

Freetown Board of Selectmen
Meeting Minutes

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Monday, January 19, 2021 – 4:00pm
Meeting Will Be Held Virtually

Chairman Lisa A. Pacheco calls the meeting to order at 4:00pm. Selectman George L. Grunwald and Selectman Trevor R. Matthews are present. Also present: Town Administrator Peter Jankowski and Executive Assistant Timm McIntosh. Following Executive Session, the meeting will be livestreamed at freetownma.gov/FREECAM.

Executive Session

Discussion/possible action on the following topics:

At 4:01pm, motion made by Selectman Matthews, seconded by Selectman Grunwald, to enter into executive session under the exemptions labeled 1 and 3 below, and to return to open session following. Roll Call: Selectman Lisa Pacheco, aye; Selectman George Grunwald, aye; Selectman Trevor Matthews, aye.

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 – Excel Recycling, LLC 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 – Copart of Connecticut, Inc. v. Lisa A. Pacheco, George L. Grunwald and Trevor R. Matthews, all as they are the Board of Selectmen of the Town of Freetown
3. M.G.L. c.30A, Sec. 21(a)(3) – to discuss strategy with respect to collective bargaining with Public Employees Union, Local 1144 LIUNA (all bargaining units), the Freetown Police Association and the Freetown Full-Time Firefighters Association because an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares

Please note, the Board will not be discussing item #2 this evening. The Board will be joined in Executive Session by Atty. Joseph Fair of KP Law and Chief of Police Carlton Abbott.

At 5:01pm, motion made by Selectman Matthews, seconded by Selectman Grunwald, to exit from executive session and return to open session. Roll Call: Selectman Lisa Pacheco, aye; Selectman George Grunwald, aye; Selectman Trevor Matthews, aye.

Board of Selectmen

Selectmen Pacheco calls the meeting back into order at 5:01pm. Selectmen Grunwald, Selectmen Matthews, Town Nurse Lori Desmarais, Ross Bilodeau From NSTAR, Engineer William Gottwald, Board of Health Agent Tanya Daigneault, Town Administrator Peter Jankowski, Executive Assistant Timm McIntosh and Senior Clerk Lu-Ann Souza are also present.

Discussion/possible action on the following topics:

5:00pm Public Hearing – Board of Health Variances

- 28 Huron Avenue – Mr. Gottwald was on the line he is the engineer on the project. Mr. McIntosh noted that one of the addresses had an issue with notices, but they were hand delivered by Mr. Gottwald. Mr. McIntosh has certifications in his email on this. Selectmen Pacheco asked do they have green cards for 28 Huron Ave. He does, Selectmen Pacheco asked Mr. Gottwald to read them out loud. Cards were sent to Brian and Theresa Anderson, and Arthur and Janet Morin. Selectmen Pacheco asked if the Morins or Andersons here. They were not present. She also asked if Mr. Hutchins was in attendance as well. He was not in attendance. Selectmen Pacheco asked Mr. Gottwald to let us know what is proposed. Mr. Gottwald noted they are doing septic repair on a very small lot and need to install a leeching area. The lot is cuts between Huron Ave as part of the lot is on either side of Huron Ave. There is only one spot where it can go and they need abutters approval as it is a couple fee closer to one well and a couple feet further from the other well. Selectmen Pacheco read the setbacks listed are 1. Allow reduction of required SAS setback distance from the cellar wall from 20 feet to 12 feet. 2. Allow reduction of the required SAS setback distance from the property line 10 feet to 5 feet. 3. Allow reduction of required number of deep holes from 2 to 1 as per 3:10. 4. Allow reduction of required SAS set back distance from surface water supply from 400 feet to 85 feet. 5. And allow reduction of required SAS setback distance from existing private wells from 100 feet to 75- and 95-feet onset wells in 81 to 32 Huron as per chapter general law. Granting these five waivers will allow the applicant to repair the existing failed system with the Title IV system. No increase of flow is proposed, and there will be no additions to the household.

