

Freetown Board of Selectmen  
Meeting Minutes  
Monday, January 23, 2023 – 6:00pm  
Police Station Community Room  
15 Memorial Drive, East Freetown, MA

## Call to Order

Selectmen Trevor Matthews called the meeting to order at 6:00pm. Selectmen Jared Zager, Selectmen Carlos Lopes, Interim Town Administrator Deb Pettey, and Executive Assistant Lu-Ann Souza were also present. Selectmen Matthews noted the meeting was being recorded and would be posted to the Town's YouTube channel. He noted the Board would be going into Executive Session for the reason listed below and the Board would return to open session.

## Executive Session

Discussion/possible action on the following topics:

- Motion to go into Executive Session at 6:01pm was made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved by a unanimous roll call vote
- Vote: Selectmen Lopes – yes, Selectmen Zager – yes, Selectmen Matthews - yes
- 1. M.G.L. c.30A, Sec. 21(a)(3) – to discuss strategy with respect to collective bargaining with **the Freetown Employees' Association/Public Employees Local Union 272 & Freetown Highway Department/Public Employees Local Union 272** because an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares
- Motion to adjourn executive session and go back into open session at 6:20pm was made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved by a unanimous roll call vote
- Vote: Selectmen Lopes – yes, Selectmen Zager – yes, Selectmen Matthews - yes

## Board of Selectmen

Discussion/possible action on the following topics:

- 2. Discussion, and vote whether to approve the meeting minutes from 1/10/23.
- Motion to approve the meeting minutes from 1/10/23 was made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved in a unanimous roll call vote.
- 3. Discussion, and vote on right of first refusal of property at 0 Gurney Farm Assessors map 228, Parcel 8.
- Motion to not use the Boards right of first refusal of property at 0 Gurney Farm Assessors map 228, Parcel 8 was made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved in a unanimous roll call vote.

4. Discussion, and vote whether to approve the License Agreement between the Town of Freetown and American Tower Asset Sub II, LLC for improved public safety communications.

Ms. Pettey stated these are the license agreements we need in order to put the equipment needed to help our communications issues with the radios. She and Chief Abbott went through the first agreement but needed more time to go through the second agreement.

5. Discussion, and vote whether to approve the License Agreement between the Town of Freetown and Industrial Tower and Wireless, LLC for improved public safety communications.

- Motion made to give Interim Town Administrator the ability to sign these agreements after reviewing them was made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote.

6. Discussion, on the survey results for the old police station from Architectural Consulting Group (ACG)

Michael Josefek from Architectural Consulting Group gave a presentation on the survey results for the old police station. Mr. Josefek noted that the old police station is not fit for town use. He noted it would cost about One Million Dollars to knock the building down due to materials in the walls. He concluded that the best use for this space would be to continue the food pantry use as it is not suitable for any another use.

7. Discussion regarding resident from Alexandra Drive concerns regarding light and noise coming from industrial park.

Ms. Pettey stated for a few months now, Mr. Jose Branco and Mr. Pedro Neves and other complaints have come in from Alexandra Drive and High St. about lights and generators running all night long, in back yards and near houses. The owner of the property Mr. Mike Nasser has tried to clear up some of the issues with the noises and lights. Building Commissioner Mr. Carl Bizarro has been out to see the owner and the property, The Planning Board has been notified about a special permit. Mr. Branco voiced his concerns of lights, noises and trailers behind his house. Mr. Neves voiced his concerns about the trailers coming in all hours of the night, lights and generator noises. Mr. Nasser stated the lights have been pointed down away from the houses twice now. He also has the land leased out to Amazon since 2019 and it is their lights, trucks and generators. He thinks the sound is bouncing off the walls of Excel trailers. They are solar generators and don't stay in the sun as much as they should this time of the year. Selectmen Lopes asked, as we all have families, if we could come to a mutual resolution for everyone. Moving the lights or generators. Ms. Pettey asked if he can put electricity there so the generators don't have to power the lights or add telephone poles with lights. Mr. Nasser stated the electricity is on the wrong side. Selectmen Zager asked about buffer boxes that go around the generators. Mr. Nasser mentioned maybe putting dirt around the generators might

muffle the sounds. Ms. Pettey stated the Building Commissioner Carl Bizarro will continue his investigation into the expansion. Mr. Nasser stated he owns over 17 acres for over 50 years and had as many as 200 to 300 trucks on his property over the years. He mentioned something Mr. Bizarro said about not having something there for two years then you lose your right to have it there. Ms. Pettey stated it is about having a use that is grandfathered and you abandon that use for two years or more then you can no longer use the property for that purpose. What happened with your business is that in 2017 the Town enacted the truck terminal truck stop bylaw. Prior to that there was no bylaw regulating the truck stop truck terminal type. Ms. Pettey is not Town Consul but moving forward if you expanded beyond that you may have needed to come in and get a special permit based on our bylaws.

