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Joint Meeting with
Freetown Board of Selectmen & Finance Committee
Meeting Minutes

Thursday, September 9, 2021, 4:00pm
Council on Aging
227 Chace Road, East Freetown

Call to Order

Selectmen Matthews called the meeting to order at 4:02pm of the Board of Selectmen and Finance Committee meeting. He noted we would be going into Executive Session for the following two reasons listed below and would return to open session.

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

Executive Session

Topics for Discussion

1. M.G.L. c. 30A, sec. 21(a)(1)- to discuss the discipline or dismissal of an employee
2. M.G.L. c. 30A, sec. 21(a)(3) – to discuss strategy with respect to negotiations with the Public Employees Union, Local 1144, LIUNA (Highway Union) the discussion is taking place in executive session because an open session discussion would have a detrimental effect on the negotiating position of the Town."

Board of Selectmen

Topics for Discussion

3. Discussion on warrant articles for the Special Town Meeting on 10/18/21.

Gary Martin called the Finance Committee Meeting to order at 5:30 pm.

In attendance are Selectmen Trevor Matthews and Selectmen George Grunwald, Executive Assistant Lu-Ann Souza, Administrative Assistant Lola Furtado, Finance Committee Chairman Gary Martin, Margaret French, Robert Alderson, Kent Wilkins, Christine Dupras, Town Moderator Mike McCue and Town Accountant Kim Fales.

Finance Chair Gary Martin suggests we go through the warrant article by article. The Selectmen can be asked questions about articles they proposed and open discussion of the rest can take place.

Article 1: Engineering for the Stormwater Management Plan

There were no questions about the stormwater management plan.

Article 2: Board of Health to be elected independent of The Board of Selectmen

Board of Health to be elected independent of the Board of Selectmen. Selectmen Zager is Chairman of the Board of Health and has no expertise in Board of Health matters. The article would create an elected three-member Board. There are no provisions for any type of stipend. A potential stipend would be have to be addressed at the annual town meeting. The article would just introduce the concept to the town. The Board of Health will oversee the Health Department. Responsibilities would include addressing septic systems and appeals. If they are elected, it can be anybody. Appointed people would need to have the qualifications required for the Board. We have the nurses and doctors that are appointed and are making the hard decisions.

Article 3: Add to Ballot to Appoint a Board of Health

This is another possible way to solve the problem. The board prefers to have the voters decide. Selectmen Matthews doesn't think it makes sense right now to have the Board of Selectmen by default be the Board of Health. Moderator McCue stated we need to inform Town Meeting attendees ahead of time that if they pass Article 2, there is no vote on Article 3, it is moot. If they defeat Article 2 then they can vote on Article 3 because they have chosen for it not to be elected. At that point they can choose whether it's going to be appointed or stay the Selectmen.

Article 4: Purchase of 0 Elm Street Tisdale Pond Dam and Water Line

The question was whether there were other costs involved or anticipated other than the purchase price of the 0 Elm Street dam. Insurance? The cost of getting it up to code is going to be paid for by Churchill and Banks. The actual cost of insurance on it and maintenance down the road. It's been certified already and is in solid shape. The liability we're taking on and the extra expenses are very small compared to the potential benefit of being able to get the culvert down South Main Street and potentially get sewer down there. This is the first step if this is even feasible. They don't want to own the dam anymore and they have the culvert going through town so they are willing to give us the culvert if we take on responsibility for the dam.

Article 5: Design Services, Project Mgt and Bidding for Renovation/Remodel of Council on Aging

Question on funding the renovation of the COA. Town Account Kimberley Fales said the previously appropriated \$550,000.00 is for the actual construction and has nothing to do with these other functions. The total cost is estimated to be \$1.9 million. The funding for this is free cash. The Town is estimated to have over 3 million dollars in free cash.

Article 6: Availability of Articles to the Public

The Finance Committee asked about increasing the lead time getting the articles out to the public from 7 days to 20 days, instead of the proposed 14. The argument that was made that after 14 days, the public's attention span lapses. The Finance Committee agreed that 14 days made a lot of sense.

Article 7 thru 10: Posting Warrants, Standing Vote, Standing Vote 2, STM Quorum Increase. Are all ok.

Article 11: Finance Committee Appointed

Question of making the Finance Committee appointed. The Finance Committee hasn't voted on this and it's still under discussion. Moderator McCue stated it was the Finance Committee's preference that they be appointed, but the Town Meeting Study Committee could not really come to a consensus on the manner of doing it. So, they came up with what they thought was the best system, but it was not of their origin that they be appointed; it was the Finance Committee's preference. Members want to have a bigger discussion on this. Mr. Alderson stated if it's going to be appointed it should be by the Finance Committee. Names should be submitted to the Chairman. The Chairman should come before the Finance Committee with the names, we should have a discussion, and, if we have to, conduct interviews. No one is against everybody that gets appointed, it's the way it would be appointed. You need to get 40 signatures. On the other hand, if you are willing to go out and get 40 signatures to get elected to a post that's not going to pay you anything, then you have a real desire to be on that committee. If you get appointed, you're not going to get the same caliber of people with the same amount of enthusiasm to be on the committee or to do the right thing for the voters of the town. It's a state statute to get 40 signatures. Mr. Wilkins stated between the Finance Committee we're going to have a better thought as to whom we want to work with. Mr. Martin stated that the original agreement was that the Finance Committee itself would propose names to the appointing committee and then the appointing committee would have to choose from those names. Now the way it's written it just leaves the appointing committee with the freedom to appoint whoever they want. One reason we supported this was that it would offer the opportunity to change the cycle of the term of office so that it would coincide with the fiscal year which is very helpful in terms of the budget process.

