



TOWN OF FREETOWN BOARD OF SELECTMEN

MINUTES

Tuesday, April 16, 2019, 5:45pm
Council on Aging – 227 Chace Road, East Freetown

RECEIVED
FREETOWN TOWN CLERK
2019 MAY 23 PM 12:39
J. A. McManis

5:45 P.M. **Call to Order** Chairman Charles B. Sullivan calls the meeting to order at 5:45pm. Selectman Lisa A. Pacheco and Selectman George L. Grunwald are present. Administrative Assistant Timm McIntosh is also present, but Town Administrator David DeManche is absent. The meeting is being recorded by FREECAM. The Board signs the weekly warrants.

Note: these minutes are presented in posted agenda order.

Executive Session:

At 5:47 pm, motion (Pacheco/Grunwald) to enter into executive session, under the following exemption, and to return to open session following. Roll Call: Chairman Charles Sullivan, Aye; Selectman Lisa Pacheco, Aye; Selectman George Grunwald, Aye. Motion carried unanimously.

1. For the purpose of discussing an employment matter, M.G.L. c. 30A, sec. 21(a) (1), to discuss the reputation, character, physical condition or mental health of an individual, or to discuss complaints or charges brought against an individual; as well under sec. 21(a) (7), to comply with the provisions of any general or special law, namely, M.G.L. c. 214, sec. 1B and M.G.L. c. 6, sec. 167 et seq. and implementing regulations.

At 5:51pm, motion (Pacheco/Grunwald) to exit executive session and return to open session. Roll Call: Chairman Charles Sullivan, Aye; Selectman Lisa Pacheco, Aye; Selectman George Grunwald, Aye. Motion carried unanimously.

6:30 P.M. Review of all submitted articles for June 6, 2019 Special & Annual Town Meeting warrants. The Board is joined by department heads that submitted warrant articles: Board of Health Agent Derek Macedo, Regional School District Finance Director Ashley Lopes, School Superintendent Richard Medeiros, Jean Fox of the Regional School District, Fire Chief Gary Silvia, Chief of Police Carlton Abbott, Jr., Highway Surveyor Charles Macomber, Mike McCue of the Conservation Commission, Cemetery Commission and other departments, and Animal Control Officer Lisa Podielsky. Representatives from the Council on Aging and the Planning Board are not present.

Selectman Pacheco says it is incredible hard to effectively review warrant articles when articles are submitted for the incorrect warrant and when there are no dollar figures attached to articles.

Special Town Meeting Warrant

Selectman Sullivan goes through each submitted article for the Special Town Meeting Warrant:

- Article A, regarding the Police Collective Bargaining Agreement – Chief Abbott has no figure yet, he will have it shortly. He doesn't have a ballpark figure, but he thinks it would be less than \$50,000. This one will stay.
- Article B, regarding additional costs for the Town Hall union, Selectman Sullivan says to pass over this article as there is no agreement yet. He suggests aiming for early fiscal year 2020 on this, instead of dealing with retro pay. Selectman Pacheco agrees.

VOTE: Motion (Pacheco/Grunwald) to withdraw Article B, passed unanimously.

- Article C, regarding phase 1 of the Freetown Elementary School Security System Upgrade, was previously discussed with Ms. Lopes and Mr. Medeiros.
- Article D, regarding paving the Freetown Elementary School driveway – Mr. Macomber says this is here because it is falling apart. Selectman Pacheco thinks this should be on the annual warrant. Selectman Sullivan thinks it should be a Capital project.

VOTE: Motion (Pacheco/Grunwald) to put Article D on the Annual Town Meeting warrant, passed unanimously.

- Article E, regarding waterline and paving maintenance at Fire Station 2 – Mr. Macomber says he submitted the wrong number, based on some incorrect figures; there is already \$15,000 allocated to this project, he would only need \$25,000

VOTE: Motion (Pacheco/Grunwald) to approve at \$25,000 for the Annual Town Meeting warrant, passed unanimously.

- Article F, regarding paving Copicut Road from Wing's Corner south – this article has been discussed and withdrawn in the past.

VOTE: Motion (Pacheco/Grunwald) to withdraw, passed unanimously.

- Article G, regarding maintenance and improvements to lanes and drainage at the Assonet Burying Ground.

VOTE: Motion (Pacheco/Grunwald) to approve for the annual town meeting warrant, passed unanimously.

- Article H, regarding a transfer of funds for the purpose of recycling mattresses at the transfer station – Mr. Macedo explains this is an old account for this purpose, but the funds can't be used until this is approved.

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

Annual Town Meeting Warrant

Selectman Sullivan reads through the articles submitted for the Annual Town Meeting. The Board will consider the articles accepted unless otherwise held. Held articles are noted here, please see attached draft Town Meeting warrant for non-held articles.

- On Article B, regarding salaries of elected officials, Selectman Grunwald has concerns about some of the dollar figures. Selectman Pacheco says the numbers will be fine tuned at a later meeting, this meeting is just about the articles themselves.
- On Article H, regarding an engineering study for the George R. Austin Intermediate School (GRAIS) boiler, Mr. Medeiros and Ms. Lopes note that they don't have a dollar amount for this yet, but it would be no greater than \$10,000, with Freetown having a portion of that figure.
- On Article I, regarding costs for repair or replacement of the GRAIS boiler, Mr. Medeiros notes that no dollar amount is possible, but he thinks the ceiling would be a shared \$240,000. The study may show that repairing could be the better value, or replacing it could be. Selectman Sullivan says his understanding is that Lakeville doesn't plan on supporting this article without the study article being approved first; he suggests keeping Article H but striking Article I. Selectman Grunwald wouldn't want to see a large expenditure on a Special Town Meeting. Selectman Sullivan says this money could be left in the school budget for a number of years, that it will tie up the Town's money if they wait. Ms. Fox says this unlikely. Selectman Pacheco says we can withdraw the article on the floor if we want to wait for word from Lakeville. Mr. Medeiros likes that idea, and notes that the school may withdraw as well.
- On Article O, regarding a feasibility study for an expansion to the Council on Aging building, Selectman Pacheco says we have a Building Committee, we cannot have buildings going rogue. She also notes that a feasibility study was already completed. Selectman Sullivan concurs. This article is rejected.

