

**Board of Selectmen
Regular Meeting Minutes
August 9, 2021, 7:00 pm**

Present: Chair Keyes, Selectman Arcudi, Selectman Hazard, Town Administrator Schindler

Chair Keyes convened the meeting at 7:03PM. Chair Keyes began the meeting with the Pledge of Allegiance.

Chair Keyes read the executive session meeting purpose. Selectman Hazard moved to enter into executive session per the terms that Chair Keyes read. Selectman Arcudi seconded the motion. Hazard – Aye, Arcudi – Aye, Keyes – Aye

7:05pm Executive Session:

To move into Executive Session, pursuant to M.G.L. c30A, §21(a), Item #2: To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel; Purpose: Finance Director/Treasurer-Collector Contract; Stephanie L'Etalien present.

The Board of Selectmen returned to the meeting.

Selectman Arcudi made a motion to move New Business item D. 1. to discussion. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Contract Terms & Conditions per M.G.L. c. 41, §108N1/2 for Finance Director-Treasurer/Collector (Vote).

Chair Keyes stated there was a positive outcome with Treasurer/Collector Stephanie L'Etalien's contract. This will be a three-year contract. Chair Keyes stated that Stephanie is a great value to the Town and thanked her for her years of service. Selectman Arcudi and Selectman Hazard echoed Chair Keyes sentiments. Town Administrator Schindler stated that the Town will make the contract public now that the executive session has commenced.

Selectman Arcudi moved to ratify the contract for Stephanie L'Etalien regarding the Finance Director position effective immediately. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

7:20pm Presentation of Final Agreement with Conditions 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

Schindler stated that the Board has voted already to accept this gift of the road, the agreement presented is the detailed terms of the agreement. Attorney Klein stated that Blackbrook realty Corp., and Mr. Lima have already signed the agreement. The terms of the agreement are in accordance with the warrant article from 1985, stating the Town agrees to accept the gift from Mr. Lima and Blackbrook Realty Corp., because they are now the owners of the property. The Town is not obligated to maintain the road until it is accepted as a public way. This agreement provides that the property owners will upgrade the road to Town specifications unless they receive waivers from those specifications from the Planning Board. It provides for the creation of 4 or 5 parking spaces for the Town at the end of Overdale Parkway. It limits the number of lots that can be created along this road to 6 along Blackbrook Realty Corps. Side and 4 on Mr. Lima's side. Regarding Blackbrook's subdivision, pending Planning Board response, it provides that the land outside of the subdivision will be deeded to the Town outright or a conservation restriction will be put upon the property as well as the property in the town of Mendon, MA which will be available for public access. Chair Keyes stated that all parties need to sign the document that the Town Clerk has. Chair Keyes thanked the hard work that was put into this conclusion by all parties.

7:45pm Green River Cannabis Amended HCA, 5 Condon Way, Unit E; Constant Poholek, Owner
Chair Keyes noted that the address for Green River Cannabis has changed from recent discussions with Mr. Poholek, Town Administrator Schindler stated that this is the only change to the HCA for Green River Cannabis. Poholek stated that the previous address, 54 Mellen St, was denied by the ZBA for reasons regarding neighborhood traffic, access, and other items, Poholek stated that 54 Mellen St was zoned for Cannabis. Poholek stated that the decision was appealed, and they are still in land court. Poholek stated that 5 Condon Way, Unit E feels that this area would be appropriate for Green River Cannabis by spreading out the cannabis stores located in the Town of Hopedale, stating that each store is at least 1 mile apart. Poholek stated that the retail store would be operated as a limited appointment/online order type facility. He stated that he is waiting on the ZBA approval for this address. Poholek received a response from the Cannabis Control Commission regarding the proximity of the federal building, the Cannabis Control Commission stated that it is up to the Town's discretion. Selectman Arcudi stated that if the address change gets approved tonight for 5 Condon Way, Poholek would need to dismiss the land court case because he cannot have two addresses simultaneously. Chair Keyes stated that the HCA for 54 Mellen St will be terminated if the Board of Selectmen vote to approve the address change to 5 Condon Way.

Selectman Arcudi moved to accept the address change for Green River Cannabis from 54 Mellen Street to 5 Condon Way, Unit E, with the stipulation that once the Board of Selectmen approve this address change, Green River Cannabis will dismiss their court case with the land court. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Consent Items: Approval of April 20, 2021 Regular Minutes, Approval of May 10, 2021 Regular Minutes, Approval of May 13, 2021 Regular Minutes, Approval of June 14, 2021 Regular Minutes, Approval of July 12, 2021 Regular Minutes

Selectman Arcudi stated the regular minutes cannot be approved collectively due to Selectwoman Hazard not being a Board member at that time. Selectwoman Hazard was not a board member during the April 20, 2021, May 10, 2021 and July 12, 2021 meetings.