Selectmen Grunwald asked if Board of Health Agent, Tanya Daigneault to weigh in. Board of Health did a quick site visit this afternoon and looked at the plans. She has some concerns with the sites with ground water issues, wetland issues and Long Pond in the back. Board of Health Agent noted both sites are challenging sites to work with. Ms. Daigneault agrees with Mr. Gottwald this is a very challenging site which has the trifecta of issues to work with. Selectmen Pacheco suggests Ms. Daigneault takes a look at other systems that have been done recently due to the floods in the area to see how they were done. She continued to suggest that Ms. Daigneault works to streamline this process adding a coversheet with her summation and

suggestions/recommendations to the Board to make doing a public hearing on these types of issues easier in the future. Selectmen Grunwald suggested postponing the vote.

Mr. Gottwald stated water table separation we meet guidelines, he is not asking for ground water variance, he noted they have already been approved by conservation and there isn't another area they can put the leeching field in. Title IV states needs to be 100 feet from well, its 78-79 feet from the well now which is the same distance as it was before this plan would be the same/similar to what is already there. Mr. Gottwald says by delaying the vote we will be doing the same thing as there are no other options. Selectmen Pacheco noted this has been delayed due to COVID and was filed on October 2020 Selectmen Pacheco stated she feels better knowing conservation has signed off on the project. Selectmen Pacheco asked the Board for their thoughts. Mr. Gottwald stated this went back to spring 2020. Selectmen Matthews noted that this will improve the situation on these two properties if it was a new build it would be very different set of circumstances.

Selectmen Pacheco asked if anyone has any questions. No further questions were asked.

Mr. Gottwald mentioned the residents have gotten together and would like to repave the road in the spring. They wish to fix their septic systems, put in a drain and upgrade the road. Selectmen Grunwald noted this is a recurring situation for this area and he thinks we should at least investigate bringing city water to this area as sooner or later as over time it is going to be required. Selectmen Pacheco thinks having a conversation with the water/sewer dept. is a good thing to have sooner than later. Selectmen Grunwald feels we should have communications with the residents of that area to have some discussions as this may be expensive and it would be nice to know if they would be interested in entertaining that. Selectmen Pacheco wants Mr. McIntosh to contact water/sewer on this. Mr. McIntosh noted this has been done and will get a copy of that correspondence to the Board. Selectmen Grunwald noted this whole area is problematic and we should investigate bringing city water to that area and we should have further discussion on this matter. Selectmen Pacheco agreed to have a conversation with water/sewer sooner than later. Selectmen Grunwald noted whatever is done is going to be expensive so we should also have conversations with the homeowners to see if they are amicable in doing something to address this situation. Selectmen Pacheco asked Mr. McIntosh and Mr. Jankowski to send out a letter to the homeowners and water/sewer. Mr. McIntosh noted Selectmen Grunwald had previously asked him to contact the water/sewer dept. about this situation which he has done and has a letter back from them which he will share with the Board. Selectmen Grunwald asked are we going to reach out directly to the homeowners? Mr. McIntosh suggested putting this on a future agenda.

- Motion to approve the variances for 28 Huron Avenue to go ahead with the five restrictions proposed by Selectmen Matthews and seconded by Selectmen Pacheco.

- Vote: Selectmen Matthews – yes, Selectmen Grunwald – abstain, Selectmen Pacheco – yes.
- Motion to add annual testing of surface water body and reduction of setback at private wells.
- Vote: Selectmen Matthews – yes, Selectmen Grunwald – abstain, Selectmen Pacheco – yes.

