



**TOWN OF FREETOWN**

**WARRANT  
FOR THE SPECIAL TOWN MEETING  
MONDAY, October 27, 2014 – 7:00 P.M.**

**FREETOWN ELEMENTARY SCHOOL AUDITORIUM  
43 BULLOCK ROAD, EAST FREETOWN, MASSACHUSETTS**

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, Massachusetts, the Twenty Seventh day of October, 2014, at 7:00 P.M., then and there to act on the following Articles, viz:

**ARTICLE 1:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Nine Thousand Five Hundred dollars (\$9,500.00) for the purchase of a new 2000 gallon tanker truck for the fire department, such amount representing the Town's share of a FEMA Assistance to Firefighters Grant (AFG), and/or take any action relative thereto.

Submitted by the Fire Chief

Requires Majority Vote

**Explanation.** The Fire Department was awarded a \$190,000.00 Assistance to Firefighters (AFG) vehicle grant to purchase a new 2000 gallon tanker truck. The amount above reflects the town's share of 5% toward the purchase of the new vehicle.

**ARTICLE 2:** To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sums of: Five Thousand Three Hundred Ninety-eight dollars and Ninety-five Cents (\$5,398.95) to pay outstanding bills from a prior fiscal year, and/or take any action relative thereto.

Submitted by the Board of Selectmen

Requires 9/10 Vote

**Explanation:** This Article is to pay for unpaid previous fiscal year bills for various departments as follows: \$1,200.00 for the Transfer Station, \$450.00 for the Health Department, \$36.95 for the Town Hall and \$3,712.00 for the Highway Department.

**ARTICLE 3:** To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sums of: Thirty Thousand dollars and Zero Cents (\$30,000.00) to purchase and install play structures for various parks throughout the Town, and/or take any action relative thereto.

Submitted by the Board of Selectmen

Requires Majority Vote

*Explanation:* This Article is proposed to purchase playground equipment for Town parks.

**ARTICLE 4:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty-Five Thousand Dollars (\$25,000.00) to repair and maintain Town owned buildings, grounds and vehicles, and/or take any action relative thereto.

Submitted by Town Administrator

Requires Majority Vote

*Explanation:* This Article is intended to obtain funds to repair and maintain Town owned buildings, grounds and vehicles.

**ARTICLE 5:** To see if the Town will vote to raise and appropriate, and/or transfer from available funds, the sum of Four Thousand Nine Hundred Sixty-three Dollars and Eighty-seven Cents (\$4,963.87) to purchase and install snowplow equipment for a newly acquired vehicle, and/or take any action relative thereto.

Submitted by Highway Surveyor

Requires 9/10 Vote

*Explanation:* This article funds the purchase of plowing equipment for the 2014 Ford pickup purchased earlier this year.

**ARTICLE 6:** To see if the Town will vote to raise and appropriate, and/or transfer from available funds, the sum of Nine Thousand Nine Hundred Forty-six Dollars and Eighty Cents (9,946.80) for reimbursement to a Town retiree of a retroactive Medicare penalty assessment in accordance with Chapter 32 Section 18A, and/or take any action relative thereto.

Submitted by Treasurer/Collector

Requires Majority Vote

*Explanation:* The article reimburses retirees assessed a Medicare part B Penalty assessed from the inception of Chapter 32B Section 18A from June 2008 – through June 30<sup>th</sup>, 2014

**ARTICLE 7:** 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) to fund the 10 Yr. Cyclical Re-inspection Program as mandated by the Department of Revenue, and/or take any action relative thereto.

Submitted by Freetown Board of Assessors

Requires Majority Vote

**Explanation:** This represents the next installment of the 10 Yr. Cyclical Re-inspection Program that is mandated by the DOR and is in progress.

