

**BOARD OF SELECTMEN  
Hopedale Town Hall-Draper Room  
November 25, 2019  
Regular Minutes**

Present: Selectman Brian Keyes, Selectman Thomas Wesley, Selectman Louis Arcudi  
Also, present, Interim Town Administrator Robert Reed, 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.

Selectman Arcudi requested to move item C8 forward. A motion was made by Selectman Arcudi, seconded by Selectman Wesley and made unanimous by Selectman Keyes to move item C8 appointment of Paul Moffi as a Call Firefighter.

**A. Consent Items**

**1. Approval of September 23, 2019 regular minutes**

Motion made by Selectman Wesley seconded by Selectman Arcudi to approve the regular minutes of September 23, 2019

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

**2. Approval of September 23, 2019 executive minutes**

Motion made by Selectman Wesley seconded by Selectman Arcudi to approve the executive minutes of September 23, 2019

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

**3. Approval of October 15, 2019 regular minutes**

Motion made by Selectman Wesley seconded by Selectman Arcudi to approve the regular minutes of October 15, 2019

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

**4. Approval of October 15, 2019 executive minutes**

Motion made by Selectman Wesley seconded by Selectman Arcudi to approve the executive minutes of October 15, 20

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

**5. Approval of October 28, 2019 regular minutes**

Motion made by Selectman Wesley seconded by Selectman Arcudi to approve the regular minutes of October 28, 2019

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

**6. Approval of October 28, 2019 executive minutes**

Motion made by Selectman Wesley seconded by Selectman Arcudi to approve the executive minutes October 28, 2019

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

**7. Approval of October 31, 2019 executive minutes**

Motion made by Selectman Wesley seconded by Selectman Arcudi to pass over the executive minutes of October 31, 2019

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

8. Approval of Warrants 20-17 and 20-17P as authorized by Selectman Keyes  
Motion made by Selectman Wesley seconded by Selectman Arcudi to approve warrants 20-17 and 20-17P as authorized by Selectman Keyes  
Selectman Keyes- Aye; Selectman Arcudi– Aye; Selectman Wesley – Aye

9. Approval of Warrant 20-18 as authorized by Selectmen Arcudi and Wesley  
Motion made by Selectman Wesley seconded by Selectman Arcudi to approve warrant 20-18 as authorized by Selectmen Arcudi and Wesley  
Selectman Keyes- Aye; Selectman Arcudi– Aye; Selectman Wesley – Aye

10. Approval of Warrants 20-19 and 20-19P as authorized by Selectmen Keyes and Wesley  
Motion made by Selectman Wesley seconded by Selectman Arcudi to approve warrants 20-19 and 20-19P as authorized by Selectmen Keyes and Wesley  
Selectman Keyes- Aye; Selectman Arcudi– Aye; Selectman Wesley – Aye

**B. 7:05 p.m. Public Hearing**

**Tax Classification Hearing with Board of Assessors**

Chairman Keyes noted it being 7:05 p.m. the Board of Selectmen will be holding a Tax Classification Hearing and read the following public hearing notice.

“The Hopedale Board of Selectmen will hold a public hearing at 7:05 PM on Monday, November 25, 2019 in the Draper Room/Selectmen’s Meeting Room at the Hopedale Town Hall, 78 Hopedale Street, Hopedale MA. The purpose is to receive comments on the classification of taxable real property in the Town of Hopedale and to determine the percentage of the tax levy for Fiscal Year 2020 that each class shall bear by a multiple tax rate or by a single tax rate. Interested taxpayers are encouraged to provide written or oral comments prior to or during the hearing.”

Motion made by Selectman Wesley, seconded by Selectman Arcudi to open the Tax Classification Hearing  
Selectman Keyes- Aye; Selectman Arcudi– Aye; Selectman Wesley – Aye

Principal Assessor Teri Gonsalves began by stating the Board of Assessors recommends the Board not vote to support residential tax exemptions or small commercial exemptions as the Town of Hopedale has not had these in the past. Selectman Arcudi asked Ms. Gonsalves to explain these exemptions. Ms. Gonsalves read the explanation on residential exemption advising that these types of exemptions are used more in resort areas where there are people with summer homes and that giving these types of exemptions places a burden on the rest of the residential taxpayers. Ms. Gonsalves said that commercial exemptions do not make sense because they shift the tax burden to larger commercial property owners and the Town does not have many of these types of properties.

