
**Warrant for the
Special Town Meeting**



Town of Freetown
Commonwealth of Massachusetts

Tuesday, October 18, 2022
7:00 pm

Freetown Lakeville Middle School Auditorium
96 Howland Road, Lakeville, MA 02347



**Warrant for the
Special Town Meeting**

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96 Howland Road, Lakeville, MA 02347**

Article: 1 Increase Tax Credit for Senior Work off Program

To see if the Town will vote to increase the amount of tax credit a senior may receive from the Senior Work-off Program from Seven Hundred Fifty Dollars (\$750.00) to One Thousand Five Hundred Dollars (\$1,500.00) annually, and/or take any action relative thereto.

Submitted by the Board of Selectmen

Requires a Majority Vote

Recommended by Finance Committee & Board of Selectmen

Explanation of Article: Under the Senior Work-off program, Seniors may apply and, if they qualify, may be able to work for the Town and receive a credit toward their Real Estate tax bills for doing so. The amount that can be earned and credited toward the senior's tax bill is Seven Hundred Fifty Dollars (\$750.00). This article seeks to increase that amount to One Thousand Five hundred Dollars (\$1,500.00).

Article:2 Purchase of Roadside mower for Highway Department

To see if the Town will vote to raise and appropriate and/or transfer from available funds, the sum of Thirty Eight Thousand Dollars (\$38,000) to purchase a new roadside mower for use by the Highway Department, and/or take any action relative thereto.

Submitted by the Highway Surveyor

Requires a Majority Vote

Recommended by Finance Committee & Board of Selectmen

Explanation of Article: The existing roadside mower was purchased in 2008 using state funds. The combination of age, repeated repairs, increased metal fatigue, and the scarcity of parts have made it more practical to replace the mower rather than try and repair it again.

Article: 3 Fund MS4 Stormwater Management Permit

To see if the Town will vote to raise and appropriate and/or transfer from available funds, the sum of Fifty Thousand Dollars (\$ 50,000) to pay for engineering services required to file the annual report to comply with MS4 permit filing requirements; and/or take any action relative thereto

Submitted by Board of Selectmen
Requires a Majority Vote
Recommended by Finance Committee & Board of Selectmen

Explanation of Article: The Town has a ten-year Stormwater permit that requires yearly engineering/testing, and reporting. This is the cost to have the engineering firm complete the work to file the annual reports and stay in compliance.

Article: 4 Increase funds in Accounting Department Personnel Budget

To see if the Town will vote to raise and appropriate and/or transfer from available funds, the sum of Thirty Thousand Dollars (\$30,000.00) to supplement the budget of the office of the Town Accountant for the purpose of hiring and training a qualified person for this position, and/or take any action relative thereto.

Submitted by the Town Administrator
Requires a Majority Vote
Recommended by Finance Committee & Board of Selectmen

Explanation of Article: This will ensure enough monies are in the wages line for the time period the current Town Accountant and new Town Accountant are both employed by the Town for a cross-training period to ensure this transition goes smoothly.

Article: 5 Addition of Employment Position to By-laws

To see if the Town will vote to amend the General By-laws, Article 10, Personnel Classification and Compensation Plan, Section 10.8, Positions, by adding to the list of positions contained therein the following new position:

Community Program Director

And/or take any action relative thereto.

Submitted by Town Administrator
Requires a Majority Vote
Finance Committee Takes No Position. Recommended by Board of Selectmen

Explanation of Article: This article will create the position of Community Program Director. This position would oversee the town beach, boat ramp, and other programming needs of the town.

Article: 6 Fund Community Program Director

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) for the purpose hiring a Community Program Director, and/or take any action relative thereto.

Submitted by Town Administrator
Requires a Majority Vote
Recommended by Finance Committee & Board of Selectmen

Explanation of Article: To fund the position of a Community Program Director to oversee the Beach, Boat Ramp, and provide additional programming for residents of the Town.

Article: 7 Decrease amount appropriated for the School Assessment

To see if the Town will vote to amend the vote taken under Article 1 of the June 6, 2022, Annual Town Meeting by decreasing the amount appropriated thereunder for the annual school assessment in the sum of Ninety Three Thousand Nine Hundred Forty Dollars (\$93,940.00); and/or take any action relative thereto.

