

Board of Selectmen
Regular Meeting Minutes
April 12, 2021

Call to order 7:00 p.m. via Zoom Meeting

Present: Chair Keyes, Selectman Arcudi, Town Administrator Schindler

Chair Keyes convened the meeting at 7:00PM. Chair Keyes lead the pledge of allegiance.

Consent Items

Approval of February 22, 2021 Regular Minutes

Selectman Arcudi made a motion to approve the February 22, 2021 Regular Minutes. Chair Keyes seconded the motion.

Arcudi – Aye, Keyes – Aye

Appointments and Resignations: None

Public Hearing – Cancelled

Town Administrator Schindler stated that due to some permitting/inspection delays the public hearing for the Hopedale Pizza Market has been postponed and will be rescheduled to a later date once the permitting/inspections have been obtained. Chair Keyes expressed his excitement for future business in Hopedale and welcomed the applicants of the Hopedale Pizza Market.

7:15 PM – ABCC License Application – Hopedale Pizza Market Bar and Grill. This hearing has been cancelled. A new date will be scheduled and noticed. The Board of Selectman as the Local Licensing Authority of the Town of Hopedale: Application for a On-Premise Liquor License by NE Restaurant Group, Inc. DBA Hopedale Pizza Market Bar and Grill, Treasurer and Director, Mr. Mike Shah. Notice is hereby given under chapter 138 of the General Laws that Hopedale Pizza Market Bar and Grill, located at 1 Menfi Way, Hopedale, MA 01747 has petitioned the Hopedale Board of Selectmen for an on-premise license. A public hearing will be held on Monday, April 12, 2021 at 7:15PM via Zoom. Chair Keyes, Selectman Arcudi, Hopedale Local Licensing Board/Selectmen

Vote to Open Public Hearing

Public Comment

Vote to Close Public Hearing

Board Decision and Roll Call Vote

New Business

FY22 Board of Selectmen Meeting Schedule (Vote)

Selectman Arcudi stated that in previous years the Board of Selectmen held one meeting in the months of July and August. Chair Keyes and Selectman Arcudi agreed to meet on July 12, 2021 and August 9, 2021. An extra meeting during the months of July and August can be added if necessary.

Selectman Arcudi made a motion to accept the FY22 Board of Selectmen Meeting Schedule, excluding the 26th of July and 23rd of August Meetings. Chair Keyes seconded the motion.

Arcudi – Aye, Keyes – Aye

PATH (Plant A Tree in Hopedale) Program – Per MGL c 44, s 53A, Vote to Create Gift Account

Town Administrator Schindler stated that Carole Mullen, COA Director, has proposed this program. The Tree Warden has expressed the necessity of trees being planted in Town. This is a gift fund where citizens can donate either trees or money towards the trees. Carole Mullen stated that this is a time-honored tradition to plant trees in honor of a loved one. There is also a need in Hopedale to plant new trees due to some trees being damaged/rotting and need to be removed. The trees would be planted in residential areas and sidewalk trees. Also, any trees replaced in the park or near the Little Red Shop. Chair Keyes and Selectman Arcudi feel that this is an excellent program and are excited to get the PATH program started. Tree Warden, Becca Solomon stated that she is very supportive of this program.

Open Meeting Law Guidance – Posting Revised Agendas

Town Administrator, Diana Schindler stated that the Town Clerk, Lisa Pedroli reached out to Town Counsel for guidance regarding this item and received guidance today. The Town Administrator Schindler and the Town Clerk will be reviewing the guidance. This item will be put on the next agenda to revisit with more clarification. Town Administrator Schindler notified the Board that there will be trainings provided by Town Counsel, regarding open meeting law, public records, and conflict of interest. She stated that once a date has been set for these trainings, she will notify the Boards, Committees and Departments. Selectman Arcudi stated that if there are revisions to be made to an agenda and individuals are added to the agenda, the individuals should be notified. If the individual is not able to make the meeting, then the agenda item where the individual is discussed should be moved to the next scheduled meeting. Selectman Arcudi stated that he wants to be as transparent as possible regarding meetings and items being discussed. Selectman Arcudi asked Town Administrator Schindler to make adding approved Board of Selectmen meeting minutes to the Town website a priority.

Initiate Zoning Bylaw Amendment per Chapter 40A, Sec 5 regarding Marijuana Cultivation (Vote) Present: Attorney Riley, KP Law and Steve Chaplin, Hopedale Planning Board

Attorney Riley stated that he received a call from a member of MACA. Attorney Riley stated that the use of marijuana cultivation business was not permitted where the property is. The issue is in 2018, a petition warrant article was made that retail cannabis was allowed but only in certain districts, adding commercial districts to this article was later added. The commercial table of uses does not include anything related to retail marijuana. All forms of commercial use not specifically mentioned above which would allow the Planning Board some discretion to approve something regarding anything that is not specifically listed is stated at “No” in the light industry district. Attorney Riley stated that the Town will have to amend the table of uses, which takes town meeting approval and Attorney General approval. Chair Keyes stated that his guidance would be to make that industrial area as “all encompassing” in the table of uses language. Attorney Riley stated that a requirement for this is that the Planning Board needs to hold a public hearing and make a recommendation prior to town meeting. Steve Chaplin stated that he strongly recommends that the bylaw be drafted by Town Counsel. Steve Chaplin asked that town counsel include a definition for cultivation when amending this bylaw. The town has a definition for retail and marijuana establishment but not cultivation. Chair Keyes and Selectman Arcudi thanked Steve Chaplin and Attorney Riley for working diligently on this item.