Mr. Gottwald was asked to read the green cards. They were mailed out and the second page noted the time/date was not included on the mailing. Mr. Gottwald went to both abutters and let them know about the date/time of the meeting and each signed that they were aware of the meeting. They are Amelia Meniere and Joseph Sajak across the street who owns two properties. None of the abutters were in attendance. Mr. Gottwald noted this property is at a higher elevation and meets water table separation and there is no wetland impact everything else is the same as before, they are replacing the system and get it working. Selectmen Pacheco read the variance requests 1. Allow the SAS setback distance from the cellar wall from 20 feet to 10 feet. 2. Allow reduction of SAS setback distance from the property line from 10 feet to 6 feet. 3. Allow reduction of SAS deep holes 2 to 1. 4. Reduction of SAS setback from surface water supply from 400 feet to 100 feet. 5. Allow SAS setback from existing private wells from 100 feet to 31 feet on site well 72 feet from #37 and 78 feet from #38. Granting these five waivers will allow the applicant to repair the existing failed system with the Title IV system. No increase of flow is proposed, and there will be no additions to the household. Selectmen Pacheco asked if this was sent to conservation. Mr. Gottwald stated yes. Selectmen Pacheco asked if Mary Friere Kellogg looked at this. Mr. Gottwald stated Dereck Macedo former Board of Health agent had done the perk. Tanya Daigneault, Board of Health Agent weighed in and stated that she had a memo from interim Mary Friere-Kellogg regarding having annual testing for wells and surface waters yearly for both 28 and 36 Huron Avenue. Board added this to the motion for each of these properties.

- 36 Huron Avenue
 - Motion to approve the variances for 36 Huron Avenue to go ahead with the five restrictions and include annual testing of surface body water and well, and neighbors well proposed by Selectmen Matthews and seconded by Selectmen Pacheco.
 - Vote: Selectmen Matthews – yes, Selectmen Grunwald – abstain, Selectmen Pacheco – yes.

Selectmen Pacheco closed this public hearing at 5:28pm and opened the public hearing for NSTAR Electric Company.

5:00pm Public Hearing

- Petition submitted by Verizon New England Inc. and NSTAR Electric Company, d/b/a Eversource Energy to request permission to relocate three poles (Poles 11/22, 11/20 and 11/20S) on Braley Road, in conjunction with the Railroad improvements by CSX Transportation Inc.

Selectmen Pacheco asked if anyone was here from the public. Ross Bilodeau from NSTAR Electric noted they are looking to relocate three poles to accommodate the railroad coming into this area. The poles would be moved an additional ten -thirteen feet. Selectmen Pacheco asked if any impact to the neighborhood. Mr. Bilodeau said no. Selectmen Pacheco asked if there was any other public comments. There were none noted.

- Motion to approve the relocation of three poles (poles 11/22, 11/20 and 11/20S on Braley Road in conjunction with the railroad improvements by CSX Transportation Inc. proposed by Selectmen Matthews and seconded by Selectmen Grunwald.
- Vote: Selectmen Matthews – yes, Selectmen Grunwald – yes, Selectmen Pacheco – yes.

Selectmen Pacheco closed this portion of the public hearing. Mr. Bilodeau left the meeting.

4. Agreement for Septic Betterment Loan for 74 County Road

\$35, 532, 5% payback on taxes over 20 years, lien on the home so the town has protection, and there is enough money in the betterment account to cover it.

- Motion to approve in format the septic betterment loan for 74 County Road was proposed by Selectmen Matthews and seconded by Selectmen Grunwald.
- Vote: Selectmen Matthews – yes, Selectmen Grunwald – yes, Selectmen Pacheco – yes.

