

**Select Board
Regular Meeting Minutes
March 20, 2023 7:00 PM**

Present: Chair Hazard, Selectman Keyes, Selectman Stock, Interim Town Administrator Jeff Nutting.

Members of the Finance Committee and School Committee were also present.

Chair Hazard called the meeting to order at 7:20PM.

Karen Crebase, School Superintendent, presented the School Department's proposed FY 2024 budget. Jeff Nutting, Interim Town Administrator, reviewed his suggested plan for a potential Proposition 2 ½ Override.

There was general discussion, questions and answers among members of the Boards and Committees concerning the budget.

Stock motioned to support an Override with the amount to be determined later, seconded by Keyes.

Stock – Aye, Keyes – Aye, Hazard – Aye

The Chair adjourned the meeting at 8:27PM.

**Submitted by Martha White
Board approved:**

**Joint Meeting
Select Board with Planning Board
July 6, 2022, 7:00PM**

Present from Select Board: Chair Hazard, Selectman Keyes, Selectman Stock, Town Administrator Schindler

Present from Planning Board: Chair Stephen Chaplin, Jimmy Kohkar, Michael Costanza, Christopher Chase, Absent: Kaplan Hasanoglu

Chair Hazard and Chair Chaplin called their respective committee meetings to order at 7:00PM.

**7:00 p.m. Joint Meeting with Planning Board
Discuss Marijuana Establishment Zoning Bylaw Additions/Amendments**

Chairwomen Glenda Hazard called the Select Board meeting to order for a joint meeting with the Planning Board to review marijuana establishment Zoning Bylaw additions or amendments. She referenced the previous town meeting where the new position of Town Planner was introduced and both boards looking to have a collective vision with this position for the town of Hopedale.

Chairman Stephen Chaplin opened the joint meeting with a historical summary. When reviewing retail marijuana cultivation operations there was a gap in the bylaws that did not allow for this in the light industrial zoning district, which the board believed was an oversight. There were two applicants who then went through the planning board process of site plan review and their applications were approved after the additional approval of a special permit from the Zoning Board of Appeals.

Currently the Planning Board has been asked to further amend the zoning bylaws to restrict retail marijuana establishments within 1000 feet of another retail marijuana establishment creating a buffer zone.

Town Counsel Nicole Costanzo discussed with the boards the various tools that towns can use to regulate retail marijuana establishments. The last zoning bylaws amended where retail marijuana establishments can locate in town. There are no other regulations of any type in place. Today there are additional businesses to consider; retail, cultivation, 2 types of delivery, indoor/outdoor, and product manufacturing. If the bylaws don't regulate them, then they are allowed. The town can consider prohibiting some uses all together and this would require the two-step process of a town meeting vote and then a ballot question vote. Limiting uses for retail establishments to less than 20% of the liquor licenses allowed in Hopedale would need town vote and ballot. Limited to 30% would only need a town meeting vote. Limiting cultivation establishments would only need to amend the zoning bylaws.

The town can look at adopting an overlay district to regulate where these businesses locate, along with changing the granting authority from the ZBA to the Select Board as they grant the host agreement, or to the Planning Board.

State regulations are in place for certain zoning bylaws and some communities expand these regulations making them stricter. Uses are allowed unless expressly prohibited. These are policy and business decisions for the town to determine that are best for Hopedale. Stephen Chaplin asked Nicole Costanzo about the proposed buffer zone. She has not seen this type of regulation and needs to look into this. If this prohibits others businesses in the area, the Attorney General would consider this a prohibition. It would need a ballot question and, in her opinion, not likely that the Attorney General would approve if no other business could locate in town because of this buffer zone. Any changes approved at town meeting would then be sent to the Attorney General for review and final approval.

Chris Chase inquired about the number of liquor license Hopedale currently has and Diana Schindler reported it to be seven, 2 on premise, 5 package stores. The percentage is based on the total number of liquor licenses issued.

Stephen Chaplin stated that he would be open to planning a new public hearing for any new amendments to the marijuana establishment zoning regulations.

Brian Keyes stated that regarding the prohibition piece, in real time, the third potential applicant has requested to be within the 1000-foot buffer since they have explored two other locations in town that were shot down by the ZBA. He wondered if this would be an exemption to the prohibition under review by the Attorney General. Stephen Chaplin also chimed in that there is very limited square footage available in town and the regulation on its face value seems fair and reasonable, but could have a prohibitive impact.

Mike Costanza asked if there were limits for any other types of businesses and who makes those decisions. Town Counsel stated there is a quota for liquor license by population by the ABBC. No other businesses are limited.

Chris Chase believes the town should come up with a number of retail marijuana establishments and to consider guidelines for all other types of marijuana establishments.

Glenda Hazard agrees there is a strong need for guidelines. Currently there are no limits in our bylaws, therefore there is no prohibition on how many can establish in town.

Police Chief Mark Giovanella expressed his interest in limiting the number of retail establishments in town. The challenges presented for law enforcement comes from people operating under the influence of a marijuana and other narcotics. These are the same policing concerns which as alcohol. Stephen Chaplin does agree that some sort of quota does make sense.

Jimmy Kohkar feels spreading these businesses out would be good and has mixed feelings about limiting the number of establishments.

A lengthy discussion was held regarding the pros and cons of limiting the number of businesses and buffer zones with all planning board members and comparing marijuana sales to other commercial retailers.

Glenda Hazard asked town counsel about the pending host agreement and what are the obligations to that retailer. She is also interested in regulating outdoor establishments. Brian Keyes added the point that zoning needs to be amended before the third place can open. Town Counsel stated that the host agreement does not guarantee that the establishment can open.

The Planning Board members reviewed the application process. Hopedale does not have a host agreement process in place. The town can add additional special permit requirements that would spell out the process from the host agreement to the special permit.

Bernie Stock is leaning towards leaving the choice of shopping to the consumer without a buffer zone. He thought the police chief brings up an interesting point in how difficult it is for policing. He will continue to listen and thought there were great arguments on both side of the fence.

A lengthy discussion continued regarding the host community agreement process, the current zoning bylaws and ZBA process, limits and buffer zones by all board members.

Nick Obolensky reviewed the applicant's request for the buffer zone and explained it is not just about economic success, it's about traffic and geographic diversity. Economics competition is good for the consumer. Marijuana retail is a highly regulated business and requires sourcing within the boundaries of Massachusetts when and where they can sell and how to advertise.

Mr. Pinto, owner at 150-155 Hartford Ave. believes the buffer zoning eliminate competition and it would be easier for police if these establishments are located in the same area. He has concerns regarding the applicant's attorney reaching out to Hopedale Town Counsel.

Constant Polohek, of Green River Cannabis, commented that in North Hampton, several retail marijuana establishments are co-existing successfully. Each business has a different business philosophy and creates their own customer loyalty.

Len Guertin, 14 Anthony Road, reminded the audience that the Select Board voted to remove the 3% community impact fees because the town could not find any impact where that money could be used. These retail marijuana stores are unique since they are required to pay a 3% retail surcharge that goes to the town. He also agrees that Hopedale has limited locations available.

Nick Obolensky addressed the allegation regarding reaching out to Town Counsel was in some way inappropriate. He sent an email to the Planning Board, Diana Schindler, Chairman Brian Keyes and Town Counsel as part of the required procedure for a citizen petition that the warrant article language be reviewed before signatures are gathered. He also sent an email to the Planning Board with data that demonstrates 8 similar surrounding town bylaws showing 4 having buffer zones. He included a write up by a Norton official as to why they decided to allow for buffer zones for the board to review.

In wrapping up the discussion, competition was discussed, the police chief's traffic concerns and being proactive to set guidelines before issues arise. Scott Savage, ZBA member, remarked on why Green River Cannabis' special permit for Condon Way was denied was based on parking and pedestrian concerns.

Stephen Chaplin remarked on the good spirited discussion and the majority of both boards agree to move forward to review and streamline cannabis zoning regulations for Hopedale, considering limiting the number of businesses, reviewing the board granting authority, buffer zones and improvements to the guidelines. The next step would be to draft the zoning changes and then hold a public hearing regarding amendments to the zoning bylaws. Glenda Hazard agreed with this summary.

The meeting of the Select Board adjourned at 9:05 pm

Submitted by: Lindsay Peterman

Board Adopted: _____

Martha White

From: Brett Bouvier <Brett.Bouvier@odpbusiness.com>
Sent: Friday, March 24, 2023 12:32 PM
To: Martha White
Cc: Goldman, Marc
Subject: FW: Hopedale Youth Baseball parade

Good Afternoon,

Hopedale youth baseball would like to schedule our annual parade day on Saturday April 15th at 10 am if that would work for you?

Details:

- Have all teams line up in town common between 9:30 and 10
- March to draper field starting at 10. I assume this would take about 45 minutes or so.
- Roads: Dutcher st to Freedom st.
- Hoping you can assist us in this process? Please let me know if there are any forms or more information that you would need from me?

Please confirm receipt and let me know if you have any additional questions.

Thanks

Brett Bouvier

Enterprise Technology
774-245-7622 | brett.bouvier@officedepot.com
www.odpbusiness.com



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Note that the Police Chief, Fire Chief and Highway Superintendent have all approved this event.

Martha White, Interim Exec. Assistant



HOPEDALE POLICE DEPARTMENT

70 Hopedale Street Hopedale, MA 01747
Tel: (508) 634-2227 Fax: (508) 634-2228



www.hopedalepolice.com

Chief of Police
Mark A. Giovanella

April 6, 2023, 2023

Board of Selectman
Town of Hopedale
Hopedale, MA 01747

Dear Board Members,

Interviews for part time dispatchers were conducted on April 5, 2023. As a result of those interviews, I respectfully request the board appoint, as Part Time Dispatcher for the Town of Hopedale:

Roberta Lamothe #4 Kennedy Lane in Milford, Ma 01757. This appointment will take effect on April 17, 2023. Roberta currently holds all necessary Dispatch Certifications.

