

Select Board
Regular Meeting Minutes
September 26, 2022, 6:30PM

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

Chair Hazard called the meeting to order at 6:30PM

Consent Items

Accept Meeting Minutes for August 3, 2022

Selectman Stock motioned to accept the meeting minutes from August 3, 2022; seconded by Selectman Keyes.

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

Approve Early Voting Hours presented by Town Clerk

Chair Hazard stated the early voting hours would take place in the Town Hall Draper Room from Saturday October 22, 2022 through November 4, 2022. The hours will be as follows:

Saturday, October 22: 9AM-1PM

Monday, October 24 through Thursday, October 27: 9AM-3PM

Friday, October 28: 9AM-12PM

Saturday, October 29: 9AM-1PM

Monday, October 31, through Thursday, November 3: 9AM-3PM

Friday, November 4: 9AM-12PM

Selectman Stock motioned to approve the early voting hours presented by the Town Clerk. Selectman Keyes seconded the motion.

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

Benefit for Toys for Tots, Sponsored by the US Marines; Saturday, November 26th, 2022, 10:00 am to 1:00 pm; Roadside Collection for Spare Change, Mendon Street and Hopedale Street intersection and the Cumberland Farms Store.

Chair Hazard noted that there is a letter from the organizer, Tom Beder, in the meeting packet.

Selectman Stock motioned to approve the Benefit for Toys for Tots, Sponsored by the US Marines; Saturday, November 26th, 2022, 10:00 am to 1:00 pm; Roadside Collection for Spare Change, intersection of Mendon Street and Hopedale Street and the Cumberland Farms Store. Selectman Keyes seconded the motion.

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

Appointments & Resignations

Accept Resignation of Reserve Police Officer Russell Poissant, effective 9/12/22

Selectman Stock motioned to accept the resignation of Reserve Police Officer Russell Poissant, effective September 12, 2022. Selectman Keyes seconded the motion.

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

New Business

Review and Approve Town's Hazardous Mitigation Plan Update for Submittal to FEMA, Danielle Marini, Principal Planner, Central MA Regional Planning Commission

Marini outlined the plan highlights for the Select Board and residents and thanked those who worked on the plan. Marini stated that the purpose of a hazard mitigation plan is to understand the risks from natural hazards and to develop long-term strategies to reduce the impacts of such events on people, property, and the environment. Hazard mitigation is best accomplished by developing a comprehensive, long-term plan before a disaster strikes. Marini stated that communities with up-to-date hazard mitigation plans become eligible to apply for FEMA funding. Marini listed the hazards that the Core Team identified, as follows:

- Flooding: average annual rain is 49 inches – areas of concern Greene St, Rockridge Rd, Adin St, Cemetery St, Hoped St, Centennial St, Fitzgerald Dr, Cutler St, Mellen St, Airport and Industrial Park, Dana Park and the Downtown Area.
- Culverts (undersized/poor condition): areas of concern Cook St, Dutcher St, Mendon St, Route 16
- Bridges: areas of concern Freedom St, Mill St, Mellen St
- Severe Snowstorms, Ice Storms & Nor'easters: average annual snow is 45 inches – areas of concern for icing Greene St, Rockridge Rd, Adin St, Cemetery St, Hope St. Areas of concern for snow drift Fitzgerald Dr, Hope St, Freedom St. Major concerns with snowstorms are ice, downed trees, and loss of access. There have been 66 high impact snowstorms in the Northeast Urban Corridor since 1956.
- Hurricanes: within the last century, 77 hurricanes have occurred within 100 nautical miles of Hopedale. During the 2011 hurricane, neighborhoods in Hopedale were without power for 3-4 days. This past year, Mill St was without power for several days due to damage from a storm. Areas of concern are related to vulnerable trees – Adin St, Dutcher St, Freedom St.
- Severe Thunderstorms, Wind & Tornadoes: this is a Town-wide issue with vulnerable street trees, specific areas of concern are Adin St, Dutcher St, Freedom St. There have been 4 occurrences in the region since 1953. The tornado index is as follows: Hopedale – 102.92, Massachusetts – 87.60, United States – 136.45.
- Dam Failure: There are 4 dams in Hopedale, 1 is Town owned and 3 are privately owned. 3 dams have been identified as a significant hazard (Hopedale Pond Dam, Mill Pond Dam and Spindleville Pond Dam), this means that if the dams were to fail there would be significant damage to people and property downstream of the dam. There are concerns about dams outside of and upstream of Hopedale (Hopkinton, Milford, etc). It was agreed that there should be collaboration with the other Towns.