**ARTICLE 8:** To see if the Town will vote to amend the Omnibus budget as approved by the vote taken under Article 1 of the Annual Town Meeting on June 16, 2014 as follows, and to raise and appropriate or transfer from available funds any required additional funding therefor; and/or take any action relative thereto:

Dept.			As Voted	Correct to
125	Personnel		\$103,612.00	\$ 97,813.00
	Expenses			<u>\$ 5,800.00</u>
	Total Town Administrator			\$103,613.00
912	Workers' Comp		Expenses	Personnel
301	FLRSD	Assessment	\$9,002,002.00	\$8,828,380.00
		Debt	<u>\$ 280,946.00</u>	<u>280,943.00</u>
			\$9,282,948.00	\$9,109,323.00

SUBMITTED BY: Board of Selectmen

**Explanation:** This Article is intended to correct improperly voted line items at the Annual Town meetings.

**ARTICLE 9:** To see if the Town will vote to amend the vote taken under Article 1 of the Annual Town Meeting on June 16, 2014 to adjust the following budgets, and to raise and appropriate or transfer from available funds any required additional funding therefor; or take any action relative thereto.

Dept #611	Library	\$200.00 for Longevity not budgeted
Dept # 292	ACO	\$516.00 for Salary Increase not budgeted
Dept #912	Liability Insurance	\$7,600.00 to purchase additional I.O.D. insurance

Submitted by Board of Selectmen

Requires Majority Vote

**Explanation:** To fund budgets.

**ARTICLE 10:** To see if the Town will vote to amend Article 10, Personnel Classification and Compensation Plan, of the General Bylaws by replacing the existing provisions with the provisions set forth below in each of the following sections:

*10.1 General Provisions*

A) Authorization

...

Existing:

- 1) Classifying positions in the service of the Town, other than those under the direction and control of the School committee, the position of Town Counsel and certain positions for which the compensation is on a fee basis or the incumbents of which render professional intermittent or casual service and which do not appear in Section 10.4 following and those positions covered by contract with the Town, into groups and classes doing substantially similar work or having substantially similar responsibilities;

New:

- 1) classifying positions in the service of the Town, other than those filed by popular election, those under the direction and control of the School Committee, the position of Town Counsel and certain positions for which the compensation is on a fee basis or the incumbents of which render professional intermittent or casual service and which do not appear in Section 10.8 following and those positions covered by contracts with the Town, into groups and classes doing substantially similar work or having substantially similar responsibilities;

...

B) Definitions

...

Existing:

**“Compensation Grade”**, a range of salary or wage rates appearing in Section 10.4

New:

**“Compensation Grade”**, a range of salary or wage rates appearing in Section 10.9

...

*10.4 Compensation Plan*

A. General Provisions

Existing:

- 1. The compensation plan shall consist of pay schedules entitles “Compensation Plan Employees” which provide minimum and maximum salaries for individual compensation grades. A “General Schedule” shall be maintained for hourly compensation grades; a “Special Schedule” shall be maintained for salaried compensation grades; and, an “Appointed Schedule” shall be maintained for appointed positions of less than full time employment. Such schedules may be amended from time to time by vote of the town at a town meeting and are incorporated by reference.

New:

1. The compensation plan shall consist of pay schedules entitled “Compensation Plan Employees” which provide minimum and maximum salaries for individual compensation grades. The initial starting salary for any position listed in Section 10.9 is established by a vote of the Board upon filling the position. The initial salary will be entered as Step 1 in the compensation plan for that position. Such schedules may be amended from time to time by vote of the Town at a town meeting and are incorporated by reference.

...

Existing:

10) Prior to April 1<sup>st</sup> of each year, the Board of Selectmen shall hold a public hearing, after having given at least ten days written public notice thereof, to determine what, if any, annual cost of living increase shall apply to the Compensation Plan Schedules. At the conclusion of such hearing, the Board shall determine what, if any, annual cost of living increase shall be applied to the Compensation Plan Schedules effective for the next Fiscal year. Any such annual cost of living increase shall be applied as a percentage increase and shall be applied to all grades and steps equally.

New:

10. Annually, the Board shall determine what, if any, annual cost of living increase shall be applied to the Compensation Plan Schedules effective for the next Fiscal Year.

...

*10.6 Work Policies*

...

D. Vacation Policy

Existing:

1. A full-time employee commencing employment shall be granted five (5) working days’ vacation without loss of pay in the first year with said vacation to be taken only after the completion of six (6) months employment during that year. During the second year, a full-time employee shall be granted ten (10) working days’ vacation without loss of pay, of which five (5) days to be taken only after the completion of eighteen months of continuous employment. Thereafter, a full-time employee shall be granted ten (10) days’ vacation without loss of pay per year. After five years of continuous employment, each employee will receive fifteen (15) days’ vacations, and after ten (10) years of continuous employment, each employee will receive one (1) additional day of vacation for each year worked up to twenty (20) years. In no instance shall an employee receive pay for more than fifty-two weeks in any year.