5. Goals for Town Administrator Peter Jankowski

Mr. McIntosh noted that Selectmen goals are to:

1. Acclimate yourself with each Department, Board or Committee. (Lisa)
2. Set Department Heads meeting and set time to meet with individual employees. (Lisa)
3. Review all contacts in anticipation for negotiations. (Lisa)

4. Develop an internal survey to document and track town employee satisfaction (Trevor)
5. Reduce year-over-year turnover (outside of retirement) (Trevor)
6. Explore grants to help bring Sewer down Main Street in Assonet. (Trevor)
7. Increase Private/Public partnerships with local business in Town. (Trevor)
8. Sixty days to evaluate processes in Town Hall and Highway Department (George)
9. Report to Board of Selectmen what should be addressed from the evaluation of processes of Town Hall and Highway Department. (George)
10. Agree on what changes/improvements need to be implemented and a timeline to put them in place regarding the processes at Town Hall and Highway Department (George)

Selectmen Pacheco feels to do Selectmen Grunwald and Selectmen Matthews goals will assist in meeting her goals also by meeting with Department Heads and each employee independently Mr. Jankowski will be better able to access each department on changes needed and how to implement them. Selectmen Pacheco feels the big ones are contract negotiations, and the sewer line which is being worked on and once Mr. Jankowski meets with Economic Development Board he will be able to better understand.

Peter Jankowski said he would sit down with Selectmen Grunwald to go over everything and he is working on getting his feet wet and meeting everyone.

Mr. McIntosh will compile all the goals, streamlining where needed and then the Board will sign off on them. Selectmen Matthews noted that strike or reword the goal regarding turnover to make it measurable. Selectmen Pacheco noted we started to do exit interviews sometimes they helped but didn't get to read them or act on them. Having Mr. Jankowski review

6. Ambulance Abatements & Write-Offs for the month of December 2020
 - Motion to approve to approve the ambulance abatements and write-offs for December 2020 in the amount of \$157,550.23 proposed by Selectmen Matthews and seconded by Selectmen Grunwald.
 - Vote: Selectmen Matthews – yes, Selectmen Grunwald – yes, Selectmen Pacheco – yes.
7. Minutes: December 21st & December 28th, 2020
This agenda item was skipped.
8. Town Administrator's Report
 1. Town Administrator, Peter Jankowski, noted that he recently virtually attended the MIIA Police Liability and Law Updates 2021 session to get an idea on what is happening in Massachusetts since the pandemic.

2. Received a couple quotes for cameras and will have them available at the next meeting.

3. Working on the RFP for Trash and Recycling. Mr. Jankowski reports he is about 85% done. He should have it complete and available for the next meeting. Mr. Jankowski noted that Lu-Ann Souza and Timm McIntosh have been very helpful on both of these projects.

9. Update to Board of Selectmen's February Meeting Schedule

Mr. McIntosh noted one of our Board members will be out of town for two weeks and will not be available to meet on 2/1/21 or 2/16/21 so meetings will be on 2/8/21 and 2/22/21. The Board agreed to these dates.

Board of Health

Discussion/possible action on the following topics:

10. Update on ongoing COVID-19 Pandemic in the Town of Freetown

Selectmen Grunwald noted he does not have any updates. Selectmen Pacheco asked Town Nurse Lori Desmarais to update the Board on how things are going regarding contact tracing vaccinee and general COVID. Lori Desmarais stated our first case was on 3/17/2020 we now have had a total of 656 cases, we currently have 105 active cases, 551 have recovered, total deaths are 5, total hospitalizations are 26. Regarding contact tracing, June 11, July 12, Aug 6, Sept 13, Oct 31, this is when she asked for help with contact tracing. Since the three contact tracers came on board Nov 100, Dec 244, Jan 164. We are seeing the same surge that Massachusetts is seeing we are seeing in Freetown. We are still sending some cases onto the state as we cannot keep up with them. Ms. Desmarais feels it is better to do them on the local community. Selectmen Matthews asked will there be vaccinations in the town? Lori Desmarais is working with Chief Silvia to bring vaccines to town, they are working on getting documents signed with Town Doctor Levo, she had a call into the state today regarding pharmaceutical refrigerators and they may be able to use regular refrigerators if we monitor the temperatures. This is something she may have to come to the board to purchase refrigerators and/or freezer. This may be a good use of the CARES Act monies. Ms. Desmarais mentioned she has spoken to the Town Accountant, Kimberly Fales, regarding financing and billing to the CARES act for staffing clinics. Selectmen Pacheco asked would she be looking for help to administer the vaccine locally. Lori Desmarais noted paramedics can be trained to assist, she has spoken to other nurses, school nurses who will help. Regarding a location, they had looked at doing this regionally with Lakeville and have looked at the high school as it is a good set up and can

