

**BOARD OF SELECTMEN
Hopedale Town Hall-Draper Room
January 27, 2020
Regular Minutes**

Present: Selectman Brian Keyes, Selectman Thomas Wesley, Selectman Louis Arcudi
Also, present; Town Administrator Robert Reed and Executive Assistant Susan Brouwer.
Videographer Jeffrey Ellis

Meeting called to order at 7:00 p.m. by Selectman Keyes. The Pledge of Allegiance was recited by those present. Selectman Wesley left the meeting and 7:55 p.m. during discussion with Real Term Energy, returning to the meeting at 8:40 p.m. during discussion with Off Lease Auto.

A. Consent Items

1. Approval of October 31, 2019 executive minutes
Motion made by Selectman Arcudi seconded by Selectman Wesley
Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi– Aye
2. Approval of December 16, 2019 executive minutes
The executive minutes of December 16, 2019 were passed over
3. Approval of January 13, 2020 regular minutes
Motion made by Selectman Wesley seconded by Selectman Keyes
Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi– Abstained
4. Approval of January 13, 2020 executive minutes
The executive minutes of January 13, 2020 were passed over
5. Approval of warrant 20-28 as signed by Selectman Arcudi
Motion made by Selectman Wesley seconded by Selectman Arcudi to approve warrant 20-28
Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi– Aye
6. Approval of warrants 20-29, 20-29P and 20-30 as signed by Selectmen Wesley and Keyes
Motion made by Selectman Arcudi seconded by Selectman Wesley to approve warrant 20-29, 20-29P and 20-30
Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi– Aye

B. Appointments and Resignations

- A. Interview Matt Dailey for appointment to the Board of Assessors term to expire June 30, 2021
Motion made by Selectman Arcudi seconded by Selectman Wesley and made unanimous by Selectman Keyes to appoint Matthew Dailey to the Board of Assessors term to expire June 30, 2021.

B. Interview Ann Williams for Principal Assessor position

Administrator Reed noted that the Board of Assessors interviewed applicants for the position of Principal Assessor, unanimously supporting Ann Williams for consideration of appointment by the Board of Selectmen. Members of the Board asked Ms. Williams about her background and experience as an assistant assessor. Following discussion, a motion made by Selectman Arcudi seconded by Selectman Wesley and made unanimous by Selectman Keyes to appoint Ms. Ann Williams as Principal Assessor, subject to a satisfactory CORI and completion of a Town employment application.

C. New Business

1. Discussion with Paul Vessel Real Term Energy on LED Streetlights

Mr. Vessel gave an in-depth presentation on the process of converting to LED streetlights. Mr. Vessel who is with RealTerm Energy, provided booklets to the Board outlining the process which would begin with a complete analysis on the current inventory. Other topics discussed were project financing through a tax-exempt lease agreement, project costs with savings beginning in year one. He reviewed RealTerm's approach in doing a GIS survey, photometric design, investment grade audit and installation. Following installation, the Town can enter into a contract to have RealTerm repair the lights and continue managing the inventory. Mr. Vessel shared Real Term Energy's experience with other municipalities. He laid out the phasing the project, advising the next steps, which included a contract, financing and upfront costs. The Board inquired as to the time it would take to start the process. Mr. Vessel noted the timeline from when the contract is signed to authorization takes approximately 90-days, the project then goes to National Grid for approval, which can take 180 days. Installation of the lights takes approximately 30-days.

Mr. Vessel thanked the Board for their time and provided a contract for Town Counsel's review. The Board will review and sign the contract at the next meeting.

2. Discussion with Nabih Azar Off Lease Auto 236 S. Main Street Class II License Renewal

Mr. Azar owner of Off Lease Auto and his brother came forward to discuss the status of their Class II license. Off Lease Auto has not completed the application process for renewal of their Class II license. Ms. Brouwer explained there are two outstanding items; they have not provided a Certificate of Good Standing from the Department of Revenue and they owe money to the Town, that will now need to be paid in cash or money order.

Ms. Brouwer reviewed the options the Board can take on the license. They can suspend the license or make the applicant begin the application process from the beginning. Both Mr. Azar and his brother said they want to comply with the Town. Mr. Azar's brother cited that his brother has been away, and he is unsure how to get the necessary paperwork. Ms. Brouwer explained their application was late last year and the form needed from the DOR is the same as last year. The only way a certificate is not issued is if they have an outstanding issue with the State.

The Board asked that the applicant clear the Town debt paid by tomorrow and get the necessary state certificate within 7-days. If they comply, the license can be issued. In addition, the Board is requiring their renewal paperwork be submitted on time next year, or they may take further action. Both men said they would comply.

3. Settlement Agreement with Mr. Shwachman

Selectman Wesley reviewed the timeline of the Urban Renewal Plan (URP) noting that in June 2017, the Board of Selectmen began the process of considering an urban renewal project along the downtown area of Hopedale. The process included creating an URP that was highlighted in 2018. There were subsequent approvals the Housing Authority, Planning Board. The idea was met with strong opposition and hundreds of paragraphs of one-sided views from the mill owner. The Board met with Mr. Shwachman in mediation in September 2019 and in October 2019 an agreement was reached. I would like to read the joint statement on the settlement agreement with Mr. Shwachman.

Philip Shwachman, owner of 77 acres of former mill buildings in downtown Hopedale, has withdrawn his lawsuit against the Town of Hopedale. Shwachman and the Town issued a joint statement regarding the settlement:

“We are glad to put this litigation behind us. The Town of Hopedale and Mr. Shwachman are committed to aligning our interests in a good faith effort to develop the former Draper properties to promote economic development in the downtown area.”