Old Business

Green Communities Designation Approval and Grant Award (See Attached Letters)

Town Administrator Schindler stated that for the past year the Town has been working on an energy reduction plan. Last year at town meeting, the town passed the energy stretch code. This along with some other policies that have been implemented have made the town eligible to become a green community. This past week the town was notified that it has been designated as a green community. There will be a formal announcement from the state notifying the town of this. From the designation grant, the town has been allocated \$135,000 and has projects on the energy reduction plan that will be funded through the grant. On a future agenda, the board will be provided with the implementation application regarding these projects. The energy reduction plan can be made public, this will provide the residents information on the projects, costs and cost savings. Short term projects include weatherization of the junior/senior school and memorial school and LED lighting conversion. Long term projects include other buildings that need to be addressed. Chair Keyes and Selectman Arcudi thanked all of those involved in this project.

Review Draft Letter to Hopedale Foundation regarding Land Acquisition as Requested

Town Administrator Schindler stated the meeting of the Hopedale Foundation is on April 29, 2021. Schindler informed the board the foundation wants to know what the parameters are of the sale; she will provide them with a copy of the settlement agreement and inform them that the town is now acquiring 64 acres the sum of (plus or minus) \$587,500 depending on the final acreage. The railroad has agreed to donate 25 acres of sensitive land (wetlands) at the annual town meeting. Selectman Arcudi and Chair Keyes thanked the Hopedale Foundation for their support and generosity they have provided thus far.

Selectman Arcudi made a motion to send a letter to Hopedale Foundation regarding Land Acquisition as Requested including any edits that may be made. Chair Keyes seconded the motion.

Arcudi – Aye, Keyes – Aye

Postponed until May 10, 2021: Request to Accept Gift from Virginia A. Larkin and Richard D. Larkin (a 30-foot-wide paved access road into the Hopedale Parklands from the present end of the pavement on Overdale Parkway. Refer to Special Town Meeting, June 24, 1985, Article 7); *Ricardo Lima, Resident; Attorney Tom McLaughlin & Attorney Stephan Rodolakis (representing requesting parties); Katherine Klein, KP Law, Town Counsel*

Town Administrator Schindler confirmed that the title search is the main item that the board and attorneys are waiting to receive. This item is postponed until May 10, 2021. Chair Keyes stated that the public will be made aware of any information that they are able to share regarding this topic at their next meeting.

Public and Board Member Comments (votes will not be taken)

Correspondence and Selectmen Informational Items (votes will not be taken)

A resident inquired about if part of the agreement is to repair the dam. Currently, there is not a price allocated to the repair of the dam due to the permitting not being completed. Schindler stated that this item might be able to be paid via grant funding in the future. It is unknown what fiscal year this item will be funded by.

Requests for Future Agenda Items:

Selectman Arcudi asked to use the Selectmen meetings to update the residents regarding the Finance Committee's progress regarding budget items for the upcoming fiscal year and town meeting.

Chair Keyes asked Administrator Schindler to have Building Commissioner, Tim Aicardi to join the next Board of Selectmen meeting to introduce himself and to update the Board and residents regarding going-ons in the town.

Town Administrator Schindler requested a review the draft warrant and budget

Administrator Updates (In Packet)

Selectman Arcudi made a motion to move to Executive Session, pursuant to M.G.L. c.30A, § 21(a) for item # (3): To discuss strategy with respect to litigation that an open meeting may have a detrimental effect on the litigation position of the public body and the chair so declares. Roll Call Vote

Purpose: Notice of Docket Entry 2021-J-0111, Reilly, et als v. Town of Hopedale, et als, Attorney Brian Riley Present. Chair Keyes seconded the motion.

Roll Call Arcudi – Aye, Roll Call Keyes – Aye

Executive Session

Motion: To move into Executive Session, pursuant to M.G.L. c.30A, § 21(a) for item # (3): To discuss strategy with respect to litigation that an open meeting may have a detrimental effect on the litigation position of the public body and the chair so declares. Roll Call Vote

Purpose: Notice of Docket Entry 2021-J-0111, Reilly, et als v. Town of Hopedale, et als, Attorney Brian Riley Present

Chair Keyes dissolved the meeting at 8:15PM

Submitted by:

Lindsay Mercier

Lindsay Mercier, Executive Assistant

Adopted: _____