Ms. Gonsalves presented the Board with various scenarios for a single tax rate versus a split tax rate, noting the Board of Assessors voted at a meeting to keep a split tax rate. Keeping a 1.50 split rate, the residential property rate would be \$17.41, and the commercial rate would be \$28.13. Chair Keyes asked the audience if they had any public comment. Hearing none.

At 7:17 p.m. Chairman Keyes asked for a motion to close the public hearing. Motion was made by Selectman Wesley seconded by Selectman Arcudi.

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

The following motions were made; motion made by Selectman Wesley, seconded by Selectman Arcudi for a split tax rate of 1.50; motion made by Selectman Arcudi, seconded by Selectman Wesley not to adopt the residential or small commercial exemptions; and Motion made by Selectman Arcudi, seconded by Selectman Wesley to allow the Principal Assessor to file the required paperwork.

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

**C. Appointments and Resignations**

1. Appointment of Robert Reed as Interim Town Administrator, Municipal Hearing Officer, Chief Procurement Officer, ADA Coordinator and Clerk of the Board of Selectmen  
Motion made by Selectman Arcudi seconded by Selectmen Wesley and made unanimous by Selectman Keyes
2. Reappointment of Karla Hopkins to Finance Committee term ending June 30, 2023  
Selectman Arcudi amended the term to June 30, 2022  
Motion made by Selectman Arcudi seconded by Selectmen Wesley and made unanimous by Selectman Keyes
3. Appointment of Francis Hodgens (student representative) to the Field Ad Hoc Committee term to June 30, 2020  
Motion made by Selectman Arcudi seconded by Selectmen Wesley and made unanimous by Selectman Keyes
4. Appointment of BOS Representative for School Contract Negotiations  
Selectman Arcudi volunteered to be BOS Representative for School Contract Negotiations. A motion was made by Selectman Wesley seconded by Selectmen Arcudi and made unanimous by Selectman Keyes. Administrator Reed will notify School Superintendent to let her know of the appointment.
5. Resignation of Udel Gibler from Conservation Commission effective November 5, 2019  
Motion made by Selectman Arcudi seconded by Selectmen Wesley and made unanimous by Selectman Keyes
6. Appointment of Town Administrator Search Committee / Approval of Search Committee Charge  
Chairman Keyes thanked all who volunteered to be on the search committee. After review of the applicant pool, Selectman Keyes is recommending the following individuals to the Town Administrator Search Committee; Town Clerk Lisa Pedrol, Fire Chief Thomas Daige, School Superintendent Karen Crebase, Executive Assistant Susan Brouwer, Finance Committee Chair Samuel Hockenbury, Library Director Robyn York, Police Sergeant Ricardo Lima, School Superintendent Karen Crebase and two at large members Josh Otlin and Amy Leone.  
A motion made by Selectman Arcudi seconded by Selectmen Wesley and made unanimous by Selectman Keyes to appoint the above listed individuals to the Town Administrator Search Committee. Chairman Keyes will notify all who applied and thank them for the interest.

**7. Appointment of Paul Moffi as a Call Firefighter for the Hopedale Fire Department effective November 25, 2019**

Chief Daige gave background information on Mr. Moffi noting that he was a former Call Firefighter in Hopedale prior to him working in Milford. Mr. Moffi recently reached out to Chief Daige requesting to come back to Hopedale. Chief Daige is recommending the appointment of Paul Moffi as a Call Firefighter effective today.

Motion made by Selectman Arcudi seconded by Selectmen Wesley and made unanimous by Selectman Keyes

**D. New Business**

**1. General Municipal Purpose Loan Bonds of 2008 and 2019 and the Municipal Note for town and school equipment**

**a) First Vote:**

This vote allows the Treasurer to refund the outstanding July 2008 bonds on January 15, 2019. The old debt service will be replaced with the debt service related to this bond issue. The last sentence references the use of premium – premium is first used to pay the costs of issuance and then it is used to reduce the par amount of bonds sold to current refund the outstanding bonds. Based on the results of the sale, the net present value savings on the 2008 bonds was 9.987% or a total budgetary savings of \$73,583.06 over the remaining life of the bonds. The only remaining purpose that was outstanding from the 2008 bonds was the wastewater treatment facility.