If you have any questions or concerns please feel free to contact me.

Sincerely,

Mark A. Giovanella
Chief of Police

**TOWN OF HOPEDALE
BOARD, COMMISSION OR COMMITTEE
TALENT BANK FORM**

Local Government needs citizens to give of their time and talents serving the Town of Hopedale. A Talent Bank has been established to compile a list of interested citizens, willing to serve on a voluntary basis on boards, commissions and committees. Some groups meet often, others require less time, and still others are busy only at specific times of the year. Occasionally, there are requirements for ad hoc committees or sub-committees appointed to work on specific projects. Experience indicates that the two most appropriate qualities for successful service are an open mind and exercise of common sense.

If you are interested in serving, please list the position(s) you wish to be considered for:

Board, Commission or Committee applying for:

Finance Committee

Please return completed forms to:

Town Administrator's Office – Hopedale Town Hall 78 Hopedale Street, Hopedale, MA 01747

The Town Hall mailing address is: P.O. Box 7, Hopedale MA, 01747

Please Note:

- The Board of Selectmen may fill vacancies until next election.
- It is recommended that you attend a few meetings of the committee or board you are contemplating joining to help determine your interest.
- The board/committee will be asked for their recommendation on each applicant appointment.

Name: David Arthur

Are you a registered voter? Yes | No

Address: 141 Steep Rd.

How long have you lived in Hopedale? 9 mo

Home Phone: 619-609-7859 Cell Phone: same

E-Mail: dba1@horma1.com

How would you like to be contacted? email or phone

Occupation: Medical Director

Please list any potential conflicts of interest, e.g. membership in an organization or your

business: none

Education and Experience: BS, Ph.D., MBA

Served on non-profit Board of Directors

How many times during the last year have you attended a meeting of the Board/Committee to which you are requesting appointment? 2

Have you ever had business before the Board/Committee to which you are requesting an appointment?

Yes No If yes what type of business? _____

Special Interests and skills: Financial Accounting (Personal); OPEX management
(Industry); Investment Research + Strategy (Personal)

Activities, e.g. Government/Civic & Community/Charitable & Educational: _____

Reasons for wanting to serve: Support management of the town I now live
in with my family

The completion of this form in no way assures appointment. Citizens deemed most qualified to serve in a particular capacity will fill all board, commission or committee vacancies.

Applicant's Signature



Date

3-9-23

Martha White

From: Hopedale Finance Committee
Sent: Monday, March 13, 2023 1:52 PM
To: Martha White
Subject: Re: application for membership

Hi Martha,

Thanks for passing this over. I had a chance to meet David last week at the Financial Summit, and I think he'll be a terrific addition to the team. We do have multiple vacancies, and would love to get him involved assuming the Board agrees.

I don't have a preference on his start date, but I would say the sooner the better - this is a busy season so the sooner he can jump in, the better the picture he'll get of the financial situation as it stands.

Thank you very much!

Best regards,

Ian Michelson
508-838-1072

Hopedale Finance Committee

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From: Martha White <mwhite@hopedale-ma.gov>
Sent: Friday, March 10, 2023 12:29 PM
To: Hopedale Finance Committee <Finance@hopedale-ma.gov>
Subject: application for membership

Hi Ian
We have received a Talent Bank form from David Arthur – he's applied to be a member of the Finance Committee (see attached). You do have a vacancy, right?

His contact info is on his application if you want to reach out to him.

Assuming the Board will act favorably on his application, do you have a preference as to what the effective date of his appointment should be?

Let me know if you have any questions.

Martha

**TOWN OF HOPEDALE
BOARD, COMMISSION OR COMMITTEE
TALENT BANK FORM**

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If you are interested in serving, please list the position(s) you wish to be considered for:

Board, Commission or Committee applying for:

Community Preservation Act Committee

Please return completed forms to:

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The Town Hall mailing address is: P.O. Box 7, Hopedale MA, 01747

Please Note:

- The Board of Selectmen may fill vacancies until next election.
- It is recommended that you attend a few meetings of the committee or board you are contemplating joining to help determine your interest.
- The board/committee will be asked for their recommendation on each applicant appointment.

Name: Tara Tagliavetti-Chambers Are you a registered voter? Yes No
Address: 13 Hopedale St How long have you lived in Hopedale? 40 yrs
Home Phone: 413-2517 Cell Phone: 508-244-2758 E-Mail: arat2602@comcast.net
How would you like to be contacted? email/call
Occupation: Prog Director Community House

Please list any potential conflicts of interest, e.g. membership in an organization or your business: None

Education and Experience: _____

How many times during the last year have you attended a meeting of the Board/Committee to which you are requesting appointment? None as of yet, however have attended many others

Have you ever had business before the Board/Committee to which you are requesting an appointment?

Yes No If yes what type of business? _____

Special interests and skills: See attached

Activities, e.g. Government/Civic & Community/Charitable & Educational: See attached

Reasons for wanting to serve: See attached

The completion of this form in no way assures appointment. Citizens deemed most qualified to serve in a particular capacity will fill all board, commission or committee vacancies.

Applicant's Signature Jane Seymour Chavez Date 3/29/23

I have been actively involved in many Hopedale based organizations and programs -

Board of Directors Hopedale Youth Baseball

P.A.C.E (Memorial School)

Historical Commission

Friends of Historic Hopedale

Friends of Elders

Hopedale Board of Registrars

This has afforded me the opportunity to interact with a broad range of Hopedale's residents across a wide variety of programs and interests and I believe I can contribute in the discussions which will be in the best interest of our community.



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Select Board
Glenda A. Hazard, Chair
Brian R. Keyes
Bernard J. Stock

Town Administrator
Jeff Nutting
Interim Town Administrator

April 6, 2023

TO: Select Board
COPY: Jeff Nutting, Interim Town Administrator
FROM: Martha White, Interim Executive Assistant
RE: One-Day Liquor License Application from Rushford and Sons Brewhouse

Rushford and Sons Brewhouse has applied for a One-Day Liquor License; they have been hired by the Community House to participate in their 100th Year Birthday Celebration on Saturday, June 24th (rain date September 16th). A copy of the application is attached.

As required, the application has been sent to certain municipal departments and their responses are as follows:

- **Police Department:** No police detail is required
- **Fire Department:** They are evaluating building capacity as compared to expected attendance.
- **Treasurer/Collector:** Not applicable (The Community House is a non-profit and Rushford and Sons Brewhouse's place of business is in Upton)
- **Board of Health:** I believe the applicants have addressed the questions/comments from the Health Director although, as of this writing, I have not received confirmation from him.

There are a couple of other minor items I'm waiting on. Given that the event is not taking place until June, it wouldn't be a problem if this item is postponed, but I'll update the Board on Monday in advance of your meeting.



TOWN OF HOPEDALE

RECEIVED BY
SELECTBOARD OFFICE:

DATE:
TIME

SPECIAL ONE DAY LICENSE APPLICATION (M.G.L. Ch 138, Section 14)

*******ONLY COMPLETED APPLICATIONS WILL BE ACCEPTED*******

Wine/Malt Only

All Alcohol (Non-profit only)

PLEASE PRINT:

Date of Application: March 20th, 2023

Applicant Name: Brian Goodman

Applicant Address: 86 Church St Holliston, MA 01746

Street Number

Street Name

City/Town

State

Zip

Cell Number: (508) 330-6069 EMAIL: brian@rasbrewhouse.com

Organization Name: Rushford & Sons Brewhouse

Organization Address: 8 Grove St Upton, MA 01568

Street Number

Street Name

City/Town

State

Zip

Business Telephone: (508) 603-1380

EMAIL: hello@rasbrewhouse.com

Venue Name: Hopedale Community House

Telephone: (508) 473-0820

Venue Address: 43 Hope St Hopedale, MA

Street Number

Street Name

City/Town

State

Zip

The licensing board will not grant a liquor license without a letter from the property owner.

Name of Event: Hopedale Community House 100__

Date(s) of Event: June 24th, 2023 _____

Start time of Event: 10am _____ End Time: 6pm _____

Is the event open to the General Public? Yes _____

Event Location (name and address): Hopedale Community House 43 Hope St _____

Where in building or if outside will the entertainment be located?

both _____
Event Details: Inside Outside Both

Number of Expected Guests 150 (guess) _____ Age range of attendees? All Ages _____

Alcohol must be purchased from an authorized source as required by ABCC

Name of authorized ABCC Vendor: Rushford & Sons Brewhouse

Address: 8 Grove St Upton, MA 01568 _____

License Number: 05813-PP-1302 _____

You may be asked for proof of where alcohol was purchased

Describe the manner in which alcohol will be served to your guests to ensure compliance with the existing laws (check IDs, table service/bar, etc.) and specify the manner by which service of such beverages, if minors attend, will be controlled. Minors are not allowed within the area where alcohol beverages are being served.

We always check ID's with no exception at remote events. All servers are TIPS certified. We will have a fenced off area with "no alcohol beyond this point" clearly marked. We also do not serve any beer that is over 6% ABV at remote events. We are looking to serve from 12 to 5 to have a "wind down" time before the event ends and not to serve in the morning before lunch.

Letter to the Select Board from the Master Plan Steering Committee

April 4, 2023

To the esteemed members of the Select Board,

At its final meeting on Oct 26, 2022, The Master Plan Steering Committee voted to complete the Master Plan as written and present it to the Planning Board for final approval and adoption. The plan was brought to the Planning Board at their meeting on Nov 2, 2022, and it was at this point that the committee had fulfilled its purpose. As the Planning Board completes its review of the plan we ask that you consider two related tasks.