New:

1. A full-time employee commencing employment shall be allocated over the 26 pay periods of the year, (5) working days’ vacation without loss of pay in the first year. During the second year, a full-time employee shall be granted ten (10) working days’ vacation without loss of pay. Thereafter, a full-time employee shall be granted ten (10) days’ vacation without loss of pay per year. After five (5) years of continuous employment, each full-time employee will receive fifteen (15) days’ vacation, and after ten (10) years of continuous employment each full-time employee will receive twenty (20) days vacation, and after fifteen (15) years of continuous employment, each full-time employee will receive one (1) additional day of vacation for each year worked up to twenty (20) years. In no instance shall a full-time employee receive pay for more than

fifty-two weeks in any year. To attract experienced, qualified individuals to positions covered under this classification plan, the Board may grant more than 5 days vacation in the first and subsequent years, but never more than 15 days.

...

J. Longevity Policy

*STM 10/22/2001, ATM 6/7/2010, ATM 6/16/2014*

Existing:

Full-time employees covered by these by-laws shall be entitled to longevity pay. Effective July 1, 2010 longevity pay shall be computed on the following basis.

After 5 years of service	\$ 500.00
After 10 years of service	\$ 600.00
After 15 years of service	\$700.00
After 20 years of service	\$800.00
After 25 years of service	\$900.00

Payment shall be a lump sum of payment made within thirty (30) days of the annual date upon which the employee becomes entitled to the longevity pay.

New:

Full-time employees, employees working 36 hours per week in the designated position, covered by these by-laws shall be entitled to longevity pay. Longevity pay shall be computed on the following basis:

After 5 years of service	\$ 600.00
After 10 years of service	\$ 700.00
After 15 years of service	\$ 700.00
After 20 years of service	\$ 900.00
After 25 years of service	\$ 1,000.00

Payment shall be a lump sum payment made within thirty (30) days of the annual date upon which the employee becomes entitled to the longevity pay.

...

*10.8 Positions*

Existing:

- 1) Administrative Assistant
- Board of Health Agent
- Building Commissioner
- Call Fire Personnel
- Council on Aging Director
- Library Director
- Dog Officer
- Election Worker

Said positions shall be eligible for periodic pay increases, when deemed appropriate, in the same manner as those granted to employees covered by collective bargaining agreements. And further the holder of positions named above will not be involved in any negotiations with respect to salaries. (ATM 5/7/01)

- 2) Fire Chief- The Fire Chief's Compensation shall be 1.8 times the Step 3 Firefighter rate contained in the Firefighters collective bargaining agreement, together with all of the fringe benefits provided for under said collective bargaining agreement.
- 3) Fire Regular Deputy Chief – the Fire Regular Deputy Chief's compensation shall be ten (10%) percent above the Fire Captain's rate contained in the Firefighters' collective bargaining agreement.
- 4) Town Accountant, Election Officers, Registrars – Said positions shall be eligible for periodic pay increases, when deemed appropriate, in the same manner as those granted to employees covered by collective bargaining agreements.
- 5) Compensation for Civil Defense Director, Animal Control Officer/Animal Inspector and Assistant Animal Officer/Animal Inspector, Veterans Agent and Lock-up Attendant for which positions the Board of Selectmen will determine the rate of pay. (ATM 06/4/2012)

New:

- 1) Board of Health Agent  
Building Commissioner  
Call Fire Personnel-Pay schedule is maintained by the Fire Chief, rates set by the Board  
Council on Aging Director  
Library Director  
Animal Control Officer  
Assistant Animal Control Officer  
Election Worker  
EMA Director  
Registrars  
Veterans Agent  
Lock-up Attendant

Said positions shall be eligible for periodic pay increases, when deemed appropriate. And further the holder of positions named above will not be involved in any negotiations with respect to salaries. (ATM 5/7/01)

- 2) Fire Chief- The Fire Chief's Compensation shall be 1.8 times the Step 3 Firefighter rate contained in the Firefighters collective bargaining agreement, together with all of the fringe benefits provided for under said collective bargaining agreement.