A motion was made by Selectman Wesley seconded by Selectman Arcudi that in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund the Town's \$2,280,000 General Obligation Municipal Purpose Loan of 2008 Bonds dated July 7, 2008, maturing or subject to mandatory redemption (as applicable), on January 15 in the years 2020 through 2028 (inclusive) (collectively, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

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

**b) Second Vote:**

This vote approves the award of the bonds to Fidelity Capital Markets based on the par amounts and interest rates presented in the table. The award price of \$3,371,908.06 is a result of \$3,005,000 par amount of bonds plus \$366,908.06 of premium given to the Town. The premium was used to reduce the par amount of the bonds from the original \$3,225,000 advertised in the POS to the \$3,005,000 as presented in this vote. The remainder of the premium will be used to pay the costs of issuance.

A motion was made by Selectman Arcudi seconded by Selectman Wesley that the sale of the \$3,005,000 General Obligation Municipal Purpose Loan of 2019 Bonds of the Town dated December 11, 2019 (the "Bonds"), to Fidelity Capital Markets, a division of National Financial Services LLC, at the price of

\$3,371,908.06 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on December 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

| Year | Amount    | Rate  | Year | Amount    | Rate  |
|------|-----------|-------|------|-----------|-------|
| 2020 | \$215,000 | 5.000 | 2027 | \$270,000 | 5.000 |
| 2021 | 250,000   | 5.000 | 2028 | 270,000   | 3.000 |
| 2022 | 255,000   | 5.000 | 2029 | 190,000   | 3.000 |
| 2023 | 255,000   | 5.000 | 2030 | 150,000   | 2.000 |
| 2024 | 260,000   | 5.000 | 2031 | 120,000   | 2.000 |

|      |         |       |      |         |       |
|------|---------|-------|------|---------|-------|
| 2025 | 260,000 | S.000 | 2032 | 120,000 | 2.125 |
| 2026 | 270,000 | S.000 | 2033 | 120,000 | 2.125 |

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

**c) Third Vote:**

The third vote references the state house note that was sold the same day as the bonds. This note was awarded to TD Bank, N.A as the lowest bidder with a rate of 1.74%. This note was issued to renew purposes that were currently outstanding and were not in the plan to permanently finance. Such purposes included: voting machines, school bus leases, and other equipment.

A motion was made by Selectman Wesley seconded by Selectman Arcudi to approve the sale of a \$475,000 1.74 percent General Obligation Bond Anticipation Note of the Town being issued as a State House Note dated December 11, 2019, and payable December 11, 2020 (the "Note"), to TD Bank, N.A. at par and accrued interest, if any.

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

**d) Fourth Vote:** This is referencing the preliminary and final official statement -your borrowing prospectus. You are essentially approving the issuance of the document. The official statement was prepared by UniBank Fiscal Advisory Services, Inc (UFASI) and information related to the Town was updated by the Town officials. The document is then reviewed by Bond Counsel to make sure all language is appropriate.

A motion was made by Selectman Arcudi seconded by Selectmen that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated November 13, 2019, and a final Official Statement dated November 20, 2019 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

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

**e)** Here you are agreeing to allowing these bonds to be redeemable in the future. The redemption date is on or after December 1, 2027 for maturities in 2028-2033. This allows you to do what you did with the 2008 bonds – call them if the market allows to save costs on debt service.

A motion was made by Selectman Wesley seconded by Selectman Arcudi that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

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

**f)** This authorizes the compliance with filing continuing disclosures on an annual basis. The deadline to files these in 270 days after fiscal year end. UFASI prepares the document which is updated by the Town. UFASI then files the document on the MSRB EMMA website within that time frame. The Town's other outstanding bonds have this requirement as well so this will be nothing new for the Town. Only one document is filed and essentially "linked" to each outstanding issue.

