

BOARD OF SELECTMEN
Hopedale Town Hall-Draper Room
July 15, 2019
Regular Minutes

Present: Selectman Brian Keyes, Selectman Louis Arcudi, Selectman Thomas Wesley
Also, present, Town Administrator Steven Sette, Executive Assistant Susan Brouwer and Videographer Jeff Ellis.

Meeting called to order at 7:00 p.m. by Selectman Keyes. The Pledge of Allegiance was recited by those present.

Consent Items

1. Regular Minutes of June 3, 2019
MSDV to approve the regular minutes of June 3, 2019
Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye
2. Regular Minutes of June 17, 2019
MSDV to approve the regular minutes of June 17, 2019
Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye
3. Approval of warrants 19-50, 19-50P and 19-52 as signed by Selectmen Keyes and Arcudi
MSDV approved warrants 19-50, 19-50P and 19-52 as signed by Selectmen Keyes and Arcudi
Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye
4. Approval of warrants 19-51 and 19-51P as signed by Selectmen Keyes and Wesley
MSDV approved warrants 19-51 and 19-51P as signed by Selectmen Keyes and Wesley
Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye
5. Approval of warrants 19-53 and 19-53P as signed by Town Administrator Sette and Town Clerk Pedroli
MSDV approved warrants 19-53 and 19-53P as signed by Town Administrator Sette and Town Clerk Pedroli
Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye
6. Approval of warrants 20-01 and 20-01P as signed by Town Administrator Sette and Town Clerk Pedroli
MSDV approved warrants 20-01 and 20-01P as signed by Town Administrator Sette and Town Clerk Pedroli
Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

Public Hearings

1. 7:05 p.m. Notice is hereby given in accordance with the provisions of Chapter 140, Section 58 et al, Patriots Custom Auto, Inc. owner Josimar Dos Santos, 8 Elm Street, Marlborough, has applied for a Class II Dealer License located at 1B Airport Drive, Hopedale, MA

It being 7:05 p.m. Chair Keyes asked for a motion to open the public hearing on the matter of Josimar Dos Santos, Patriots Custom Auto, Inc. application for a Class II Dealer License located at 1B Airport Drive, Hopedale, MA

MSDV to open the public hearing

RCV - Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

The Board asked for Mr. Dos Santos to come forward to present his plan for buying and selling used cars at the above location. Mr. Dos Santos advised that he plans to have no more than 5 used cars for sale inside the building at any one time. Sales will be by appointment only. Mr. Dos Santos will have repair work performed off site.

Selectman Arcudi read the restrictions of the ZBA “the applicant may have no more than (5) cars for sale. All cars for sale must remain within the building, no repairs may be performed on site”.

Selectman Arcudi recommended setting the hours of operation as follows; Monday through Friday 9 am to 6 pm, Saturdays by appointment and no Sundays advising that if Mr. Dos Santos wanted to change his hours, he could come back to the board. Mr. Dos Santos agreed to the hours of operation.

The Board welcomed Mr. Dos Santos to Town and wishes him much success.

Mr. Keyes asked for a motion to close the public hearing
MSDV to close the public hearing

RCV - Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

MSDV to approve the request of Mr. Dos Santos, Patriots Custom Auto, Inc. at 1B Airport Drive. Mr. Dos Santos may buy and sell used cars only inside the building and with no more than (5) used cars for sale at any one time. There is to be no repair work done on site and no unregistered cars for sale outside the building. Hours of operation will be Monday through Friday 9 am to 6 pm, Saturdays by appointment and no Sundays
RCV- Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi – Aye

2. *7:15 p.m. Notice is hereby given in accordance with the provisions of Chapter 140, Section 2, Richard Yancey dba Beyond Full, 15 Reagan Road, Milford, MA 01757, has applied for a Common Victualler License located at 76 Hopedale Street, Hopedale, MA. The applicant wishes to conduct a restaurant breakfast café at said location*

It being 7:15 p.m. Chairman Keyes asked for a motion to open the public hearing on the matter of Richard Yancey dba Beyond Full application for a Common Victualler License to sell food at 76 Hopedale Street.