- Motion made to remove Article 11 from the warrant was made by Selectmen Grunwald and seconded by Selectman Matthews
- Vote: was approved in a unanimous roll call vote

Article 12: Establishing a By-Law Committee is ok.

Article 13: Purchase a New Riding Lawn Mower for Highway Department

Mr. Alderson mentioned it was a good deal for the riding mower and asked how old the old one was, but that is a question for Chuck Macomber. Selectmen Matthews said he remembered Mr. Macomber saying very old and falling apart.

Article 14 thru 18: Funding for Union Contracts for Dispatchers, Firefighters, Clerical, Highway, Police Associations

Funding of Union Contracts. Firefighter figures are settled but the others are not. Police is in arbitration. Dispatch and Highway are with the union and waiting for their sign off, hopefully there close. Admin is at the end of the month. All the contracts will be made available to the public.

Article 19: Supplemental Department Expense Budgets

Mr. Alderson asked about the Police and Fire Accidental Insurance which is \$5,600 more and what is the total cost of it? Ms. Fales said \$55,802 which covers the police officers and firefighters, just for the people.

Article 20: Supplementing the Departments Personal Budgets

Mr. Martin asked whether a 2% cola for the confidential secretary would appear in the Police Chief budget. Ms. Fales said that ended up not being requested and needed to be corrected in the explanation.

Article 21: Zoning By-Law change to allow Veterinary office in Village Business District

Mr. Alderson asked if the bylaws specifically prohibit a veterinary office in the business district? Mr. Martin said currently yes. Mr. McCue said in the village business district yes. Mr. Wilkins asked about animal sales, small animals, or cattle auction for example. He feels there should be a restriction to cats, dogs, and small animals. The phrase needs to be slightly different.

Article 22: Measurers of Wood, Bark, and Lumber

Mr. McCue explained it is a distinct position that was created by a 300-year-old law under Mass General Law. We traditionally had two because we still have sawmills and lumber yards in town. One Measurer passed away and had not been replaced and the question was raised if we were supposed to have one or two. It turns out that the town is required to vote to designate the number and we have never actually done that. We have had varying numbers over the years for no apparent reason. This is to settle how many there will be, one, two, five. They don't get paid. Ralph Gurney told him he was the measurer of wood and lumber for 54 years and had never once been asked to measure any wood or lumber in that capacity. The wording was incorrect in that the Board of Selectmen would be the Measurer of Wood, Bark, and Lumber.

Article 23: Highway Surveyor Salary Increase

The question was asked if it was contractual. Mrs. Souza said it is not. The Highway Surveyor is elected and is asking for a One Thousand, Four Hundred and Sixty-Four Dollars increase.

Article 24: CONEX storage boxes for Highway and Fire Departments

The question was asked if the existing boxes are maintained in any way. They are past their prime. Mr. McCue

stated they were predominantly repurposed box trailers; they may have been scrapped at this point and don't exist anymore.

Article 25: Parcel of Land from Board of Selectmen to Conservation Commission

The question was asked if this property was going up for auction. Selectmen Matthews said it's going to Conservation to protect it from being auctioned.

Article 26: Amendment of Town of Freetown Zoning Map

Mr. McCue stated the Town Clerk has the list of changes and the Planning Board has not finalized a couple of them. They don't have to until it's time to post the warrant. There are some parcels off Howland Rd the DCR purchased to expand the state forest that are currently zoned general use. They're not ever going to be developed, so Conservation likes to keep the map updated so that potential developers and investors are not looking at the town thinking there are large swathes of land they can develop when they can't. There were a few others that were not conservation specific. For some properties, when the zoning map has been updated, they have been overlooked for one reason or another. One example is a property near the 4 corners that's oddly split between village residential and village business. Mr. McCue thinks they are trying to settle it into one category or the other because one zone allows something the other zone doesn't, and this tiny parcel of land is in both zones. There is a piece of property at the Fall River Water Dept., picked up that would be open space. The eight and a half acres by the boat ramp that the previous article would transfer to the Conservation Commission would be zoned open space. Copart has now recorded its conservation restrictions, so, typically, the portions of properties that are under conservation restriction are likewise rezoned so that it's evident when you look at the map that that area can't be developed. They are looking a bit at all the properties that are own by Crystal Springs and currently zoned general use. Mr. McCue doesn't know whether those will end up in this list, but the Conservation Commission at least wants to discuss with the planning board whether it's really wise that several dozen acres of land on a narrow road by the river has the potential, if Crystals Springs ever in the future were to close to be redeveloped, so un-restricted as general uses. If Crystal Springs were ever redeveloped and it was housing, Mr. McCue doesn't think anybody would be too concerned about it. But if they were to put in industrial stuff or anything in fact, we could have a pharmacy and a strip mall. Narrows Road is just not suitable for that kind of development. The only cost is of the Planning Board employee's time and effort in doing the updates.

