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Freetown Board of Selectmen

Meeting Minutes

Thursday, September 16, 2021 – 5:00pm

Meeting will be held virtually

**\*\*Open Session will be livestreamed at [freetownma.gov/FREECAM](https://freetownma.gov/FREECAM)\*\***

### Call to Order

Selectmen Matthews called the meeting to order at 5pm of the Board of Selectmen meeting. He noted we are having a virtual meeting and have Executive Assistant Lu-Ann Souza read Governor's Baker Order first.

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, sec. 18, and the Governors March 15, 2020, Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Freetown Board of Selectmen will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public can be found on the Town of Freetown's website, [www.freetownma.gov](https://www.freetownma.gov). For this meeting, members of the public who wish to view this meeting will be able to view the meeting via livestream at [youtube.com/Freetownma.gov/FREECAM](https://youtube.com/Freetownma.gov/FREECAM). No in-person attendance of members of the public will be permitted, but 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 YouTube Channel an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Selectmen Matthews clarified we are having this meeting on zoom because we had an exposure event. He is currently in quarantine, as well as Selectmen Grunwald, so it would be impossible for us to have a meeting in person.

We will be going into Executive session and then returning into open session. The reason why we'll be going to executive session is because the following.

### **Executive Session**

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.
- Motion made to go into executive session by Selectmen Zager and seconded by Selectmen Grunwald
  - Vote: was approved in a unanimous roll call vote
  - Vote: Selectmen Zager - yes, Selectmen Grunwald - yes, Selectmen Matthews yes

In attendance is Selectmen Trevor Matthews, Selectmen George Grunwald, Selectmen Jared Zager, Interim Town Administrator Deb Pettey, Attorney George Pucci, Executive Assistant Lu-Ann Souza, and Administrative Assistant Lola Furtado.

### **Board of Selectmen**

Discussion/possible action on the following topics:

2. Approve the meeting minutes from 8/17/21 & 8/31/21.
  - Motion made to approve the meeting minutes from 8/17/21 & 8/31/21 by Selectmen Zager and seconded by Selectmen Grunwald.
  - Vote: was approved in a unanimous roll call vote
  - Vote: Selectmen Zager - yes, Selectmen Grunwald - yes, Selectmen Matthews - yes
3. Approve the weekly warrants 001-014.
  - Motion made to approve the weekly warrants 001-014 by Selectmen Zager and seconded by Selectmen Grunwald.
  - Vote: was approved in a unanimous roll call vote
  - Vote: Selectmen Zager - yes, Selectmen Grunwald - yes, Selectmen Matthews - yes
4. Discussion on archival audit and conditions of archive retention program at old schoolhouse. Vote to have one Selectmen work with Kings Information System and Town Clerk on this project.
  - Has been moved to a future meeting

5. Discussion, and vote on limiting the number of authorized Notary Publics at Town Hall.
  - Has been moved to a future meeting
6. Discussion, and vote on approval of declaring items listed by the Librarian Director as surplus and scrap listed in Appendix A.
  - Motion made to approve declaring items listed by the Librarian Director as surplus and scrap listed in Appendix A by Selectmen Zager and seconded by Selectmen Grunwald.
  - Vote: was approved in a unanimous roll call vote
  - Vote: Selectmen Zager - yes, Selectmen Grunwald - yes, Selectmen Matthews - yes
7. Discussion, and vote on approval of the Ambulance Abatements in the amount of \$52,794.81 and write offs in the amount of \$16,769.12 totaling \$69,563.93.
  - Motion made to approve of the Ambulance Abatements in the amount of \$52,794.81 and write offs in the amount of \$16,769.12 totaling \$69,563.93 by Selectmen Jager and seconded by Selectmen Grunwald.
  - Vote: was approved in a unanimous roll call vote
  - Vote: Selectmen Zager - yes, Selectmen Grunwald - yes, Selectmen Matthews - yes
8. Discussion, and vote on Copart of Connecticut, Inc. license.