1. Dissolve the Master Plan Steering Committee

This task is just simply housekeeping. We successfully fulfilled our promise and our participation in this project is complete. If the Planning Board has any edits to be made they can engage CMRPC directly, and they are standing by.

2. Implement a Master Plan Implementation Committee

While we are confident that our elected officials are eager to help the town grow and improve, we feel this committee is vital to the implementation of the Master Plan by helping maintain a level of accountability, tactfully and realistically, for all the people in town who helped develop the plan by providing their input and giving feedback throughout the plan development process.

The plan document includes an "Implementation Matrix" that describes each task, priority, estimated cost, and estimated amount of time needed to complete, and assigns the tasks to the boards and committees most capable of carrying them out. This can be used as a starting point for the committee.

Purpose

Their charter should include:

- Reading, understanding, and committing to the implementation of the Master Plan, particularly the goals, objectives, and action items.
- Meeting with each responsible group to help them understand the action items presented to them and helping draft a timeline for task completion.
- Publishing the goals, objectives, and action items publicly on the town website or otherwise and noting any progress toward completion and successes.
- Raising awareness of challenges that prevent the completion of tasks and helping remove roadblocks to the best of their ability.
- The frequency of meetings and how they fulfill their purpose should be determined by them, however we recommend that they prepare a progress report for each year's annual town meeting.

Proposed committee membership

We recommend that the committee include:

- One Select Board member to provide some weight to the oversight.
- One Planning Board member to be a subject matter expert.
- The Town Administrator to provide a broad picture of town finances with a long-term view.
- Two people from the community or any number of additional people you see fit. These folks can provide a perspective that is not subconsciously influenced by their role as a town official.

The Master Plan Steering Committee feels strongly that the Master Plan cannot be a historical document that sits in a filing cabinet at Town Hall waiting to be discovered by future administration. We are proud of our efforts and the role we played as our community's representatives, and we humbly request that the Select Board take an active role in seeing the plan through by creating this committee to help ensure its implementation.

Respectfully,

Jim Abbruzzese

Chairman, Master Plan Steering Committee

INTRODUCTION:

The designer selection law, MGL c. 7C, §§ 44-58 (formerly M.G.L. c. 7, §§ 38A½-O) ("Designer Selection Law"), requires municipalities and other local public agencies to adopt written designer selection procedures, which must be used when contracting for design services for any building construction, reconstruction, alteration, remodeling or repair project that has an estimated design fee of \$30,000 or more and an estimated construction cost of \$300,000 or more. Design services include the preparation of master plans, feasibility and other studies, surveys, soil tests, cost estimates and programs; preparation of drawings, plans, and specifications, including schematic drawings and preliminary plans and specifications; supervision or administration of a construction contract; and construction management and scheduling. [M.G.L. c. 7C, § 44]. These procedures must comply with the "purposes and intent" of the Designer Selection Law and must include certain required provisions. [M.G.L. c. 7C, § 54(a)]

Proposed Designer Selection Procedures Below



TOWN OF HOPEDALE

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

Tel: 508-634-2203 Fax: 508-634-2200
www.hopedale-ma.gov

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Bernard J. Stock

Town Administrator
Jeff Nutting
Interim Town Administrator

Designer Selection Procedures (State procurement) (Adopted 4/10/2023)

1. These procedures govern the selection of designers for any municipality or local public agency building project subject to the state designer selection law, M.G.L. c. 7C, §§ 44-58. Any other local law governing the procurement of services will be inapplicable to these procurements.
2. The Select Board ("Approving Body") has the authority to conduct the designer selection process for the Awarding Authority. The Approving Body may delegate any duties described herein to the extent such delegation is permissible by law.
3. The Approving Body shall designate the Town Administrator (hereinafter referred to as "the Committee") who will conduct the designer selection process. No member of the Committee shall participate in the selection of a designer for any project if the member, or any of the member's immediate family:
 - a. has a direct or indirect financial interest in the award of the design contract to any applicant;
 - b. is currently employed by, or is a consultant to or under contract to, any applicant;
 - c. is negotiating or has an arrangement concerning future employment or contracting with any applicant; or
 - d. has an ownership interest in, or is an officer or director of, any applicant.
4. A Request for Qualifications (RFQ) for each contract subject to these procedures shall be advertised in a newspaper of general circulation in the locality of the building project, in the *Central Register* published by the Secretary of the Commonwealth, and in any other place required by the Approving Body, at least two weeks before the deadline for filing applications.
5. The advertisement shall contain the following information:
 - a. a description of the project, including the specific designer services sought, the time period within which the project is to be completed, and, if available, the estimated construction cost;
 - b. if there is a program for the building project, a statement of when and where the program will be available for inspection by applicants;
 - c. when and where a briefing session (if any) will be held;

- d. the qualifications required of applicants;
 - e. the categories of designers' consultants, if any, for which applicants must list names of consultants they may use;
 - f. whether the fee has been set or will be negotiated; if the fee has been set, the amount of the fee must be listed in the advertisement;
 - g. when and where the RFQ can be obtained and the applications must be delivered.
6. The RFQ shall include the current "Standard Designer Application Form for Municipalities and Public Agencies not within DSB Jurisdiction," which is available for download from the Massachusetts Designer Selection Board website at Procedures for Municipalities and Public Agencies not within DSB Jurisdiction. The Application Form may be amended to include additional information on a project-specific basis.
7. The Committee shall evaluate applicants based on the following criteria:
 - a. prior similar experience;
 - b. past performance on public and private projects;
 - c. financial stability;
 - d. identity and qualifications of the consultants who will work with the applicants on the project; and
 - e. any other criteria that the Committee considers relevant to the project.
8. The Committee shall select at least three finalists. Finalists may be required to appear for an interview or provide additional information to the Committee, provided that all finalists are afforded an equal opportunity to do so.
9. The Committee shall rank the finalists in order of qualification and transmit the list of ranked finalists to the Approving Body.² No person or firm, including applicants' listed consultants, debarred pursuant to M.G.L. c. 149, § 44C, shall be included as a finalist on the list.

The list must be accompanied by a written explanation of the reasons for selection including the recorded vote, if any. The written explanation and recorded vote, if any, shall be public records and shall be maintained in the contract file.
10. If the fee was set prior to the selection process, the Approving Body shall select a designer from the list of finalists. If the Approving Body selects a designer other than the one ranked first by the Committee, the Approving Body shall file a written justification for the selection with the Committee and maintain a copy in the contract file.
11. If the fee is to be negotiated, the Approving Body shall review the list of finalists and may exclude any designer from the list if a written explanation of the exclusion is filed with the Committee and maintained in the contract file. The Approving Body shall request a fee proposal from the first ranked designer remaining on the list and begin contract negotiations. If the Approving Body is unable to negotiate a satisfactory fee with the first ranked designer, negotiations shall be terminated and undertaken with the remaining designers, one at a time, in the order in which they were ranked by the

Committee until agreement is reached. In no event may a fee be negotiated which is higher than the maximum fee set by the Approving Body prior to selection of finalists.

12. If the Approving Body is unable to negotiate a satisfactory fee with any of the finalists, the Approving Body shall recommend that the Committee select additional finalists.
13. The Approving Authority may allow a designer who conducted a feasibility study to continue with the design of a project. However, the Approving Authority may commission, at its discretion, an independent review, by a knowledgeable and competent individual or business doing such work, of the feasibility of the designer's work to insure its reasonableness and its adequacy before allowing the designer to continue on the project, *provided* the Approving Authority otherwise complies with the statutory requirements for selecting a designer under Chapter 7C of the General Laws, including those set forth in M.G.L. c. 7C, § 54(a)(i).
14. Every contract for design services shall include the following:
 - a. certification that the designer or construction manager has not given, offered, or agreed to give any person, corporation, or other entity any gift, contribution, or offer of employment as an inducement for, or in connection with, the award of the contract for design services;
 - b. certification that no consultant to, or subcontractor for, the designer or construction manager has given, offered, or agreed to give any gift, contribution, or offer of employment to the designer or construction manager, or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a contract by the designer or construction manager;
 - c. certification that no person, corporation, or other entity, other than a bona-fide full-time employee of the designer or construction manager, has been retained or hired by the designer or construction manager to solicit for or in any way assist the designer or construction manager in obtaining the contract for design services upon an agreement or understanding that such person, corporation, or other entity be paid a fee or other consideration contingent upon the award of the contract to the designer; and
 - d. certification that the designer has internal accounting controls as required by M.G.L. c. 30, § 39R(c), and that the designer has filed and will continue to file an audited financial statement as required by M.G.L. c. 30, § 39R(d).

All fees shall be stated in design contracts, and in any subsequent amendments thereto, as a total dollar amount. Contracts may provide for equitable adjustments in the event of changes in scope or services.

15. The Awarding Authority shall not enter into a contract for design services unless the Awarding Authority or the designer has obtained professional liability insurance covering negligent errors, omissions, and acts of the designer or of any person or business entity for whose performance the designer is legally liable arising out of the performance of the contract. The total amount of such insurance shall at a minimum equal the lesser of one

million dollars or ten percent of the project's estimated cost of construction, or such larger amounts as the Awarding Authority may require, for the applicable period of limitations. A designer required by the Awarding Authority to obtain all or a portion of such insurance coverage at its own expense shall furnish a certificate or certificates of insurance coverage to the Awarding Authority prior to the award of the contract.