Submitted by the Board of Selectmen
Requires a Majority Vote

Recommended by Finance Committee & Board of Selectmen

Explanation of Article: an adjusted school assessment is showing a decrease in the sum of Ninety Three Thousand Nine Hundred Forty Dollars (93,940.00). This article would reduce the school assessment amount and return excess monies to the general funds.

Article: 8 Transfer from Cemetery Commission & Highway Dept Personnel Budget to Unemployment Budget

To see if the Town will vote to transfer the sum of Twelve Thousand Seventy four Dollars (\$12,074.00) to the Unemployment budget from the following sources:

- \$2,206.00 to be transferred from the Highway Department personnel budget
- \$9,868.00 to be transferred from the Cemetery Commission personnel budget

And/or take any action relative thereto

Submitted by the Highway Surveyor and the Cemetery Commission
Requires Majority Vote
Recommended by the Finance Committee & Board of Selectmen

Explanation: These funds are not necessary for personnel in each department and will be transferred to fund the deficit in the Unemployment budget.

Article: 9 Funding to Hire Senior Clerk for Town Hall

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, the sum of Eleven Thousand Six Hundred Ten Dollars and forty four cents (\$11,610.44) for the purpose hiring a Senior Clerk who will float between departments, and/or take any action relative thereto.

Submitted by the Board of Selectmen
Requires a Majority Vote

Recommended by Finance Committee & Board of Selectmen

Explanation of Article: Requesting the addition of a Senior Clerk to assist in various offices during peak times throughout the year and when existing personnel have vacation. Many offices are only staffed by one person and hiring a Senior Clerk that can fill in where needed will alleviate having to close offices due to no staff.

Article: 10 Funding to Hire a Human Resources Director

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, the sum of Seventy Five Thousand Dollars (\$75,000.00) for the purpose hiring a Human Resources Director, and/or take any action relative thereto.

Submitted by the Board of Selectmen

Requires a Majority Vote

Recommended by Finance Committee & Board of Selectmen

Explanation of Article: To Fund the hiring of a Human Resources Director to manage the HR needs of the Town. As the Town continues to grow and the number of employees grow it is necessary to have an employee dedicated to managing Human Resources. With the ever-changing legislation it is difficult to manage all aspects of HR without having a dedicated employee.

Article : 11 Debt exclusion for Bristol Plymouth Regional Technical School

To see if the Town will vote to appropriate a sum of money to fund the Town's allocable share of the costs of designing, engineering, constructing, and equipping a new Bristol-Plymouth Regional Vocational Technical High School District high school building to be located at 207 Hart Street, Taunton, Massachusetts, including the payment of all costs incidental and related thereto; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow such sum pursuant to G.L. c. 44, §7 or any other enabling authority; provided, however, that any borrowing or expenditure hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by the provisions of G.L. c. 59, sec. 21C (also known as Proposition 2½); and/or take any action relative thereto.

Submitted by the Finance Committee

Requires 2/3 Vote

Recommended by Finance Committee & Board of Selectmen

Explanation of Article: The Bristol Plymouth Regional Vocational Technical School District is building a new school with a cost of approximately Three Hundred Five Million Dollars \$305,000,000. IF the Town votes to join the District, the Town will be responsible for a pro-rata share of the debt to build said new school. It is estimated that the yearly cost of this debt will be Seven Hundred Thousand Dollars (\$700,000) for Thirty (30) years. Passing this debt exclusion will increase the average homeowner's real estate tax liability by approximately One Hundred Twenty Five Dollars (\$125.00) per year. If the debt exclusion is not passed this amount of

money will need to be appropriated for out of the OMNIBUS Budget. This may mean budget cuts to Departments.

Article: 12 Becoming a member of Bristol Plymouth Regional Vocational Technical School

To see if the Town will vote to accept and adopt the amended agreement establishing the Bristol-Plymouth Regional Vocational Technical School District adopted by the Bristol-Plymouth Regional School Committee on May 4, 2022, entitled "Re-Statement of the Bristol-Plymouth Regional Vocational Technical School District", which amended and re-stated agreement adds the Town of Freetown as a member of the Bristol-Plymouth Regional Vocational Technical School District, and/or take any action relative thereto.

