



**TOWN OF FREETOWN
BOARD OF SELECTMEN**
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**MINUTES OF MEETING ON
WEDNESDAY, SEPTEMBER 07, 2016**

**COUNCIL ON AGING
227 CHACE ROAD, EAST FREETOWN, MA 02717**

4:00 P.M. Call to Order – Chairman Paul G. Sadeck calls the meeting to order. Others present are Selectmen Lisa A. Pacheco, Selectmen Robert Jose and Town Administrator Jack Healey.

Executive Session:

At 4:06 P.M., motion (Pacheco/Jose) to go into executive session, for the following exceptions, and to return to open session following. Roll Call Chairman Paul G. Sadeck, Selectmen Lisa A. Pacheco, Selectmen Robert Jose. All voted in the affirmative when polled.

- M.G.L. c.30A, Sec.21(a) 3 to discuss the strategy with respect to litigation in Lawless v. Director of Division of Employment Security, as discussing the matter in an open meeting may have a detrimental effect on the Town's litigating position.
- M.G.L. c.30A, Sec.21(a) 1 to discuss the complaints or charges against an employee.
- M.G.L. c.30A, Sec.21(a) 3 to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares.
- Discuss Release of Executive Session Minutes from 1/11/10, 4/26/10, 5/10/10, 8/9/10, 12/16/10 and 12/21/10, please see attached sheet.
- M.G.L. c.30A, Sec. 21(a)(3) - To discuss strategy with respect to litigation with the City of Fall River regarding a water agreement dispute if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;

Motion (Pacheco/Jose) to return to open session at 5:07 P.M. Roll call. All voted in the affirmative when polled.

The open meeting is being video recorded by FREECAM and audio recorded by Selectmen Paul Sadeck and Senior Clerk Timm McIntosh.

5:30 P.M Soil Board Meeting

Weekly Public Discussion

Consent Agenda:

Board of Selectmen: Action relative to:

- One Day Entertainment License for Tracey Knowles at 53 High St. – Selectmen Sadeck and Jose fill Selectmen Pacheco in on the site visit they went on August 28. The Police and Fire departments want Mr. & Mrs. Knowles to have details from the departments, and Health Agent Kevin Bernardo wants them to have portable toilets. Mr. Knowles says he talked to the police and fire departments about the requested details, but has not heard back from them. They do agree to go along with the details as recommended to them previously. Motion (Jose/Pacheco) to approve the entertainment license for Mrs. Knowles, with the caveat that they have at least 1 police officer and EMS worker present. Passed unanimously. Selectmen Jose advises the Knowles' to get in touch with Mr. Bernardo, as this doesn't cover the Board of Health requirements. They agree and say they are in contact.
- Meet with Town Clerk and Animal Control Officer regarding proposed Article. – Selectmen Pacheco questions why this is on this agenda, as the Warrant isn't even open yet. Animal Control Officer Lisa Podielsky and Town Clerk Jackie Brown join the meeting. They explain to the board that the software currently used was installed under previous Town Clerk Virginia Terry, so it's pretty old and dated. It's difficult for the ACO, as she does not have access to the database outside of business hours. Mrs. Brown has done research to see what other towns use, with Stellar Corp Consultants out of Lexington MA being the best. It costs \$1400 for initial set up, and \$900 subscription annually after. The data does not live on our server, so server space is not a concern. Part of the initial set up is the migrating of the existing data. They can set up online payments as well. Towns currently using the software that Mrs. Brown is familiar with love it. Town residents can also send in updated information online, they don't have to come in to the office to update it. Selectman Sadeck asks if Mrs. Podielsky can access it from the field, and she can. This would allow Mrs. Podielsky to be able to work remotely better and quicker. The yearly fee also includes future enhancements, and the company provides support when necessary. The data is all backed up on the company's servers. Mrs. Brown asked the company what happens to the data if we change companies: it is the Town's data and we would get it all back. Mrs. Brown did other cost research, she found this company is by far the most reasonable and fitting. Anyone that has a password supplied by the Town Clerk can access the data. ACO says she thinks the more things that are online and outside of the Town Hall, the better. Selectman Sadeck says this seems like a no-brainer. Selectman Jose asks about cyber security. Mrs. Brown isn't sure if it's cloud based or not, but she can find out. Selectmen Jose says we just added cyber security liability, so he wonders if it is all covered. Selectmen Pacheco doesn't want to vote on this yet, save it for the Article meeting.
- Meet with Town Clerk regarding proposed Article. – Mrs. Brown says she brought the Article information to the Board early because of upcoming voting issues. The Article Mrs. Brown is here tonight about is in regards to comp time for Cheryl Estrella, which isn't currently budgeted for. With the election coming up, she is needed for extra time. The Article would be 4 hrs/week for 3 weeks. As a clarification, this wouldn't give comp time, it would eliminate the need for it. This will be discussed later when the Articles are discussed.