8. Discussion, and vote on whether to approve the agreement between the Town of Freetown and the Town of Lakeville for use of Lakeville Animal Shelter for boarding dogs effective 1/1/23-12/31/23.

Selectmen Matthews asked for the cost, Ms. Souza stated \$25.00 per day for boarding, in addition The Town will pay \$20.00 drop-off fee for each dog brought to the animal shelter. Same as last year.

- Motion to approve the agreement between the Town of Freetown and the Town of Lakeville for use of Lakeville Animal Shelter for boarding dogs effective 1/1/23-12/31/23 was made by Selectmen Zager and seconded by Selectmen Lopes.
  - Vote: was approved in a unanimous roll call vote.
9. Discussion, and vote on whether to adopt the IRS increase in mileage rate of 62.5 cents per mile effective 1/1/23-12/31/23.
- Ms. Souza stated there was a mileage rate typo of the old rate being 62.5 cents and the new mileage rate of 65.5 cents.
- Motion to adopt the IRS increase in mileage rate of 65.5 cents per mile effective 1/1/23-12/31/23 was made by Selectmen Zager and seconded by Selectmen Lopes.
  - Vote: was approved in a unanimous roll call vote.
10. Discussion, and vote whether to approve the Request for Transfer from the Reserve Fund to Town Properties in the amount of \$15,487.61.

This request is for repairs to the new Police Station. Eight Thousand for the HVAC System, Seven Thousand, Five Hundred (\$7,500.00) for a pump for the fire suppression system. Selectmen Lopes asked about the warranty period on these items. Ms. Pettey sated they had a one-year warranty and we have passed that. The building is over two years old now. Chief Abbott stated the Town had the opportunity to extend warranties and engage into service contracts at the time we moved in, the Town declined to do that. More recently the town is required under the fire code to have fire suppressions inspections done on an annual basis that was not being done. When we were going

through accreditation the assessors came in and one of the accreditation requirements is to have a survey of the fire suppression system, based on that, we engaged the company that put the system in and do the inspection. That was approximately Two or Three Thousand Dollars in cost. During that inspection, the company discovered that the jockey pump wasn't working. That means the fire suppression wasn't working. The pump and installation were approximately Seven Thousand Five Hundred (\$7,500.00). We had no maintenance on HVAC since we moved in the building. A lot of the costs were replacing filters. Ms. Pettey is looking into tasking facilities with getting quotes so we can have these services in place.

- Motion to approve the Request for Transfer from the Reserve Fund to Town Properties in the amount of \$15,487.61 was made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved in a unanimous roll call vote.

11. Discussion, and vote on approving the new Senior Work Off application.

Ms. Pettey stated the COA Director was to be here tonight but has resigned her position and is on vacation this week. There is an annual application that Seniors who choose to take advantage of this program can work for the town, make minimum wage and get Fifteen Hundred Dollars (\$1,500.00) off their real estate tax bills. The question is who qualifies for this program. After some research, the Board of Selectmen or the Town has the right to pick their eligibility standards, the cap on how many seniors and the requirements. We are unclear on what the information and procedure has been in the past. She did some research on Mass.gov to look at the eligibility requirements for other Mass State programs. Selectmen Lopes stated for Freetown it is Fifty-Two Thousand Seven Hundred and Fifty Dollars (\$52,750.00) for a family of one and smaller increments up to a family of three. The application should be approved by the COA and then by the Selectmen.

- Motion to approve the new Senior Work Off application was made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved in a unanimous roll call vote.

12. Discussion and Vote on the RFP to hire the OPM for the Fire Station Addition/Renovation.

- Motion to approve the RFP to hire the OPM for the Fire Station Addition/Renovation was made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved in a unanimous roll call vote.

13. Discussion, and vote on adjusting the Building Committee number of members to thirteen.

- Motion to adjust the Building Committee number of members from 16 to 13 made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved in a unanimous roll call vote.

14. Discussion on creating Fire Station Building Sub-Committee.

Selectmen Matthews, Selectmen Zager and Selectmen Lopes agreed to the following for the Sub-Committee to consist of the Fire Chief, 2 Fire Fighters, 1 Building Committee, 1 Finance Committee, 1 Board of Selectmen and Interim Town Administrator.

