



## **TOWN OF HOPEDALE**

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### **Board of Selectmen**

Thomas A. Wesley  
Louis J. Arcudi, II  
Brian R. Keyes

### **Town Administrator**

Steven A. Sette

Board of Selectmen  
Regular Meeting Minutes  
Monday, August 21, 2017

Chairman Wesley called the meeting of the Board of Selectmen to order at 7:00 p.m. in the Draper Room at Town Hall.

### **Attendance**

Selectman Thomas Wesley, Selectman Louis Arcudi, Selectman Brian Keyes, Town Administrator Steven Sette, Executive Assistant Susan Brouwer, members of the public and Videographer Marcia Matthews were present.

Chairman Wesley began the meeting with the Pledge of Allegiance

### **A. Public Hearing 7:00 p.m. – Cumberland Farms Application for a Common Victualler License**

Chair Wesley asked for a motion to open the public hearing.

MSDV to open the public hearing.

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

Cumberland Farms representatives Attorney Tom Reidy and Regional Manager Rick Lauder presented the plan for a new Common Victualler License to serve food to patrons between the hours of 5:00 am to midnight. Selectman Arcudi shared concerns with the 11:00 p.m. and midnight hour stating that lighting and noise between this hour may adversely affect the neighborhood. Mr. Arcudi would like to see the hours set between the hours of 5:00 am and 11:00 pm. Mr. Lauder stated that employees working the 3 to 11 shift at Milford Hospital generates substantial revenue the last hour as employees not only stop for gas but also for food. Mr. Lauder continued that not allowing the last hour would greatly diminish the store's revenue.

ZBA Chairman Steve Gallagher asked to be recognized. Steve advised there some confusion regarding signage at the new Cumberland Farms site. Mr. Gallagher stated that representatives from Cumberland Farms went before the ZBA for a special permit back in October 2016. Below is an excerpt of the ZBA meeting minutes pertaining to the signage approval.

*"Mr. Tom Reidy and Mr. Phillip Henry, representative of Cumberland Farms, presented the ZBA with the plans for the signs on this redevelopment project to construct a 4,786 square foot retail convenience store with automobile filling stations. The standing sign will be set back within the guidelines of 20 feet from the lot line and the height is 15 feet. The price change of this sign will change from the smart pay member price to the nonmember price. There was a lengthy discussion on this price change portion of the sign and the maximum of 30 seconds when the sign changes. The directional signs will be the exit and entrance signs to the business. There will be 4 "Welcome" (entrance) signs and two "See you soon" (exit)*

*which will be approximately 3 feet tall and internally illuminated. The sign on the front of the building will be fixed and the letters on the sign will be illuminated. The sign will be 5 ½ feet in height, 1 ½ feet over the height requirement, which would need approval from the board. The canopy signs will be placed on both ends, outside canopies and will be 11 feet in size. The canopies are 24 feet long. There were many abutters expressing concern about the hours of operations and there was confusion as to which town board would approve.*

*After a lengthy review of all signs, the locations and the illumination of the signs, Mary Arcudi made a motion to approve the application from Cumberland Farms for a special permit from section 7.3 of the Hopedale Zoning Bylaws to allow the applicant to construct a standing sign with the price change section to change every 30 sections, as well as two additional signs on the canopies which will be internally lit and 6 directional signs, internally illuminated, as proposed at this hearing according to the plans provided. The motion grants relief from section 7.2c of 1.5 feet in height of the sign on the building and that all of the signs will not be illuminated from midnight to 5 am, and only during approved business hours if otherwise determined. Nick Alexander seconded motion and the motion passed unanimously”.*

Mr. Gallagher said he was recently informed there was a special town meeting held on November 10, 2009 to amend Zoning Bylaws pertaining to signage. The town meeting voted to approve amending this bylaw as follows;

*“Amended at the recent 11/10/09 Special Town Meeting to add the following paragraph at the end of the existing paragraph:*

*Moving rotating, pulsating and flashing signs include changeable lighted signs which permit light to be turned on or off intermittently or which are operated in a way whereby light is turned on or off intermittently, including LED (light emitting diode) or digital signs which vary in intensity or color no matter how generated. In addition, this includes signs which utilize light to form letters, figures, graphics or symbols, etc. and signs with lights which illuminate intermittently, such as, for example, a sign with blinking or moveable lights, regardless of wattage, whether directly or indirectly illuminated, including time and temperature signs. Signs that utilize screens for the display of electronically generated images or messages via either internal illumination of the screen or external projection onto the screens or via other digital or electronic technology that allows intermittent change of the message or display by electronic signals are also prohibited.”*

Mr. Gallagher stated at the time the ZBA granted the special permit the board was, unaware the written Zoning Bylaws were not updated and had they known this at the time of the hearing, they would not have approved the special permit. Mr. Gallagher is not sure what can be done at this point, but he would like to amend the special permit due to the above information being brought to his attention. Mr. Gallagher does not want to set precedence by allowing signage in Town that is non-compliant with the ZBA bylaws.