A motion was made by Selectman Arcudi seconded by Selectman Wesley that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SBC Rule 1Sc2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holder of the Bonds from time to time.

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

**g)** This allows the Treasurer to establish procedures, if needed, to keep monitor both the funds and the project to make sure the tax-exempt status of the bonds is maintained.

A motion was made by Selectman Wesley seconded by Selectman Arcudi that we authorize and

direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

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

h) This allows you to sign/seal and execute all bond documents related to this borrowing and allows you to request any document that you deem necessary to carry out the votes taken.

A motion was made by Selectman Arcudi seconded by Selectman Wesley that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing.

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

2. Hopedale Youth Baseball - Cooperstown 2020 request to use school parking lot on December 7, 2019 for can drive from 7:30 AM to 12:30 PM

Motion made by Selectman Arcudi seconded by Selectmen Wesley and made unanimous by Selectman Keyes

3. Tracey Philips request to use the municipal parking lot behind Town Hall and the upper municipal lot in front of high school for Winter Stroll on Saturday, December 7 from 8 AM to 7 PM

Motion made by Selectman Wesley seconded by Selectmen Arcudi and made unanimous by Selectman Keyes

#### E. Old Business

##### 1. Continued Discussion on Dog Park Grant

Park Commissioner Chair Don Howes said he wanted to continue discussion on the Dog Park Grant. Mr. Howes said only 3-acres of the 20+ acre Draper Landfill would be used for the dog park. At this time, he is not ready for the Board to sign a letter of agreement but is looking for an affirmation from the Board that Ms. Dubois should continue to move forward in seeking grant funds. Chair Keyes said that he supports moving forward with the grant but wants to ensure fiscally responsibility by applying for additional grants to fund the Town's matching 10% portion of the grant. Mr. Howes agreed noting other grants are being sought as well as group fundraising. Selectmen Wesley noted that stipulation of the grant include the Town must agreeing to maintain the park for 99-years. In addition, the Park Commission reached out to Rockwell for approved usage as part of the donation agreement. Rockwell agreed that this would be an acceptable use, but there are other legal requirements to consider. Mr. Howes said he would reach out to the Town Administrator and to come back in the Spring to report on the progress.

##### 2. Discussion with Water Sewer Commissioners on Grafton Upton Railroad Eminent Domain and Intervention Status

The Board met with Water Sewer Commissioners Ed Burt, Christine Burke, James Morin and Tim Watson Water Sewer Manager. Mr. Burt explained the commissioner's areas of concern with the GURR Eminent Domain advising the commissioner's sought an expert firm who specialized in environmental issues and has a history of working with the railroad. Mr. Burt further explained there are three areas of concern: 1) the area in the back of Town Hall that is owned by the mill and the railroad. There is existing contamination that is moving and being

monitored by the DEP and Conservation Commission. 2) the fly ash silos that have been installed by the RR. 3) the eminent domain attempt by the RR to expand (aka DEP case 19-39). Both the transloading and eminent domain case pose risk to the water supply which is why the commissioners have gotten involved. Chairman Keyes noted for the record that the BOS, Water/Sewer Commissioner, Conservation Commission and Railroad met to discuss the fly ash silos. Mr. Burt commented the more they learn about the fly ash, the more the commission has concerns in relation to the wells. The commission is providing oversight to ensure the quality of the water. Mr. Burt noted that the only other Town in the Commonwealth to have these types of silos is the Town of Oxford, however, they are not near any wetland or water supply and were built under the Town's set procedures. The silos were adjusted according to the recommendations set by the Town. Mr. Burt stated this was not the case here in Hopedale, the railroad used their exemption to without any Town approvals. Chair Keyes asked for clarification as to whether the fly ash silos in Oxford are within a zone 2. Ms. Burke clarified they are not within a zone 2. Mr. Burt continued the Hopedale silos are constructed within a flood zone and within a zone 2. It is the Water/Sewer Commissions contention that the transportation exemption does not override EPA laws, but because they are already in place the W/S commissioners are trying to get some oversight to the fly ash silos. The concern is on the water quality and impact on the water supply. The second aspect is the water source happens to be coming from the same area that the railroad wants to take by eminent domain. The commissioners stated they do not want to find themselves in the same situation they are in with the silos and want to be proactive by putting the proper constraints and boundaries noting that is where an environmental specialist comes in.