Copart Class 2 license to buy and sell secondhand motor vehicles has reached an agreement through our attorneys. Selectmen Grunwald mentions its 400 acres of prime land on the bay and wants to make sure the testing is done properly and that we get a good baseline. The deadline is in the contract that we're going to approve. We are planning to test every 6 months the retention ponds with our own company.

  - Motion made to approve Copart of Connecticut, Inc. license by Selectmen Jager and seconded by Selectmen Grunwald
  - Vote: was approved in a unanimous roll call vote
  - Vote: Selectmen Zager - yes, Selectmen Grunwald - yes, Selectmen Matthews - yes
9. Discussion, and vote on addition of cameras at the Highway Department.

Security cameras installed around the exterior of the building and 1 interior inside near the vehicle repair area. Mrs. Souza stated that Selectmen Matthews needs to say that's its ok first and then we have a draft letter from town council to go to the union steward Tom Ashley.

  - Motion made of addition of cameras at the Highway Department by Selectmen Grunwald and seconded by Selectmen Zager
  - Vote: was approved in a unanimous roll call vote

- Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews - yes

10. Vote: To ratify the Town of Freetown Declaration of Emergency, which was originally declared on August 21, 2021, by the Board of Selectmen at its emergency meeting held on the same date.

- Motion made to ratify the Town of Freetown Declaration of Emergency, which was originally declared on August 21, 2021, by the Board of Selectmen at its emergency meeting held on the same date by Selectmen Zager and seconded by Selectmen Grunwald.
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews - yes

11. Vote: The Town of Freetown Declaration of Emergency, which was originally declared on August 21, 2021, no longer exists, and is formally rescinded at 12:01 AM on August 24, 2021.

- Motion made to The Town of Freetown Declaration of Emergency, which was originally declared on August 21, 2021, no longer exists, and is formally rescinded at 12:01 AM on August 24, 2021, by Selectmen Zager and seconded by Selectmen Grunwald.
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes

12. Discussion and vote to accept the donation of flatbed body for Highway Dept. winter sander project from Big Wheel Truck Sales. Selectmen Matthews thanked Big Wheels Truck Sales.

- Motion made accept the donation of flatbed body for Highway Dept. winter sander project from Big Wheel Truck Sales by Selectmen Zager and seconded by Selectmen Grunwald.
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes

13. Discussion, and vote to add Article to the Warrant for Special Town Meeting on transfer from available funds to supplement the budget of the Tree Warden in the amount of \$10,000.

- Motion made to add Article to the Warrant for Special Town Meeting on transfer from available funds to supplement the budget of the Tree Warden in the amount of \$10,000 by Selectmen Grunwald and seconded by Selectmen Zager.
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes

14. Discussion, and vote to add Article to the Warrant for Special Town Meeting to authorize the Board of Selectmen to appoint parking control officers who shall have only those powers and duties conferred or imposed on police officers by M.G.L. Chapter 90, Section 20A or 20 A ½ or at in relation thereto.
- Motion made to add Article to the Warrant for Special Town Meeting to authorize the Board of Selectmen to appoint parking control officers who shall have only those powers and duties conferred or imposed on police officers by M.G.L. Chapter 90, Section 20A or 20 A ½ or at in relation thereto by Selectmen Zager and seconded by Selectmen Grunwald.
  - Vote: was approved in a unanimous roll call vote
  - Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes
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15. Discussion, and vote on permit for fishing tournament for Bass Boys of Fall on Long Pond on 9/19/21.
- Motion made to approve the permit for fishing tournament for Bass Boys of Fall on Long Pond on 9/19/21 by Selectmen Zager and seconded by Selectmen Grunwald.
  - Vote: was approved in a unanimous roll call vote
  - Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes
16. Discussion, and vote on permit for fishing tournament for Jourdan Bettencourt Bass Fishing Event on 10/17/21.
- Motion made to approve the permit for the Next Level Fishing Event held at Long Pond for Jourdan Bettencourt Bass Fishing Event on 10/17/21 by Selectmen Zager and seconded by Selectmen Grunwald.
  - Vote: was approved in a unanimous roll call vote
  - Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes
17. Discussion, and vote on the approval of the agreement between Cape Cod Aggregates and The Town of Freetown effective 7/1/21-6/30/22
- Motion made on the approval of the agreement between Cape Cod Aggregates and The Town of Freetown effective 7/1/21-6/30/22 by Selectmen Zager and seconded by Selectmen Grunwald.
  - Vote: was approved in a unanimous roll call vote
  - Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes
18. Discussion, and vote on approving the revolving fund increase in spending for \$1,407.72 to cover police details at Beach and Boat Ramp.