Administrator Sette said he was also recently made aware and provided the Board with information on the 2009 special town meeting vote.

Discussion returned to the Common Victualler License which was the matter before the Board of Selectmen. The Board directed the matter of hours to Police Chief Mark Giovanella, who was also at the meeting. Chief Giovanella recommended allowing the police department to monitor the site over the next 6-9 months and report to the Selectmen if issues arise beforehand. Both Selectmen Wesley and Keyes stated they have no issues with allowing the store to remain open between the hours of 5:00 a.m. and

Midnight, as this would allow area businesses with third shift employees a place to get gas and food.

MSDV to close the public hearing.

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

MSDV to approve issuing Cumberland Farms a Common Victualler license with the following conditions: 1) temporarily approve the hours of operation from 5:00 a.m. to Midnight. The Board will revisit the hours of operation on the Common Victualler license in nine months with input from the Police Chief 2) Outstanding debts and documents owed to the Town must be satisfied prior to issuing the license, and 3) the town may revisit signage at the site within nine months.

**B. Public Comment on Agenda Items**

None

**C. Consent Items**

1. Approval of July 17, 2017 Regular Minutes

MSDV to approve the regular minutes of July 17, 2017

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

2. Approval of July 17, 2017 Executive Minutes

MSDV to approve the executive minutes of July 17, 2017

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

3. Authorization of Warrants FY17-55, FY18-02, FY18-03 & FY18-03P approved by Selectmen Keyes and Wesley

MSDV to authorize the above warrants as approved by Selectmen Keyes and Wesley

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

4. Authorization of Warrants FY18-04 & FY18-06 approved by Selectman Keyes

MSDV to authorize the above warrants as approved by Selectmen Keyes Selectman

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

5. Authorization of Warrants FY18-05 & FY18-05P approved by Selectman Wesley

MSDV to authorize the above warrants as approved by Selectmen Wesley Selectman

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

**D. Appointments and Resignations**

1. Appointment of Danielle Johnson as Part Time Public Safety Dispatcher

MSDV to appoint Danielle Johnson as Part Time Public Safety Dispatcher

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

2. Reappointment of Lisa Pedroli as Burial Agent term to expire June 30, 2019

Selectman Wesley noted the term for the burial agent should read June 30, 2018

MSDV to reappoint Lisa Pedroli as Burial Agent term to expire June 30, 2018

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

3. Appointment of Tristan Hixon to the Local Historic District Study Ad Hoc Committee

MSDV to appoint Tristan Hixon to the Local Historic District Study Ad Hoc Committee

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

4. Appointment of Delegate and Alternate to the CMRPC

Administrator Sette reported that he received a request from Selectman Arcudi to be the Boards' delegate to CMRPC. Hearing no objections

MSDV to appoint Selectman Arcudi as the Boards' delegate to CMRPC term to expire June 30, 2018

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

Selectman Keyes requested to be the Alternate delegate to CMRPC. Hearing no objections

MSDV to appoint Selectman Keyes as the Boards' delegate to CMRPC term to expire June 30, 2018

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

5. Appointment of Craig Landry as Constable term to expire June 30, 2020

MSDV to appoint Craig Landry as Constable term to expire June 30, 2020

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

6. Appointment of David Guglielmi to Conservation Commission term to expire June 30, 2020

MSDV to appoint David Guglielmi to Conservation Commission term to expire June 30, 2020

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

7. Appointment of Sandra Biagetti to the Planning Board period to May 2018 election

MSDV to appoint Sandra Biagetti to the Planning Board period to May 2018 election

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

**E. New Business**

1. Opioid Task Force Presentation

Amy Leone a mental health counselor and founder of Community Impact Inc. gave background on local Opioid Task Force and an overview of the steps being taken taking to address the concern of Opioid use in Town. The Hopedale Task Force members are working with local Police, school faculty and community members to assist in preventing substance abuse not only within the school but also in the community as a whole. Ms. Leone will continue working with task force members in getting the word out on the programs and initiatives being taken to combat Opioid use in Town.