- 3) Fire Regular Deputy Chief – the Fire Regular Deputy Chief’s compensation shall be ten (10%) percent above the Fire Captain’s rate contained in the Firefighters’ collective bargaining agreement.

Existing:

None (10.9 is a completely new section)

New:

*10.9 Compensation Plan Employees- Pay Scale*

### Compensation Plan Employees

Pay Scale (Years)	1	3	5	10	15	20	25
Positions/Step	1	2	3	4	5	6	7
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

#### Salary/Wages set by Board of Selectmen

Call Fire Fighters	\$13.00
EMA Director - Annually	\$2,600.00
Election Workers	\$8.50
Registrar	\$9.75
Lock-Up Attendant	\$16.78
Veterans Agent Annually	\$11,000.00

Submitted by Board of Selectmen

Requires Majority Vote

**Explanation:** These changes will allow the Board of Selectmen to have flexibility when hiring employees under this By-law.

**ARTICLE 11:** To see if the Town will vote to authorize the Board of Selectmen to enter into a renewable energy power purchase and/or net metering credit purchase agreement, including an agreement for power and credits generated by a solar photovoltaic system, for terms of up to thirty years on such terms and conditions as the Board of Selectmen deems in the best interests

of the Town, and to authorize the Board of Selectmen to take all actions necessary to implement and administer such agreement, and/or take any action relative thereto.

Submitted by Board of Selectmen

Requires Majority Vote

**Explanation:** This article seeks authorization for the Board of Selectmen to enter into a renewable energy power purchase and/or net metering credit agreement for a period of up to thirty years.

**ARTICLE 12:** To see if the Town will vote to reduce the membership of the Freetown Historical Commission from 7 members to 5 members, and/or take any action relative thereto.

Submitted by Freetown Historical Commission

Requires Majority Vote

**Explanation:** For the past 2 years we have had difficulty filling 2 vacant positions on the Commission and as a result have difficulty in obtaining a quorum to conduct business. As quoted by Massachusetts Historical Commission “A local historical commission consists of three to seven members. In a town they are appointed by the board of selectmen or by the town manager...”

**ARTICLE 13:** To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, and/or eminent domain, permanent and/or temporary easements to use, for all purposes for which public ways are used in the Town of Freetown, certain portion or portions of the parcel of land located at 24 Alexandra Drive, adjacent to Ridge Hill Road, which portions are approximately shown on a plan entitled “Ridge Hill Road Freetown, Massachusetts,” prepared by Kelly Engineering Group, Inc., a copy of which is on file with the Town Clerk; and/or take any action relative thereto.

Submitted by Board of Selectmen

Requires Majority Vote

**Explanation:** Favorable Action on this Article will authorize the Selectmen to accept, at no cost to the Town, an Easement which will allow Republic Services, gain at no cost to the Town to widen the intersection of Ridge Hill Road and South Main Street.

**ARTICLE 14:** To see if the Town will vote to authorize the Board of Selectmen to file an application with the Interagency Permitting Board for the designation of land located at 0 Rt. 24 (Innovation Way) (Map 236, Parcel 6.01) as a Priority Development Site, and/or take any other action relative thereto.

Submitted by the Board of Selectmen

Requires Majority Vote

**Explanation:** This article will allow the above-mentioned parcels of property to be designated as priority development sites, making them eligible for the provisions of the streamlined permitting process.

**ARTICLE 15:** To see if the Town will vote to authorize the Board of Selectmen to file an application with the Interagency Permitting Board for the designation of land located at 0 Rt. 24 (Innovation Way) (Map 236, Parcel 6) as a Priority Development Site, and/or take any other action relative thereto.

Submitted by the Board of Selectmen

Requires Majority Vote

**Explanation:** This article will allow the above-mentioned parcels of property to be designated as priority development sites, making them eligible for the provisions of the streamlined permitting process.

