



## **TOWN OF HOPEDALE**

78 Hopedale Street - P.O. Box 7  
Hopedale, Massachusetts 01747

Tel: 508-634-2203 Fax: 508-634-2200  
Email: [ssette@hopedale-ma.gov](mailto:ssette@hopedale-ma.gov)

### **Board of Selectmen**

Robert P. Burns  
Thomas A. Wesley  
Louis J. Arcudi, III

### **Town Administrator**

Steven A. Sette

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### BOARD OF SELECTMEN Regular Minutes Monday, December 19, 2016

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

Present: Selectman Robert P. Burns, Selectman Thomas Wesley, Selectman Louis Arcudi, Town Administrator Steven Sette, Executive Assistant Susan Brouwer, members of the public and Videographer Jeffrey Ellis.

Chairman Burns began the meeting with the Pledge of Allegiance

#### A. Public Comment on Agenda Items

##### 1. Jeff Germagian request to amend bylaws on residency requirement for Board of Directors

Selectman Arcudi requested to move the Hopedale Country Club agenda item up in order to meet a scheduling conflict. Chairman Burns granted the request moving above mentioned agenda item up. Selectman Burns began by recognizing Hopedale Country Club (HCC) President Jeffrey Germagian and Attorney Joseph Antonellis Counsel to the HCC Board of Directors.

Mr. Germagian began the discussion by stating the residency requirement was brought to his attention back in September. In October 2014 Mr. Germagian was provided an email from the former HCC President informing him that the Board of Selectman voted to amend the lease allowing non-residents of Hopedale to be on the Board of Directors. The current Board took over in November 2014, when the HCC Board of Directors voted unanimously to amend their bylaws. Later it was noted the Board of Selectmen supported the change but had taken the matter under advisement seeking an opinion from Town Counsel, to see if the Selectmen could amend the "residency requirement" portion of the bylaws without a Town Meeting vote. Town Counsel responded the matter did not have to go before Town Meeting and the BOS could allow the change. Mr. Germagian said he was unsure why the Selectmen never took a formal vote. Administrator Sette advised during that time, a member of the BOS had taken ill and never returned to the board; the item was never carried forward under old business, so a vote was never taken.

Mr. Germagian advised that due to this issue, the HCC has held off on electing officers pending the decision of the Selectmen, which will determine the ballot slate.

Attorney Antonellis provided some background information on the lease agreement stating that at the time the new lease was signed, the HCC had 325 members, with a large waiting list for Hopedale residents and another large waiting list for non-residents. Both waiting lists have long been gone, as well as the initiation fee, because the golf industry has changed so rapidly. Today, the club is down to less than 250 members with an insignificant amount being Hopedale residents. Hopedale residents have not shown interest in wanting to be on either the Board of Directors or serve as Officers. Attorney Antonellis stated the lease has a nondiscrimination clause which does not allow the HCC Board to do anything with the lease in regard to changing the residency requirements, without approval of the Board of Selectmen. In an effort to get a good representation of all members, the HCC would like to open various positions to all members of the club rather than just members who are Hopedale residents, which is why this was brought up a couple of years ago.

Chairman Burns asked for questions from the Select Board.

Selectman Arcudi asked if the HCC held a more recent vote of members to see if they wish to open up the officer positions to all members of the club rather than Hopedale residents. Mr. Germagian responded they had not. Attorney Antonellis interjected that the Board had explained to club members they were coming back before the Selectman to request a formal vote. Therefore, the club delayed voting on these positions. Attorney Antonellis added that even now very few Hopedale residents take out nomination papers for any officer positions.

Selectman Arcudi then asked for a point of clarification on the officers; who is the most senior person of the group, the Financial Secretary or Treasurer? Mr. Germagian responded the Treasurer position is the more senior person.

Selectman Wesley stated he believes the HCC is a great resource for the Town and supports its continuation. Selectman Wesley has no objection in supporting the position of the HCC Board of Directors in having non-residents in officer positions if the club feels that it will help the clubs sustainability.