Selectman Arcudi moved to approve the April 20, 2021, May 10, 2021 and July 12, 2021 regular meeting minutes. Chair Keyes seconded the motion.

Arcudi – Aye, Keyes – Aye

Selectman Arcudi inquired about the \$10,000 donations and extending the monies for Beyond Full. Town Administrator Schindler stated that vote took place in the May 24, 2021 regular meeting. Also, in a previous the motion to extend the monies took place in the May 24, 2021 meeting. Town Administrator stated that the title change from Board of Selectmen to Select Board is waiting approval by the AG's Office.

Chair Keyes stated that the Board will table the May 13, 2021 and June 14, 2021 regular minutes and will revisit on a future agenda.

Appointments and Resignations

Appointment of Gavin Martin as a Call Firefighter Candidate, effective August 1, 2021

Appointment of Casey Sweet as a Call Firefighter Candidate, effective August 1, 2021

Chair Keyes read the letter of recommendation by Fire Chief Daige regarding Gavin Martin and Casey Sweet. Casey Sweet thanked the Board of Selectman and Chief Daige for this opportunity and is looking forward to serving the community.

Selectwoman Hazard moved to appoint Gavin Martin as a Call Firefighter Candidate, effective August 1, 2021. Selectman Arcudi seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

Selectman Arcudi moved to appoint Casey Sweet as a Call Firefighter Candidate, effective August 1, 2021. Selectwoman Hazard seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

Appointment of Kelley O'Malley to the Master Plan Steering Committee, effective August 9, 2021

Chair Keyes thanked Kelley for her interest in the Master Plan Steering Committee and serving her community. Kelley shared her interest and experience regarding this appointment.

Selectman Arcudi moved to appoint Kelley O'Malley to the Master Plan Steering Committee, effective August 9, 2021. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Accept Resignation of Tapley Jackson as a Call Fire Candidate from the Hopedale Fire Department, effective immediately

Chair Keyes read the resignation letter provided by Chief Daige and Tapley Jackson resignation letter. Chair Keyes thanked Jackson for his service with the Town of Hopedale and hopes that one day he will be able to return.

Selectwoman Hazard moved to accept the resignation of Call Fire Candidate, Tapley Jackson.

Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Accept Resignation of Suzan Ciaramicoli, Accounting Assistant, effective August 5, 2021

Accept Resignation of Suzan Ciaramicoli from the Master Planning Steering Committee, effective August 3, 2021

Chair Keyes thanked Sue for her dedication and time to the Town of Hopedale, Keyes stated that Sue has been an integral part of the Town for many years. Selectman Arcudi and Selectwoman Hazard echoed his sentiments.

Selectman Arcudi moved to accept the resignation of Suzan Ciaramicoli, accounting assistant effective August 5, 2021 and accept the resignation of Suzan Ciaramicoli from the Master Plan Steering Committee effective August 3, 2021. Selectwoman Hazard seconded the motion.
Arcudi – Aye, Hazard – Aye, Keyes – Aye

New Business

Recognize Suzan Ciaramicoli as the Girl Scout USA - Volunteer of Excellence

Chair Keyes read the letter provided by the Girl Scout USA recognizing Suzan Ciaramicoli. The Board congratulated Sue for her achievements.

11th Annual Larry Olsen 10K - October 23rd. Race staff/volunteers would arrive around 7am. Registration would open at the Bath House at 8:30am. Race would kick off at 10am and awards would begin at 11:30am on the field next to the Bandstand (next to finish).
Town Administrator Schindler stated that this was approved by the Parks commission in a previous meeting.

Selectman Arcudi moved to approve the 11th Annual Larry Olsen 10K. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Consider Contract Amendment #1 between Town and Eric Kinsherf, CPA for Expanded Accounting Services for FY22 (Vote)

Town Administrator Schindler stated that this is the contract for the accounts payable that Sue Ciaramicoli was previously maintaining. The Town will go through Eric Kinsherf firm to do the AP needs for the Town for this fiscal year and then revisit for the next fiscal year. This is a one-year contract with the option to renew for an additional year. There is a neutral effect for this contract increase due to Sue Ciaramicoli's resignation.