16. Every contract for design services shall include a provision that the designer or its consultants shall not be compensated for any services involved in preparing changes that are required for additional work that should have been anticipated by the designer in the preparation of the bid documents, as reasonably determined by the individual responsible for administering the design contract.
17. In the event of an emergency that precludes the normal use of these designer selection procedures, the Approving Body may elect to authorize expedited procedures to address the emergency. The Approving Body shall document in writing the reasons for the emergency declaration, the proposed scope of work, the estimated cost of construction, the established fee for the needed design services, and any other relevant information.

The Approving Body may select three finalists from any standing list of designers who have applied for projects of a similar nature, or may otherwise select three designers to be considered as finalists for the project. The Approving Body shall rank the finalists in order of qualification and select the designer for the emergency work.

18. The Awarding Authority shall publish the name of any designer awarded a contract in the *Central Register*.
19. The following records shall be kept by the Awarding Authority:
 - a. all information supplied by or obtained about each applicant;
 - b. all actions taken relating to the project; and
 - c. any other records related to designer selection.

All records shall be available for inspection by the state Designer Selection Board and other authorized agencies.

20. The Awarding Authority shall evaluate designers' performance on contracts using the Designer Selection Board evaluation form(s) in accordance with M.G.L. c. 7C, § 48(h), and file completed evaluations with the Board and any other agency named in M.G.L. c. 7C, § 48(h).
21. Nothing in these Procedures shall be interpreted to require the establishment of a board or waive or reduce the requirements of any other applicable law or regulation.
22. For any municipal design or construction project *that includes funding provided by the Commonwealth, in whole or in part* (such as reimbursements, grants and the like), cities and towns must incorporate minority-owned business enterprise and women-owned business enterprise participation goals. If applicable, the Awarding Authority shall take steps to assure that it complies with all applicable requirements.

ENDNOTES

1. *LeClair v. Norwell*, 430 Mass. 328 (1999); *Cape Ann Citizens Assn. v. Gloucester*, 47 Mass. App. Ct. 17 (1999).
2. Alternatively, local procedures could require that the Committee select the designer and negotiate the fee, if necessary, and transmit its recommendation to the Approving Body.



TOWN OF HOPEDALE

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www.hopedale-ma.gov

Select Board
Glenda A. Hazard, Chair
Brian R. Keyes
Bernard J. Stock

Town Administrator
Jeff Nutting
Interim Town Administrator

April 3, 2023

TO: Select Board
FROM: Jeff Nutting, Interim Town Administrator
RE: Revised deadline for submitting warrant articles for the
2023 Annual Town Meeting

At your March 13, 2023 meeting, the Select Board voted to open the warrant for the 2023 Annual Town Meeting and established a deadline for receipt of articles of 3:00 p.m. on Thursday, April 20, 2023.

As this deadline would mean that the Select Board only has your meeting of April 10th to review the warrant before it closes, we recommend that the Board vote to amend the deadline to 3:00 p.m. on Wednesday April 26, 2023.

You may wish to issue a reminder that the Select Board encourages petitioners and others submitting articles to provide such materials electronically to mwhite@hopedale-ma.gov by such date and time; if submitting through this format, petitioners are advised to request a "read receipt" to verify proper and timely receipt by Select Board's Office. The Select Board further encourages that articles be submitted in narrative format only, and that maps and other supplementary material not be included as part of the warrant article.



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Select Board
Glenda A. Hazard, Chair
Brian R. Keyes
Bernard J. Stock

Town Administrator
Jeff Nutting
Interim Town Administrator

The Hopedale Select Board hereby gives public notice of its intention to call the

SPECIAL TOWN MEETING

on

TUESDAY, MAY 16, 2023, 7:00 P.M.

in the

HOPEDALE JUNIOR-SENIOR HIGH SCHOOL AUDITORIUM

Articles for inclusion in the Warrant for the May 16, 2023 Special Town Meeting may be submitted after 10:00 a.m. on April 11, 2023, and must be received in the Office of the Select Board, Hopedale Town Hall, 78 Hopedale Street, Hopedale, MA 01747 no later than 3:00 p.m. on Wednesday, April 26, 2023.

The Select Board encourages petitioners and others submitting articles to provide such materials electronically to mwhite@hopedale-ma.gov by such date and time; if submitting through this format, petitioners are advised to request a "read receipt" to verify proper and timely receipt by Select Board's Office. The Select Board further encourages that articles be submitted in narrative format only, and that maps and other supplementary material not be included as part of the warrant article.

Glenda A. Hazard, Chair
Hopedale Select Board

DRAFT 4/6/2023



TOWN OF HOPEDALE
SPECIAL TOWN MEETING WARRANT

Tuesday, May 16, 2023
7:00 pm

Dennett Auditorium
Junior/Senior High School
25 Adin Street

Worcester SS: To the Constables in the Town of Hopedale in the County of Worcester.

Greetings: In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Hopedale qualified to vote in town affairs to meet in the Dennett Auditorium of the Junior/Senior High School located at 25 Adin Street, Hopedale, MA 01747, on Tuesday, May 16, 2023, at 7:00 pm, then and there to act on the following Articles:

ARTICLE 1: To see if the Town will vote to transfer from available funds the sum of \$70,000 to fund a Settlement Agreement with a former Town employee, or take any other action related thereto.

Submitted by: Select Board

MOTION: Move that the Town vote to transfer from Free Cash the sum of \$70,000 to fund a Settlement Agreement with a former Town employee.

Commentary: This Article will resolve a legal dispute against the Town. If it is not approved the continued litigation will expose the Town to further costs for our attorney as well as treble (triple) damages and the costs for the Plaintiff's attorney.

ARTICLE 2: To see if the Town will vote to transfer from available funds the sum of \$39,400 pursuant to an Agreement for Judgment between the Town of Hopedale and High Hopes, LLC, or take any other action related thereto.

Submitted by: Select Board

MOTION: Move that the Town vote to transfer from Free Cash the sum of \$39,400 pursuant to an Agreement for Judgment between the Town of Hopedale and High Hopes, LLC.

Commentary: The Host Community Agreement between the Town of Hopedale and High Hopes provided that, if the Town did not incur any expenses related to High Hopes' operation, the Town must return to High Hopes the money they paid to the Town.

ARTICLE 3: To see if the Town will vote pursuant to G.L. c.44, §64 to transfer from available funds such sums of money necessary for the purpose of paying outstanding bills from prior fiscal year(s), or take any other action related thereto.

Laurie will produce list

Submitted by: Select Board

MOTION: Move that the Town vote pursuant to G.L. c.44, §64 to transfer from Free Cash the sum of \$_____ for the purpose of paying outstanding bills from prior fiscal year(s), as listed below:

INSERT LIST OF PRIOR YEAR BILLS/AMOUNTS

(4/5th vote required)

Commentary: This article will authorize payment of bills for goods and services incurred during previous fiscal year(s). Approval of this article requires a 4/5ths vote.

ARTICLE 4: To see if the Town will vote to transfer from available funds a sum of money to supplement FY 2023 Operating Budgets, or take any other action related thereto. **Jeff and Laurie will produce list**

Submitted by: Select Board

MOTION: Move that the Town vote to transfer from Free Cash the sum of \$_____ to supplement FY 2023 Operating Budgets as follows:

Budget_____

Amount

Commentary: This Article will cover shortfalls in Town budgets as listed.

ARTICLE 5: To see if the Town will vote to transfer from available funds such sums of money necessary to fund the prior year deficit in account 31-300-3213-1000, Fund Balance Reserved for Construction, Sewer WWTP Upgrades, or take any other action related thereto.

Submitted by: Select Board

MOTION: Move that the Town vote to transfer from Sewer Retained Earnings the sum of \$11,143.98 to fund the prior year deficit in account 31-300-3213-1000, Fund Balance Reserved for Construction, Sewer WWTP Upgrades.

Commentary:

ARTICLE 6: To see if the Town will vote to transfer from available funds such sums of money necessary to fund the FY 2023-deficit in account 28-300-3560-3611, Recycling Center Revolving Fund, or take any other action related thereto.

Submitted by: Board of Health

MOTION: Move that the Town vote to transfer from Free Cash the sum of \$1,415.65 to fund the FY 2023 deficit in account 28-300-3560-3611, Recycling Center Revolving Fund.

Commentary:

ARTICLE 7: To see if the Town will vote, pursuant to the provisions of G.L. c.40, §5B, to create a new special purpose stabilization fund, to be known as the Opioid Settlement Stabilization Fund and, further, to adopt the last paragraph of said §5B and dedicate to such fund, without further appropriation, 100% of the opioid litigation settlement funds received by the Town, or take any other action related thereto.

Submitted by: Select Board

MOTION: Move that the Town vote, pursuant to the provisions of G.L. c.40, §5B, to create a new special purpose stabilization fund, to be known as the Opioid Settlement Stabilization Fund and, further, to adopt the last paragraph of said §5B and dedicate to such fund, without further appropriation, 100% of the opioid litigation settlement funds received by the Town.

Commentary: The Town will receive several hundreds of thousands of dollars over the next 18 years from the opioid settlements with many companies. These funds can only be used for specific purposes as defined in the settlement agreement. This account is where the funds will be held until a future Town Meeting votes to expend them.

ARTICLE 8: To see if the Town will vote to transfer the sum of \$24,866.30 from the Appellate Tax Board account (approved under Article 5 of the November 2019 Special Town Meeting) for the purpose of covering anticipated costs associated with Real and Personal Property valuations and recertification expenses, or take any other action related thereto.

Submitted by: Board of Assessors

MOTION: Move that the Town vote to transfer the sum of \$24,866.30 from the Appellate Tax Board account (approved under Article 5 of the November 2019 Special Town Meeting) for the purpose of covering anticipated costs associated with Real and Personal Property valuations and recertification expenses.

Commentary: This transfer of funds will be used to pay for the revaluation of property.