Submitted by the Board of Selectmen and the Vocational Exploratory Search Committee

Requires Majority Vote

Recommended by Finance Committee & Board of Selectmen

Explanation of Article: This vote will allow the Town of Freetown to become a member of the Bristol Plymouth Regional Vocational Technical School District in Taunton MA allowing Freetown students in grades nine through twelve to have this school as a vocational option to Apponequet High School.

Article : 13 Funding for Union Contract for Police Association

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund and implement the first- and second-year cost items contained in a Collective Bargaining Agreement between the Town of Freetown and Freetown Police Association covering the period of July 1, 2021 – June 30, 2024, and/or take any action relative thereto.

Submitted by the Board of Selectmen

Requires a Majority Vote

Finance Committee & Board of Selectmen take no action until amounts are provided

Explanation of Article: To fully fund the 1st year costs of the negotiated collective bargaining agreement for the Police Association for July 1, 2021 – June 30, 2024.

Article : 14 Purchase of 2 South Main Street

To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, and/or eminent domain, certain property located at 2 South Main Street, being Assessor's Map 211-175-0, and described in a deed recorded with the Bristol (Fall River) Registry of Deeds in Book 3224, Page 321, said property to be under the care, custody, management and control of the Board of Selectmen for general municipal purposes, and to raise and appropriate, borrow, or transfer from available funds, a sum of One Hundred Fifty One Thousand Dollars (\$151,000) for the purpose of funding said acquisition and costs incidental or related thereto, and further to authorize the Board of Selectmen to enter into such agreements and execute such instruments as may be necessary to effectuate the purposes of this article; and/or take any action relative thereto.

Submitted by the Board of Selectmen
Requires Two-Thirds Vote

Finance Committee does not recommend. Recommended by Board of Selectmen

Explanation of Article: to see if the Town will approve the purchase of the property located at 2 South Main Street, Assonet, MA. This property abuts 4 South Main Street which the Town currently owns. Purchasing this additional property may provide an area where a septic system could be installed for the adjacent property at 4 South Main Street making this property useable. Currently, 4 South Main Street does not have any land available for a septic system or parking.

Article: 15 Purchase of Ballistic Shields

To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of Twelve Thousand Dollars (\$12,000.00) for the purchase of two ballistic shields, and/or take any action relative to thereto.

Submitted by Chief of Police
Requires a Majority Vote

Recommended by Finance Committee & Board of Selectmen

Explanation of Article: This article will fund the purchase of two bullet resistant shields.

Article: 16 Active Shooter Training for Police Officers & Firefighters

To see if the Town will vote to raise and appropriate, and/or transfer from available funds the sum of Eighteen Thousand Four Hundred Five Dollars (\$18,405.00) for the costs associated with active shooter training of police officers and firefighters, and/or take any action relative thereto.

Submitted by the Police Chief
Requires a Majority Vote

Recommended by the Finance Committee & Board of Selectmen

Explanation of Article: This article will fund active shooter training for Freetown police officers and firefighters.

Article: 17 Lease of Santander Bank for Town Hall Annex

To see if the Town will vote to authorize the Board of Selectmen to enter into a lease or leases with ELFADY, LLC. to lease all or a portion of the building located at 59-65 South Main Street, formerly known as Santander Bank, to be utilized as an annex to the Town Hall, such leasing to be undertaken in accordance with the provisions of G.L. c. 30B, sec. 16 upon such terms and conditions as the Board of Selectmen determine to be in the best interest of the Town; and to authorize the Board of Selectmen to enter into such agreements and execute such instruments as may be necessary to effectuate the purposes of this article; and further to raise and appropriate or transfer from available funds in the amount of Thirty Six Thousand Dollars (\$36,000) for such lease or leases; and/or take any action relative thereto.

Submitted by the Board of Selectmen
Requires a Two-Thirds Vote
Finance Committee Takes No Action until amounts are provided
Recommended by Board of Selectmen

Explanation of Article: To lease the property on S. Main Street for three (3) year term for Thirty Six Thousand Dollars (\$36,000) per year, formerly Santander Bank to utilize as a Town Hall Annex to better accommodate outward facing services for residents.