- Motion to create Fire Station Building Sub-Committee consisting of Fire Chief, 2 Fire Fighters, 1 Building Committee, 1 Finance Committee, 1 Board of Selectmen and Interim Town Administrator was made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved in a unanimous roll call vote.

15. Discussion, and vote on whether to approve the ambulance abatements and write offs for November 2022 in the amount of \$ 94,915.84.

- Motion to approve the ambulance abatements and write offs for November 2022 in the amount of \$94,915.84 was made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved in a unanimous roll call vote.

16. Discussion, and vote on whether to approve the ambulance abatements and write offs for December 2022 in the amount of \$217,848.43.

- Motion to approve the ambulance abatements and write offs for December 2022 in the amount of \$217,848.43 was made by Selectmen Zager and seconded by Selectmen Lopes.
- Vote: was approved in a unanimous roll call vote.

### **Personnel Board**

Discussion/possible action on the following topics:

17. Discussion, and vote on having recording clerks under the Town Administration Department for volunteer-based boards and committees to utilize.

Ms. Pettey stated, boards and committees need to take minutes of their meeting, get the minutes approved, stamped and posted through the town clerk's office. Volunteer boards can be lacking in this. We have minute clerks for the economic development committee and the building committee. Her thought process was to hire two-or three minute clerks and if a volunteer board needed one they could request it through us. We can budget so much a year for the minute clerks. She is concerned about open meeting law violations and minutes not getting done. We will have to look at the stipend pay in place. Town Clerk Cheryl Estrella stated they have a new procedure in place in reaching out to all the chairs of the boards to update them in compliance and link the minutes to the agendas.

- Motion to approve having recording clerks under the Town Administration Department for volunteer-based boards and committees to utilize made by Selectmen Matthews and seconded by Selectmen Zager
- Vote: was approved in a unanimous roll call vote.

18. Discussion, and vote on whether to approve the Traffic Controller policy.

Police Chief Abbott explained many municipalities are having this problem. Years ago, it would be no problem to get officers to work overtime or to work details, In the Commonwealth there has been a shortage of officers to work these traffic details. Sometimes called a flagger or traffic constable. Our bylaws do recognize traffic controllers. They are civilian positions; they are not armed and do not carry any weapons at all. They are an at-will position. We will need them to require proof of health insurance. They are covered through workers comp. The applicant will have to submit to a physical paid by them so that would tell us whether or not they could do the job. The traffic controller would pay their own uniforms. Liability to the municipality would sound under negligence. You would look at whether the traffic controller was adequately trained. We are requiring them to have DOT certification course or the quantum of experience necessary such as a retired officer. They will also need first aid training. Pay would be equal to police officers from an administrative stand point. This will alleviate police officers doing traffic control duty and be able to do their specific jobs at events in town. Traffic controllers can expect to be working events such as town church festivals, parades and fireworks. We will exhaust the list of union members before we start calling the traffic controllers in.

- Motion to approve the Traffic Controller policy was made by Selectmen Matthews and seconded by Selectmen Zager
- Vote: was approved in a unanimous roll call vote

19. Discussion, and vote on whether to approve the Traffic Controller job description and set payrate.

- Motion to approve the Traffic Controller job description and set payrate was made by Selectmen Matthews and seconded by Selectmen Zager
- Vote: was approved in a unanimous roll call vote

20. Discussion, and vote on whether to approve the Community Program Director job description, set payrate and number of hours weekly, determine where this person will be housed and when to hire for this position.

Selectmen Lopes stated this position is for the beach, boat ramp, COA and community needs. Working in the summer with beach and boat ramp issues and COA programs year-round. Selectmen Matthews wants to have accountability. Location of office options are

Transfer Station, Conservation office on 3<sup>rd</sup> floor at Town Hall, or one of COA open offices. Part time position. Payrate starts at \$22.00 an hour for 19 hours a week.

- Motion to approve the Community Program Director job description with a set payrate of \$22.00 an hour and 19 hours per week made by Selectmen Matthews and seconded by Selectmen Zager

Vote: was approved in a unanimous roll call vote

### **Board of Health**

Discussion/possible action on the following topics:

#### **21. COVID updates**

Board of Health Agent Keven Desmarais and Public Health Nurse Lori Desmarais gave an update related to Covid preparedness and immunization side. We have received three shipments of various PPE, covid tests, masks for adults and children. KN95 and surgical masks, gloves and band-aids. For first responders, clinics and residents we are in good shape. The recent strain XBB 1.5 which is different from the Delta variant. This is more transmissible; a lot of people are getting it but the symptoms are not as extreme. Public Health Nurse Lori Desmarais stated Covid 19 community level for Bristol County is at medium and has come down. With people home testing now, the numbers are not so accurate. In Freetown in December, we had 59 cases, in January we had 35 cases. With Covid and the Flu the numbers go up during the holidays and once the holidays are over the numbers goes down. Recommendations are staying up to date with vaccines, if you have symptoms, get tested and wear a mask. High risk people limit your exposures and reach out to your physician for treatments and medications that are available to them.