Chair Burns recognized Hopedale resident Steve Haynes who is also a member of the HCC. Mr. Haynes provided copies of 3 years of the club's annual reports (2012, 2013 and 2014) which show a full slate of Hopedale residents serving as HCC Board of Directors. Mr. Haynes stated that in 2014, Eric Luce Past President told the HCC membership the Selectman approved non-residents to serve officer positions, however, when looking at the minutes; the Selectmen tabled the item referring it to Town Counsel. The Board held its annual election and Hopedale residents were voted out. It is Mr. Haynes opinion that Hopedale residents want to get involved and for the good of club, he recommends the lease not be changed. Mr. Haynes stated that if a Hopedale resident did not wish to hold a position, then at that time, the position could be deferred to a non-resident but if a resident wants to serve, they should be allowed to. Mr. Germagian responded that only (3) members of the Board that were Hopedale residents finished their terms in 2014. Attorney Antonellis commented that keeping only Hopedale residents on the Board of Directors is not in the best interest of the club.

Chairman Burns opined when the original lease was created, the mindset was different. Towns in general were more close knit communities. As society becomes more mobile, the

language in the lease appears a bit antiquated. Mr. Burns said the individuals running the club would know what is best for the club.

Selectman Arcudi asked for clarification from Attorney Antonellis confirming the reason they are before the Selectmen is they have current members serving who are non-residents and they want to clean up the language. Attorney Antonellis responded "yes" and if the Selectmen move forward with the current language as written, he will advise the HCC Board to conduct the election according to the existing bylaws. Selectman Arcudi posed the idea of amending the bylaws to clean up the current membership recommending having the HCC Board of Directors be 1/3 town residents, 2/3 a non-residents with the positions of President and possibly Treasurer being residents of the Town because they have the best interest of the Town; or at the very least the President be a resident because they tend to understand the complexity of the Town. Selectman Arcudi ended stating he is open for discussion.

HCC President Jeff Germagian responded that he does not believe that is in the best interest of the club to have these positions held by Town residents given how the dynamic of business itself has changed and the enthusiasm of residents has changed. The positions require a lot of time and require a certain level of expertise and the Board itself doesn't want to be restricted by a residency requirement. Mr. Germagian said the current Treasurer is a CPA, noting that it was the current board that saved the club back in 2014. Attorney Antonellis advised that the more people they have running for these positions the better off they are as they can attract the right talent needed to keep the club viable so they can get through the challenging financial times.

Chairman Burns recognized Chuck Mitchell who stated that he is the Acting Treasurer of the HCC. He lives in Bellingham; his uncle who lives in Mendon was a founding father of the club and worked for Draper. Mr. Mitchell said he is a retired CFO, who has the credentials to do the job. In 2014, 70% of the HCC members resided out of town and it are still that way now and even more so, taking 1/3 of the people is approximately 90 people who would be allowed to serve. Of those 90 people, finding individuals with the right skill set and time would be challenging and limiting certain positions to only Hopedale residents will be even more difficult down the road in trying to find people with the right skill set to fill board positions.

Mr. Haynes reiterated his position and the importance of having the residency requirement. Mr. Haynes said the current board is spending the majority of its budget soliciting people from out of town turning the HCC into an out of town club. Mr. Haynes then stated that he was the former Treasurer and provided members with monthly reports; Mr. Mitchell has provided one report since he became the Treasurer.

Chair Burns recognized Gene Costanza who said he was the former Police Chief and current HCC member. Mr. Costanza advised that he has seen the membership of the club change over the last twenty-five years with less Hopedale residents being members and their interest in Board positions has also declined dramatically. Mr. Costanza stated he believes the current Board of Directors are here to do what is in the best interest of both the HCC and the Town and in doing that he feels it is in the best interest to allow non-residents to serve in leadership roles.

Chairman Burns stated it is not the desire of the Board of Selectman to see anything happen to the HCC. It is the Selectmen's wishes that the HCC flourishes and bring on more members and survive as a whole.

Selectman Arcudi thanked the Board of Directors for educating him regarding HCC Board issues and understands the challenges in getting people to step up. He also understands Mr. Haynes point that if people live in Hopedale they should have an opportunity to run. Mr. Arcudi would like the Selectmen to support having the HCC President be a resident of the Town until this role can no longer be filled by a resident. Mr. Arcudi's reason is this role (President) will allow them to muster votes should something need to get done and the individual also understands how the Town works. Mr. Arcudi commented that if he had his first choice, the President would be from Hopedale, however, he understands if this is not the direction the Board takes.