Article: 18 Petition: Revising Article 11.3 (D)(b) of the Freetown Town By-Laws

To see if the Town will vote to Amend Article 11.3(D)(b) of the Freetown General and Zoning By-Laws, by striking 11.2(D)(b) in its entirety. The article would be amended as follows:

D. Lot Sizes – Existing Lots: Nothing in these By-Laws shall prohibit the construction of a single-family dwelling on existing lots smaller than 70,000 square feet and 175 feet of frontage or on existing lots containing wetland areas providing:

(a) The lot was legally created lot shown on a plan of land approved by the Planning Board and duly recorded with Registry of Deeds prior to any increases in minimum area and frontage approved by town vote.

~~(b) The lot was not held in common ownership with any adjoining land of the same owner.~~

(b) Construction of dwelling on such undersize lots must conform to current State and Local Health Regulations applicable to the type of structure proposed.

(c) Existing Lots containing wetlands shall be subject to review of the Freetown Conservation Commission and its rulings and conditions, if any.

Submitted by Petition
Requires Two-Thirds Vote
Finance Committee does not recommend
Board of Selectmen & Planning Board take no position on this article

Article: 19 Petition: Revising Article 11 of the Freetown Town By-Laws

To see if the Town will vote to Amend Article 11 of the Freetown General and Zoning By-Laws, to create or establish the Assonet Bay Shores Overlay District Consisting of the lots numbered 84 through 90, 106 through 168, 171 through 182, 185 through 203, 208, and 227 through 271 on a plan consisting of five sheets and entitled “Plan of Assonet Bay Shores, Freetown, Mass., Parkway Acres, Inc. Prop” prepared by Benjamin Richmond Evans, dated February 1960, approved by the Planning Board February 1, 1960; and recorded at the Bristol County Registry of Deeds, Fall River District, on March 3, 1960, at Plan Book 33, Page 3. All roadways appearing on said plan, to the extent that they are bordered on by qualifying lots, shall be considered a part of the Assonet Bay Shores Overlay District as well. The purpose of said Overlay District is to make allowances for changes in state and local laws that have limited the

development of the Bryant's Neck peninsula so as to allow limited, controlled growth that could provide new opportunities for housing in the district.

1. All lots in the Assonet Bay Shores Overlay District Shall have a minimum of 175 feet of frontage and 70,000 feet of area; provided that any lot in the Assonet Bay Shores Overlay District as it appears on the Freetown Assessors' Maps as of October 1, 2018, which exceeds 100 feet of frontage and 10,000 square feet of area and which is the result of two or more constituent lots on the aforementioned 1960 plan being combined by operation of law rather than by intent of the owner may be re-divided according to the following provisions:

- a. General Intent of By-Law: The only undersized lots that would be eligible for the exception to the requirements of Article 11.3 and 11.3(D)(b) of the Town of Freetown Zoning By-laws are pre-existing, non-conforming, vacant lots or lots that have detached non-dwelling structures upon them prior to the enhancement of this exception. This exception would allow for the development of such lots so long as they conform to current State and Local Health regulations applicable to the type of structure proposed.
- b. Intent of the Owner defined: For the purposes of this by-law, "intent of the owner" shall be defined as an intentional act of a person or persons holding title to land within the Assonet Bay Shores Overlay District. Examples of an intentional act shall include, but not be limited to:
 - i. Filing with the Registry of Deeds a plan showing any two or more lots or portions thereof being combined in whole or in part to form one or more lots each exceeding either 100 feet of frontage of 10,000 square feet of area, or both.
 - ii. Filing with the Registry of Deeds a deed describing any two or more lots or portions thereof as a single parcel of land. When determining the applicability of this standard, the Planning Board, Zoning Enforcement Officer, and any other relevant officer(s) of the Town shall read all deeds using a strict interpretation of language, erring on the side of the intent being to combine the lots or portions thereof. However, said Officer(s) shall take into consideration whether the Lots in question have been assessed by the Town as separate and distinct Lots for the purpose of real estate taxes.
 - iii. The construction of any dwelling, or of any permanently-affixed (i.e., on a foundation/slab) attached accessory structure with an area exceeding 100 square feet, such that the footprint of the dwelling or accessory structure is not wholly situated on a single lot as shown on the aforementioned 1960 plan (i.e., a dwelling building so that a portion is on each of lots 39 and 40, or an attached garage built so that a portion is on each of lots 122 and 123).