- Discussion with Town Clerk regarding Early Voting and parking issues. – Early voting is now required by state law, taking place October 24 through November 4, during usual business hours at the Town Hall. This is the first time with this, and we don't know what to expect, since it's a Presidential Election, but it's the new norm going forward, both state and national elections. To make matters worse, taxes are due during that time as well. In preparation, Mrs. Brown talked with Rev. Wheeler about Town Hall employees parking at the United Church of Assonet. This wouldn't be an issue as long as there is no funeral. Mrs. Brown is asking the Board of Selectmen to enforce this, if Mr. Healey can send out a memo asking cooperation. Early voting is done at the Town Clerk's office. Mrs. Brown goes over the Early Voting process, saying tables would be set up at the end of the hallway for check-in, then voting done at the other end of the hallway. The ballots would be locked away and fed into the machines on Election Day. It is also now possible to get your ballot ahead of time by mail, in lieu of standing in line, she thinks that will help. She may need more money in her elections budget, but that will be at a later date. Town Hall will be open for voting on Saturday, October 29 from 9am-1pm as well, and which qualifies the Town for a state grant. Mrs. Brown has also talked to the COA to have voting at there as well, which is allowable by state law. This will be held on October 27. Mrs. Brown notes that there is a lot that goes into early voting, and reiterates that this is a new experience for everyone involved. Motion (Pacheco/Jose) to kindly request the TH employees to comply with the designated parking area, passed unanimously.
- Discuss Flag Pole Location for Hathaway Park. – This is a 50' flagpole. Scott Barbato, Building Inspector, the Gregorys (representing the Parade and Fireworks Committee) and the Morses (Friends of Hathaway Park) along with Building Inspector Scott Barbato join the meeting. A site was chosen around 35' off pavement, centered between the cul-de-sac and the playground. The committee has already received a number of great donations, monetary and work-related, and the project is almost completely covered. Mrs. Gregory says the original location had to be moved because of handicapped parking for the annual fireworks celebration. Selectmen Sadeck asks if everyone involved is in agreement, they are. Selectmen Jose asks about lighting the flag, Mr. Barbato says they can make it work, and work in a way to enhance the fireworks celebration. All the work has been donated already. Mr. Barbato guarantees this project will really enhance Hathaway Park. Mr. Morse says he's interested in a sign noting primary donors, and asks about naming the playground. Sadeck invites the Friends of Hathaway Park back to the next meeting to discuss this. Motion (Pacheco/Jose) to approve the location as discussed, passed unanimously.
- Set Fall Town Meeting Date and Open and Close the Warrant. – Administrative Assistant Ali Golz wrote up a list of dates and deadlines for the fall, relating to the Fall Special Town Meeting. Due to pre-planned vacations, Tuesday October 18 works best for the Town Meeting. Motion (Pacheco/Jose) to set the Special Town Meeting for the evening of October 18, passed unanimously. The Warrant will need to be posted by October 4. The timeline worked out by Mrs. Golz has the warrant opening tomorrow, September 8, and closing on Friday, September 16. Selectmen Jose says that does not give the Planning Board enough time. Selectmen Sadeck says placeholders are alright. After a brief discussion, it's settled on the warrant closing on Monday, September 19, at 4pm. Motion (Pacheco/Jose) to open the Warrant on September 8, 2016 and

close the warrant on September 19 at 4pm, passed unanimously.