- Motion made on approving the revolving fund increase in spending for \$1,407.72 to cover police details at Beach and Boat Ramp by Selectmen Zager and seconded by Selectmen Grunwald.
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes

## **Board of Health**

Discussion/possible action on the following topics:

### **19. Public Health Nurse update.**

Public Health Nurse Lori Desmarais stated cases for Freetown since the beginning is 1083, currently 29 active cases, 36 cases during the last 2 weeks. Freetown positivity rate is up at 5.14%. Fall River is at 4.64% and New Bedford is at 4.84%. Lakeville is at 5.87%. July, we had 18 cases, no hospitalizations, and no deaths. In August we were up to 73 cases, 1 hospitalization and no deaths. For September we are at 35 cases for the month. 40 % of the cases are vaccinated the others are not. As far as the sequencing of the specimens, they don't sequence all of them but of the ones they have, for July 10 of those 18 cases were a delta variant, and for the month of August 25 of the 73 are also the delta variant. September numbers are not in yet for sequencing. Mosquito update and testing have not been any triple E cases in mosquitos, animals, or humans. There has been for West Nile Virus 117 mosquito that have tested positive, 1 animal case in Middlesex County and 7 humans. 1 woman of West Nile Virus in Bristol County. Please stay vigilant as far as using mosquito repellent and observing those not being outside during the peak hours dusk to dawn. Towns around us Fall River has gone up to moderate risk. Freetown is still at low risk for both, according to the state. we actually haven't had any positive cases of mosquitos in town, but Fall River has and is right next door to us.

### **20. Discussion, and vote on COVID-19 employee sick protocol.**

Public Health Nurse Lori Desmarais emailed over DPH Guidance for Persons in Quarantine due to Covid-19. Ms. Pettey asked if we are allowed to mandate this protocol to union employees. Mrs. Desmarais said these are the guidance per Mass DPH and wouldn't be any different whether they were a union or not.

- Motion made to put in place the Covid-19 employee protocols Lori had sent over to us by Selectmen Matthews and seconded by Selectmen Grunwald.
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Zager - yes, Selectmen Grunwald - yes, Selectmen Matthews - yes

21. Discussion, and vote on back up COVID19 plan for hosting Special Town Meeting in the event COVID19 protocols require modifications.

Being at the School, The School Superintendent will be making the rules that we will need to follow. He will probably be asking us to mask up. We will have to tell people a week or a few days before to be prepared to wear masks. We will also discuss this with Moderator Mike McCue on Oct 4<sup>th</sup> meeting.

### **Personnel Board**

Discussion/possible action on the following topics:

22. Acknowledge the resignation of Isabel Ferreira from Assistant Treasurer effective 9/24/2021.

23. Acknowledge the resignation of Jessica Thomas, Treasurer/Tax Collector effective 9/30/2021.

24. Acknowledge the retirement of Debra J. Souza effective 12/20/2021.

Acknowledgments made by Selectmen Grunwald.

25. Discussion and vote on appointment of Blessing Rogers as a Board of Registrar effective 10/1/2021 – 3/31/2023.

- Motion made on appointment of Blessing Rogers as a Board of Registrar effective 10/1/2021 – 3/31/2023 by Selectmen Matthews and seconded by Selectmen Zager.
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes

26. Appointment of Deborah L. Pettey effective 9/16/21-3/16/22 to:

- Joint Transportation Planning Group
- Local Emergency Planning Committee
- SESMASS Community Representative
- SRPEDD Reg'l Economic Strategy Committee
- SRPEDD Representative for Freetown
- Building Committee
- Chief Procurement Officer
- Community Aggregation Delegate
- Economic Development Committee
- EMA – Public Safety
- Ethics Commission Liaison
- Health Insurance Advisory Committee
- Tax Increment Board



- Motion made to appointment of Deborah L. Pettey effective 9/16/21-3/16/22 by Selectmen Matthews and seconded by Selectmen Zager.
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes

Discussion, and vote to add positions of Data Entry Clerk for temporary part time less than 18 hours per week with a rate of \$15.00/hour.