- On Article P, regarding an increase to the exemption amount for property taxes of blind persons, Selectman Grunwald asks if the residents means are tested. Mr. McCue says this exemption is set statutorily, with \$500 being the maximum.
- On Article Q, regarding the by-law employee compensation plan, Selectman Sullivan says we already have some positions set like this. Selectman Pacheco says this gives us a better negotiating position and helps us attract candidates.
- On Article R, regarding Animal Control penalties, Ms. Podielsky says this by-law change would match out penalties to that of the state. The Board has no questions for Ms. Podielsky.
- On articles submitted by the Planning Board, Selectman Pacheco wants all zoning articles in the fall. Selectman Grunwald agrees. Selectman Sullivan also agrees, but thinks this is a light warrant so thinks they should stay for now. Selectman Pacheco is dismayed that nobody from the Planning Board is present to explain their articles. These articles will be held until the Planning Board can explain the articles to the Board.

The remaining articles will be reviewed by Town Counsel and finalized at a later meeting.

Board of Selectmen – Discussion and/or action on the following topics/items:

2. Clarkies Memorial Enduro event. Applicant Raffi Peterson and Chief of Police Carlton Abbott are present. Chief Abbott gives a background on his involvement with this event. He says in the Massachusetts code of regulations, the Police Chief is empowered to issue permits for events featuring people under the age of 14, and he has used that authority to enforce better organization, including details, porta-johns, food permits, etc. Pilgrim Sands, the organization that runs the event, has been very receptive to this. When this event returned to High Street, it used the State Forest with permission from DCF, but more recently they have used public ways. Chief Abbott directed them to the Board of Selectmen at that time, believing it now to be the Board's decision. He says officers present on detail do not inspect each vehicle.

Selectman Grunwald believes the vehicles have a right to be on the road; Chief Abbott says generally yes, but when it is in an organized fashion such as this, the Board has a right to regulate it. Selectman Grunwald asks Chief Abbott for a recommendation; Chief Abbott says he can only make the Board aware of the regulations, but notes that Pilgrim Sands have a good reputation. Selectman Grunwald asks if there will be an impact on traffic. Mr. Peterson walks the Board through the route, which is on High Street, then again from Hathaway Road to Slab Bridge Road to Bullock Road to Quonapoag Road, not crossing traffic at any point; around 7 miles of public roads in all.

Selectman Pacheco reiterates where she was at the last meeting, saying that her questions have been answered. She had the Selectmen's office reach out to the Town's insurance carrier and was satisfied with the information they gave.

Resident Mark Rosofsky notes that if the Board does not approve this event, then they should not be allowing any other events to occur, as the Board would be setting a precedent.

Selectman Sullivan says he hasn't changed his mind, he is against this event. He maintains that this event causes undue liability; a driver is liable if it is a road bike, but these are dirt bikes, sanctioned by the Town. He says we are stuck here. Mr. Rosofsky asks what the ramifications are if they run the event without a permit. Chief Abbott says any further applications in the future would be looked at unfavorably. Mr. Peterson says there is no interest in running any event with a proper permit. Selectman Sullivan suggests Pilgrim Sands changes the route to stay in the forest. Mr. Peterson says he can do that and will do that if that's what they need to do, but utilizing the roads allows them to only use the trails once, it makes the event flow better. Selectman Sullivan says that means it's personal convenience; Mr. Peterson does not agree. Selectman Grunwald asks if the applicant has looked into blanket coverage; Mr. Peterson says they have blanket coverage. Selectman Sullivan says Mr. Peterson has answered his question, they can hold the entire event in the forest; he has no issue with the event if it's off the road. Mr. Peterson doesn't think he's asking for anything illegal.

VOTE: Motion (Pacheco/Grunwald) to approve as presented with the caveat that Pilgrim Sands adds the Town of Freetown as an additional insured. Motion carries 2-1 with Selectman Sullivan opposed.

3. Reserve Fund Transfer Requests for Town Clerk, Elections & Board of Registrars.

VOTE: Motion (Pacheco/Grunwald) to send to the Finance Committee the amount of \$443.03 for payroll deficit for Elections, passed unanimously.

For the budget request for the Town Clerk's budget, a payroll deficit due to the Special Town Election, Selectman Pacheco notes there is a balance in that account, that previously the Finance Committee would bounce these requests back to the Board. She isn't concerned about the money, but wants to make sure that doesn't happen here.

VOTE: Motion (Pacheco/Grunwald) to send the request for Registrars salaries to the Finance Committee with the hopes that it won't come back to us, passed unanimously.

VOTE: Motion (Pacheco/Grunwald) to approve in the amount of \$344 and send it off to the Finance Committee to pay for Registrars hours for final voter registration for the Special Town Meeting and then again for the Annual Town meeting, passed unanimously.

VOTE: Motion (Pacheco/Grunwald) to send it to the Finance Committee for a Reserve Fund Transfer in the amount of \$100 for the 2019 Annual Street List, passed unanimously.

4. Ambulance Abatements / Write-Offs for March, 2019

VOTE: Motion (Pacheco/Grunwald) to approve in the total amount of \$101,555.92, passed unanimously.

5. Regulations for Pawn Shops and Second Hand Merchandise. This is the first review of these draft regulations, provided by Chief Abbott. Selectman Sullivan says we should act on them soon, in anticipation of needing them in the future. Chief Abbott says he obtained these, with some modifications, from some towns in Western Massachusetts. The regulations would have business owners tie in electronically with the State Police database regarding the merchandise they sell, as opposed to maintaining books. This helps with theft prevention. Chief Abbott has reviewed these regulations, but has not made any alterations to them. Selectman Sullivan says that in his experience, this database works very well. The Board will act on these regulations at a later date.