ARTICLE 9: To see if the Town will vote, upon recommendation of the Community Preservation Committee, to transfer from the Community Preservation Act Fund to a specified reserve account(s), a sum of money for the purpose of meeting the requirements of the Community Preservation Act, M.G.L. Chapter 44B, Section 6, for the purposes of Open Space, Community Housing and Historic Resources; or take any other action related thereto.

Submitted by: Community Preservation Committee

MOTION: Move that the Town vote, pursuant to M.G.L. Chapter 44B, Section 6, to transfer from the Community Preservation Act Fund to a specified reserve account(s), the sum of \$17,494 (10%) to be reserved for the purpose of Open Space, the sum of \$17,494 (10%) to be reserved for the purpose of Community Housing and the sum of \$17,494 (10%) to be reserved for the purpose of Historic Resources.

Commentary: The purpose of this article is to comply with the provisions of M.G.L., Chapter 44B, Section 6 which requires that every fiscal year, upon recommendation of the Community Preservation Committee, Town Meeting shall spend, or set aside for later spending, not less than 10% of the estimated annual revenues in the Community Preservation Act Fund for each of the following: Open Space (including recreational land), Community (Affordable) Housing, Historic Resources (Preservation).



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Select Board
Glenda A. Hazard, Chair
Brian R. Keyes
Bernard J. Stock

Town Administrator
Jeff Nutting
Interim Town Administrator

April 6, 2023

TO: Select Board
FROM: Jeff Nutting, Interim Town Administrator
CC: Lisa Pedroli, Town Clerk
RE: Upcoming Meeting Schedule

Given the discussions we are engaged in regarding the FY 2024 Budget and Proposition 2 ½ Override, as well as the upcoming Annual Town Meeting, Special Town Meeting and Special Election, I would ask that the Select Board consider meeting more frequently over the next few weeks.

At present, your scheduled meetings prior to Town Meeting are: April 10, April 24, May 8 and May 15. Monday April 17 is a holiday; perhaps the Select Board would schedule a meeting for Tuesday, April 18. The Board will probably consider scheduling additional meetings between now and Town Meeting, but you can do so at a later time.



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Town Administrator
Jeff Nutting
Interim Town Administrator

April 6, 2023

TO: Select Board and Finance Committee
FROM: Jeff Nutting, Interim Town Administrator
RE: FY 2024 Budget Update

Attached is the latest update to the FY 2024 budget which has been adjusted based on the latest information on electric rate increases. The good news is the schools had put extra funds in anticipation of a rate increase, so they do not require additional funding. The Water and Sewer budget increases do not affect the General Fund. Accordingly, the general fund Town budget is up only \$20,000. I am suggesting the best way to solve the issue is the additional use of \$20,000 in Free Cash. The other piece of the puzzle is the contingent budget based on a successful override.

In this model all the funds go to restore the School Department, Council on Aging, Library and Parks Department budgets. In addition, I strongly suggest that \$20,000 be added to the Town Administrator's budget, specifically the Salaries and Wages line item, to fund a part-time Administrative Assistant. The current Executive Assistant (Martha White who, as you know, is a former Town Administrator) and I firmly believe this office is understaffed. We are not coming close to following all the procurement processes, the Human Resources systems are disjointed, the level of outreach to citizens and businesses is insufficient, there is little or no long-range planning (financial or otherwise), departments are not provided with short and long-range goals and objectives, etc., etc.

The Town Administrator needs to devote his or her time on these and other big-picture issues, not administrative matters that distract from more important priorities.

Further, when the full-time Executive Assistant is not in the office due to vacation, sick or personal days (typically 3-4 weeks per year), the Town Administrator must staff the office alone and things will fall behind, just as they were when Martha and I came on board.

If you want – and expect – the next Town Administrator to succeed, the office must be staffed with a sufficient team and provided with the support they need to stay ahead of problems and plan for this community's future. "An ounce of prevention is worth a pound of cure."

If the Select Board and Finance Committee agree with this approach and the associated budget, then we can spend the next month focusing on informing the public about the Town's financial position.

I'm happy to answer any questions.

Developed

DRAFT V5
4/6/2023

114 - TOWN MODERATOR

FY23 Budget
\$200

FY 24 Level
\$200

No Override
Non Contingent
Appropriation FY 24
\$0

Override
Contingent
Appropriation FY 24

122 - SELECTMEN

100 122 SALARIES ELECTED OFFICIALS

\$5,850 **\$5,850** **\$0**

PROFESSIONAL AND TECHNICAL

REPORTS

IN STATE TRAVEL/DUES/SEMINARS

Subtotal - Expenses

Total

\$3,000 **\$500** **\$500**
\$500 **\$750** **\$750**
\$1,940 **\$1,940** **\$1,940**
\$5,440 **\$3,190** **\$3,190**
\$11,290 **\$9,040** **\$3,190**

123 - ADMINISTRATOR

100 123 WAGES - TA

WAGES STAFF

OTHER PERSONAL SERVICES

Subtotal - Wages

\$108,814 **\$140,000** **\$140,000**
\$54,456 **\$135,000** **\$60,000**
\$728 **\$0** **\$0**
\$163,998 **\$275,000** **\$200,000**

Vote on this amount at TM

100 123 PROFESSIONAL AND TECHNICAL

TELEPHONE

POSTAGE

OFFICE SUPPLIES

GASOLINE

IN STATE TRAVEL/DUES/SEMINARS

Subtotal - Expense

Total

\$14,700 **\$15,000** **\$15,000**
\$5,470 **\$6,000** **\$6,000**
\$15,570 **\$0** **\$0**
\$2,247 **\$3,500** **\$3,500**
\$45,000 **\$0** **\$0**
\$2,450 **\$2,500** **\$2,500**
\$85,437 **\$27,000** **\$27,000**
\$249,435 **\$302,000** **\$227,000**

131 - FINANCE COMMITTEE

100 131 SALARY APPOINTED OFFICIALS

REPORTS/DUES

Total

\$4,140 **\$4,140** **\$0**
\$250 **\$250** **\$250**
\$4,390 **\$4,390** **\$250**

132 - RESERVE FUND

100 132 RESERVE FUND

\$35,000 **\$35,000** **\$35,000**
\$35,000 **\$35,000** **\$35,000**

135 - ACCOUNTANT

Subtotal - Wages

\$0 **\$0** **\$0**

100 135 PROFESSIONAL & TECHNICAL
ANNUAL TOWN AUDIT \$84,000 \$84,000
IN STATE TRAVEL/DUES/SEMINARS \$34,000 \$34,000
Subtotal - Expense \$890 \$890
Total \$118,890 \$118,890

141 - ASSESSORS
100 141 SALARIES APPOINTED OFFICIALS \$0 \$0
WAGES - Principal Assessor \$77,353 \$77,353
WAGES ASSISTANT \$25,096 \$25,096
CERTIFICATION STIPENDS \$1,000 \$1,000
Subtotal - Wages \$105,114 \$105,114

REPAIRS AND MAINTENANCE \$0 \$0
PROFESS/TECHNICAL \$24,500 \$22,500
DEEDS \$250 \$0.00
COMPUTERS \$1,308 \$1,300
MAP UPDATING \$1,500 \$2,500
IN STATE TRAVEL/DUES/SEMINARS \$2,000 \$3,000
Subtotal - Expense \$29,558 \$29,300
Total \$128,142 \$132,749

145 - TREASURER/COLLECTOR
100 145 WAGES TC \$87,394 \$87,394
WAGES STAFF \$108,069 \$108,069
STIPEND \$2,000 \$2,000
OTHER WAGES \$4,000 \$4,000
Subtotal - Wages \$201,463 \$201,463

PROFESSIONAL AND TECHNICAL
BANK SERVICE FEES \$17,850 \$17,850
PAYROLL SERVICE \$2,000 \$2,000
POSTAGE \$15,275 \$15,275
TAX BILLS \$16,000 \$16,000
IN STATE TRAVEL/DUES/SEMINARS \$5,500 \$5,500
Subtotal - Expenses \$2,500 \$2,500
Total \$59,125 \$59,125

151 - TOWN COUNSEL
Subtotal - Expenses \$59,125 \$59,125
Total \$260,588 \$260,588

171 - CONSERVATION COMMITTEE

100 171	SALARY APPOINTED OFFICIALS				
	WAGES -Sec	\$1,150	\$2,340	\$0	
	WAGES AGENT	\$0	\$1,250	\$1,250	
	Subtotal - Wages	\$1,150	\$3,590	\$0	\$1,250
	MAINTENANCE	\$0	\$0	\$5,000	
	Total	\$1,150	\$3,590	\$6,250	

175 - PLANNING BOARD

100 175	SALARIES ELECTED OFFICIALS				
	WAGES	\$3,330	\$3,330	\$0	
	Subtotal - Wages	\$76,176	\$2,500	\$2,500	
		\$79,506	\$5,830	\$2,500	
	OTHER EXPENSES	\$923	\$1,000	\$1,000	
	Total	\$80,429	\$6,830	\$3,500	

176 - ZONING BOARD

100 176	SALARIES - APPOINTED OFFICIALS				
	WAGES	\$2,340	\$2,340	\$0	
	Subtotal - Wages	\$1,372	\$2,500	\$2,500	
	NOTICES	\$3,712	\$4,840	\$2,500	
	Total	\$1,999	\$3,000	\$3,000	
		\$5,711	\$7,840	\$5,500	

IT DEPARTMENT

100 191	MAINTENANCE				
	SOFTWARE/SUPPLIES	\$10,000	\$16,900	\$16,900	
	SUPPLIES	\$48,974	\$52,400	\$52,400	
	Total	\$200	\$69,300	\$69,300	
		\$59,174			