accommodate a lot of people. Thinking about doing drive thru model as she just did for first responders for the Town of Marion or do a set up inside the building. Another option is using the Freetown Elementary. Selectmen Grunwald asked will people make appointments. Lori Desmarais said yes, the state bought software Prepmo that allows you to do this and you can set it up to meet your needs. The systems allow the vaccinator to report the vaccine being given, people to set up their own appointments and fill out prescreening forms. Selectmen Grunwald asked about the priority list of who can get the vaccination when. Lori Desmarais mentioned the states website updates this weekly. She believes we would start giving our vaccinations in phase two, which are ages 75 or older and those with two or more comorbidities. She believes this may be in March, but this will be dependent on when the state can get the vaccine and moves to phase 2. Selectmen Pacheco asked are we using Pfizer or Moderna vaccine. Lori said she believes we will be using Moderna which comes in shipment of 100 vaccines at a time and are easier to store not needing to be stored and ultracold temperatures, they can be in freezer until their expiration date (July) and can be in fridge for 30 days. Selectmen Pacheco asked in your professional opinion are these vaccines safe? Town Nurse Desmarais said, they are safe, there are some people having side effects as they do with all vaccines, they are FDA approved, she got the vaccine and recommends everyone does. Selectmen Pacheco asked do you see our case count to continue to rise? Lori Desmarais said she is still seeing the cases climb. She noted we saw a spike around the holidays and is not sure if we will still see more from that. She noted that once it gets into a household it goes through the whole household. She hopes to see improvement in these numbers in February. Lori Desmarais still recommends everyone to continue to wear a mask, wash hands, practice social distancing even after you have gotten the vaccine. She noted anytime you are in public wear a mask. Selectmen Pacheco and Selectmen Matthews thanked Lori Desmarais for all her efforts and noted that if she needs anything else to let us know and finds her update very helpful. Selectmen Pacheco would like to request an update in another couple of weeks. Board of Health Agent also offered her help to Town Nurse Lori Desmarais. Lori Desmarais left the meeting.

11. Goals for Board of Health Agent Tanya Daigneault

Selectmen Grunwald requested to put this topic off until the next meeting as he wishes to sit down with Tanya Daigneault to discuss this further. Selectmen Pacheco would like to see some of these variances be streamlined, with definitive recommendations from Board of Health Agent would be very helpful. Selectmen Pacheco noted some of these variances may not even need to come in front of the Board and may be sufficient to have a list monthly of the variances approved. Selectmen Pacheco asked if Tanya Daigneault had anything for the Board. Ms. Daigneault said she did not have anything at this time. Ms. Daigneault suggested to put together a document on her process on how she reviews and her processes. Selectmen

Pacheco said that would be helpful so the Board will know how Ms. Daigneault looks at things and approaches them. Board of Health Agent Tanya Daigneault left the meeting.

Personnel Board

Discussion/possible action on the following topics:

12. Formation of Freetown Town Pantry Committee

Selectmen Matthews asked Selectmen Pacheco to talk about this endeavor. Selectmen Pacheco wanted to form a committee to run the food pantry at the old Police Station.

- -Motion to form a Freetown Town Pantry Committee made by Selectmen Pacheco and seconded by Selectmen Grunwald
- Vote: Selectmen Matthews – yes, Selectmen Grunwald – yes, Selectmen Pacheco – yes.