6. Minutes: April 2, 2019.

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

7. Award Bid for Installation of Bedrock Well to Serve the Freetown Police Station. Selectman Pacheco, who is also chair of the Police Sub-Committee, says this was the only bid received. The bid amount, \$64,825, is higher than anticipated, but the excess will come out of the budget's contingency.

VOTE: Motion (Pacheco/Grunwald) to approve and award the bid to T.J. Ogden Co. Inc, passed unanimously.

8. Police Station Update. Selectman Pacheco says you can see the activity at the site, where preparations of the land is nearly complete. She says everyone has done a great job, and they are on schedule as of this time.

9. Town Administrator's Report. Town Administrator David DeManche is on vacation this week, so this agenda item is passed over.

Personnel Board: – Discussion and/or action on the following topics/items:

10. Appointments:

- Patricia M. Jackson to Parade & Fireworks Committee
- Ashley M. Emery to Parade & Fireworks Committee

VOTE: Motion (Sullivan/Grunwald) to appoint both Ms. Jackson and Ms. Emery to the Parade & Fireworks Committee, passed unanimously.

- Lacey St. Jean as Election Worker

VOTE: Motion (Sullivan/Grunwald) to appoint Ms. St. Jean as Election Worker, passed unanimously.

- Robert Alderson to Cable Advisory Committee

VOTE: Motion (Sullivan/Grunwald) to appoint Mr. Anderson to the Cable Advisory Committee, passed unanimously.

- Gary Martin to Tax Increment Financing Board

VOTE: Motion (Sullivan/Grunwald) to appoint Mr. Martin to the TIF Board, passed unanimously.

11. Request from the Planning Board to seek a new Associate Member. Selectman Pacheco suggests anyone interested apply at the Town Hall or to reach out to Planning Board Chair Keven Desmarais, as the current associate member is not available.

12. Resignation:

- Chelsea Hester, Senior Librarian, effective April 7, 2019

VOTE: Motion (Sullivan/Grunwald) to accept Ms. Hester's letter, passed unanimously.

13. Change of Status Reports:

- Robert Jose, Board of Selectmen, effective April 1, 2019
- George L. Grunwald, Board of Selectmen, effective April 1, 2019

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

14. Delegation of Change of Status Reports. Selectman Pacheco says she is working on this, which will be discussed at the next Finance Team meeting.

New Business:

15. Dates for upcoming Board of Selectmen Meetings: Monday, May 6th; Monday, May 20th; Monday, June 3rd; Monday, June 17th

- Added Budget Review Meeting on April 24th and Executive Session regarding ongoing legal matters on April 26th

Selectman Grunwald would like to move the May 6th meeting, as he is away. After a discussion of availability, the Board agrees to meet on May 7th. Selectman Pacheco wants all numbers for the town meeting articles on that night.

Selectman Sullivan has been contacted by Rita Garbitt, Lakeville Town Administrator, about setting up a joint meeting on the school budget, sometime during the week of April 29th, but he understands Selectman Grunwald is away that week. Selectman Grunwald says it is fine with him for the Board to meet with Lakeville in his absence.

Public Discussion

Mr. Rosofsky, 115 Chace Road, asks if the Board has received the Sewer Line extension study. Selectman Sullivan says that as Mr. DeManche told Mr. Rosofsky last week, the Board has not received the Sewer Line extension study back from the engineers. Mr. Rosofsky says he heard from Mr. DeManche that a preliminary report came in, but not the study, but the report is not public yet; he would like to know if the Board has received the report. Selectman Sullivan says the only documents the office has received are the ones Mr. DeManche mentioned. Mr. Rosofsky asks if contractor communications are public record. Selectman Sullivan refers Mr. Rosofsky to the Town Clerk's office, as she is the Master Public Records Officer and can answer specifics on matters involving public records.

Steve Tripp, 4 Alexandra Drive, asks for a sign on Alexandra Drive that says "no big trucks". Selectman Sullivan says Alexandra Drive is not an accepted road, so that is not possible. Mr. Tripp asks for the sign on Ridge Hill Road, Selectman Sullivan reiterates that the Board cannot control traffic on Alexandra Drive.

Executive Session:

At 7:34pm, motion (Pacheco/Grunwald) to enter into executive session, under the following exemptions, and not to return to open session following. Roll Call: Chairman Charles Sullivan, Aye; Selectman Lisa Pacheco, Aye; Selectman George Grunwald, Aye. Motion carried unanimously.

16. M.G.L. c.30A, Sec. 21(a) (3) – to discuss strategy with respect to collective bargaining with the Public Employees Union, Local 1144 LIUNA (Clerical/Library Union) because an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares.

17. M.G.L. c.30A, Sec. 21(a) (3) – to discuss strategy with respect to collective bargaining with the 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.

18. M.G.L. c.30A, Sec. 21(a) (3) – to discuss strategy with respect to collective bargaining with the Freetown Police Association because an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares.

At 7:49pm, motion (Pacheco/Grunwald) to adjourn from executive session. Roll Call: Chairman Charles Sullivan, Aye; Selectman Lisa Pacheco, Aye; Selectman George Grunwald, Aye. Motion carried unanimously.