192 - PUBLIC BLD - ALL

100 192	CLEANING CONTRACTED SERVICES				
	ENERGY ELECTRIC	\$14,000	\$37,000	\$37,000	
	ENERGY HEAT FUEL	\$8,000	\$69,000	\$69,000	
	WATER & SEWER ASSESSMENT	\$16,000	\$50,000	\$50,000	
	REPAIRS/MAINT.	\$3,400	\$13,000	\$13,000	
		\$14,000	\$27,000	\$27,000	

BUILDING REPAIRS	\$15,490	\$0	\$0
LIBRARY PARKING LOT	\$4,200	\$4,200	\$4,200
Total	\$75,090	\$200,200	\$200,200
<u>100 - GENERAL GOVERNMENT TOTAL</u>			
<u>200 - POLICE</u>	\$1,199,027	\$1,356,153	\$1,266,288
200 210 WAGES PERMANENT	\$1,129,293	\$1,217,272	\$1,217,272
OVERTIME	\$150,000	\$150,000	\$142,500
Subtotal - Wages	\$1,279,293	\$1,367,272	\$1,359,772
BUILDING MAINTENANCE	\$47,379	\$49,900	\$49,900
PROFESSIONAL AND TECHNICAL	\$44,800	\$45,450	\$45,450
VEHICULAR (Maintenance, fuel, lease)	\$27,350	\$27,850	\$27,850
OTHER SUPPLIES	\$76,283	\$88,116	\$88,116
TRAVEL/DUES/SEMINARS	\$0	\$4,000	\$4,000
ADDITIONAL EQUIPMENT (Patrol Rifles)	\$0	\$0.00	\$0.00
Subtotal - Expenses	\$195,812	\$215,316	\$215,316
Total	\$1,475,105	\$1,582,588	\$1,575,088
<u>215 - DISPATCH</u>			
200 215 WAGES	\$250,942	\$274,158	\$274,158
OVERTIME	\$88,313	\$88,734	\$88,734
Subtotal F-wages	\$339,255	\$362,892	\$362,892
E 911 DISPATCHERS - EXPENSE	\$28,515	\$28,515	\$28,515
Total	\$367,770	\$391,407	\$391,407
<u>220 - FIRE</u>			
200 220 WAGES PERMANENT	\$794,583	\$825,027	\$825,027
WAGES TEMPORARY	\$74,000	\$91,350	\$91,350
OVERTIME	\$189,606	\$281,605	\$267,000
STIPENDS	\$23,300	\$27,300	\$27,300
Subtotal - Wages	\$1,081,489	\$1,225,282	\$1,210,677
PERSONAL SERVICES (Computer & Software)	\$13,900	\$17,210	\$17,210
REPAIRS AND MAINTENANCE (vehicles)	\$80,110	\$72,460	\$72,460
PROF. & TECH.(Training, physicals, etc.)	\$14,200	\$100,600	\$100,600
BUILDING REPAIRS/MAINTENANCE	\$50,750	\$36,600	\$36,600
OTHER SUPPLIES	\$133,750	\$88,300	\$88,300

	SCBA REPLACEMENT AND UPGRADE	\$2,280	\$5,050	\$5,050
	TRAVEL/DUES/SEMINARS	\$3,900	\$10,750	\$10,750
	ALARM SERVICES	\$3,000	\$3,000	\$3,000
	NEW EQUIPMENT (SCBA Match, CCTV, PPE)	\$0	\$0	\$0
	Subtotal - Expense	\$301,890	\$333,970	\$333,970
	Total	\$1,383,379	\$1,559,252	\$1,544,647
	<u>241 - BUILDING INSPECTOR</u>			
200 241	SALARY & WAGES PERMANENT	\$35,275	\$37,039	\$37,039
	SALARY & WAGES - ASSISTANT	\$23,008	\$25,096	\$25,096
	SALARY & WAGES - ALTERNATE	\$1,000	\$1,000	\$1,000
	Subtotal - Wages	\$59,283	\$63,135	\$63,135
	SUPPLIES	\$1,176	\$1,500	\$1,500
	IN STATE TRAVEL/DUES/SEMINARS	\$2,450	\$1,500	\$1,500
	Subtotal- Expenses	\$3,626	\$3,000	\$3,000
	Total	\$62,909	\$66,135	\$66,135
	<u>243 - PLUMBING INSPECTOR</u>			
200 243	WAGES PERMANENT	\$7,275	\$8,750	\$8,750
	IN STATE TRAVEL/DUES/SEMINARS	\$196	\$300	\$300
	Total	\$7,471	\$9,050	\$9,050
	<u>245 - ELECTRICAL INSPECTOR</u>			
200 245	WAGES PERMANENT	\$8,275	\$9,750	\$9,750
	IN STATE TRAVEL/DUES/SEMINARS	\$490	\$300	\$300
	Total	\$8,765	\$10,050	\$10,050
	<u>247 - WEIGHTS & MEASURES</u>			
200 247	SALARIES	\$750	\$750	\$750
	Total	\$750	\$750	\$750
	<u>291 - CIVIL DEFENSE (EMS)</u>			
200 291	REPAIRS	\$0	\$0	\$0
200 291	Wages	\$5,000	\$5,000	\$5,000
	EXPENSES	\$5,700	\$6,900	\$6,900

	Total	\$10,700	\$11,900	\$11,900
200 292	<u>292 -Animal Control</u>	\$0	\$28,735	\$28,735
200 294	<u>294 - FORESTRY-TREE PLANTING</u>			
	ELECTED OFFICIAL WAGES	\$900	\$900	\$0
	PROFESSIONAL AND TECHNICAL			
	TREE PLANTING	\$0	\$17,500	\$0
	OTHER SUPPLIES	\$5,880	\$800	\$800
	IN STATE TRAVEL/DUES/SEMINARS	\$490	\$0	\$0
	Subtotal - Expenses	\$784	\$800	\$800
	Total	\$7,154	\$19,100	\$1,600
		\$8,054	\$20,000	\$1,600
200 295	<u>295 - FORESTRY-DUTCH ELM</u>			
	PEST CONTROL	\$245	\$0	\$0
	DUTCH ELM	\$392	\$0	\$0
	Total	\$637	\$0	\$0
	<u>200 - PUBLIC SAFETY TOTAL</u>	\$3,325,540	\$3,679,867	\$3,639,362
300 300	<u>300 - EDUCATION</u>			
	SCHOOL DEPARTMENT	\$13,398,523	\$13,970,866	\$12,928,866
	945 -BVTS	\$730,214	\$1,008,525	\$1,008,525
	Total	\$14,128,737	\$14,979,391	\$13,937,391
	Total - EDUCATION	\$14,128,737	\$14,979,391	\$13,937,391
400 422	<u>422 - HIGHWAY</u>			
	SALARIES ELECTED OFFICIALS	\$1,980	\$1,980	\$491,632
	WAGES	\$463,750	\$491,632	\$11,000
	OVERTIME	\$10,000	\$11,000	\$10,440
	ON CALL	\$10,440	\$10,440	\$10,000
	POLICE DETAIL	\$12,324	\$10,000	\$523,072
	Subtotal - Wages	\$498,494	\$525,052	\$101,000
	REPAIRS AND MAINTENANCE	\$95,875	\$101,000	\$5,000
	FUEL DISPENSER EQUIP. REPAIRS	\$3,000	\$5,000	\$45,000
	FUEL	\$0	\$45,000	
				\$810,000

Vote on this amount at TM

	LEASE PAYMENT	\$25,578	\$0	\$0
	OTHER PROPERTY SERVICES	\$24,500	\$8,000	\$8,000
	TRAFFIC SIGNS (change signs)	\$8,720	\$8,720	\$8,720
	OTHER PURCHASED SERVICES (Uniforms)	\$623	\$1,323	\$1,323
	OTHER SUPPLIES	\$4,000	\$11,000	\$11,000
	STORMWATER MGT PLAN	\$120,000	\$201,000	\$150,000
	IN STATE TRAVEL/DUES/SEMINARS	\$1,600	\$2,000	\$2,000
	BUILDING IMPROVEMENTS	\$5,586	\$5,586	\$5,586
	Subtotal - Expenses	\$289,482	\$388,629	\$337,629
	Total	\$787,976	\$913,681	\$860,701
	423 - SNOW REMOVAL			
400 423	SNOW REMOVAL OVERTIME	\$20,000	\$21,000	\$20,000
	Subtotal - Wages	\$20,000	\$21,000	\$20,000
	FUEL	\$4,000	\$4,000	\$4,000
	SNOW RELATED MAINTAINENCE	\$20,000	\$20,000	\$20,000
	CONTRACTED SNOW REMOVAL	\$18,000	\$18,000	\$18,000
	SAND & SALT	\$63,000	\$92,400	\$63,000
	Subtotal - Expenses	\$105,000	\$134,400	\$105,000
	Total	\$125,000	\$155,400	\$125,000
	424 - STREET LIGHTING			
400 424	ENERGY	\$65,000	\$69,000	\$69,000
	Total	\$65,000	\$69,000	\$69,000
	491 - CEMETERY			
400 491	SALARY & WAGES PERMANENT	\$0	\$0	\$0
	GROUNDSKEEPING	\$3,350	\$3,350	\$3,350
	Total	\$3,350	\$3,350	\$3,350
	400 - PUBLIC WORKS	\$1,016,326	\$1,176,431	\$1,093,051
	511 - PUBLIC HEALTH			
500 511	SALARIES ELECTED OFFICALS	\$1,665	\$1,665	\$0
	WAGES	\$66,410	\$66,770	\$66,770
	Subtotal - Wages	\$66,410	\$66,770	\$66,770
	TESTING OF PONDWELLS WATER	\$1,500	\$2,000	\$2,000
	TRASH REMOVAL	\$667,520	\$679,000	\$679,000