- Extreme Temperatures (Extreme Heat):
- Drought: Worcester County has reported droughts in varying severity every year for the past decade. Hopedale's public water supply is a ground well water system – no reservoirs – so rainfall is not stored. It is predicted that the number of consecutive dry days will increase in the summer and fall months, increasing concern for wildfires and brushfires.
- Wildfires, Brushfires: areas of concern – areas outside of the public water supply zone, the parklands (overgrowth and leaf litter), forest lands (about 64% of Hopedale), and shrub/grassland (over 16% of Hopedale).
- Earthquakes: Earthquake index is as follows: Hopedale - .029, Massachusetts – 0.70, United States – 1.81. Areas of concern – older buildings constructed prior to the first edition of the Massachusetts State Building Code (1979), this is roughly 67% of Hopedale's housing units.

Marini continued the presentation by providing the meeting participants with a list of critical infrastructure and vulnerable populations, created by the core team. The first category is emergency response facilities. The core team identified these facilities as the Police Station/Emergency Operations Center, Fire Station, Communication Facilities, Highway Department, Emergency Shelters, and primary and secondary evacuation routes. The second category is non-emergency response facilities including the water supply (roughly 90% of the Town), Sewer, Town Hall, Utilities (National Grid, Gas Pipelines, Railways). The third category is dams. The last category is facilities/populations to protect, such as special need's population, elderly housing/assisted living, public buildings/public meeting areas, schools/daycares, historic buildings/sites, large employers. Marini noted that about 17% of Hopedale's population is 65 years of age or older, 16% identify as disabled, for 5% their primary language is not English, and 5% are at the poverty level; these groups are at greater risk in the event of natural disaster due to lack of resources.

Marini shared the mitigation strategy, including:

- address current stormwater drainage issues
- address roadway erosion and maintenance issues
- ensure adequate availability of water for fire suppression
- maintain readiness and response capabilities of Hopedale's emergency services
- protect water quality

The Town now needs to submit the first draft of the plan to MEMA/FEMA; they may suggest revisions. There will be a second presentation to the Select Board in late November/early December of 2022 at which time it is expected that the Board will approve the plan and the Town can begin implementation.

Selectman Stock motioned to approve the Town of Hopedale's Hazard Mitigation Plan for submittal to FEMA as been prepared by the Central Massachusetts Regional Planning Commission. Selectman Keyes seconded the motion.

Stock – Aye, Keyes – Aye, Hazard – Aye

Council on Aging Activities & Programs, Carole Mullen, Council on Aging Director

- 51st Birthday Celebration Oct. 1, 2022
- Veterans Day Ceremony Nov. 10, 2022
- Nurse Outreach Pilot Program pending rollout.

Carole Mullen, COA Director introduced the COA Board members in attendance. Mullen highlighted some of the services the Council on Aging provides to the Town of Hopedale including fuel assistance, food pantry, medical/errand transportation, senior services and more, noting that during the height of the COVID-19 pandemic (March 2020 – May 2021), COA outreach services increased by 50%. Mullen recognized the 40+ volunteers that assist the Council on Aging. Mullen informed the Board of upcoming events for the COA, such as the 51st birthday celebration, the Veteran's Day ceremony and the Nurse Outreach Pilot Program. Mullen stated that the COA is in the process of creating a door-to-door wellness program.

Formal Introduction; Bancroft Memorial Library Activities & Programs, Tricia Perry, Library Director

Perry noted that the Library just completed their summer reading program; participation increased from 55 participants last year to 130 participants this year. The Library has been developing initiatives to best engage the student population.

Fire/EMS Updates, Tom Daige, Chief, Fire/EMS

- Budget Review
- Ambulance Receipts
- Additional Staffing Needed
- Civil Service Discussion
- Civil Service Selective Form

Chief Daige provided the Select Board with the Civil Service Selective Certification Form which the Select Board needs to sign so the Chief can request an EMT list of available candidates. The Chief noted that the Fire Department and Emergency Services are incredibly short staffed, there are 4 members working 96 hours to provide services to the Town which he characterized as a huge liability issue. Daige noted that, as he has previously brought to the Board's attention, the Town needs to address this personnel issue. The Fire Department has filed a SAFER grant with FEMA; if successful the department would be able to hire additional firefighters, giving the department 3 members per shift, somewhat alleviating overtime work. Town Administrator Schindler and Board members discussed using ARPA funding for the understaffing issue. Daige cited another obstacle the Fire Department is facing – the Civil Service hiring process – and suggested that the Town should pursue removing the Fire Department from Civil Service. This would require Town Meeting and Legislative action.

Old Business

Request to Finance Committee for Town Planner Position and Transfer of Reserve Funds

Chair Hazard noted that Town Administrator Schindler, Planning Board Chair Steve Chaplin, and herself met with the person that was suggested by Selectman Stock. They discussed what the

position would be responsible for, what the benefit of a Town Planner would be for the Town of Hopedale and what the Town would like to see from a Town Planner. Chair Hazard submitted a draft job description to the Administrator to be reviewed by the Select Board. Administrator Schindler stated that currently there is no funding for a Town Planner; she suggested having a Special Town Meeting to vote on the funding. Schindler stated that beginning the hiring process ahead of the Special Town Meeting would be beneficial. Chair Hazard feels that it would not be beneficial to hire someone as an Interim Town Planning only shortly to replace them with the full-time candidate; Selectman Stock feels that it would be better to fill the position with an Interim rather than have no one and that having someone working 25 hours a week would be incredibly helpful to the Town. The Select Board agreed to advertise the Town Planner position once the Planning Board has reviewed the job description that Chair Hazard has composed.