Respectfully submitted,

Timm McIntosh
Administrative Assistant

List of documents/exhibits used in this meeting, pursuant to M.G.L. c. 30A, § 22(a)

- Draft event notification form for Clarkies Memorial Enduro event, to be held on May 26, 2019
- Memo from Town Clerk Jacqueline Brown re: transfer requests
- Draft Requests for Transfer from the Reserve Fund forms from Town Clerk Jacqueline Brown for Elections, Town Clerk and Registrars budgets
- Draft memo from the Board of Selectmen to Town Accountant Kimberley Fales re: Ambulance Abatements-Write-Offs for March 2019
- Draft regulations for Junk Dealers & Second Hand Dealers, as submitted by Chief of Police Carlton Abbott
- Draft minutes of meeting of the Board of Selectmen on April 2, 2019
- Invitation to Bid paperwork for Installation of Bedrock Well to Serve the Freetown Police Station
- Bid tabulation for Installation of Bedrock Well to Serve the Freetown Police Station
- Letter from Judy Gregory, Parade & Fireworks Committee Chairman, re: appointments of P. Jackson & A. Emery

- Memo from Town Clerk re: appointment of L. St. Jean as election worker
- Letter from Robert Alderson re: appointment to the Cable Advisory Committee
- Letter from Keven Desmarais, Planning Board Chairman, re: appointment of a new associate member.
- Letter of resignation from Chelsea Hester
- Draft certificate of appointment for P. Jackson, A. Emery, L. St. Jean & R. Alderson
- Draft change of status report for G. Grunwald & R. Jose



TOWN OF FREETOWN

WARRANT FOR THE
SPECIAL TOWN MEETING
MONDAY, JUNE 3, 2019 AT 7:00PM

FREETOWN ELEMENTARY SCHOOL AUDITORIUM
43 BULLOCK ROAD, EAST FREETOWN, MA 02717

Bristol, ss:

To either of the Constables in the Town of Freetown, Greeting:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the Town of Freetown who are qualified to vote in Town Affairs to meet in the Freetown Elementary School Auditorium, 43 Bullock Road, East Freetown, MA, 02717, on Monday, June 3, 2019, at 7:00PM, then and there to act on the following Articles, viz:

ARTICLE A: To see if the Town will vote to transfer from available funds the sum of \$_____ for the purpose of funding first year cost items contained in the Collective Bargaining Agreements (CBA) between the Town of Freetown and the Freetown Police Association in the amounts and categories presented in the supplementary schedules, as on file with the Town Clerk and/or take any action relative thereto.

Submitted by the Board of Selectmen
Requires Two-Thirds Vote

EXPLANATION OF ARTICLE: The amounts needed for first year cost items for this union has been calculated. The article will use available funds to supplement the departmental budget as indicated in the supplementary schedules on file with the Town Clerk.

ARTICLE B: To see if the Town will vote to appropriate and transfer from available funds, a sum of money \$_____ for the purpose of funding and implementing additional first year cost items contained in a Memorandum of Agreement between the Town of Freetown and Public Employees Union, Local 1144, LIUNA (Freetown Town Hall – Unit A) covering the period of _____ and to supplement the FY2019 annual operating budget in the amounts and categories presented in the supplementary schedules, as on file with the Town Clerk, and/or take any action relative thereto.

Submitted by the Board of Selectmen (placeholder by Town Accountant)
Requires Majority Vote

EXPLANATION OF ARTICLE: This appropriation would use available funds to supplement departmental budgets for funding of additional first year cost items related to the collective

bargaining process. These cost items were mutually agreed to be delayed for the purpose of finalizing a 3 year contract.

ARTICLE C: To see if the Town will vote to raise, appropriate and/or transfer from available funds the sum of nine thousand one hundred five (\$9,105) Dollars for the **Freetown Elementary School Phase 1 Security System Upgrade** and/or take any action relative thereto.

Submitted by the Freetown-Lakeville Regional School District
Requires **Two-Thirds Vote**

EXPLANATION OF ARTICLE: Phase 1 security upgrades for Freetown Elementary School.

ARTICLE D: To see if the Town will vote to raise and appropriate, and/or transfer from available funds, the sum of Forty-five Thousand Dollars (\$45,000.00) to resurface the **main (Bullock Road) driveway of the Freetown Elementary School**, and/or take any action relative thereto.

Submitted by the Highway Surveyor
Requires Majority Vote (or Two-Thirds if funding is from stabilization fund)

EXPLANATION OF ARTICLE: This article would allow for repaving the driveway.

ARTICLE E: To see if the Town will vote to raise and appropriate, and/or transfer from available funds, the sum of Forty Thousand Dollars (\$40,000.00) for **waterline and paving maintenance at Fire Station 2** (County Road), and/or take any action relative thereto.

Submitted by the Highway Surveyor
Requires Majority Vote (or Two-Thirds if funding is from stabilization fund)

EXPLANATION OF ARTICLE: This article would allow for repairing the water service and resurfacing the driveway/parking area for Station 2.

ARTICLE F: To see if the Town will vote to raise and appropriate, and/or transfer from available funds, the sum of Eighty-five Thousand Dollars (\$85,000.00) to **pave Copicut Road** from Wing's Corner south, and/or take any action relative thereto.

Submitted by the Highway Surveyor
Requires Majority Vote (or Two-Thirds if funding is from stabilization fund)

EXPLANATION OF ARTICLE: This article is submitted in response to resident requests. This portion of Copicut Road does not qualify for state funding.

ARTICLE G: To see if the Town will vote to raise and appropriate, and/or transfer from available funds, the sum of Thirty-five Hundred Dollars (\$3,500.00) for maintenance and improvements to **lanes and drainage at the Assonet Burying Ground**, and/or take any action relative thereto.

Submitted by the Cemetery Commission
Requires Majority Vote

EXPLANATION OF ARTICLE: These funds would allow for repaving the last segment of the main driveway and for drainage improvements in two low areas at the cemetery.

ARTICLE H: To see if the Town will vote to appropriate in the general fund the sum of \$1,549.73 for the purpose of **recycling mattress at the transfer station** with funding by transfer from the receipts reserved for appropriation account named the Recycling Program Fund, or take any action relative thereto.

Submitted by the Board of Health **or Derek**
Requires **Majority Vote**

EXPLANATION OF ARTICLE: This appropriation would use the remaining balance in the Recycling Program Fund that has been inactive since 2000 for the recycling of mattresses at the transfer station.

And you are hereby directed to serve this Warrant by posting attested copies thereof at the following places: Assonet Post Office, East Freetown Post Office, the stores of Quick Pic in East Freetown, Junior's Convenience Store and Freetown Town Hall, and the Freetown Communications Center.