500 541	TRANSFER STATION	\$4,800	\$4,800	\$4,800	\$4,800
	PROFESSIONAL AND TECHNICAL	\$10,000	\$6,800	\$6,800	\$6,800
	TELEPHONE	\$0	\$0	\$0	\$0
	PRINTING	\$0	\$0	\$0	\$0
	OTHER SUPPLIES	\$700	\$1,000	\$1,000	\$1,000
	IN STATE TRAVEL/DUES/SEMINARS	\$150	\$225	\$225	\$225
	Subtotal - Expense	\$684,670	\$693,825	\$693,825	\$693,825
	Total	\$751,080	\$760,595	\$760,595	\$760,595
	541 - COUNCIL ON AGING				
	WAGES	\$70,447	\$74,000	\$74,000	\$74,000
	WAGES PART TIME	\$29,856	\$31,348	\$31,348	\$31,348
	Subtotal - Wages	\$100,303	\$105,348	\$105,348	\$105,348
	PROFESSIONAL AND TECHNICAL	\$0	\$0	\$0	\$0
	NURSE	\$700	\$700	\$700	\$700
	ENERGY/TELEPHONE/INTERNET	\$1,960	\$1,960	\$1,960	\$1,960
	NEWSLETTER	\$2,000	\$2,000	\$2,000	\$2,000
	TRANSPORTATION	\$12,200	\$12,200	\$12,200	\$12,200
	OFFICE SUPPLIES	\$6,003	\$6,003	\$6,003	\$6,003
	FOOD AND DRINK	\$980	\$980	\$980	\$980
	IN STATE TRAVEL/DUES/SEMINARS	\$1,000	\$1,000	\$1,000	\$1,000
	Subtotal - Expenses	\$24,843	\$24,843	\$24,843	\$24,843
	Total	\$125,146	\$130,191	\$130,191	\$130,191
	543 - VETERANS				
500 543	WAGES	\$6,000	\$6,000	\$6,000	\$6,000
	VETERAN'S EXPENSES	\$0	\$1,000	\$1,000	\$1,000
	VETERAN'S BENEFITS	\$44,000	\$35,000	\$35,000	\$35,000
	Total	\$50,000	\$42,000	\$42,000	\$42,000
	549 - COMMISSION ON DISABILITIES				
500 549	COMMUNICATIONS/NOTICE	\$135	\$135	\$135	\$135
	Total	\$135	\$135	\$135	\$135
	500 - HUMAN SERVICES				
600 610	SALARIES ELECTED OFFICIALS	\$926,361	\$932,921	\$932,921	\$932,921
	610 - LIBRARY				
	SALARIES ELECTED OFFICIALS	\$1,440	\$1,440	\$1,440	\$1,440

Vote on this amount at TM

Vote on this amount at TM

SALARY & WAGES PERMANENT	\$199,288	\$208,582	\$216,582	
Subtotal - Wages	\$200,728	\$210,022	\$216,582	Vote on this amount at TM
ENERGY	\$15,000	\$0		
WATER/SEWER	\$640	\$0		
REPAIRS AND MAINTENANCE	\$20,876	\$13,510	\$13,510	
HOPE PLAZA	\$5,000	\$6,000	\$6,000	
PROFESSIONAL AND TECHNICAL	\$11,353	\$12,128	\$12,128	
TELEPHONE	\$300	\$300	\$300	
POSTAGE	\$100	\$100	\$100	
EDUCATIONAL (Books)	\$61,000	\$67,000	\$67,000	
LIBRARY SUPPLIES	\$4,400	\$4,750	\$4,750	
IN STATE TRAVEL/DUES/SEMINARS	\$550	\$550	\$550	
EQUIPMENT	\$1,064	\$1,064	\$1,064	
Subtotal - Expenses	\$120,283	\$105,402	\$105,402	Vote on this amount at TM
Total	\$321,011	\$315,424	\$321,984	

650 - PARKS				
600 650 SALARIES ELECTED OFFICIALS	\$1,440	\$1,440		
WAGES PERMANENT	\$26,400	\$26,400		
OTHER PERSONAL SERVICES	\$0	\$0		
Subtotal - Wages	\$27,840	\$27,840	\$26,400	Vote on this amount at TM

WEED CONTROL	\$12,000	\$12,000		
ENERGY	\$4,158	\$0		
WATER (IRRIGATION)	\$3,263	\$0		
REPAIRS AND MAINTENANCE	\$35,650	\$35,650	\$35,650	
OTHER SUPPLIES	\$1,545	\$1,545	\$1,545	
REPLACEMENT EQUIPMENT	\$0	\$0		
RESTROOMS	\$0	\$0		
CAPITAL PROJECTS	\$0	\$0		
Subtotal - Expenses	\$56,616	\$49,195	\$12,000	Vote on this amount at TM
Total	\$84,456	\$77,035	\$12,000	\$37,195

600 691 691 - HISTORICAL COMMITTEE				
PRESERVATION /RELATED COST	\$2,484	\$1,600	\$1,600	
Total	\$2,484	\$1,600	\$1,600	

692 - MEMORIAL DAY

	FREEDOM STREET BRIDGE	\$15,550	\$11,550.00	\$11,550
	SCHOOL BONDS - BAN	\$884	\$7,332.00	\$7,332
	STORM WATER (MS4) - BAN	\$431	\$0.00	\$0
	DEPARTMENTAL EQUIPMENT - BAN	\$589	\$4,880.16	\$4,880.16
	STREET LIGHTS- BAN	\$1,269	\$12,263.00	\$12,263
	LEAF VAC MACHINE- BAN	\$978	\$9,457.00	\$9,457
	DUMP TRUCK- BAN	\$323	\$0.00	\$0
	Total - Interest	\$85,514	\$101,395	\$101,395
		\$326,264	\$345,123	\$345,123
	<u>700 - DEBT AND INTEREST</u>	\$326,264	\$345,123	\$345,123
	<u>PENSIONS</u>			
800 830	RETIREMENT PENSION	\$1,316,665	\$1,381,525	\$1,381,525
	<u>847 - CENTRAL MASS. REG. PLAN DIST.</u>			
800 847	DUES & SUBSCRIPTIONS	\$1,810	\$1,857	\$1,857
	<u>850 - STABILIZATION FUND DEPOSIT</u>			
800 850	STABILIZATION FUND DEPOSIT	\$0	\$0	\$0
	<u>800 - INTERGOVERNMENTAL</u>	\$1,318,475	\$1,383,382	\$1,383,382
	<u>912 - WORKERS COMPENSATION</u>			
900 912	WORKERS COMP PREMIUMS	\$119,000	\$137,000	\$137,000
	POLICE FIRE	\$22,000	\$27,000	\$27,000
	Total	\$141,000	\$164,000	\$164,000
	<u>913 - UNEMPLOYMENT COMPENSATION</u>			
900 913	FRINGE BENEFITS - EMPLOYEES	\$30,000	\$30,000	\$30,000
	<u>914 - MEDICARE</u>			
900 914	FRINGE BENEFITS - EMPLOYEES	\$241,260	\$251,000	\$251,000
	<u>915 - HEALTHLIFE INSURANCE</u>			
900 915	INSURANCE PREMIUMS	\$3,982,581	\$4,100,000	\$4,080,000
	<u>940 - OTHER UNCLASSIFIED</u>			

945 - LIABILITY INSURANCE

INSURANCE PREMIUMS (Bldg., Lib.), BONDS
Total

900 945

900 - UNCLASSIFIED

Total Requests								
Estimated Revenues	\$	28,977,672	\$27,190,872	28,542,642				
Difference	\$	27,192,777	\$27,192,777	28,542,777				
		(\$1,784,895)	\$1,905	\$135				

Hopedale FY 24 Estimated Revenues

	2023	2024	No Override Non Contingent 2024	Override CONTINGENT 2024
Revenue				
Property Tax	\$17,292,147	\$17,724,451	\$17,724,451	\$17,724,451
New Growth		\$180,000	\$180,000	\$180,000
Override				\$1,350,000
Debt Exclusion	\$288,437	\$279,192	\$279,192	\$279,192
Total Tax Levy	\$17,580,584	\$18,183,643	\$18,183,643	\$19,533,643
State Revenue				
Chapter 70 Schools	\$6,168,750	\$6,195,000	\$6,195,000	\$6,195,000
Charter School Reimbursements	\$12,236	\$11,145	\$11,145	\$11,145
School Choice				
Unrestricted Aid	\$755,359	\$770,466	\$770,466	\$770,466
All other net of Offsets	\$63,668	\$43,996	\$43,996	\$43,996
Subtotal	\$7,000,013	\$7,020,607	\$7,020,607	\$7,020,607
Other Revenue				
Local Receipts	\$1,554,110	\$1,625,000	\$1,625,000	\$1,625,000
Water Indirects	\$136,854	\$140,343	\$140,343	\$140,343
Sewer Indirects	\$117,334	\$126,847	\$126,847	\$126,847
Ambulance Receipt Reserve	\$330,000	\$345,000	\$345,000	\$345,000
Free Cash		\$120,000	\$120,000	\$120,000
Total Revenue/other funds	\$2,138,298	\$2,357,190	\$2,357,190	\$2,357,190
Override				
Total Revenue	\$26,718,895	\$27,561,440	\$27,561,440	\$28,911,440