Selectwoman Hazard moved to amend the contract between the Town and Eric Kinsherf, CPA for Expanded Accounting Services for FY22. Selectman Arcudi seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

Notice of Award for Electronic Permitting Project

Town Administrator Schindler stated that the Town was approved for a grant of \$46,000 for electronic permitting and has gone out to bid. The departments the Town is focusing on are Building, Fire Department, Board of Health and the Selectboard. Schindler stated that she would like to award the bid to Full Circle Technologies because they met the qualifications proposal and was the lowest price. This is a negotiable price because there are several layers of modules. There is not a contract as of yet, the Town administrator will need to negotiate then bring the contract to the Board at a future meeting.

Old Business

BSC Group - Amendment to Professional Services Agreement to provide Right-of-Way Assistance and Railroad Crossing Coordination

Town Administrator Schindler stated this is an amendment to the MassWorks project regarding Mendon St and Hopedale St. The design needed to be updated to include the railroad crossing, a signal gate will be added. Some additional right of way work was added as well. There are 17 temporary licensing agreements and 13 permitting easements. Schindler stated this was vetted and approved at a Road Commissioner's meeting. There is an \$18,000 additional cost however, this money is within the MassWorks grant.

Selectman Arcudi moved to amend the BSC Group Amendment to Professional Services Agreement to provide Right-of-Way Assistance and Railroad Crossing Coordination. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Draft Policy for Board of Selectmen Consideration on Remote Participation at all Board, Committee and Commission meetings until April 1, 2022

Chair Keyes stated that Board and Committee meetings need to be made available to the public. These meetings need in person availability, zoom availability or to be televised. Meetings must take place in locations available to the public. Chair Keyes stated that all boards need to be transparent to the constituents. Chair Keyes stated that a policy needs to be drafted and a mandate will be held over the boards. Chair Keyes asked the Town Administrator to speak with the Town Clerk to craft a policy and to monitor the Boards and Committees to this policy. Town Administrator Schindler stated that she is working with Jeff from Hopedale Cable to upgrade the Draper Room to have hybrid meeting capabilities (in person, zoom and televised).

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

Selectwoman Hazard congratulated High Hopes on their opening on Friday, stating that the facility was very beautiful and secure. Chair Keyes echoed Selectwoman Hazard's sentiments.

Correspondence and Informational Items (votes will not be taken)

Appointment of Library Director effective 8/9/2021. Town Administrator Schindler stated that unfortunately, an agreement with the candidate was not able to come to fruition. The Library Trustees are looking for an interim candidate and would like to request a possible joint meeting to raise the salary for the Library Director position.

Mass DOT Highway Division Project 612098: Upton-Hopedale-Grafton- Resurfacing and Related Work on Route 140, Project Eligibility Notification. Town Administrator Schindler stated that a project has become eligible with DOT for funding. Schindler spoke with Senator Brian Murray regarding working with neighboring communities to get this project moved forward. This scope of this project is resurfacing and paving.

Public Records Request from Liz Reilly. Chair Keyes was notified by Town Counsel asking for emails or correspondence with Michael Milanowski, GU RR. Chair Keyes stated the records request is due August 16, 2021 and the town will provide the records request.

Ten Citizen Lawsuit, Hearing Date September 9, 2021, 2PM. Chair Keyes stated that as of now, the Board is not aware if this is a zoom or in person meeting.

Requests for Future Agenda Items: Joint Meeting with Water/Sewer (proposed for Thursday, 8/19); Joint Meeting with Board of Health (TBD); Joint Meeting with Council on Aging (proposed for Monday, 9/13). Joint meeting with BOH to discuss the E.L. Harvey contract the Finance Committee should be present for this meeting.

Town Administrator Schindler stated that the Finance Committee is meeting to finalize the capital expense report. Schindler recommended opening the town meeting warrant on September 13, 2021. Town Meeting is expected to take place in the month of October 2021. Town Administrator Schindler stated the library roof repairs is wrapping up. The MassWorks project is on schedule and moving forward. The Open Space & Recreation Planning committee had their kickoff meeting in July 2021.

Chair Keyes read the text below pertaining to executive session.

Selectwoman Hazard moved for the board to enter executive session per the purpose Chair Keyes read.

Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Executive Session: To move into Executive Session, pursuant to M.G.L. c.30A, § 21(a), Item #3: To discuss strategy with respect to collective bargaining or litigation that an open meeting may have a detrimental effect on the litigation position of the public body and the chair so declares, which he does.

Purpose: Clerical, Public Works, Dispatch, Call Firefighters Units.

Chair Keyes dissolved the meeting at 9:21pm

Submitted by:

Lindsay Mercier

Lindsay Mercier, Executive Assistant

Adopted: _____