Reallocate Funds Appropriated for Chipaway Pump Station Backup Generator

Article: 10 Repair & Restoration of Monuments in Various Cemeteries

Article: 11 Transfer Funds from Sale of Cemetery Lots for Maintenance and Improvements

Article: 12 Establish a By-Law to Charge Fees for Weights and Measures Services

Article: 13 Establish a Community Program Revolving Fund

Article: 14 Apply, Accept and Expend Massachusetts Public Library Construction Grant

Article: 15 Planning and Design Phase of Massachusetts Public Library Construction Grant

Article: 16 Funding to the Capital Stabilization Fund

Article: 17 Funding the Stabilization Fund

- Motion to recommend Articles 1 through 17 made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote

11. Discussion, and vote whether to approve, finalize and close warrant for Annual Town Meeting & Special Town Meeting on 6/5/23.

- Motion to adjourn was made by Selectmen Zager and seconded by Selectmen Lopes at 8:50pm

- Vote: was approved in a unanimous roll call vote

Board of Parks Commission

Discussion/possible action on the following topics:

- No topics for discussion

Town Administrator's Report

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.

Old Business:

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

- Town Buildings
- Motion to adjourn made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote

Respectfully submitted,
Lola Furtado
Administrative Assistant

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

- Agenda
- Minutes from 4/6/23
- ATM & STM Warrants
- Weights & Measures Fee Schedule
- Agreement with Greater New Bedford Reg. Refuse Mgt. Dist
- Road Opening Application 8 Nick Drive
- Appointment Cert. Lisa Podielsky Animal Control Agent/Inspector of Animals
- Budget books
-