- Approve Chapter 90 Project requests, for Walnut St. and Braley Rd. as submitted by Charles Macomber, Highway Surveyor. – The project would double chip seal on Walnut Street at an estimated cost of \$16,876, and mill & re-paving Braley Road at an estimated cost of \$130,432.84. Motion (Pacheco/Jose) to approve the Chapter 90 requests as noted, passed unanimously. Selectmen Pacheco wants Mr. Macomber to get in touch with the school department on this.
- Approve Ambulance Abatements for the Month of August 2016 and Abatements for the Months of January, February, March, April and May 2015. – Motion (Jose/Pacheco) to approve abatements for August 2016 in the amount of \$60,321.03, passed unanimously. Motion (Pacheco/Jose) to approve abatements for January-May 2015 in the amount of \$95,331.85, passed unanimously.
- Approve Board of Selectmen's Minutes from January 6, 2016, January 20, 2016, February 10, 2016, February 19, 2016, March 1, 2016, March 3, 2016 March 29, 2016, April 1, 2016, April 8, 2016, April 25, 2016, May 11, 2016, May 16, 2016, May 17, 2016, May 18, 2016, May 23, 2016, June 6, 2016, June 7, 2016, June 9, 2016, June 13, 2016, June 20, 2016 July 11, 2016, July 18, 2016 and August 22, 2016. – Selectman Jose says he didn't see any issues, just a few grammatical issues here and there. Selectman Pacheco agrees. Selectmen Sadeck wants to review a few in June. Motion (Jose/Pacheco) to approve the Minutes from April 8 through May 23, 2016, after Selectmen Jose became Selectman, as noted, passed unanimously. Motion (Pacheco/Sadeck) to approve Minutes from January 6 through April 1, 2016, as noted, motion passes 2-0 with Selectman Jose abstaining.
- Sign Contract for New Highway Dump Truck. Motion (Pacheco/Jose) to sign the contract, passed unanimously.
- Letter from Mr. & Mrs. Case regarding their intent to remove , Map 252, Lot 43 from Chapter 61A, and the Town's right of first refusal. – This agenda item passed over, as there is still no purchase price.
- Town Administrator's Report. – This agenda item passed over, Mr. Healey will distribute his report to the Board via e-mail.

Board of Health:

Personnel Board:

- Approve Change of Status form for Thomas Ashley, as submitted by Chief Abbott, effective 9/9/16 – Motion (Jose/Sadeck) to approve Mr. Ashley's change of status, passed unanimously.
- Approve Change of Status form for Thomas Long, as submitted by Chief Abbott, effective 9/29/16. – Motion (Jose/Sadeck) to approve Mr. Long's change of status, passed unanimously.

- Accept Felicia Balbi's letter of resignation as well as change of status form, as submitted by Chief Abbott, effective 8/21/16. – Motion (Jose/Sadeck) to accept Ms. Balbi's letter of resignation and approve her change of status, passed unanimously.

New Business

- Dates for upcoming Board of Selectmen Meetings Monday September 19th, Monday October 3th, Special Town Meeting Tuesday October 18th and Monday October 31st. Selectmen Jose notes the Board previously cancelled the October 31 meeting, so it should not be listed here.

Old Business:

- Painting of Town Hall. – There has been good progress on painting the Town Hall. The painting will start in about two weeks. Materials are being gathered now, and a lift is being rented.
- Ongoing projects at Town Hall. – Work is being done on the windows and front of the building currently, addressing water damage and rotting. Mary Rezendes Brown of the Freetown Historical Commission has been involved with this project. Jack reads a letter from Mrs. Rezendes Brown, outlining how pleased the Historical Commission is with the progress of the improvements. In the letter, the Commission also says it agrees that the cement ramp at the front of the building has no practical use and is not historically significant, so its removal would certainly improve the Town Hall. Selectman Pacheco wants it known that she's been on this subject since last year, and was told it was getting fixed. It kept getting put off. She has no idea why this has taken Mr. Healey & Mr. Barbato so long to show this much progress, and feels if she didn't ask the question recently, it would still not be done.

Motion (Jose/Pacheco) to adjourn at 6:09 P.M., passed unanimously.

Respectfully Submitted,



Timothy McIntosh, Senior Clerk



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BOARD OF SELECTMEN

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The public release of minutes from the following meetings held in executive session will be discussed at the Board of Selectmen's meeting on September 7, 2016:

- January 11, 2010: M.G.L. c.30A, Sec. 21(a) 3., for purposes of discussing collective bargaining and other contracts.
- April 26, 2010: M.G.L. c.30A, Sec. 21(a) 6., to discuss a license agreement between the property owners on Christy Lane and the Board of Selectmen.
- May 10, 2010: M.G.L. c.30A, Sec. 21(a) 1., to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges against, a public officer, employee, staff member or individual.
- August 9, 2010: M.G.L. c.30A, Sec 21(a) 2., To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions (Police Union Grievance) or contract negotiations with nonunion personnel.
- December 16, 2010: M.G.L. c.30A, Sec 21(a) 1., to discuss the discipline or dismissal of, or complaints or charges, brought against a public officer, employee, staff member or individual.