Hereof, fail not and make return of the original Warrant with your doings thereon immediately after making service thereof to the Town Clerk of the Town of Freetown, Massachusetts.

Given under our hands and seal of the Town of Freetown, this sixth day of May, Anno Domini, Two Thousand Nineteen.

Charles B. Sullivan, Chairman

Lisa A. Pacheco

George L. Grunwald

FREETOWN BOARD OF SELECTMEN

ARTICLE A: To see if the Town will vote to raise and appropriate, and/or transfer such sums of money as may be necessary to defray the Town charges for the Fiscal Year 2020, viz: General Government, Public Safety, Health & Human Services, Public Works, Education, Culture & Recreation, Interest and Principal Debt, Town Wide Fueling, and Unclassified: SRPEDD Assessment, Retirement, Insurances, Medicare and Transfers, Capital Equipment, Capital Building & Other Property Improvements, and/or take any action relative thereto.

Submitted by the Board of Selectmen
Requires Majority Vote

EXPLANATION OF ARTICLE: This Article serves as the introductory Article for presentation of the **Omnibus** Budget.

ARTICLE B: To see if the Town will vote to fix the **salary and compensation of all elected officers of the Town** as provided by Chapter 41, Section 108 of the General Laws, as amended, for the Fiscal Year 2019, and/or take any action relative thereto.

| | Voted FY 2019 | Selectmen Recommended FY 2020 | Finance Cmte Recommended FY 2020 | Department Request FY 2020 |
|---|------------------|-------------------------------------|--|----------------------------------|
| Moderator | \$432 | | | \$432 |
| Board of Selectmen (each) | \$6,000 | | | \$6,000 |
| Town Clerk | \$56,100 | | | \$57,225 |
| Board of Assessors (each) | \$4,192 | | | \$4,192 |
| Tree Warden | \$21.48/hr | | | \$22.50/hr |
| Highway Surveyor | \$69,865 | | | \$71,262 |
| Regional District School Cmte (each) | \$1,106 | | | \$1,106 |

Submitted by the Board of Selectmen
Requires Majority Vote

EXPLANATION OF ARTICLE: Elected officials are not covered under Article 10 of the *Personnel Classification and Compensation Plan* or under a union contract. This is the only avenue to adjust elected official salaries to keep pace with inflation and contractual increases to other employees.

ARTICLE C: To see if the Town will vote to approve the sum of \$856,813.00 to operate the **Water-Sewer Enterprise Fund** for FY 2020, with an appropriation for the following direct expenses:

| | |
|------------|---------------|
| Personnel: | \$ 92,870.00 |
| Expenses: | \$ 684,150.00 |
| Total: | \$ 777,020.00 |

in the Water-Sewer Enterprise fund and the sum of \$ 79,793.00 for indirect costs appropriated in the general fund as part of the Omnibus Budget, with all costs totaling \$856,813.00 and supported by funds from Water-Sewer Enterprise receipts, or take any other action relative thereto.

Submitted by the Water & Sewer Commission
Requires Majority Vote

EXPLANATION OF ARTICLE: This is the operating budget for the Water-Sewer Enterprise fund presented in accordance with M.G.L. chapter 44, section 53F ½.

Total Water-Sewer Enterprise Budget (information purposes only)

| <i>Direct Expenses:</i> | | <i>Indirect Costs (in the general fund):</i> | |
|----------------------------|--------------|--|-------------|
| Salaries | \$92,870.00 | Finance | \$19,855.00 |
| Purchase of Services | \$596,050.00 | Utilities | \$971.00 |
| Purchase of Supplies | \$20,500.00 | IT service | \$1,268.00 |
| Other Charges | \$1,100.00 | Insurance | \$26,150.00 |
| Replacement equipment | \$15,000.00 | Retirement | \$24,758.00 |
| Unforeseen Reserve | \$50,000.00 | Gen'l Admin | \$7,191.00 |
| Debt Service (ST interest) | \$1,500.00 | Less Int Credit | \$ - 400.00 |
| Subtotal | \$777,020.00 | Subtotal | \$79,793.00 |

ARTICLE D: To see if the Town will vote to **repurpose \$39,500 of the unused appropriation in the Water Capital Project Fund** (voted at the Special Town Meeting 6/5/17, Article 4, and funded with a transfer from the Stabilization Fund) originally intended for engineering services related to an automated chemical compliance system for the existing filtration site that was mandated by DEP prior to activation of the charcoal filters; and to repurpose \$30,500 of the unused appropriation in the Water Capital Project Fund (voted at the Annual Town Meeting 6/5/17, Article 19, and funded with a transfer from the Capital Stabilization Fund) originally intended for the design, permitting and construction of DEP mandated upgrades to the water filtration facility; for a total sum of \$70,000 for the new purpose of installing 7 permanent bleeders to meet the DEP conditions for acceptable THM level requirements and/or take any action relative thereto.

Submitted by the Water & Sewer Commission
Requires Majority Vote

EXPLANATION OF ARTICLE: This article will repurpose \$70,000 of existing unused appropriations in the Water Capital Project Fund. One original appropriation was to be used

for engineering services for an automated chemical compliance system at the existing filtration site. The existing site with the filters is currently inactive due to the use of 5 temporary bleeders. The other appropriation, originally funded in the amount of \$650,000, was to be used to design, permit and start construction of a new filtration facility. Currently, DEP is allowing the use of temporary bleeders to address the levels of THM during the warm weather months. If the results of water testing during calendar year 2019 of THM levels meet the DEP requirement, permanent bleeders will need to be installed and the need for a new filtration facility will no longer be required.

ARTICLE E: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Ten Thousand, Five Hundred Dollars (\$10,500.00) for the **PK Valuation** software license and Webhosting, and/or take any action relative thereto.

Submitted by the Board of Assessors
Requires Majority Vote

EXPLANATION OF ARTICLE: This annual charge is for the software license needed to maintain the Assessment database and access field cards on the Town website.