At a recent Board of Selectmen meeting, the Town announced a plan to engage the Central Massachusetts Regional Planning Authority to complete a new Master Plan to replace the most recent plan released in 2004. As a result of this year long effort, the draft Urban Renewal Plan contemplated in June 2018 is no longer relevant. Any future Urban Renewal Plan activity will be revisited pending the outcome of the coordinated CMRPC effort. The Town has agreed to include Mr. Shwachman or his representative on any citizen’s committee involved in the master planning process or any future urban renewal process concerning the downtown area of Hopedale.

In keeping with state law, the Town has agreed to provide public records previously requested by Mr. Shwachman regarding the Urban Renewal Plan, and Mr. Shwachman has agreed to dismiss his claims against the Town and various Town officials.

The only remaining defendants in the case are Grafton & Upton Railroad and certain officers and affiliates.

There were no comments from the audience or questions from the Board.

4. Agreement with CMRPC Agreement for Comprehensive Master Plan – Phase One Motion made by Selectman Wesley, seconded by Selectman Arcudi and made unanimous by Selectman Keyes to enter into an agreement with CMRPC Agreement for Comprehensive Master Plan – Phase One and to authorize Chair to sign on behalf of the Board.

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

5. Annual Town Meeting warrant- vote to open and close
Administrator Reed asked the Board to open the Annual Town meeting warrant tonight and to close it on Friday, March 6 at Noon. He explained the process noting that this will give time for Boards and Committees to submit warrant articles. This will allow the Board time to consider whether to move the warrant forward for Town Counsel review. Once Town Counsel reviews the articles, the warrant will be placed on an agenda for the Board to vote their position to include them on the Annual Town Meeting warrant.

6. Cable Advisory Committee Appointments (vote on number of appointments and committee charge)

Administrator Reed shared his thoughts on the makeup of the committee to include the Town Administrator, Town Counsel a person from Cable Access, and a resident at large. The Committee should also be given a charge. The Board agreed to place this on the next agenda for a vote. Administrator Reed will come up with a charge for the committee.

D. Old Business

None

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

Resident Karl Itse from 1 Cook Street said he is looking for some guidance from the Board of Selectmen on working with the railroad that abuts his property. He wants the railroad to buy his house if they plan to reactivate rail service over the railroad bridge that is 12 feet from the roofline of his house. He is asking if the Town can provide police records on how often the railroad bridge has been hit. He said if a railcar is on the bridge and the bridge gets hit, he is concerned the railcar could come right through his window.

The Board directed him to request records from the Police Department. They also asked Administrator Reed to follow up with Mike Milanoski on a timeline of when the railcar can get moved, as they were doing work to extend the rail line.

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

1. Hopedale Police Department Stats November 2019 and December 2019
2. Hopedale Fire Department Stats for Second Quarter of FY20
3. Bancroft Memorial Library February 2020 Newsletter

G. Requests for Future Agenda Items

None

H. Administrator News

1. Testing on the underground storage tank behind town hall showed no leakage or contamination. The company will send samples to the lab for further testing. There will be an article placed on the ATM warrant for removal of the tank.
2. The cable franchise fees need to be looked into
3. There has been some interest in the marijuana host agreement.
4. Conversation with Andrew Lowe from CMRPC who is talking with Craig Blais from Worcester Business Development. They are looking into the MVP grant which can be used in the protection against climate change. In addition, they are looking into Brownfields grants.
5. The Capital Committee has been sent forms to use for future capital planning.
6. Phase I of stormwater cost \$100,000, there is a need for the next phase that will also cost \$100,000 to \$250,000. Administrator Reed attended the Stormwater Coalition. This may be something the Town wants to look into going forward as there is a need for the Town to come up with Stormwater Bylaws. The annual fee to belong to the coalition is \$4,000.00.
7. Met with BSC on the MassWorks project. There is a need for an additional easement on the corner. The contract should be ready for the next meeting
8. Freedom Street Bridge Repairs. The engineer and KP Law need to revisit the plan. The project also needs Conservation Commission approval and a dam safety permit that is supposed to be done by Mr. Shwachman as he is the owner of the dam. There is a question as to whether Aetna can be the contractor or whether the project needs to be rebid.

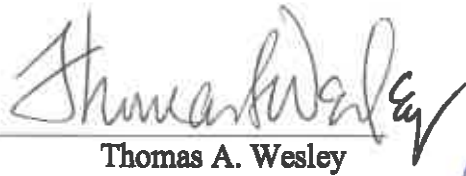
I. Executive Session

1. Permanent Firefighters Local 2225 Contract
2. Laborers International Local 272 Contract
3. Sexual Harassment Policy

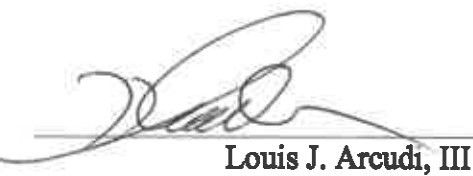
Chair Keyes: I am requesting a motion to allow this board to now enter into Executive Session and *not to reconvene* in regular session, under M.G.L. c.30A, § 21(a) Reason (2): To conduct strategy sessions in preparation for negotiations with nonunion and union personnel and s because, I as Chair, declare that discussing the matter in an open meeting may have a detrimental effect on the litigating position of the Town. Roll call vote is necessary.

A motion was made by Selectman Wesley and seconded by Selectman Arcudi
Roll Call Vote: Selectman Keyes- Aye; Selectman Wesley – Aye; Selectman Arcudi– Aye

At 9:36 p.m. the Board of Selectmen adjourned their regular meeting convening into executive session.



Thomas A. Wesley



Louis J. Arcudi, III



Brian R. Keyes