Road Commissioners Request for Clarification of Opinion re Overdale Parkway Subdivision

Town Administrator Schindler stated that the Town received this opinion this morning. Schindler stated that there is nothing to vote on regarding this item.

Review and Sign Host Community Agreement from Lifted Genetics; Tier I Cultivation for Recreational Use at 5 Condon Way

Town Administrator Schindler introduced Nicole Costanzo of KP Law; Attorney Costanzo will be reviewing and making recommendations regarding Host Community Agreements submitted to the Town. Attorney Costanzo stated that this HCA has expired, therefore a new HCA needs to be negotiated. She suggested that the Town require that applicants cover the Town's legal costs associated with review of HCAs, and that payment be required in advance. Administrator Schindler was tasked with how best to administer this process. Attorney Costanzo noted that there have been changes to the marijuana legislation going into effect in November 2022 and these changes will impact how the Town negotiates these agreements.

The Select Board instructed Attorney Costanzo to speak with counsel for the applicant to determine if they would prefer one HCA for both facilities or separate HCAs for each.

Selectman Keyes motioned to temporarily pass over this agenda item, seconded by Selectman Stock.

Stock – Aye, Keyes – Aye, Hazard – Aye

Discuss GU RR Driveway Opening at Mendon/Hopedale Street Intersection; Remainder of Intersection Project & Next Steps

Town Administrator Schindler noted that the project has been put on hold while the driveway opening issue is settled. Unfortunately, it appears that the plan that GU RR submitted to DPU is an earlier plan that does not include the driveway opening; Schindler stated that the Town needs to advise DPU of this problem as the plan does not reflect actual conditions.

Schindler stated that she was informed that the bases for the signal gates have already been installed and, according to the engineer, the distance between the signaling gates and the rail is more than generally allowed. Selectman Stock stated that he is opposed to the driveway because 18-wheelers would block traffic. Chair Hazard stated that there is a handicap-accessible cross walk near the driveway. Town Administrator Schindler noted that the driveway is on property owned by the Railroad; the issue is where the driveway meets the road, further noting that the sidewalk is the Town's. Schindler expressed concern that the DPU appears to be "rubber stamping" this project and has not been particularly helpful to the Town, so the Town needs to help themselves. Selectman Keyes stated that if the original premise was that they would get a 12' curb cut then that is what they should get. Schindler stated that what she ascertained from the meeting with the Railroad, they want to have the option to have 18-wheeler access.

Selectman Stock motioned to approve the 12' driveway curb cut for the GU RR. Selectman Keyes seconded the motion.

Stock – Aye, Keyes – Aye, Hazard – Aye

Correspondence and Select Board Informational Items (votes will not be taken)

- Council on Aging 51st Birthday Celebration, October 1, 10 am-3 pm
- Flu Shot Clinics, Oct 13 and Oct 27, 4-6 pm, Hopedale High School
- Veterans Day Ceremony Nov. 10, 2022
- Note from Mary A. Phillips re Phillips Field
- A/P Warrant #23-06, \$464,689.49, 9/22/2022
- P/R Warrant #23-06, \$1,002,362.75, 9/22/2022
- Rosenfeld Concrete Corp v. Town of Hopedale, Complaint and Prayer for Declaratory Judgment, M.G.L. c240, §14A*
- Correspondence from DPW Union re Wage Reopener*
- FOIA Request from GU RR*

Requests for Future Agenda Items

- ARPA Priorities, carried over from 9/12/22, tentative 10/11
- Open Special Town Meeting Warrant, Review First Draft, 10/11/22*
- Review Master Planning Materials, Draft Chapters, Land Use, Housing, Economic Development, Historic/Cultural Resources, & Draft Open Space Plan, 10/24/22*
- OPEB Presentation with Parker Elmore, TBD*
- Police Department Accreditation, Chief Giovanella, TBD

Executive Session:

Motion: To enter into Executive session, pursuant to G.L. c.30A, §21(a)(3), for the purpose of discussing strategy with respect to litigation regarding the action entitled Rosenfeld Concrete Corp. v. Town of Hopedale, which concerns the property at 75 Plain Street. The Chair has determined that a discussion of this matter in an open session will have a detrimental effect on the litigating position of the Town. Attorney Jonathan Silverstein present.

Chair Hazard read the executive session purpose above.

Selectman Stock motioned to enter into executive session per the purpose read by Chair Hazard, not to return to open session; seconded by Selectman Keyes.

Stock – Aye, Keyes – Aye, Hazard – Aye

Chair Hazard dissolved the regular meeting at 9:58PM.

Submitted by:
Lindsay Peterman

Board Adopted: May 8, 2023