Assessments					
State Assessment/Transportation	\$29,381	\$28,001	\$28,001	\$28,001	\$28,001
School choice	\$198,644	\$197,964	\$197,964	\$197,964	\$197,964
Charter School	\$81,560	\$67,698	\$67,698	\$67,698	\$67,698
Abatement/ Exemptions/Seniors	\$73,137	\$75,000	\$75,000	\$75,000	\$75,000
Total Assessments	\$382,722	\$368,663	\$368,663	\$368,663	\$368,663

Net Revenues **\$26,336,173** **\$27,192,777** **\$27,192,777** **\$28,542,777**

FY 24 Budget				
Total Requests		FY 24 REQUEST	NO Override	Override
Estimated Revenues		\$28,977,672	\$27,190,872	\$28,542,642
Difference		\$27,192,777	\$27,192,777	\$28,542,777
		(\$1,784,895)	\$1,905	\$135

**TOWN OF HOPEDALE, MASSACHUSETTS
LOCAL ELECTION WARRANT**

SS. Worcester

To any of the Constables of the Town of Hopedale,
Greetings;

In the name of the Town of Hopedale, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in the Local Election to vote at:

**George A. Draper Gymnasium
13 Dutcher Street, Hopedale Massachusetts**

on **Tuesday, The ninth of May, 2023 from 7:00AM to 8:00PM** for the following purpose:

To cast their votes in the Local Election for the candidates for the following offices:

**SELECT BOARD3 YEARS
BOARD OF HEALTH 3 YEARS
LIBRARY TRUSTEE 3 YEARS
PARK COMMISSION3 YEARS
PLANNING BOARD5 YEARS
ROAD COMMISSIONER.....3 YEARS
SCHOOL COMMITTEE3 YEARS
TREE WARDEN 3 YEARS
WATER & SEWER COMMISSIONER..... 3 YEARS**

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of **April 2023**.

_____ Glenda Hazard, Select Board Chair.

_____ Bernard J. Stock, Select Board

_____ Brian R. Keyes, Select Board

This notice shall be posted as required by Town bylaws in four places in the Town of Hopedale:

Town Hall, Police Station Lobby, Post Office Lobby and the Draper Gym.

Return of Service: _____ April ____, 2023
Constable

A true copy, attest: _____
Lisa M. Pedroli, Town Clerk

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Constable

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Lisa M. Pedroli, Town Clerk

ORDER OF TAKING

WHEREAS, the Town of Hopedale, a municipal corporation, *acting by and through its Select Board*, with an address of 78 Hopedale Street, Hopedale, Massachusetts 01747 (the "Town") hereby certifies that the Town did vote to acquire by purchase, eminent domain or otherwise, the fee interest in the land known as a portion of 364 West Street, Hopedale, Worcester County, Massachusetts, containing 130.18 acres, more or less, which is classified as Forest Land under Chapter 61 of the General Laws, and shown on the plan attached hereto as Exhibit A (the "Plan") as "Map 2, Block 5, One Hundred Forty Realty Trust, Chapter 61 Forest Land Parcel-130.18 Acres" (the "Property"), which Property excludes the areas shown on the Plan as "Railroad Right of Way" and "Map 2, Block 5, One Hundred Forty Realty Trust, Excluded Wetlands – 25.06 Acres";

WHEREAS, the Select Board has deemed that public necessity and convenience require that it should take charge of and take by eminent domain a fee interest in the Property to maintain and preserve the Property and the forest, water, air, and other natural resources thereon for the use of the public and for conservation and recreation purposes to be managed under the control of the Hopedale Parks Commission;

WHEREAS, the taking was authorized by a two-thirds vote at the 2022 Special Town Meeting held on July 11, 2022, pursuant to Article 1, a certified copy of which vote is recorded herewith; and

WHEREAS, the Property is currently owned by Michael R. Milanoski and Jon Delli Priscoli, Trustees of the One Hundred Forty Realty Trust, u/d/t dated September 16, 1981 and recorded in the Worcester South County Registry of Deeds (the "Registry") in Book 7322, Page 177, by virtue of a deed recorded with the Registry on June 11, 2021 in Book 65363, Page 65.

NOW, THEREFORE, we, the undersigned Select Board of the Town of Hopedale, acting herein under the authority conferred on us by Chapters 40 and 79 of the General Laws, do hereby adopt this Order of Taking to take, on behalf of the Town, a fee simple interest in all of the Property.

AND FURTHER ORDERED that included in this taking and without limiting the provisions of the foregoing, said taking includes all trees, bushes, vegetation, roadway improvements and all structures located thereon, including but not limited to structures for the collection of storm drainage and sewerage, but not including wires, cables, poles, towers, pipes, conduits and other appurtenances for the conveyance of gas, electricity, cable television or telephone communication located in or upon the Property, and not including railroad tracks or appurtenant loading structures currently in place on the Property.

AND FURTHER ORDERED that no betterments are to be assessed under this Taking.

AND FURTHER ORDERED that in accordance with the provisions of M.G.L. Chapter 79, as amended, an award of Four Million Four Hundred Thousand Dollars (\$4,400,000.00) is made.

AND FURTHER ORDERED that a representative of the Town shall record this Order of Taking in the Registry within thirty (30) days from its final passage, shall notify the Treasurer and Collector of Taxes in the Town of Hopedale of this taking in accordance with M.G.L. Chapter 79, and shall cause notice of the taking to be given to all persons entitled thereto and do all things necessary for the validity of this Order of Taking.

[Signatures to appear on next page.]

IN WITNESS WHEREOF, we, the Select Board, have executed this Order of Taking this 10th day of April, 2023.

TOWN OF HOPEDALE
SELECT BOARD

Glenda A. Hazard, Chair

Brian R. Keyes

Bernard J. Stock

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF WORCESTER

On this 11th day of April, 2023, before me, the undersigned Notary Public, personally appeared _____

_____ members of the Select Board for the Town of Hopedale, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the persons whose names are signed on the preceding or attached document and acknowledged to me that they signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

Exhibit A
(attached)



TOWN OF HOPEDALE

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

Tel: 508-634-2203 Fax: 508-634-2200
www.hopedale-ma.gov

Select Board
Glenda A. Hazard, Chair
Brian R. Keyes
Bernard J. Stock

Town Administrator
Jeff Nutting
Interim Town Administrator

April 3, 2023

TO: Department Heads, Boards and Committees
FROM: Jeff Nutting, Interim Town Administrator
RE: Update regarding pandemic-related relief provisions

Town Counsel has advised us that, on March 29, 2023, the Governor signed Chapter 2 of the Acts of 2023. Within that legislation, pandemic-related relief provisions regarding the Open Meeting Law were further extended, as noted below:

Public bodies are authorized to continue to hold entirely remote meetings, or so-called “hybrid” meetings, until **March 31, 2025**. Note that remote and hybrid meetings must provide “adequate, alternative means” of public access, such as the use of the Zoom platform that Hopedale boards and committees have been using. As a friendly reminder, if your meeting agendas refer to prior legislative enactments authorizing remote/hybrid meetings, you will want to update those references to Chapter 2 of the Acts of 2023. (see sample below)

As Chapter 2 contains an emergency preamble, these provisions are effective immediately.

SAMPLE LANGUAGE FOR MEETING AGENDAS:

This is language is included at the top of all Select Board agendas:

On July 16, 2022, Lt. Governor Polito, as Acting Governor, signed into law An Act Extending Certain COVID-19 Measures Adopted During the State of Emergency.¹ This meeting will be held via HYBRID means.

And this footnote is included at the end of all Select Board agendas:

¹ Chapter 2 of the Acts of 2023 authorized an extension, until March 31, 2025, of the remote meeting provisions of the March 12, 2020 Executive Order Suspending Certain Provisions of the Open Meeting Law. Section (1) of the executive order allowing public access through adequate, alternative means is independent from Section (2), which allows members of the public body to participate remotely. The public body may conduct its proceedings under the relief provided in section (1) or (2) or both.

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From: KP Law, P.C. <KPLAW@k-plaw.com>
Sent: Thursday, March 30, 2023 10:47 AM
To: KP Law, P.C.
Subject: KP Law, P.C. – eUpdate – Pandemic Related Legal Updates

Governor signs supplemental budget, extending certain pandemic-related relief provisions.

Yesterday, the Governor signed Chapter 2 of the Acts of 2023, supplemental state budget provisions for Fiscal Year 2023. Within that legislation ([found here](#)), several pandemic-related relief provisions were further extended, as noted below:

1. **Open Meeting Law.** Public bodies are authorized to continue to hold entirely remote meetings, or so-called "hybrid" meetings, upon the provision of "adequate, alternative means" of public access, until **March 31, 2025**. As a friendly reminder, if your meeting agendas refer to prior legislative enactments authorizing remote/hybrid meetings, you will want to update those references to Chapter 2 of the Acts of 2023.
2. **Quorum Reduction.** The Select Board, in consultation with and approval of the Town Moderator, can still reduce the quorum for Town Meetings to not less than 10% of the regularly required number. This requires at least a seven-day notification requirement before any Select Board vote. Also in effect until **March 31, 2025**.
3. **Remote Representative Town Meeting.** A representative town meeting can continue to be held remotely, until **March 31, 2025**.
4. **Outdoor Dining/Alcohol to Go** – Extended through **April 1, 2024**; note that the Alcoholic Beverages Control Commission (ABCC) has scheduled a meeting on this for April 7, 2023 (<https://www.mass.gov/news/notice-of-public-meeting-april-7-2022>) to discuss "Extension and Allowance of Outdoor Table Service / Patio Guidelines."

As Chapter 2 contains an emergency preamble, these provisions are effective immediately.

Also, the Legislature permanently amended state law to allow for **Virtual Notarization**. We have not summarized those statutory changes here, as the extensions listed above are the most critical to municipal governance and operations.

If you have any questions about any of these areas, please do not hesitate to contact your KP Law attorney.

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