Select Board

Regular Meeting Minutes

June 6, 2022

Present: Chair Hazard, Selectman Keyes, Selectman Stock, Town Administrator Diana Schindler

Call to order 6:30 p.m.

**Appointments & Resignations**

Selectman Stock motioned to accept letter of resignation received from principal assessor Ann Williams.

Chair Hazard – Aye, Selectman Keyes – Aye, Selectman Stock – Aye

**New Business**

Order of Taking for Mendon Street Intersection Project passed over until the next meeting.

**FY23 Community Project Funding; Feasibility Study to Dredge Hopedale Pond and Daylight the Mill River for Community Resilience and Water Quality Improvements**

* The total project cost is $1 million however the town would need to match $250k and they would provide $750k.
* Selectman Keyes would like to verify the total of $1 million as he had gotten word from the senator it was $1.5 million. Selectman Keyes also stated Senator Fattman would try to secure an additional 400k of funding. Town Administrator Schindler will verify the total.
* The project itself affects flood storage capacity and they would like to test the water from other sources. Becca Solomon stated the water is considered Army Corp and Federal jurisdiction and the Mill River also flows into the ocean which peaks the concern of all stakeholders.
* Len Guertin asked if the Mill Owner is open to sharing the cost. Town Administrator Schindler responded the estimate is not set in stone and that could be a possibility. The request is for ARPA money to be put aside as required to receive the earmark.

Selectman Stock moved for the Project Request for $250,000 (ARPA) Matching Funds for Feasibility Study to Dredge Hopedale Pond and Daylight the Mill River for Community Resilience and Water Quality Improvements. Selectman Keyes seconded the motion.

Chair Hazard – Aye, Selectman Keyes – Aye, Selectman Stock – Aye

**Old Business**

Selectman Keyes moved to issue Local Liquor License for Hopedale Pizza Market with updated hours as requested. Selectman Stock seconded the motion.

Chair Hazard – Aye, Selectman Keyes – Aye, Selectman Stock – Aye

**Introduction/Engagement of Anderson & Kreiger, LLP as Special Counsel**

Background of the Firm: The firm does more work with government agencies then anyone in the state. Dave Mackey spent 10 years in an office in Goodwin and then served as a Federal Prosecutor for 8 years at the General Attorney’s office and then for 13 years as General Counsel. He joined Anderson Kreiger in 2013; The firm’s specialty is litigation.

Attorney Sean Grammel was a public defender for foster care; he joined the firm last fall. Attorney Mina Makarious is from Uxbridge and has been a partner in the firm for 3-4 years. Mina Makarious brings experience in Superior Court, land use experience and has a broad malpractice background.

**Questions for the Firm:**

* Q: Chair Hazard asked how long it will take to assess the situation.

A: Within the week, they would be able to have a conversation.

* Q: Selectman Keyes asked if they have experience litigating a railroad.

A: They have litigated on behalf of the commuter rail. People who purchased commuter rail passes during a time when the train was not running on time. The train won the class action lawsuit and was found not liable.

* Q: Selectman Keyes also asked when the firm did have an initial conversation with Attorney Lurie

A: Yes, After the initial discussion the firm had with Chair Hazard.

* Q: Selectman Keyes asked if the firm could tell them why they think they would be successful in this case

A: It would not be appropriate to discuss in a public meeting

* Q: Selectman Keyes asked if the firm had done business with the Mr. Shwachman, owner of the former Draper Mill site

A: No.

* Q: Selectman Keyes asked if the town would need to be responsible for the legal fees of a potential negative outcome for the town
* A: The town will be liable for the firms’ expenses and that cannot be negotiated based on who is paying.

Chair Hazard motioned to engage in Anderson & Kreiger, LLP as Special Counsel. Selectman Keyes seconded the motion.

Chair Hazard – Aye, Selectman Keyes – Nay, Selectman Stock – Aye. Passed 2-1.

Community responses

* Michael Milanoski said if you are expecting to hear the pros and cons in the executive session then he does not feel that is appropriate and it should be done in the public eye.
* Rob Fahey: Asked Attorney Peter Durning in a previous meeting if he had railroad experience and he responded no. Mr. Fahey also said he feels it is inappropriate that Michael Milanoski can tell the Counsel what they can and can’t do.

**Address Acceptance of Donations for Legal Expenses**

Selectman Keyes does not think that donations should be anonymous. Selectman Keyes thinks it could cause conflict of interest issues. Selectman Stock and Chair Hazard disagree and think the donations should be allowed to be anonymous.

Selectman Hazard motioned to set up an account and to also respect the confidentiality of donors who wish to remain anonymous and refrain from outing them in public.

Chair Hazard – Aye, Selectman Keyes – Aye, Selectman Stock – Aye

**FY22 End of Year Transfers**

Passed over until future meeting.

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

Board comments: Selectman Keyes wanted to celebrate those who participated in D-Day and wanted to congratulate those who graduated this weekend. Selectman Keyes also is discontented with the removal of the pledge of allegiance. Selectman Stock wanted to thank Tommy Beder and Ryan White for their work for Memorial Day and highlighted the importance of this holiday. Brief discussion ensued regarding leaving the Pledge off the agenda. Chair Hazard stated that she omitted the pledge of allegiance as they are a local government instead of federal, and because no one else is in the room for most meetings. Chair Hazard does not want to force people to pledge, although she does love her country.

Mobile Relief: Kelly Hepburn is representing a client based in Milford called Mobile Relief. They are a social equity candidate interested in an HCA for marijuana delivery in Hopedale. She is requesting permission to host a virtual community outreach meeting. The location of the wholesale warehouse for the service is 4 Rosendale Drive. This social equity license is available for the first three years of the rollout of this industry. Chair Hazard advised Ms. Hepburn to be added to a future agenda, and that the Town was undertaking a wholistic approach to HCA’s going forward.

Hopedale For Change wants to use rainbow chalk to color in the crosswalks in anticipation of Pride Month for the upcoming walk. Chair Hazard ran this by Highway who had no issues as long as it was done safely.

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

* 1. A/P Warrant #22-25, $532,152.59, 6/1/2022
  2. P/R Warrant #22-25, $909,585.69, 6/1/2022
  3. Invitation to Town Administrator, Select Board and Disabilities Commission to visit the Seven Hills ASPiRE! program site in Hopedale for Open House. The Open House to be held on Wednesday, June 15th from 5-7 PM at 7 Charlesview Road in Hopedale – Town Administrator Schindler and Board member Stock to attend.

**Requests for Future Agenda Items – Next Regular Meeting is June 27**

* Annual Board/Committee/Commission Reappointments (June 27)
* Review and Prioritize ARPA Requests
* Review Capital Requests in Preparation for Fall Special Town Meeting
* Len Guertin would like to add the Pledge of Allegiance to the future agenda which Chair Hazard agreed
* Mobile Relief Proposal
* Choosing an evaluation tool for evaluating Town Administrator
* Planning board to look at zoning changes for marijuana businesses, as well as number of retailers
* Where we stand on the financial position

**Administrator Updates:** <https://www.hopedale-ma.gov/sites/g/files/vyhlif711/f/uploads/activities-projects_ta_updated_april_25_2022.pdf>

Member Stock moved to adjourn the meeting. Member Keyes seconded the motion.

Chair Hazard – Aye, Selectman Keyes – Aye, Selectman Stock – Aye

Chairwoman Hazard dissolved the meeting at 9:19 PM.

Submitted by:

Sara Refundini, Temporary Executive Assistant

Adopted: 8/1/22