



TOWN OF FREETOWN  
BOARD OF SELECTMEN  
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MINUTES OF MEETING OF MONDAY JANUARY 12, 2015

**COUNCIL ON AGING**  
**227 CHACE ROAD, EAST FREETOWN, MASSACHUSETTS**

**6:00 P.M.** Call to Order by Chairman Lisa Pacheco. Present are Selectman Lee Baumgartner, Selectman Paul Sadeck and Town Administrator Jack Healey. Meeting is being recorded by Selectman Paul Sadeck and John Garcia of the Standard Times and FreeCam.

6:00 P.M. Board of Health Variance – 26 Gerard Ave – Abutter’s Notified – Mr. Bernardo states that all the abutters have been notified and the Green cards are read aloud by Chairman Lisa Pacheco. Mr. Moska, Engineer after a Perc test they did a sieve analysis .15 gallon per square foot. They need 9 variances as listed on the report on record with the Health Department. The neighboring well is the closest well. Singular system works like a little treatment plant. The system is approved by DEP. Selectman Baumgartner asks the life expectancy. Mr. Moska says this is DEP approved however you should have a maintenance agreement with the Homeowner. Mr. Bernardo says there is an agreement already in place which is semi-annually. Mr. Healey wants to know how large items don’t get in there. Mr. Moska says there is a pumper in there that gets the sludge out. Selectman Sadeck asks how many bedrooms this house is. Mr. Moska says it is a 3 bedroom now but vacant. Selectman Pacheco asks when 21 Estelle was put in was that the type of same system? That was put in, in 2004. They are unsure. Resident who is present from 24 Gerard asks about the Odor. Mr. Moska says there is a vent hole but there isn’t any information indicating a charcoal filter. If someone complains then I’m sure that can be put in place. Will be more active than a regular system he asks. Yes Mr. Moska says. The recommendation of Mr. Bernardo is to approve this with onsite well water testing within 1 year of the Certificate of Compliance, testing fee shall be escrowed by the current owner of 26 Gerard Ave and a copy of the water analysis must be submitted for review along with schematic drawing illustrating the model, a design and installation manual, an owner’s manual, an operation and maintenance manual and an inspection checklist of the system as well as a deed restriction of 3 bedrooms with maintenance contract. Motion (Baumgartner/Sadeck) to approve variance with Mr. Bernardo’s recommendation. Passed unanimously.

**Signing of Biweekly payroll/vendor warrants**  
**Weekly Public Discussion period**

**Consent Agenda:**

**Board of Selectmen: Action relative to:**

- Highway Surveyor, Charles Macomber, relative to Chapter 90, Final Report –Lang Rd. Chuck says this came in a little over because we used a little more asphalt. \$37,691.11

Motion (Baumgartner/Sadeck) to approve Final Report. Passed unanimously. Motion (Baumgartner/Sadeck) \$651.11 to approve the Addendum. Passed unanimously. Mr. Macomber said he would like to buy a 2012 truck to replace the truck that was a total loss from the Fire the other day. Selectman Pacheco said to make sure that he puts this in his Capital for the budget.

- Sign Agreement with Lakeville for use of Animal Shelter, as recommended by Animal Control Officer Lisa Podielsky. Motion (Sadeck/Baumgartner). Passed unanimously.
- Discuss opening a Donation account for Animal Control Officer to accept Donations. Animal Control Officer Lisa Podielsky explains she gets a lot of calls from residents to donate equipment etc. A Clinic in RI will charge \$65 to spay/neuter them the issue is that they are Feral and mean because they have no contact with humans and we need many things if she is able to offer this to the town residents and a donation account will help her greatly to get these things. Also the license plate program will pay for the Spay/Neuter program I will need to supplement the other supplies, she would use the donation money to purchase these above items for the spay/neuter program as well as food and supplies that are needed throughout the year for the animals she picks up if she needs to hold them and isn't taking them to Lakeville and also use the donations for medical expenses for any strays that are found that need care in excess of the grants. Motion (Sadeck/Baumgartner). Passed unanimously.
- Town Administrator's Report - Update on Republic Services - The easement will be filed by our attorney's tomorrow and then Republic will authorize Kelly Engineering to commence construction in the Spring. Freetown Screw Site- the final touches will be put on the fences so there can be no access by anyone. We also need to speak with Acushnet to purchase a parcel to make the Senior Housing a possibility. He has spoken with a Selectman from Acushnet and lastly Chapter 90 aid funding has increased from 200 million to 300 million. Freetown's part will increase from \$402,000 to \$603,050.00.
- Approve Board of Selectmen Minutes from October 6, 20, 27, & November 3, 17, 19, 2014. Motion (Sadeck/Baumgartner). Passed unanimously.
- Annual Renewal of Class II Licenses for Herb's Auto Body, Beech Bluff Auto Sales, & F&F Auto Sales. Motion (Sadeck/Baumgartner). Passed unanimously.
- Abatement for the Month of December 2014, as submitted by Fire Chief Gary Silvia. Motion (Sadeck/Baumgartner) in the amount of \$40,458.91. Passed unanimously.
- Discuss letter from City of New Bedford regarding South Coast Rail Service and MA Lottery. Motion (Baumgartner/Sadeck) to be included and have Mr. Healey send letter. Passed unanimously.
- Establish a Building Committee. Planning Board, Finance Committee, Police, Fire, 2- Town Hall, COA, Library, Community Member at Large one from each Precinct, 1- Historical. Submitted by February 9, 2015 at 4pm. Motion (Sadeck/Baumgartner) with the above members. Passed unanimously.
- Discuss Budgets and budget timeline. Selectman Pacheco says the Board is highly involved however the Board knows what works and they may want to adjust the budget sheets. Maybe breakout Personnel, specify overtime as a separate line item. Also we need to update the 5 year Capital Equipment Plan. Selectman Sadeck has the 5 year plan already updated as of last year and he will send it to you. Also can someone sit down and go over a budget timeline with Jack.