Selectman Wesley stated that if the Board takes this position, the HCC will be back in a very short amount of time requesting another amendment to the HCC bylaws seeking to change the President residency requirement. Selectman Arcudi said he understands the dilemma. HCC President Jeff Germagian said the HCC Board of Directors has the same goals and objectives as the Selectmen and want to work together as a team moving forward.

Selectman Arcudi said he will then contradict himself. If the HCC keeps the residency requirement for the President, it forces the HCC Board to go against each other because there may be someone in Town that wants to run the HCC his or her way which would not in the best interest of the rest of the organization.

Selectman Wesley stated he would like to remind members of the Board, at town meeting the Moderator extends privileges of the floor to many people who represent the Town but are not Town residents, this list grows and they do have the best interest of Hopedale.

MSDV – A motion was made by Selectman Wesley that the Board of Selectmen acting on behalf of the Town under Section 9.12 of the August 4, 1994 lease agreement between the Town of Hopedale the Hopedale Country Club approve amendment to the HCC bylaws by removing the requirements that all officers of the club be residents of Hopedale and authorize the chair to sign an amendment of such approval. The motion was seconded by Selectman Arcudi.

Chairman Burns– Aye; Selectman Wesley - Aye; Selectman Arcudi – Aye

#### B. Consent Items

1. Approval of November 10, 2016 Regular Minutes

MSDV to approve the regular minutes of November 10, 2016

Chairman Burns– Aye; Selectman Wesley - Abstain; Selectman Arcudi – Aye

2. Approval of December 1, 2016 Regular Minutes

MSDV to approve the regular minutes of December 1, 2016

Chairman Burns– Abstain; Selectman Wesley - Aye; Selectman Arcudi – Aye

3. Approval of December 5, 2016 Regular Minutes

MSDV to approve the regular minutes of December 5, 2016

Chairman Burns– Abstain; Selectman Wesley - Aye; Selectman Arcudi – Aye

4. Approval of December 5, 2016 Executive Minutes (not to be released)  
MSDV to approve the executive minutes of December 5, 2016 not to be released as the matter is still pending  
Chairman Burns– Aye; Selectman Wesley - Aye; Selectman Arcudi – Aye

C. Appointments and Resignations

1. Resignation of Bridget Pardee from Cultural Council  
MSDV to accept the resignation of Bridget Pardee from the Cultural Council with regret.  
Chairman Burns requested that a thank you letter be sent by the Administrator.  
Chairman Burns– Aye; Selectman Wesley - Aye; Selectman Arcudi – Aye
2. Appointment of Jeff Harris as 2<sup>nd</sup> Alternate Plumbing & Gas Inspector  
Administrator Sette explained the need for a second alternate stating that this position is for coverage when the Inspector is out of Town and the Alternate has a conflict. The position is non-stipend position and is paid from inspection fee receipts.  
MSDV to appoint Jeff Harris as 2<sup>nd</sup> Alternate Plumbing & Gas Inspector  
Chairman Burns– Aye; Selectman Wesley - Aye; Selectman Arcudi – Aye

D. New Business

1. Request by Carol Devendorf – Milford Performing Arts for (2) Special One Day Wine and Malt and Entertainment Licenses. Event: Boar's Head Festival to be held at Hopedale Unitarian Parish on January 27 & 28, 2017  
Town Administrator Sette advised that this is an annual event and that town department heads were notified and there were no concerns or objections to the licenses being issued.  
  