ARTICLE F: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Thirty Three Thousand Dollars (\$33,000.00) to pay the third and final installment of the **FY20-FY24 Revaluation Program**, and/or take any action relative thereto.

Submitted by the Board of Assessors
Requires Majority Vote

EXPLANATION OF ARTICLE: To provide for the first installment consulting services for the five (5) year revaluation program.

ARTICLE G: To see if the Town will vote to raise, appropriate and/or transfer from available funds the sum of eleven thousand one hundred and sixty five (\$11,165) Dollars for the **Freetown Elementary School Phase 2 Security System Upgrade** and/or take any action relative thereto.

Submitted by the Freetown-Lakeville Regional School District
Requires Majority Vote

EXPLANATION OF ARTICLE: Phase 2 security upgrades for Freetown Elementary School.

ARTICLE H: To see if the Town will vote to raise, appropriate and/or transfer from available funds the sum of to be determined (\$) Dollars to pay for the costs of an **engineering study for the George R. Austin Intermediate School boiler(s)**. The engineering study would examine the existing heating hot water system and look for any potential cause for the

repeated failures, provide information as to the efficiency of the heating system and provide recommendations and cost estimates for necessary repairs, replacements and/or modifications to the existing system so as to eliminate the risk of future failures and loss and/or take any action relative thereto.

Submitted by the Freetown-Lakeville Regional School District
Requires Majority Vote

EXPLANATION OF ARTICLE: In FY18 the George R. Austin Intermediate School boiler #1 experienced a crack and subsequently started leaking process heating water. In FY19 the domestic hot water boiler and heating boiler #2 respectively developed cracked sections which leaked water into the building and caused minor water damage. Overall, the system has had five (5) cracked sections in the span of two years; the leaking sections were in the three separate boilers. An engineering study would examine the existing heating hot water system and look for any potential cause for the repeated failures, provide information as to the efficiency of the heating system and provide recommendations and cost estimates for necessary repairs, replacements and/or modifications to the existing system so as to eliminate the risk of future failures and loss.

ARTICLE I: To see if the Town will vote to raise, appropriate and/or transfer from available funds the sum of to be determined (\$) Dollars on the basis of the engineering study to pay for the costs of the repair or replacement of the George R. Austin Intermediate School boiler(s) and/or take any action relative thereto.

Submitted by the Freetown-Lakeville Regional School District
Requires Majority Vote

EXPLANATION OF ARTICLE: The George R. Austin Intermediate School has two boilers that provide heating hot water for the building and one domestic hot water boiler which provides warm water for hand washing, sanitation and cooking; this hot water boiler also heats the swimming pool. These three (3) boilers were installed in 2004 as part of the building renovation project and have been, until recently, reliable and efficient equipment. In FY18 and FY19 respectively, the George R. Austin Intermediate School boiler has endured multiple boiler failures. Due to these recent failures and to prevent further costly repairs, the Freetown-Lakeville RSD would like to repair or replace the existing unit(s) based on the findings from the engineering study.

ARTICLE J: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Two Thousand Dollars (\$2,000.00) to pay for the public purpose of supporting the Sexual Assault and Domestic Violence Program of the New Bedford Women's Center, Inc. and/or take any action relative thereto.

Submitted by the Board of Selectmen
Requires Majority Vote

EXPLANATION OF ARTICLE: This article provides for funding shelter, crisis intervention, counseling, medical and legal advocacy and educational programs to the community in relation to the issue of rape, sexual assault, and domestic violence.

ARTICLE K: To see if the Town will vote to transfer the sum of Three Thousand Dollars (\$3,000.00) from the **Sale of Cemetery Lots** Account to be used by the Cemetery Commission for maintenance and improvements at the Assonet Burying Ground, and/or take any action relative thereto.

Submitted by the Cemetery Commission
Requires Majority Vote

EXPLANATION OF ARTICLE: This is an annual appropriation. According to state law, revenues from lot sales may only be spent for the benefit of the cemetery in which those lots were sold.

ARTICLE L: To see if the Town will vote in accordance with General Laws Chapter 115, Section 9, to raise and appropriate, and/or transfer from available funds, the sum of Five Hundred Dollars (\$500.00) for the maintenance of **veterans' graves**, and/or take any action relative thereto.

Submitted by the Cemetery Commission
Requires Majority Vote

EXPLANATION OF ARTICLE: This is an annual article that funds the maintenance of certain veterans' graves in town as provided by M. G. L. Chapter 115, Section 9.

ARTICLE M: To see if the Town will vote to authorize the Board of Selectmen to enter into a tax exempt lease purchase (TELP) financing agreement with All American Investment Group, LLC to acquire equipment (specifically an **ambulance**) that may be financed by the issuance of debt under this chapter or otherwise authorized by law, for a term up to the useful life of the property (specifically 4 years) to be procured as determined by the Board of Selectmen, pursuant to M.G.L. Chapter 44, Section 21C, and furthermore the sum needed to satisfy the first year payment of this agreement will be separately identified, raised, and appropriated in the capital budget section of the Omnibus Budget for FY20, or take any action relative thereto.

Submitted by the Fire Chief
Requires Majority Vote

EXPLANATION OF ARTICLE: This article is necessary for the purchase of the ambulance. M.G.L. Chapter 44, Section 21C establishes the procedure governing the use of TELP financing agreements. This article complies with this statute allowing departments through the Board of Selectmen to enter into financing agreements for capital assets. The departments that use TELP agreements are reported in the capital budget section of the Omnibus Budget, along with the appropriation needed to satisfy the agreement. Any TELP agreement under this section shall be considered a binding obligation of the Town as if it were a debt authorization under this chapter agreement, provided an appropriation available for the purpose has been made in the fiscal year in which the lease becomes effective.

