



TOWN OF FREETOWN BOARD OF SELECTMEN

MINUTES

Thursday, July 11, 2019, 5:00pm

Council on Aging – 227 Chace Road, East Freetown

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FREETOWN TOWN CLERK

2019 AUG -7 PM 1:00

J. A. Brown

5:00 P.M. Call to Order The meeting is called to order by Chairman Charles B. Sullivan. Selectman George L. Grunwald is present; Selectman Lisa A. Pacheco is absent. Also present: Town Administrator David DeManche and Timm McIntosh, Administrative Assistant. The meeting is being video recorded by FREECAM and by resident Mark Rosofsky.

Selectman Sullivan opens the meeting by expressing his condolences to Selectman Pacheco, who lost her stepfather recently.

Board of Selectmen

1. Highway Surveyor issue
2. Future Highway Department operations

These two agenda items discussed as one.

Selectman Sullivan says that as everyone is aware, criminal charges have been filed against the Highway Surveyor, Charles Macomber. Selectman Sullivan wants to address what the Board is doing and what the Board has done to this point. After referring with Town Counsel, the Board issued a no trespass order for town facilities, beyond conducting personal and professional business; the letter was issued verbally on Friday, June 29th, and delivered Saturday, June 30th. Mr. Macomber remains the Highway Surveyor until he is not, and there is no provision in the law to remove an elected official, even on a temporary basis. No elected official can act on another elected official. To the best of Selectman Sullivan's knowledge, Mr. Macomber is still carrying out his duties, with assistance by Town Administration. The hope is to add a temporary working foreman in the future, but that is not being done tonight. Selectman Sullivan asks for patience from the public, as the Highway Department is short-handed currently, so services may not be up to their typical standards immediately.

Selectman Sullivan reads the entirety of Massachusetts General Law Chapter 41, Section 62, which consists of two sentences, but outlines the duties of the highway surveyor. He says Town Counsel has said there is no previous case law to help us in our path on this matter.

3. Intradepartmental Transfer Requests:

- o Finance Committee: Printing Expenses to Personnel

Selectman Sullivan reads through the transfer request, which is for \$98.25 from the Finance Committee's printing expenses line to personnel. Mr. DeManche notes this was previously approved by the Finance Committee.

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

- Building Department: Personnel to Expenses

This request is for \$1,000 from Building Department personnel to expenses.

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

- Communications: Part-Time Dispatch Wages to Gross Overtime

This request is for \$4,500 from part-time dispatch wages to gross overtime.

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

4. Water Reserve Fund Transfer Requests:

- From Water & Sewer for Gross Additional Overtime

This request is for \$450 from the Water-Sewer reserve fund to Water-Sewer gross overtime.

VOTE: Motion (Grunwald/Sullivan) to approve and send to the Finance Committee, passed unanimously.

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

5. Appointment of Temporary Working Foreman for Highway Department

This agenda item is bypassed for this evening.

6. Appointment of Truck Driver

Mr. DeManche says the recommendation on this appointment is Mr. Matthew Deneault. Selectman Grunwald asks if Mr. Deneault was interviewed. Mr. DeManche says he was interviewed and, when asked by a resident in weekly public discussion, says Mr. Deneault was the highest scored applicant in the interviews.

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

Weekly Public Discussion

The Board fields questions from residents present regarding the appointment of Mr. Deneault as well as the matter involving Mr. Macomber. Mark Rosofsky, 115 Chace Road, follows up on his previous complaints about Selectman Sullivan violating the Open Meeting Law by not allowing public comment, and has found that not to be the case; Mr. Rosofsky maintains that the public is not well received at these meetings. Mr. Rosofsky also has questions about the no trespass order, the process behind the charges against Mr. Macomber, how the Town is proceeding with Highway Department operations, and availability of FREECAM videos. Marc St. Laurent, 13 Burns Lane, believes the Board is “sandbagging” Mr. Macomber. John Laronda, 26A Gurney Road, believes the restrictions in place prevent Mr. Macomber from doing his job.

Gary Mendes, 178 Chace Road, reads a prepared letter accusing an unnamed Board member of harassing town employees, requesting an investigation into his accusations; the Board requests that Mr. Mendes send his letter into the office for review. Motion made. Selectman Sullivan requests that any issue or evidence Mr. Mendes has that supports these claims be forwarded on to Town Counsel; Mr. Mendes says that’s part of the investigation and the investigation will speak for itself. Selectman Sullivan asks Selectman Grunwald to restate his motion before he seconds it. Motion seconded.

VOTE: Motion (Grunwald/Sullivan) to investigate this allegation and discuss this with Town Counsel and see what they recommend about this, passed unanimously.

Discussion returns to the investigation of the Highway Surveyor. Selectman Grunwald says it is important to remember that the charges came from the district attorney's office. Selectman Sullivan goes over the process taken, and objects to the idea that the Police Department is to blame for this.

At 5:38pm, motion (Grunwald/Sullivan) to adjourn, passed unanimously.

Respectfully submitted,



Timm McIntosh
Administrative Assistant

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

- Massachusetts General Law, Part I, Title VII, Chapter 41, Section 62 – “Highway Surveyor; Duties”
- Draft Request for Appropriation Transfers Between or Within Departments form, submitted and approved by the Finance Committee
- Draft Request for Appropriation Transfers Between or Within Departments form, submitted by the Building Commissioner
- Draft Request for Appropriation Transfers Between or Within Departments form, submitted by the Chief of Police
- Draft Request for Transfer from the (Water) Reserve Fund form, submitted by the Water & Sewer Commission
- Letter from T. McIntosh re: appointments of Temporary Working Foreman & Truck Driver and effective dates of said appointments
- Draft certificates of appointments for E. Richard, A. Simmons, M. Audette, M. Deneault, A. Golden, J. Hartford, S. Wagner