**Board of Health:****Personnel Board:**

- Discuss Planning Board members becoming Special Municipal Employees. Nick Velozo, Planning Board member, says the problem that the Board has is that some members do construction work. Selectman Sadeck says if we grant this then you can represent yourself and any company and you will have dual loyalty. This is the problem I have with that. Just the other night we came into that. Mark Rogers, Planning Board member, says the recommendation from Town Counsel is to make us Special Municipal Employees. Mr. Rogers asks if any other Boards are Special Municipal Employees. Selectman Sadeck says the Board of Selectmen are. Selectman Pacheco says the School Committee too. Mr. Rogers says wouldn't you want the most qualified people in those areas to be on the Board? Mr. Raymond says if there is an individual that owns a business and is on the Planning Board and they produce a plan and they have to go before the Conservation Commission then they are prevented from doing that within Freetown. If they do a lot of business within Freetown then that is cutting them out of their potential livelihood or they can't serve on a Planning Board within Freetown. Selectman Sadeck says by volunteering that does cut them out of it. Mr. Raymond says if that person wants to use their knowledge and expertise they won't do it if they are not granted a Special Municipal Employee and that will be diminished. Selectman Sadeck says it's the perception of the public. Mr. Velozo says the biggest thing is the Boards are all volunteers and you want them to be educated in those areas and if they aren't Special Municipal Employee then it will hurt them. Mr. Healey reads Town Counsel's letter if a Municipal position is designated a Special then they can be paid provided that they have not officially participated on the Board regarding this matter. In other words you could if there isn't a conflict you can represent them in other Boards. Mr. Rogers says he thinks the designation would help the Town not hurt it. Selectman Pacheco says she knows the Board may be uncomfortable on this maybe we can try it for a limited amount of time. Selectman Sadeck says he did some research on this and other Towns have limited this. Mr. Velozo says even if the Feasibility Study comes out my company wouldn't even bid on that. Mr. Raymond says we are not here for ourselves we are here for every Board member. Selectman Baumgartner says there are a few lines on here like undivided loyalty. Also Special Municipal Employees here should be prohibited against acting as an agent, like on Behalf of the Board. Mr. Raymond says the things you said that are going on behind the scenes then please talk about this. Selectman Sadeck says we can talk about this later. If you are on the Amazon building then you can't bid on it unless you are a Special Municipal Employee. Mr. Raymond asks that within this next year please monitor this and see if there is a concern on this issue. Motion (Baumgartner/Pacheco) to consider the Planning Board Special Municipal Employee for 1 year. Passed unanimously.
- Approve Change of Status forms from as submitted by Fire Chief Gary Silvia. Ryan Franco/Cody Rogers resignation Motion (Baumgartner/Pacheco). Passed unanimously.
- Accept Intention of Early Retirement letter from Deborah Allerdt. Selectman Sadeck reads the letter aloud from Mrs. Allerdt. Motion (Pacheco/Baumgartner). Passed unanimously.
- Approve Change of Status for Assistant Tax Collector Christina Jussaume, as submitted by Tax Collector/Treasurer Diane Lawless, effective 02/05/2015. Motion (Pacheco/Baumgartner). Passed unanimously.
- Discuss/Appoint Town Hall personnel positions. We have interviewed many candidates and the floater position is vacant as the result of Karen Robitaille and at the recommendation of the Board we would like to hire Isabel Ferreira. Selectman Sadeck would like to go over this please. We have a vacancy in the Treasurer's office and we filled it however that person has now declined. So we have 2 openings.

Why don't we do the interviews and then recommend. Selectman Sadeck says that if the internal floater that we just hired can float and Mr. Healey will put them wherever they are needed. Motion (Baumgartner/Pacheco) Passed unanimously.

- Motion (Baumgartner/Pacheco) to accept Karen R. letter of resignation.
- Mike McCue can continue to do the meetings for ConCom, FinCom, and Soil Board until 6/30/2015. Motion (Pacheco/Baumgartner). Passed unanimously.

**New Business**

- Dates for upcoming Board of Selectmen Meetings Monday January 26, Monday February 9<sup>th</sup>, Monday February 23<sup>rd</sup>, Monday March 9<sup>th</sup>, Monday March 23<sup>rd</sup>, and Tuesday April 7<sup>th</sup>, Tuesday April 21<sup>th</sup>.

**Old Business:**

- Freetown Elementary lease agreement.
- Union negotiation meeting.
- Meeting with DESE. – Selectman Sadeck says the package we received this past Saturday had the FY15 computation sheet and we don't have the FY16 sheet.
- Key Fobs – Mr. Healey says everyone is on board now.
- Status of 4 South Main Street Building. Scott needs to check on this.

**Executive Session:** To go into Executive session and not return into open session. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Motion (B/S) Roll Call Chairman Lisa A. Pacheco, Selectman Paul G. Sadeck and Selectman Lee J. Baumgartner. All members voted in the affirmative when polled.

Motion (Sadeck/Baumgartner) to adjourn at 8:40 PM. Passed unanimously. All members voted in the affirmative when polled.

Respectfully submitted,



Ali Golz, Administrative Assistant