ARTICLE N: To see if the Town will vote to authorize the Board of Selectmen to enter into a tax exempt lease purchase (TELP) financing agreement with All American Investment Group, LLC to acquire equipment (specifically **police cruisers**) that may be financed by the issuance of debt under this chapter or otherwise authorized by law, for a term up to the useful life of the property (specifically 3 years) to be procured as determined by the Board of Selectmen, pursuant to M.G.L. Chapter 44, Section 21C, and furthermore the sum needed to satisfy the first year payment of this agreement will be separately identified, raised and appropriated in the capital budget section of the Omnibus Budget for FY20, or take any action relative thereto.

Submitted by the Chief of Police
Requires Majority Vote

EXPLANATION OF ARTICLE: This article is necessary for the continuation of the cruiser lease program established in 2004 by the Board of Selectmen and Finance Committee.

ARTICLE O: To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of \$15,000 for the purpose of conducting a **feasibility study for expansion of the Council on Aging building**; or take any other action relating thereto.

Submitted by the Council on Aging
Requires Majority Vote

EXPLANATION OF ARTICLE:

ARTICLE P: To see if the Town will vote to accept the provisions of M.G.L. Chapter 59, Section 5, Clause 37A, which would increase from \$437.50 to \$500.00 the **exemption amount for property taxes of blind persons**, and/or take any action relative thereto.

Submitted by the Board of Assessors
Requires Majority Vote

EXPLANATION OF ARTICLE: This article would increase the property tax exemption for blind persons from \$437.50 to \$500.00.

***** **VERSION 1 – APRIL 10, 2019** *****

ARTICLE Q: To see if the Town will amend Article 10.9 **Compensation Plan** Employees – Pay Scale:

By striking the current language:

| Pay Scale (Years) | 1 | 3 | 5 | 10 | 15 | 20 | 25 |
|------------------------------|----------|----------|----------|-----------|-----------|-----------|-----------|
| Animal Control Officer | \$20.35 | \$20.55 | \$20.96 | \$21.80 | \$22.89 | \$24.50 | \$26.70 |
| Asst. Animal Control Off. | \$14.00 | \$14.14 | \$14.42 | \$15.00 | \$15.75 | \$16.85 | \$18.37 |
| Board of Health Agent | \$33.12 | \$33.45 | \$34.12 | \$35.49 | \$37.26 | \$39.87 | \$43.46 |
| Building Commissioner | \$35.79 | \$36.15 | \$36.87 | \$38.35 | \$40.26 | \$43.08 | \$46.96 |
| COA Director | \$24.89 | \$25.14 | \$25.64 | \$26.67 | \$28.00 | \$29.96 | \$32.66 |
| Library Director | \$27.18 | \$27.45 | \$28.00 | \$29.12 | \$30.58 | \$32.72 | \$35.66 |

and replace with:

The Salary for the following positions shall be set by the Board of Selectmen on an annual basis or upon hire. Said positions may be eligible for periodic pay increases, or upon annual performance evaluation. Further, the holder of positions named below shall not be involved in any negotiations with respect to salaries.

Animal Control Officer
Assistant Animal Control Officer
Board of Health Agent
Building Commissioner
Council on Aging Director
Library Director

Submitted by the Board of Selectmen
Requires Majority Vote

EXPLANATION OF ARTICLE: To amend the Personnel By-Law to allow the Board of Selectmen to annually set the rate for the above listed positions, and to establish the pay rate upon hiring an employee.

ARTICLE R: To see if the town will vote to amend by-law 17.10 Penalties to read:

- A) The enforcing authority of this by-law shall be the **Animal Control Officer** and the Police Department.
- B) In addition to any other remedies available in law or equity and/or the Town's by-laws, including criminal penalties and/or injunctive relief, the Town may elect to enforce this article through non-criminal disposition in accordance with Article 25. In such cases, the penalties shall be as follows:

***** **VERSION 1 – APRIL 10, 2019** *****

- A) Section 17.2 Licenses: If a dog or kennel remains unlicensed after September 1st, \$50.00 (in addition to the original license fee and any late fees accrued)
- B) Section 17.3 Rabies: \$50.00 for first violation, \$100.00 for 2nd violation, \$300.00 for 3rd violation and \$500.00 for 4th and subsequent offense per animal.
- C) Section 17.4 Restraint: \$50.00 for first violation, \$100.00 for 2nd violation, \$300.00 for 3rd violation and \$500.00 for 4th and subsequent offenses and the municipality may order the animal spayed or neutered.
- D) Section 17.5 Impoundment: \$40.00 per violation
- E) Section 17.6 Feces: \$50.00 for first violation, \$100.00 for 2nd violation, \$300.00 for 3rd violation and \$500.00 for 4th and subsequent offenses
- F) Section 17.8 Nuisance or Dangerous Dogs or Other Animals: The penalty will be \$50.00 for first violation, \$100.00 for 2nd violation, \$300.00 for 3rd violation and \$500.00 for 4th and subsequent offenses.
- G) Section 17.9 Tethering \$50.00 for first violation, \$100.00 for 2nd violation, \$300.00 for 3rd violation and \$500.00 for 4th and subsequent offenses.

Submitted by the Animal Control Officer
Requires Majority Vote

EXPLANATION OF ARTICLE: to have our by-laws match the Paws II Law that was passed in November 2018:

Whenever a complaint is sought in a district court for a violation of an ordinance or bylaw made under the provisions of section 173, the clerk shall send a written notice to the person complaint against stating that such a complaint has been sought and will issue unless such person appears before such clerk and confesses the offense either personally or through an agent duly authorized in writing, or by mailing to such clerk, with the notice the fine provided here in. The fine for the first offense committed by a person shall be \$50. The fine for a second offense shall be \$100 the fine for a third offense shall be \$300 and for a fourth or subsequent offense the fine shall be \$500 and the Municipality may order the animals spayed or neutered. Payment shall be made only by a money order or check. Notwithstanding the foregoing procedure and schedule of fines, but subject to all other provisions of this section, a city or town may, by ordinance or by law, provide for an alternative procedure and a different schedule of fines; provided, however, that the fines shall not be lower than those stated in this section. Notwithstanding this section, a municipality may seek a remedy under section 157 for a nuisance dog.

