

Freetown Board of Selectmen
Meeting Minutes
Monday, December 4, 2023, 5:45pm
Police Station Community Room & Virtual
15 Memorial Drive, East Freetown, MA

Call to order

Selectmen Trevor Matthews called the meeting to order at 5:45pm. Selectmen Jared Zager, Selectmen Carlos Lopes, Town Administrator Deb Pettey, Executive Assistance Lu-Ann Souza and Administrative Assistant Lola Furtado were also present. Selectmen Matthews stated this meeting will be recorded and available on our YouTube page and read the following statement.

The meeting will be available for in person attendance and on Zoom – On March 29, 2023 Governor Healey signed into law Chapter 2 of the Acts of 2023 which, among other things, extends the expiration of the provisions pertaining to Open Meeting Law to March 31, 2025. Specifically, this extension allows public bodies to continue holding meetings remotely without a quorum of the public body physically present at a meeting location, and to provide “adequate, alternative” access to remote meetings. This meeting of the Freetown Board of Selectmen will be conducted in person as well via remote participation to the greatest extent possible. Specific information and general guidelines for remote participation by members of the public can be found on the Town of Freetown’s website, freetownma.gov

For this meeting, members of the public who wish to listen to the meeting may do so in the following manner: downloading Zoom and entering the meeting ID below, calling the number listed below and entering the Meeting ID listed below, or by going to <https://us02web.zoom.us/join> and entering the Meeting ID listed below.

Although in person attendance is available for this meeting every effort will be made to ensure that the public can adequately access the proceedings in real time via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Town’s website and YouTube Channel an audio or video recording, transcript. Or other comprehensive record of proceedings as soon as possible after the meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/86327842475?pwd=cDJGQS9TN280RWZsOFB1VFgrVk96UT09>

Meeting ID: 863 2784 2475

Passcode: 848961

One tap mobile

+16465588656,,88653237962#,*672206# US (New York)

+16469313860,,88653237962#,*672206# US

• +1 689 278 1000 US

Dial By Location

- +1 646 558 8656 US (New York)
- +1 646 931 3860 US
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 669 900 9128 US (San Jose)
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- 1 564 217 2000 US
- 1 386 347 5053 US
- 1 507 473 4847 US
- 1 669 444 9171 US

Selectmen Matthews stated we will be going into Executive Session and returning into Open Session. We will be going into Executive Session for the following 3 reasons.

- Motion to enter Executive Session made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was carried 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 – **Lawless vs. Town of Freetown**
2. 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 – **Margaret Wilkinson vs. Pedro Ferreira, TMMA Realty LLC, Town of Freetown, Cynthia Reznickervitz and Adolph Reznickervitz)**
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 – **Macomber vs. Town of Freetown**

- Motion to enter Executive Session made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was carried in a unanimous roll call vote
- Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
- Motion to return to Open Session made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was carried in a unanimous roll call vote
- Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes

Public Hearing *Continued from 11/29/23*

November 21, 2023

**PUBLIC NOTICE
TOWN OF FREETOWN**

The Freetown Board of Selectmen, in conjunction with the Board of Assessors, will conduct a public hearing relative to selection of a residential factor that will determine the percentages of the tax burden to be borne by each class of property for Fiscal Year 2024. The hearing will be conducted at the Police Station Community Room, 15 Memorial Drive, East Freetown, MA 02717, on **Wednesday, November 29, 2023**, at 6pm. The meeting will also be available Virtually, meeting information listed below.

Meeting information and further agenda information will be posted on or before the close of business on November 27, 2023.

FREETOWN BOARD OF SELECTMEN

Trevor R. Matthews, Chairman

Jared C. Zager

Carlos A. Lopes

- Motion made to open the Board of Assessors meeting again from the recess made by Jeffrey Field and seconded by Paul Sadeck
- Vote: was carried in a unanimous roll call vote
- Vote: Jeffery Field – yes, Michael Motta – yes, Paul Sadeck– yes

A discussion of residential and commercial factors determining the tax rate. Last year's shift was a 1.595. If it stays the same the average residential bill will increase by \$236. The average commercial bill would increase by \$44.00. Changes coming up for fiscal year 2024 is that this year is Stop and Shops last year of their tiff. Right now, Stop and Shop is assessed at 99% of their value, next year will be their first year at 100%. Fiscal year 25 will be the first year that Stop and Shop pays a personal property tax because the old form of tiff completely exempted personal property from the duration of the tiff. This is not a thing anymore. Amazon does not get that benefit. Amazon's tiff will reduce from 75% to 50% so they will be paying quite a bit more. It will also be the year we start paying toward the Bristol Plymouth High School which we be for 30 years. Historically the shift has always favored residential to some degree. Next year you are probably going to take a good hard look at that to try to reduce the Bristol Plymouth burden from the residents, especially in a year when the businesses are going to pay more. We run 18 months behind the market. This year fiscal 24 we used sales from calendar year 2022. We are always behind the fiscal year. There is a common misconception from for the average person that the value of the property whether it goes up or down such as my property values are going up so my

taxes are going to go up and that is not how it works. The property values go up and down and the tax rate goes up and down, the opposite to make up for it because the constant is what we need to collect for a levy. So given a particular levy, the amount that individuals will pay would be the same regardless of what their value is because overall we are going to make that adjustment in the tax rate.