MSDV to open the public hearing

RCV - Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

Mr. Yancey explained his plan for the former diner located in Town Hall. He is looking to serve breakfast, lunch and possibly dinner. Mr. Yancey stated that he hired a chef who has experience working in Boston diners. He would like to make good food at fair prices. Selectman Arcudi suggested the hours of operation be set as Monday – Sunday between the hours of 6 a.m. to 4 p.m. If Mr. Yancey wishes to increase the hours of operation, he may come before the board to request. Mr. Yancey agreed to hours of operation.

Administrator Sette noted that the Business Certificate states the business is for breakfast place. This should be updated with the Town Clerk’s office to reflect the business as serving breakfast and lunch. Mr. Yancey stated he would make the change with the Town Clerk’s office.

The Board thanked Mr. Yancey for coming and wishes him well in his business.

Mr. Keyes asked for a motion to close the public hearing
MSDV to close the public hearing

RCV - Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

MSDV to approve Richard Yancey dba Beyond Full to run a breakfast and lunch diner at 76 Hopedale Street with inside and outside seating. The hours are set as Monday – Sunday between the hours of 6 a.m. to 4 p.m. If the applicant wishes to change the hours must come before the Board of Selectmen.

Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

Appointments and Resignations

1. Appointment of Daniel Soares as an On-Call Wiring Inspector term to June 30, 2020
MSDV to pass over this appointment until the next meeting as another Talent Bank Form was received and sent to the Building Department for review.

Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi – Aye

2. Reappointment of Nick Alexander to the Zoning Board of Appeals effective July 16, 2019 term to expire June 30, 2022

MSDV to approve the appointment of Nick Alexander to the Zoning Board of Appeals effective July 16, 2019 term to expire June 30, 2022

Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

3. Reappointment of Joseph Drugan to Recreation Field Ad Hoc Committee term to expire June 30, 2020

MSDV reappoint Joseph Drugan to Recreation Field Ad Hoc Committee term to expire June 30, 2020

Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

4. Reappointment of James Abbruzzese to Recreation Field Ad Hoc Committee term to expire June 30, 2020

MSDV reappoint James Abbruzzese to Recreation Field Ad Hoc Committee term to expire June 30, 2020

Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

5. Reappointment of Sheila Embree to the Personnel Committee term to expire June 30, 2020

MSDV reappoint Sheila Embree to the Personnel Committee term to expire June 30, 2020

Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

6. Appointment of Sandra Biagetti to the Planning Board to fill unexpired term until May 12, 2020 Annual Town Election

7. Appointment of Attorney Stephen Chaplin to the Planning Board to fill unexpired term until May 12, 2020

Administrator Sette recommended passing over the above appointment as it is a joint appointment of both the Board of Selectmen and Planning Board and the Planning Board did not post an agenda. The BOS Chair will confer with the Planning Board Chair on a new date. MSDV to pass over the Planning Board appointment and move to a date to be determined by the Board of Selectmen Chair and Planning Board Chair

Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

New Business

1. Presentation by David Griffiths Lifted Genetics, regarding possible marijuana cultivation facility

Mr. Griffiths and his partners Chris Vining and Grant Pickering presented their plan to locate marijuana cultivation facility at Condon Way. The firm is working on getting their state license. As part of the process Lifted Genetics will hold a public meeting to allow residents an opportunity to provide feedback. The Board of Selectmen thanked them for coming in and looks forward to working with them on this project.

2. Presentation by Caroline Frankel Caroline's Cannabis in Uxbridge, regarding possible recreational marijuana shop

Caroline Frankel and her husband Steven came forward to present their plan for opening up a recreational marijuana facility at 9 Menfi Way. Caroline is a graduate of both Johnson & Whales University School of Business and the Northeastern Institute of Cannabis. In March 2019, Ms. Frankel opened Caroline's Cannabis in Uxbridge, MA. Caroline purchases her products for consumption rather than grow her own products. Ms. Frankel is looking to enter into a Host Agreement with the Town of Hopedale that is similar to the one in Uxbridge.