- iv. The installation of a subsurface sewage disposal system (septic system) on one lot for the purpose of serving a dwelling or permanently affixed (i.e., on a foundation/slab) structure on another lot. (Example: A septic system on Lot 83 serving a dwelling on Lot 84). Also, the installation of a well on one lot for the service of another lot when neither lot is serviced by a municipal water system.
 - c. Resulting Lots Must Conform to Plan: Any lot resulting from a division as permitted in 3.a above shall conform to a lot as shown on the aforementioned 1960 plan. For example, if the lot appearing as Lot 95 of Freetown Assessors' Map 102 on October 1, 2018 were to be divided, the resulting lots must conform to the boundaries of lots 95, 96, and 97 as appearing on the 1960 plan and not create new boundary lines.
 - d. Density of Resulting Lots: Under no circumstances shall a lot resulting from the division of a larger lot as allowed in section 3.a above have a frontage of less than 100 feet or an area of less than 10,000 square feet, regardless of whether such lot appeared on the aforementioned 1960 plan with less than 100 feet of frontage or less than 10,000 square feet in area.
- 2. Use of Premises Limited: No lot or lots which become newly developable as a result of this by-law shall be used except for residential purposes and no building shall be erected, altered, placed, or permitted to remain on any lot or lots other than one detached single-family dwelling and a private garage for no more than two cars. No signs for advertising purposes of any business shall be erected or maintained on any lot or lots.
 - 3. Size of Home Limited: The dwellings permitted under section 4 shall consist of no more than three bedrooms and to a maximum of net living area of 2000 square feet. No such dwelling shall be eligible for a special permit for an accessory apartment.
 - 4. Style and Construction of Home Limited: Dwellings constructed in accordance with this section shall further be limited a maximum height of two stories. All buildings constructed of wood shall be painted, stained, or shingled. Only new and durable building materials shall be used in the construction of the outside of all buildings. Foundations shall be of masonry, concrete or other such material permitted by current building codes. When cinderblock construction is employed other than in the foundation, the outside thereof shall be sealed with stucco or equivalent material. No asphalt shingles or asphalt material shall be used for siding of any building. No structure of a temporary character, trailer, Quonset hut, tent, shack, garage, barn, or other outbuilding shall be used at any time as a residence.
 - 5. Severability. The invalidity of any section or provision of this by-law shall not affect the validity of any other provision thereof.

Said Overlay District would be designated as Section 11.18l, if available; or next available Section. And/or take any action relative thereto.

Submitted by Petition
Requires a Two-Thirds Vote
Finance Committee does not recommend
Board of Selectmen take no position
Recommended by Planning Board

Article: 20 **Unpaid bills from Fiscal Year 2020**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Fifty Dollars and Forty Cents (\$50.40) to pay unpaid bills to W. B. Mason Co, Inc. from Fiscal Year 2020, and or take any action thereto.

Submitted by the Town Administrator
Requires a 9/10^{ths} Vote
Recommended by Finance Committee & the Board of Selectmen

Explanation of Article: Vendor brought to Town Administration's office attention that two invoices from FY20 were inadvertently not paid in the amount of Fifty Dollars and Forty Cents (\$50.40). This article will allow payment of these invoices.

Article: 21 **Unpaid bills from Fiscal Year 2022**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$One Hundred Thirty Seven Dollars and Twenty Eight Cents (\$137.28) to pay unpaid bills to Crystal Rock Water, from Fiscal Year 2022 for the Transfer Station, and or take any action thereto.

Submitted by the Town Administrator
Requires a 9/10^{ths} Vote
Recommended by Finance Committee & the Board of Selectmen

Explanation of Article: Vendor brought to Transfer Station's attention that invoices from FY22 were inadvertently not paid in the amount of One Hundred Thirty Seven Dollars and Twenty Eight Cents (\$137.28). This article will allow payment of these invoices.


And you are hereby directed to serve this Warrant by posting attested copies thereof at the following places: the Assonet Post Office, the East Freetown Post Office, Junior's Convenience Store in Assonet, the Freetown Town Hall, Freetown Communications Center, and Freetown Fire-Rescue Station #3. 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 22nd day of September, Anno Domini, Two Thousand Twenty-Two.

The Town of Freetown Board of Selectmen


Trevor R. Matthews


Jared C. Zager


Carlos A. Lopes