MSDV to issue to Carol Devendorf – Milford Performing Arts for (2) Special One Day Wine and Malt and Entertainment Licenses. Event: Boar's Head Festival to be held at Hopedale Unitarian Parish on January 27 & 28, 2017  
Chairman Burns– Aye; Selectman Wesley - Aye; Selectman Arcudi – Aye
2. 2017 Final License Renewals – Vote to Approve  
MSDV grant the following annual licenses subject to all requirements being met;  
Alcohol (ABCC) – 404 Main Street, LLC dba Mutual Mart all Alcohol Package Store License  
Chairman Burns– Aye; Selectman Wesley - Aye; Selectman Arcudi – Aye  
  
Class II – Mark Rizoli Auto Village, Duest Motors, Milford Auto Sales  
Chairman Burns– Aye; Selectman Wesley - Aye; Selectman Arcudi – Aye  
  
Common Victualler – Maria's Pizza, Hong Kong House, Hopedale Donuts, Inc.  
Chairman Burns– Aye; Selectman Wesley - Aye; Selectman Arcudi – Aye

E. Old Business

None

#### F. Public and Board Member Comments

None

#### G. Correspondence and Selectmen Informational Items

1. Selectmen Arcudi asked Administrator Sette to explain the Mass Works Grant that was sent in to improve the intersection of Hopedale Street and Route 16; the application was denied.

Mr. Sette advised that prior to Rep. Fernandes leaving office; he corresponded with Secretary Ash for reconsideration of the application. There were letters of support also sent from local businesses. This grant would assist with traffic control from the top of Mendon all the way to the intersection of Milford Hospital. Administrator Sette also reached out to Milford Hospital seeking their support for the intersection at Hopedale and Mendon streets. All of these correspondence will help in getting reconsideration for the project for the next round of grants which will be sometime in 2017. Chairman Burns recommends reaching out to Mendon. Selectman Wesley requested that information be sought on the number of emergency vehicles that go through the intersection. Administrator Sette said he reach out to Milford Hospital to get that information. Another concern is with the Cumberland Farms expansion project, and the importance in having a turning lane to help facilitate traffic flow. Selectman Arcudi stated that he received correspondence from the Chair Mr. Buckley, Milford Board of Selectmen stating this item was on their agenda for tonight and they support this project. Selectman Arcudi advised the Milford BOS will be looking for a similar action from the Hopedale Board of Selectman in allowing the Milford Town Administrator talk with our Town Administrator to garner support for improvements within the intersection of the Mellen Street Bridge. Selectman Arcudi wanted to share with the board for transparency purposes advising that Mr. Buckley reached out to him but did not have a discussion other than to request the item be placed on a future agenda for discussion.

#### H. Requests for Future Agenda Items

1. Hopedale Public Schools Superintendent Karen Crebase
2. Community Compact Agreement Update
3. Public Hearing CDBG Grant Opportunity – January 17, 2017

Administrator Sette reviewed the above items and will be placed on future agendas.

#### I. Administrator News

1. Freedom Street Bridge Update

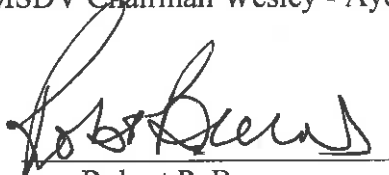
The Freedom Street Bridge officially opened on Friday, December 9. The Highway Department was moving the blocks back today to officially closed Fitzgerald Drive. Selectman Wesley requested that a note of thanks be sent to Mr. Shwachman thanking him for allowing the use of Fitzgerald Drive. Selectman Wesley also inquired as to the punch list items which Administrator Sette advised will be handled in the Spring.

2. Reminder the next Board of Selectmen Meeting is scheduled Tuesday, January 3, 2017

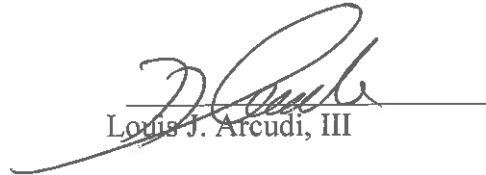
The Board wished the community a Merry Christmas and Happy Holiday Season.

With no further business before them the board adjourned their regular meeting at 8:07 p.m.

MSDV Chairman Wesley - Aye; Selectman Arcudi – Aye; Selectman Robert Burns– Absent

  
Robert P. Burns

  
Thomas A. Wesley

  
Louis J. Arcudi, III

Hopedale Board of Selectmen

\* MSDV - Moved, Seconded, Discussed and Voted

\*\*RCV - Roll Call Vote