Ms. Frankel advised that she sent a Host Agreement to Administrator Sette for review. Mr. Sette advised the agreement is under review by Town Counsel. Once the agreement is negotiated, Administrator Sette will bring it before the Board for a vote and signature.

3. Michael Milanoski President of Grafton Upton Railroad discussion with Board of Selectmen regarding proposed transloading yard at 364 West Street Hopedale

GURR President Michael Milanoski provided the Board with a handout on the proposed plan stating the railroad has tried to purchase a 155-acre property at 364 West Street, but the owner is unwilling to sell the property to GURR. Mr. Milanoski reviewed the handout with the Board of Selectmen, advising the railroad wants to use the land for a new transloading yard and additional tracks for storage, switching and maintenance. There will be additional tracks added and buildings along the site. Mr. Milanoski advised that the Department of Public Utilities will hold a hearing from 7-9 p.m. Wednesday at Hopedale Junior-Senior High School on the subject.

4. Vote to authorize language for August 28, 2019 Override Referendum Ballot Question MSDV to authorize language for August 28, 2019 Override Referendum Ballot Question as recommended by Town Counsel

Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

5. Request from Town Accountant to approve year end transfers for various accounts

MSDV to approve year end transfers as presented from Town Accountant

Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

6. Request from Hopedale Youth Baseball 2020 Cooperstown Team to use the H.S. parking lot on Saturday, July 13, 2019

MSDV to approve request from Hopedale Youth Baseball 2020 Cooperstown Team to use the H.S. parking lot on Saturday, July 13, 2019

Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

7. Vote to approve Solar Pilot Agreement for a project at 373 West Street, Owner Kevin Lobisser

MSDV to approve Solar Pilot Agreement for a project at 373 West Street, Owner Kevin Lobisser

Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye

Old Business

None

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

Audience members requested copies of the Grafton Upton Railroad public hearing notice for Wednesday night.

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

1. Notice from Department of Public Utilities dated May 29, 2019 regarding GURR Notice on a transloading yard at 364 West Street
2. Hopedale Fire Department 4th Quarter period ending 06/30/2019
3. Notice from Xfinity dated June 24, 2019 regarding TiVo Customers accessing Xfinity on demand app
4. Notice from CMMPO dated June 25, 2019 CMMPO regarding June 20, 2019 meeting held in Blackstone
5. Letter from KP Law dated 06/27/2019 regarding FY2020 reappointment
6. Letter from Department of Environmental Protection dated July 2, 2019 regarding Hopedale Landfill Comprehensive Site Assessment

Requests for Future Agenda Items

1. Discussion on member makeup of the Cable Advisory Committee cable license expires April 3, 2021

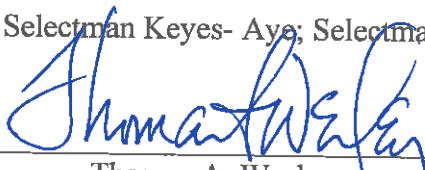
Administrator News

None

Executive Session

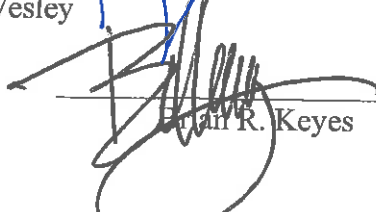
Chair: The Board of Selectmen will be entering into executive session under G.L. c.30A, §21(a)(3) to discuss strategy with respect to litigation in the matter of Philip O. Shwachman, et al. v. Town of Hopedale, et al., U.S. District Court No. 18-CV-40209 and to discuss strategy with respect to litigation Lima, et al. v. Cowen, et al., C.A. 1785CV00473 because, I as Chair, declare that discussing the matter in an open meeting may have a detrimental effect on the litigating position of the Town. The Board will not reconvene into open session.

RCV Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi - Aye



Thomas A. Wesley

Louis J. Arcudi, III



Brian R. Keyes

Hopedale Board of Selectmen

*MSDV – Moved, Seconded, Discussed and Voted

**RCV- Roll Call Vote