The Board of Selectmen shared concerns of not wanting to be put in a situation where they authorize the W/S Commissioners to hire special counsel and have rate payers pay legal fees that may or may not be necessary. The Board also has heard, there is some public perception that the BOS is "in bed with the railroad" with comments of "collusion" and the Board's "unwillingness to act against the railroad". The Selectmen made it clear that nothing can be further from the truth. The Selectmen stated that the reason the W/S Commissioners hired their own law firm was they were not happy with KP Law's response to the Fly Ash on the exemption status. Commissioner Chairman Burt suggested going forward depending on the DPU ruling it may make sense all together to agree to use the environmental specialist and that might be a combination of rate payer and total resident expenditure. The Board of Selectmen requested the Commission meet again to continue discussion.

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

Selectmen Wesley and Keyes attended Veteran's Day Breakfast at the Community House and found it very moving.

The Board reminded the community of upcoming events including the Winter Stroll on December 7 and the Gobble Wobble Thanksgiving Day morning.

Selectman Keyes said he spent the day with the Fire Department participating as a recruit and saw firsthand the day of a fireman. There day is spent preparing and training for a real emergency. He appreciates all the hard work they do. He will be spending a day with the Police Department participating in an active shooter training. Selectman Keyes gave kudos to the school department on the STEM program.

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

1. Approval of Warrant 20-20 as authorized by Selectmen Keys, Arcudi and Wesley
2. Letter dated October 21, 2019 from Blackstone Valley Tech o FY21 budget increase due to higher enrollment

3. Letter dated October 22, 2019 from Commonwealth of Mass on Community Compact – Urban Renewal and Master Plan
4. Letter dated October 30, 2019 from NextEra Energy Disclosure Statement
5. Letter dated October 31, 2019 to Eugene Bernat, Cover Technologies from Department of Environmental Protection on Hopedale Landfill, Corrective Action Design and Request for Additional Information.
6. Letter dated October 28, 2019 from Internet Essentials from Comcast regarding expansion program for qualified low-income households
7. Email from Verizon Fios dated November 13, 2019 programming change adult content subscription
8. Letter dated November 19, 2019 from Comcast on pricing changes

Board members noted budget concerns with the increased enrollment at BVT

#### H. Requests for Future Agenda Items

1. Discussion on the make-up of Cable Advisory Ad Hoc Committee
2. Continued Discussion on changing the name of the Board from Selectmen to Selectboard

The Board continued these items to a future agenda

#### I. Administrator News

**Mass Works Grant** - The contract is ready for signature. Selectman Arcudi made a motion, seconded by Selectman Wesley and made unanimous by Selectman Keyes to sign the Mass Works Grant.

**Use of Council Form**- Administrator Reed said he is reviewing a “Request to Use Town Counsel Form” for departments to complete to help control costs. He will have this reviewed at a future meeting.

Mr. Reed had a meeting with the finance group that included the assessor, treasurer/collector and Town Accountant to get ready for next year’s budget. He has also been assisting the Library Director with the repointing project and roof project. The budget may need to be increased to cover the complete scope of work.

#### J. Executive Session

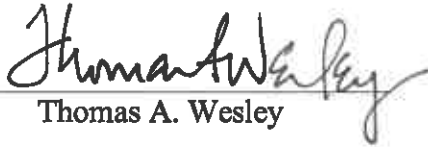
1. Police Chief Contract
2. Fire Chief Contract
3. Town Administrator Contract
4. Discussion with Water Sewer Commissioners on Grafton Upton Railroad Eminent Domain and Intervention Status

Chair Keyes asked for a motion to enter into executive session and not to reconvene in regular session, under M.G.L. c.30A, § 21(a) Reasons (2): To conduct strategy sessions in preparation for negotiations with nonunion personnel and Reason (3): to discuss strategy with respect to possible litigation, because an open meeting may have a detrimental effect on the negotiating position of the Town.

At 9:28 p.m. the Board of Selectmen adjourned their regular meeting entering into executive session.



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