2. Proclamation Award to Eagle Scout Charles Levi Hockenbury ceremony Sunday, August 20, 2017

Chairman Wesley said he presented the proclamation to Eagle Scout Charles Levi Hockenbury and read the proclamation that awarded to him aloud. Selectmen Wesley noted that Charles' project was to manage the installation of access points and wiring to provide internet access throughout the building of the Evangelical Church.

MSDV to award proclamation to Eagle Scout Charles Levi Hockenbury

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

3. Hopedale Country Club ABCC Application for Approval of New Officers/Directors

Chair Wesley stated the Hopedale Country Club's application is not complete and this time and therefore the matter will need to be passed over.

MSDV to passover Hopedale Country Club ABCC Application for Approval of New Officers/Directors to next meeting

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

4. Town Clerk/Record Access Officer's recommendations for appointment of Department Access Officers

The Board reviewed the Town Clerk's recommendation for appointment of Department Record Access Officers and having no questions

MSDV to approve the Town Clerk's recommendation for appointment of Department Record Access Officers as presented

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

**F. Old Business**

1. Adin Street Parking Discussion

Chief Giovanella advised that barrels have been placed along Adin Street to prevent parking around the schools during parent drop off and pickup. The parking situation appears to be better with very little push back from parents. Chief Giovanella advised the police will continue and monitor the situation over the next few weeks and if modifications need to be made, they will be. From a safety standpoint Chief said emergency vehicles are able get through this area should the need arise.

**G. Public and Board Member Comments**

A resident in the audience commented that he was there regarding the Common Victualler's License for Cumberland Farms. He was told they would be selling alcohol. The Board assured the resident that Cumberland Farms has not asked for an alcohol license only a food license. The resident had no other concerns.

**H. Correspondence and Selectmen Informational Items**

1. BVT quarterly payment schedule August 1, 2017 \$101,774.50
  2. Comcast Notice on Updates dated July 27, 2017
  3. Massachusetts ADA Improvement Grant Notice dated July 28, 2017
  4. Hopedale Police Department Monthly Stat Report for May, June, July 2017
- Selectman Arcudi noted how busy the Police Department was for the above months

**I. Requests for Future Agenda Items**

1. HDTV Broadcasts (September)
2. Draper Field Discussion (September)
3. Park Commission Presentation (September)
4. Downtown Revitalization Study Update (October)
5. Ban of Retail sale of marijuana and cultivation

Selectman Keyes requested that item number 5 be added to a future agenda. He is working to try to get a referendum ballot question ready for the November election.

**J. Administrator News**

Administrator Sette provided the following updates and information to the Board:

- a. FY2018 Massachusetts Development Block Grant award was \$756,917. The grant is awarded to the entire Town rather than certain areas.

- b. There is a new round of Massachusetts Disability money up to \$250,000. The Town will apply for this grant to seek money for an upstairs handicap accessible bathroom and hardware funding to make the Town Hall doors accessible.

**K. Executive Session**

1. Discussion of possible land acquisition

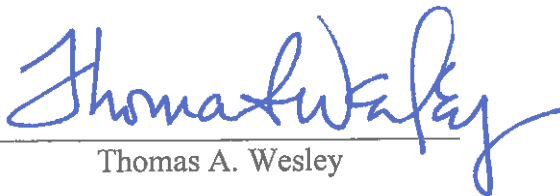
Chair Wesley– I am requesting a motion to allow this board to now enter into Executive Session and not to reconvene in regular session, under M.G.L. c.30A, § 21(a) Reason (6): to consider the purchase, exchange, lease or value of real property, because I as chair declare that an open meeting may have a detrimental effect on the negotiating position of the Town.

MSDV to enter into Executive Session

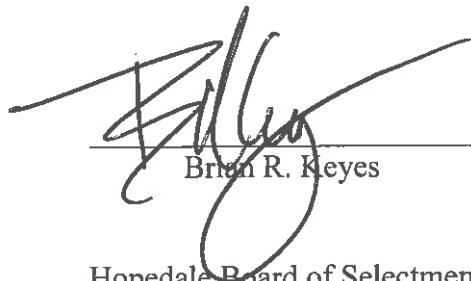
RCV Selectman Wesley–Aye; Selectman Arcudi–Aye; Selectman Keyes–Aye

**L. Adjournment**

With no further regular business before them, the Board of Selectmen adjourned their regular meeting at 9:04 p.m.

  
Thomas A. Wesley

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Louis J. Arcudi, III

  
Brian R. Keyes

Hopedale Board of Selectmen

\*MSDV – Moved, Seconded, Discussed and Voted

\*RCV – Roll Call Vote