- Motion to close the public hearing was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
4. In conjunction with the Board of Assessors, relative to selection of the residential factor to determine the percentage of the tax burden to be borne by each class of property.
- Motion to select the residential factor of .8340 to determine the percentage of the tax burden to be borne by each class of property was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
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- Motion to adjourn was made by Jeffrey Field and seconded by Mike Motta
 - Vote: was carried in a unanimous roll call vote
 - Vote: Jeffery Field – yes, Michael Motta – yes, Paul Sadeck– yes

Board of Selectmen

Discussion/possible action on the following topics:

5. Discussion, and vote on whether to approve the disclosure forms regarding financial interested identified by the special municipal employee from:
- a. Thomas E. Ashley, Jr.
 - b. Logan A. St. Louis
 - c. Samantha R. Cardin
 - d. Matthew M. Bomes
- Motion to approve the disclosure forms regarding financial interested identified by the special municipal employee from a thru d was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
6. Discussion, and vote on whether to approve the open session minutes from 11/20/23

- Motion to approve the open session minutes from 11/20/23 was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
7. Discussion, and vote on whether to approve the 2024 Seasonal Population Increase Estimation Form required by the Alcoholic Beverages Control Commission (ABCC)
Selectmen Matthews stated the estimate will be 9,236 residents and 30 seasonal residents
- Motion to approve the 2024 Seasonal Population Increase Estimation Form required by the Alcoholic Beverages Control Commission (ABCC) was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Zager – yes, Selectmen Matthews– yes, Selectmen Lopes - yes
8. Discussion, and vote on whether to approve the 2024 Renewal Certification form for Alcoholic Beverages Control Commission (ABCC)
- Motion to approve the 2024 Renewal Certification form for Alcoholic Beverages Control Commission (ABCC) was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
9. Discussion, and vote on whether to approve the following 2024 All Alcoholic Beverages Liquor license renewals
- a. M & H Juniors Inc./Juniors
 - b. Circle K 7518
 - c. K & E Liquors Inc. d/b/a Crossroads Liquors
 - Motion to approve a thru c 2024 All Alcoholic Beverages Liquor license renewals was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
10. Discussion, and vote on whether to approve the following 2024 Wine & Malt Beverages Liquor license renewals
- a. M & H Grandpa's Inc
 - b. Mason Road Food Mart Corp
 - c. Neon Beverage LLC
 - Motion to approve a thru c 2024 Wine & Malt Beverages Liquor license renewals was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes

11. Discussion, and vote on whether to approve the following 2024 All Alcohol Liquor to be drunk on premises License renewals
 - a. Carsley Inc., The Ledge
 - b. Independence Harbor Inc.
 - c. Profile Rock Inc/The Profile Tavern
 - d. Freetown Memorial Post 6643 VFW
 - Motion to approve a thru d 2024 All Alcohol Liquor to be drunk on premises License renewals was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
12. Discussion, and vote on whether to approve the following 2024 Entertainment License renewals
 - a. Independence Harbor Inc.
 - b. Profile Rock Inc/The Profile Tavern
 - c. Freetown Memorial Post 6643 VFW
 - Motion to approve a thru c 2024 Entertainment License renewals was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
13. Discussion, and vote whether to approve the following annual license renewal for:
 - a. Freetown Memorial Post 6643 VFW – Jukebox, & Automatic Devices Licenses
 - Motion to approve the annual license renewal for Freetown Memorial Post 6643 VFW – Jukebox, & Automatic Devices Licenses was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
14. Discussion, and vote whether to approve the 2024 renewals of Class II Motor Vehicle Licenses for:
 - a. Armand R. Clermont d/b/a Clermont's Auto Sales
 - b. Roger L. Deneault d/b/a Boehler's Garage
 - c. Basic Equipment, Inc. Based Used Cars, Trucks & Equipment
 - Motion made to approve a thru c 2024 renewals of Class II Motor Vehicle Licenses was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
15. Discussion, and vote whether to approve the 2024 renewals of Class III Motor Vehicle Licenses for:
 - a. Donald F. Mendoza, Jr. d/b/a D.M. Auto Enterprises