### **Board of Parks Commission**

Discussion/possible action on the following topics:

#### **22. Discussion, and vote on whether to add a shed with electricity at the Long Pond Boat Ramp.**

Selectmen Lopes stated we have a grant available from the state, so we decided to put in a sliding gate and add a shed with electricity and maybe wi-fi down the road. A place the attendants can cool down or get out of the rain and charge their phones. If we need to put cameras up the electricity will already be there. Chief Abbott mentioned once the new communication radios are in place there will be a government channel the attendants can call dispatch directly if needed. The grant was for Twenty-Five Thousand (\$25,000.00) from Representative Schmid.

- Motion to approve the addition of a shed with electricity at the Long Pond Boat Ramp was made by Selectmen Matthews and seconded by Selectmen Zager.
- Vote: was approved by a unanimous roll call vote.

## **Town Administrator's Report**

Discussion/possible action on the following topics:

Selectmen Matthews opened the public hearing at 7:00pm. He read the public hearing notice below.

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### **Public Hearing 7pm TOWN OF FREETOWN**

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#### **PUBLIC NOTICE**

Notice is hereby given that Verizon New England Inc. and NSTAR Electric Company d/b/a Eversource Energy have requested a hearing to Install one (1) JO pole, 372/1, with an anchor, on the westerly side of North Main Street. New location being approximately four hundred sixteen (416) feet southeast of the centerline of Friend Street; and is thirty (30) feet west of existing pole, 77/17. This hearing is being requested to bring the utilities from across North Main Street to provide for the new development.

A hearing to consider the above will be held on Monday, January 23, 2023, at 7:00 P.M. at the Police Station Community Room, 15 Memorial Drive, East Freetown, Massachusetts.

#### **FREETOWN BOARD OF SELECTMEN**

Trevor R. Matthews, Chairman  
Jared C. Zager  
Carlos A. Lopes

Ms. Souza stated to Selectmen Matthews, on the phone is Don Voner from Verizon Eversource, he is in Worcester and is snowbound. Mr. Voner stated the purpose is to use the existing pole line that is there and bring cables across the street to go underground for a new development.

- Motion to close the public hearing was made at 7:07pm by Selectmen Zager and seconded by Selectmen Lopes.
  - Vote: was approved in a unanimous roll call vote
23. Discussion, and vote on whether to approve the request to install a one (1) JO pole, 372/1, with an anchor, on the westerly side of North Main Street. New location being approximately four hundred sixteen (416) feet southeast of the centerline of Friend Street; and is thirty (30) feet west of existing pole, 77/17
- Motion to approve the request to install a one (1) JO pole, 372/1, with an anchor, on the westerly side of North Main Street. New location being approximately four hundred sixteen (416) feet southeast of the centerline of Friend Street; and is thirty (30) feet west of existing pole, 77/17 was made by Selectmen Zager and seconded by Selectmen Lopes.
  - Vote: was approved in a unanimous roll call vote



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**Old Business:**

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

- Town Buildings

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**Public Input**

The board signed various documents related to this meeting.

- Motion to adjourn the meeting at 8:29pm was made by Selectmen Zager and seconded by Selectmen Lopes
- Vote: was approved in a unanimous roll call vote

Respectfully Submitted,



Lola Furtado  
Administrative Assistant

List of Documents/Exhibits utilized by the Board during this meeting:

- Agenda
- Meeting Minutes from 1/10/2023
- Memo – First Right of Refusal, 0 Gurney Farm, Freetown, MA
- Planning Board - First Right of Refusal, 0 Gurney Farm, Freetown, MA
- ACG – Review of Old Police Station
- Initial Investigation of Nassonet Corp.
- Agreement for Lakeville & Freetown for Lakeville Animal Shelter
- Memo – IRS Mileage Increase
- Request for Transfer from the Reserve Fund – Town Property to Town Prop Police
- Senior Work Off Program – Application
- Legal Notice – RFQ for OPM Services for Fire Station #3
- Email – Mike McCue – Building Committee Members
- Ambulance Abatements for November 2022
- Ambulance Abatements for December 2022
- Memo – Traffic Controller - Job Description and Policy
- Shed samples
- Verizon / NSTAR Petition for Pole on North Main Street
- Public Hearing – Public Notice - Verizon / NSTAR