- Has been moved to a future meeting

Appoint Sandra DiLillo and Mary Bowen as Data Entry Clerks for temporary part time less than 18 hours per week effective 8/1/21-6/30/22

- Has been moved to a future meeting

27. Discussion, and vote on forms to use and process for performance reviews for positions the Board of Selectmen will conduct.

- Motion made on forms to use and process for performance reviews for positions the Board of Selectmen will conduct by Selectmen Matthews and seconded by Selectmen Zager
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes

28. Approve the request for Chief Carlton Abbott to place Patrolman Nathan Melo on injured on duty status 9/2/21-9/6/21.

- Motion made to approve the request for Chief Carlton Abbott to place Patrolman Nathan Melo on injured on duty status 9/2/21-9/6/21. Selectmen Matthews and seconded by Selectmen Zager
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes

29. Discussion and vote on having Jessica Thomas available as a paid consultant, as needed, to assist with transition of new Treasurer/Tax Collector.

Mrs. Souza stated Jessica Thomas is interested in this and there is an agreement for Sept. 27<sup>th</sup> that is drafted, and she is willing to come in October from 1pm to 3 pm every Friday afternoon as needed for training. Selectmen Zager asked about the outline for pay. Mrs. Souza said it will be from the reserve fund transfer which will be on the next agenda to cover that. Patricia will adjust her hours to be here for the training.



- Motion made to approve on having Jessica Thomas available as a paid consultant, as needed, to assist with transition of new Treasurer/Tax Collector by Selectmen Matthews and seconded by Selectmen Zager.
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes

Selectmen Matthews would like to add to the agenda is an update for general things for Deb Pettey.

- Motion made to adjourn by Selectmen Zager and seconded by Selectmen Grunwald.
- Vote: was approved in a unanimous roll call vote
- Vote: Selectmen Zager – yes, Selectmen Grunwald – yes, Selectmen Matthews – yes

Please note: The Board may take up any other business to properly come before the Board that was not reasonably anticipated 48 hours before this meeting.

**Old Business:**

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

- Town Beach
- Boat Ramp
- Town Administrator Search/Coverage

Respectfully submitted



Lola Furtado

Administrative Assistant

List of document/exhibits used by the Board during this meeting:

- Appendix A – Hathaway Library, Schoolhouse, Town Hall Basement
- Ambulance Abatements – Comstar
- Agreement Copart of Connecticut, Inc.
- Letter to Thomas Ashley - Highway building security cameras
- Official Declaration of Emergency
- Letter to Big Wheel Truck Sales
- Memo from Mike McCue - Tree Warden Warrant Article for Special Town meeting
- Memo form Lu-Ann Souza – Warrant Article to appoint Parking Control Officers 2022
- Office of Fishing & Boating Access Permit Approval Form – Bass Boys of Fall
- Office of Fishing & Boating Access Permit Approval Form – Next Level Bass Fishing
- Agreement with Cape Cod Aggregates Corp.
- Revolving Fund Increase in Spending Authorization Form – Additional Police Details
- Masking Guidance, Quarantine Guidance for fully Vaccinated and Unvaccinated
- Letter of Resignation – Isabel Ferreira
- Memo - Appointment of Board of Registrar Blessing Rogers
- Certificate of Appointment Blessing Rogers
- Certificate of Appointment Deborah L. Pettey
- Annual Employee Reviews Conducted by Board of Selectmen
- Performance Appraisal Self-Assessment
- Annual Employee Performance Evaluation
- Memo – Injury on Duty