- Motion made to approve 2024 renewals of Class III Motor Vehicle Licenses for Donald F. Mendoza, Jr. d/b/a D.M. Auto Enterprises was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
16. Discussion, and vote on possible use of 4 South Main Street for pump station
- Motion to not sell not mark list 4 South Main Street for potential use of pump station in the future was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
17. Discussion, and vote whether to approve the contract between the Town of Freetown and Industrial Communications for radio communications improvements
- Motion to approve the contract between the Town of Freetown and Industrial Communications for radio communications improvements was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
18. Discussion, and vote whether to authorize the Town Administrator to sign contracts/agreements in value of up to Three-Thousand Dollars (\$3,000.00)
- Motion to authorize the Town Administrator to sign contracts/agreements in value of up to Three-Thousand Dollars (\$3,000.00) was made by Selectmen Zager and Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
19. Discussion, and vote whether to approve the Flag and Banner Flying Policy
- Motion to approve the Flag and Banner Flying Policy was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes
20. Discussion, and vote on whether to approve the winter 2023-2024 snow plow applications for:
- a. Dennis DeMoranville, Jr.
 - b. Heath H. Chace
 - Motion to approve a and b winter 2023-2024 snow plow applications was made by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: was carried in a unanimous roll call vote
 - Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes

Personnel Board

Discussion/possible action on the following topics:

21. Acknowledge the resignation of Emily Anne Dors from the Cultural Council effective 11/29/23

Selectmen Lopes acknowledged the resignation of Emily Anne Dors from the Cultural Council effective 11/29/23

22. Discussion, and vote on whether to approve the request for retirement incentive for Chief Harrie Ashley, Jr effective 1/4/24

- Motion to approve the request for retirement incentive for Chief Harrie Ashley, Jr effective 1/4/24 was made by Selectmen Matthews and seconded by Selectmen Zager
- Vote: was carried in a unanimous roll call vote
- Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes

23. Discussion, and vote on whether to approve the request for retirement incentive for Neal Lafleur effective 1/4/24

- Motion to approve the request for retirement incentive for Neal Lafleur effective 1/4/24 was made by Selectmen Matthews and seconded by Selectmen Zager
- Vote: was carried in a unanimous roll call vote
- Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes

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:

24. COA received a grant for nutrition program

Ms. Pettey announced COA Director Rebecca Frias applied and received her first grant for a nutrition program for the Senior Center. They will be serving hot lunches Tuesdays and Thursdays to the seniors. She is constantly looking for ways to improve their services to the seniors. She will combine that with a public nurse to be available also. A shout out to Rebecca for all her efforts in getting the grant. Also, a shout out to the Cultural Council for the Holiday Tree Lighting Event at the Bandstand.

Old Business:

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

Public Input

The Board signed documents associated with tonight's meeting.

- Motion to adjourn the meeting was made at 8:02pm by Selectmen Zager and seconded by Selectmen Lopes
 - Vote: approved by a unanimous roll call vote
- Vote: Selectmen Lopes – yes, Selectmen Zager– yes, Selectmen Matthews - yes

Respectfully Submitted,



Lola Furtado

Administrative Assistant

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

- Meeting Agenda
- Public Hearing – Tax Rate Hearing
- Tax Rate Shift Highlights
- Memo – Signal Operators Disclosures
- Meeting Minutes from 11/20/23
- Commonwealth of Massachusetts Alcoholic Beverages Control Commission -2024 Seasonal Population Increase Estimation Form – Renewal Certification 2024
- Applications for Licenses
 - o M & H Juniors Inc. – Package Store
 - o Circle K MA LLC dba Circle K #7518 – All Alcoholic Beverages
 - o K & E Liquors Inc. dba Crossroads Liquors – Package Store
 - o M & H Grandpa's Inc.- Package Store
 - o Mason Road Food Mart Corp – Package Store
 - o Neon Beverage LLC- Package Store
 - o Carsley, Inc - Restaurant
 - o Independence Harbor Inc. - Restaurant
 - o Profile Rock Inc. / The Profile Tavern - Restaurant
 - o Freetown Memorial Post 6643 VFW of US - Club
 - o Independence Harbor, Inc. – Entertainment
 - o Profile Rock Inc. / The Profile Tavern - Entertainment
 - o Freetown Memorial Post 6643 VFW of US - Entertainment
 - o Freetown Memorial Post 6643 VFW of US - Jukebox
 - o Freetown Memorial Post 6643 VFW of US – Automatic Devices
 - o Armand R. Clermont dba Clermont's Auto Sales – Class II
 - o Roger L. Deneault dba Boehler's Garage – Class II
 - o Basic Equipment, Inc. - Class II

- Donald F. Mendoza, Jr. dba D.M. Auto Enterprises class III
- Agreement – Freetown and Industrial Communications
- Dennis DeMoranville Jr. - Application to Plow
- Heath Chace – Application to Plow
- Email – Resignation – Emily-Anne Dors
- Letter – Retirement Announcement – Fire Chief Harrie Ashley