Selectmen Pacheco noted Craig Cabral and Jean Fox were interested and Selectmen Pacheco would also be interested. Mr. McIntosh asked if he should advertise for members of this committee. Selectmen Pacheco noted that we will always take volunteers but feels it takes a core committee to make sure things are run correctly and if anyone is interested in being on the committee that would be welcomed. Selectmen Pacheco noted that if anyone is interested, they can send a letter to the Town Hall to request being on the committee.

13. Delegation of Change of Status forms to Town Administrator

Selectmen Matthews noted this would be transferring the signing change of status forms to the Town Administrator. Mr. McIntosh confirmed this is correct and that it would streamline the process and noted that each time someone gets a change of status in pay, title or position a change of status form must be completed and signed by the Personnel Board. This motion would allow the Town Administrator to sign off on these forms rather than having to wait for a Board of Selectmen meeting. Previously in May 2019 this was delegated to Former Town Administrator David DeManche so we would need a new motion to delegate to the Town Administrator position, not a particular person's name.

- Motion delegating change status forms to the Town Administrator made by Selectmen Grunwald, seconded by Selectmen Pacheco
- Vote: Selectmen Matthews – yes, Selectmen Grunwald – yes, Selectmen Pacheco – yes.

14. Rate of Pay for Cemetery Sexton

Selectmen Pacheco does not think we need to approve this as it would be included in next year's budget. Selectmen Grunwald wants the record to reflect it is for the next fiscal year.

This position would be \$1 more than minimum wage per hour. Mr. McIntosh noted that the Board will need to vote on this either now or in the next budget.

Recommendation to let Mike McCue, Assistant Assessor know to put this in the budget for next year effective July 1, 2021. Mr. McIntosh will let Mr. McCue know the Board is not in objection to the dollar more an hour than minimum wage and that it should be submitted as so in the next fiscal budget.

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:

- Phone System Upgrades
- Town of Freetown Hiring Policy - Selectmen Grunwald asked what is the issue with the hiring policy? Mr. McIntosh said this is something he is trying to get to this but has been busy.
- Job Descriptions & Job Description Review
- Town Hall Computer Replacement
- Transfer Station Cameras – Mr. Jankowski has a couple quotes and will present them at the next Board of Selectmen meeting.
- Town Meeting Signs – were purchased and delivered to Town Hall. They need to be put together and Tim Devine will get some sandbags to weight them down when used.
- Trash & Recycling Contract – Peter Jankowski noted he is about 85% done with RFP (Request for Proposals).

Selectmen Pacheco noted that there was an email out to everyone from the Finance Committee that everyone should review and be prepared to discuss at the next meeting.

- Motion to adjourn the meeting at 6:07pm was proposed by Selectmen Matthews and seconded by Selectmen Grunwald.
- Vote – Selectmen Grunwald – yes, Selectmen Matthews – yes, Selectmen Pacheco - yes

Respectfully Submitted,



Lu-Ann Souza

List of Documents/Exhibits Used by the Board in this Meeting.

- Application for Board of Health Variance for 28 Huron Ave and 36 Huron Ave, submitted by engineer William Gottwald.
- Petition submitted by Verizon New England Inc. and NSTAR Electric Company, d/b/a Eversource Energy to request permission to relocate three poles (Poles 11/22, 11/20 and 11/20S) on Braley Road.
- Letter from Board of Health Agent Mary Friere Kellogg re: 74 County Road Betterment
- Draft Betterment Agreement with Paul & Beverly Lord for 74 County Road
- Letter from Executive Assistant re: goals for Town Administrator Peter Jankowski
- Draft memo to Town Accountant re: Ambulance Abatements / Write Offs for Month of December 2020
- Table of Ambulance Revenues for months of June-December 2020
- E-Mail correspondence from Executive Assistant re: goals for Board of Health Agent Tanya Daigneault
- Letter from Executive Assistant re: approval of minutes noted on the agenda.
- Letter from Executive Assistant re: delegation of Change of Status forms to Town Administrator