ARTICLE S: To see if the Town will vote to amend Article 11, Section 11.29 of its Protective By-laws, relative to Planned Mixed-Use Overlay District, by moving Section 11.29 H “Density and Dimensional Requirements” to the Rules & Regulations Governing Development within the Planned Mixed-Use Development Overlay District (PMUD), and/or take any action relative thereto. The text of the section is on file at the Town Clerk’s office at the Town Hall, 3 North Main Street, Assonet, MA.

Submitted by the Planning Board
Requires Two-Thirds Vote

EXPLANATION OF ARTICLE: This article would move Article 11, Section 11.29 H “Density and Dimensional Requirements” to Rules & Regulations Governing Development within the Planned Mixed-Use Development Overlay District (PMUD). This would allow the Planning Board to grant waiver requests to projects that would otherwise be ineligible due to strict regulations.

ARTICLE T: To see if the Town will vote to amend the Town of Freetown Protective By-laws, Article 11 Zoning By-laws Section 11.18 H. 1. Table of Use Regulations “Truck Stop” by removing SP and adding N in the Industrial and Industrial/2 Districts and/or take any other action relative thereto.

See proposed change to the table of use regulations below

| Use | R | B | I | I/2 | G | OSR | VR | VB | STOD |
|------------|---|---|---|-----|---|-----|----|----|------|
| Truck Stop | N | N | N | N | N | N | N | N | SP |

Submitted by the Planning Board
Requires Two-Thirds Vote

EXPLANATION OF ARTICLE: This article would change the current Table of Use to disallow Truck Stops in the Industrial and Industrial/2 Districts.

ARTICLE U: To see if the Town will vote to amend the Town of Freetown Zoning Map, by changing the zoning districts to reflect the zoning classification changes that were voted in at the October 2018 Special Town Meeting and/or take any action relative thereto. A map of the proposed amendments to the Zoning Map is on file with the Town Clerk

Submitted by the Planning Board
Requires Two-Thirds Vote

EXPLANATION OF ARTICLE: This article would amend the Town of Freetown Zoning Map to reflect the zoning classification changes that were voted in at the October 2018 Special Town Meeting. The parcels that were rezoned were owned by the Conservation Commission, the Department of Conservation and Recreation (Freetown State Forest), and municipal water departments and were changed from their previous zoning to Open Space & Recreation.

ARTICLE V: To see if the Town will vote to amend the Town of Freetown Protective By-laws, Article 11 Zoning By-laws Section 11.3 E Lot Coverage by inserting the words “(excluding any structure that does not require a building permit or permanent foundation; above-ground pools; driveways and walkways)” after “Maximum percentage of land covered by structures” and/or take any action relative thereto.

Submitted by the Planning Board & the Zoning Enforcement Official
Requires Two-Thirds Vote

EXPLANATION OF ARTICLE: To clarify which types of structures and which types of activities should be included when determining lot coverage.

ARTICLE W: To see if the Town will vote to amend the by-law or take action relative there to:

Town by law Article 1.1 Town Meeting A. Posting of Warrants Every Town meeting shall by a Warrant directed to a constable, or other duly appointed person, by posting attested copies of the said Warrant in not less than (six) 6 public places in the Town at least (30) days before the time of holding the Annual Meeting, and at least thirty (30) days before the time of holding any special Town Meeting.

A. Availability of Warrants- A copy of the Warrant containing the Articles shall be made available to all registered voters at least thirty (30) days before the time of holding the business portion of the Annual Meeting, and at least (30) days before the time of holding any special Town Meeting

Submitted by Citizen's **Petition**
Requires Majority Vote

ARTICLE X: To see if the Town will vote to amend the by-law or take action relative there to:

Town by law Article 1.1 Town Meeting A. Posting of Warrants Every Town meeting shall by a Warrant directed to a constable, or other duly appointed person, by posting attested copies of the said Warrant in not less than (six) 6 public places in the Town at least (30) days before the time of holding the Annual Meeting, and at least thirty (30) days before the time of holding any special Town Meeting.

A. Availability of Warrants- A copy of the Warrant containing the Articles shall be made available to all registered voters at least thirty (30) days before the time of holding the business portion of the Annual Meeting, and at least (30) days before the time of holding any special Town Meeting

Submitted by Citizen's **Petition**
Requires Majority Vote

ARTICLE Y: To see if the Town will vote to raise and appropriate the sum of \$ _____ for the purpose of supplementing the **Capital Stabilization Fund**, or take any action relative thereto.

Submitted by the Board of Selectmen
Requires Two-Thirds Vote

EXPLANATION OF ARTICLE: This appropriation would add funds to the Capital Stabilization Fund to be used for purchasing capital assets or payment of related debt service on capital assets. Any proposed use of the fund would require a 2/3 vote of town meeting.

ARTICLE Z: To see if the Town will vote to raise and appropriate the sum of \$ _____ for the purpose of supplementing the Stabilization Fund, or take any action relative thereto.

Submitted by the Board of Selectmen
Requires Two-Thirds Vote

EXPLANATION OF ARTICLE: This appropriation would add funds to the Stabilization Fund to be used for any lawful purpose. The Stabilization Fund is a “rainy day fund” or reserve to support the Town during times of financial stress. Any proposed use of the fund would require a 2/3 vote of Town Meeting.

And you are hereby directed to serve this Warrant by posting attested copies thereof at the following places: Assonet Post Office, East Freetown Post Office, the stores of Quick Pic in East Freetown, Junior's Convenience Store and Freetown Town Hall, and the Freetown Communications Center.

Hereof, fail not and make return of the original Warrant with your doings thereon immediately after making service thereof to the Town Clerk of the Town of Freetown, Massachusetts.

Given under our hands and seal of the Town of Freetown, this sixth day of May, Anno Domini, Two Thousand Nineteen.

FREETOWN BOARD OF SELECTMEN

Charles B. Sullivan,
Chairman

Lisa A. Pacheco

George L. Grunwald