Article 27: Water and Sewer Enterprise Supplement to General Fund

This is a standard article giving the Water & Sewer Enterprise Fund permission to reimburse the General Fund for their indirect costs.

Article 28: Water and Sewer Commission becoming a Town Department vs. Enterprise Fund

Ending the Enterprise Fund. Ms. Fales stated they are a town department, they are accounted for as an enterprise fund, but they are a town department. It's run as a business. They have revenue from billing the water and sewer customers, and they run their business based on that revenue. If you change this, it will allow them to subsidize the water and sewage department from the general fund. Mr. McCue was mentioning to Ms. Fales who said there is special legislation from 1979 that does allow them to be a revolving fund so she is not sure if they will be part of the general fund. Selectmen Grunwald said they are trying to get some subsidies from the town to run the Water and Sewer Department because the revenue is not enough to do what they want to do and the cost to the individual taxpayers might be too high. Ms. Fales said they can generate as much revenue as they need to cover all of their costs by billing, however if their rates are not adequate then there will have to be a general fund subsidy from the taxpayers to cover that deficit. If the Enterprise Fund were ended, they would not be assessed for indirect costs, and the Town would lose the mechanism for tracking indirect costs. They wouldn't be setting a budget per se like they are now that has to have the revenue to cover expenses. If it becomes a revolving fund it's going to be a whole different game because it's not even going to be part of the general fund. There is no benefit to making this change. Mr. Alderson stated that everybody in the town that's invested hundreds of millions of dollars into septic systems and wells are not going to benefit from any of this. It's just going to be a burden on the taxpayer. Why change it? There is no accountability. Selectmen Grunwald stated people on the water and sewer system will be in favor of this and people who are not, might not be but it needs to be voted on and majority rules.

Article 29: Supplement to Board of Assessors and Health Insurance

Mr. Alderson asked, if you're allocating twelve thousand wouldn't it behoove us to hire two part time people for fifteen hours and getting thirty hours of work and we wouldn't be liable for health insurance and retirement and longevity? Selectmen Matthews thinks it's difficult for them to attract people who are willing to work for 15 hours a week with no benefits. That's why they want to increase it, make it a benefited job and attract a wider range of candidates. The Conservation Commission has not had a clerk for several months and they've been unable to attract candidates for the number of hours, the pay, and the benefits they offer. The Conservation Commission and the Assessors have agreed to try to hire one person to do both jobs. The result is that the Assessors would need the additional money to provide the extra few hours and the two boards together need the health insurance money, but the Assessors are the ones who submitted the article. Hire one person to do two jobs. They are union positions. What's the funding source for that? Ms. Fales recommends having it come from the tax levy.

Article 30: Replacement Shed for Cemetery

Replacement Shed for Cemetery. It was asked how much the replacement shed for the cemetery would cost. Nine Thousand Nine Hundred and Forty-Five Dollars. Mr. McCue said East Coast Shed in Berkeley is building it. The size is 12x12 or 12x14. The building department has determined the existing one is beyond repair and must be taken down. Ms. Fales recommends that the money come out of free cash.

Article 31: Abolish the Farm Animal Excise Tax

No issues.

Article 32: Air Conditioning at Town Hall

Questions were asked about the cost of replacing the air conditioning in Town Hall. How many units would be needed? Ask the Building Commissioner to get us quotes. There are 12 offices and hallways.

Article 33: Addition of funds to supplement the Tree Warden Budget

Ms. Fales stated the budget for the Tree Warden is: Appropriations are Thirty-Three Thousand and Ninety Dollars. Personnel is Thirteen Thousand Two Hundred Dollars and Expenses are Nineteen Thousand, Eight Hundred and Ninety Dollars. She had a conversation with The Tree Warden and the Ten Thousand he is looking for is to supplement the expense portion of the budget, not the personnel portion, so the wording should be updated to say expense. His request is to have additional funding for police details and the rental of the bucket truck and crews to do tree work. He anticipates that his funding will be exhausted by the end of the calendar year.

Article 34: Authorize Board of Selectmen to appoint Parking Control Officers

Authorize the BOS to appoint parking control officers. The police detail is very expensive for the boat ramp and beach, so we would have a lower cost employee or someone that we designate to do that, saving us money overall. Someone with a phone that can call the cops. We will have a job description. It is a seasonal position with no health insurance.

Board of Selectmen

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

Finance Committee

- Motion made to adjourn by Margaret French and seconded by Robert Alderson
- Vote: was approved in a unanimous roll call vote.

Respectfully submitted,

Lola Furtado

Administrative Assistant

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

- Warrant for the Special Town Meeting