**ARTICLE 16:** To see if the Town will vote to insert the following new article as Article 3.8 of the Town of Freetown General & Zoning By-Laws:

3.8 **By-law Article Submissions**

The Town Clerk is authorized to assign appropriate numbers to by-law sections, subsections, paragraphs and subparagraphs, where none are approved by Town Meeting, and, if such are approved by Town Meeting, after consultation with the Board of Selectmen, to make non-substantive, editorial revisions to ensure consistent and appropriate sequencing and numbering, provided that such editorial revisions shall be identified by a footnote or other convention.

and/or take any action relative thereto.

SUBMITTED BY: Jacqueline A. Brown, Town Clerk

Requires Majority Vote

**Explanation:** This article will give authority to the Town Clerk to make changes to any incorrect numbering formats & alphabetical sequences to maintain the consistency of the Town of Freetown By-law format without having to go back to the town meeting and the Attorney General’s approval.

**ARTICLE 17:** To see if the Town will vote to amend the Town of Freetown Protective By-laws, **Article 11, Section 11.18 (H), “Uses”**, by deleting reference to “G -1” and inserting in place thereof “(H) (1.)” and to add the following sentence, “All uses not listed in Section 11.18 (H) (1.)Table of Use Regulations shall be allowed only by special permit following a public hearing and review by the Special Permit Granting Authority”;

To amend the Town of Freetown Protective By-laws, **Article 11 Zoning By-Laws, Section 11.18 (I), “Special Permits”** by deleting the sentence “The Planning Board is designated as the Special Permit Granting Authority for the purpose of granting special permits as cited in the Table of Use Regulations.” and inserting in place thereof, “The Planning Board is designated as the Special Permit Granting Authority for the purpose of granting special permits for uses listed in **Section 11.18 (H), “Uses”, and (H) (1.) the Table of Use Regulations”**; such amendments as on file in the office of the Town Clerk; and/or take any other action relative thereto.

SUBMITTED BY: Planning Board

Requires 2/3 Vote

**Explanation:** This article would correct a numbering error in this subsection of the by law as well as outline a process that an applicant with a proposed use not currently found in the Table of Regulations can undergo.

**ARTICLE 18:** To see if the Town will vote to delete from the Town of Freetown General By-Laws in its entirety **Article 18, Cat Licensing, Control, Regulations**, and further to delete in its entirety the existing **Article 17, Dog Licensing, Control and Regulations** and replace therewith the new **Article 17, Animal Control** as on file in the Office of the Town Clerk; and to further amend The Town of Freetown General & Zoning By-Laws **Table of Contents** to reflect such changes. All non-substantive changes to the numbering of this by-law shall be permitted in order that the numbering shall be in compliance with the general numbering format, and/or take any other action relative thereto.

SUBMITTED BY: Animal Control Officer

Require Majority Vote

**Explanation:** The intent of this Article is to allow the towns By-laws to be in compliance with the New State Animal Control Law.

**ARTICLE 19:** To see if the Town will vote to amend the Town of Freetown Protective By-laws, Article 11 Zoning By-laws, by adding Section 11.30 Science and Technology Overlay District, the text of which is as on file in the Office of the Town Clerk; further, to amend the Town of Freetown Zoning Map, by adding the proposed Science and Technology Overlay District dated September 18, 2014, as on file in the Office of the Town Clerk; further, to amend the Town of Freetown Protective By-laws, Article 11 Zoning By-laws Outline, to include this new Section 11.30; and further that non-substantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format; and/or take any other action relative thereto.

SUBMITTED BY: The Board of Selectmen

Requires 2/3 Vote

**Explanation:** This article is to promote technological, commercial, and light industrial development and employment opportunities. This by-law may encourage greater flexibility in the development of a variety of commercial sites, than is otherwise permitted in the underlying district.

**ARTICLE 20:** To see if the Town will vote to authorize the Board of Selectmen to file an application with the Interagency Permitting Board for the designation of land located at 170 South Main Street (Map 233, Parcel 30) as a Priority Development Site, or take any other action in relation thereto.

SUBMITTED BY: The Board of Selectmen

Requires Majority Vote

***Explanation:*** This article will allow the above-mentioned parcel of property to be designated as a priority development site, making it eligible for the provisions of the streamlined permitting process.

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 09<sup>th</sup> day of October, Anno Domini, Two Thousand Fourteen.

Lisa A. Pacheco  
Chairman

Lee J. Baumgartner

Paul G. Sadeck

**FREETOWN BOARD OF SELECTMEN**