

**TOWN OF HOPEDALE**  
**SPECIAL TOWN MEETING WARRANT**

Monday, November 14, 2022  
7:00 PM

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 Monday, November 14, 2022, at 7:00 pm, then and there to act on the following articles:

**ARTICLE 1: Prior Year Bills**

To see if the Town will vote to transfer from current year expense funds, the sums of money necessary to pay the prior year bills remaining from FY22 or before, or take any other action related thereto.

*9/10ths Vote Required*

Submitted by: Select Board

*Commentary: This article will authorize payment of bills that were incurred during previous fiscal year(s). Since the account for the prior fiscal year has been closed out, it is necessary to pay the amounts, if approved, from currently available funds. A 90% majority will be required for approval.*

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**ARTICLE 2: Hopedale Fire Fighters Collective Bargaining Agreement**

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to fund and implement the cost items of the first year of a collective bargaining agreement between the Town and the Hopedale Fire Fighters IAFF Local 2225 covering the period of **July 1, 2021 through June 30, 2024**, or take any other action relative thereto.

Submitted by: Select Board

*Commentary: Required by MGL, 150E, §7, article is necessary to approve the cost items within a newly signed collective bargaining agreement.*

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**ARTICLE 3: Capital Funding Article**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, including Stabilization, sums of money to fund equipment and capital purchases, or take any other related action thereto.

*2/3rds Vote May Be Required.*

Submitted by: Finance Committee (on behalf of the Capital Improvement Planning Committee)

*Commentary: This article will provide funds for necessary equipment and capital purchases to support various departments and services.*

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**ARTICLE 4: Board of Health Expenses**

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to adjust the Board of Health Expenses for FY23, or take any other action related thereto.

Submitted by: Board of Health/Town Administrator

*Commentary: This article will provide funds for trash/recycling contract, professional/technical assistance with public health nurse support and response and necessary septic inspections.*

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**ARTICLE 5: Police Detail Expenses**

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of \$11,000 to the Highway Department Other Personal Services account and a sum of \$4,000 to the Election Wages account, for a total sum of \$15,000, to cover the cost of police details for FY23, or take any other action related thereto.

Submitted by: Select Board

*Commentary: This article will provide funds for police details for Highway Department work and for Town Elections.*

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**ARTICLE 6: Health Insurance Expenses**

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to adjust the Town's Health Insurance Expenses account for FY23, or take any other action related thereto.

Submitted by: Town Administrator

*Commentary: This article will provide additional funds for group insurance benefits for employees and retirees.*

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**ARTICLE 7: Fire/EMS Department Salaries/Expenses**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to supplement the FY23 salary and/or expense budgets of the Fire Department as voted in Article 3 of the May 24, 2022 Annual Town Meeting, or take any action relative thereto.

Submitted by: Fire Chief/Select Board

*Commentary: This article will provide additional funds for the Fire/EMS Department.*

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**ARTICLE 8: Add Juneteenth to Legal Holidays**

To see if the Town will vote to amend the Town of Hopedale MA General Law, Chapter 137, titled Personnel, by amending Article 2, Section 25 to add "Juneteenth" to holidays listed, between Memorial Day and Independence Day, or take any other action relative thereto.

Submitted by: Select Board

*Commentary: This article will add Juneteenth to the holidays legally observed by the Town of Hopedale employees.*

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**ARTICLE 9: Fire/EMS Exempt from Civil Service**

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation providing that all positions in the Fire Department after passage of the Act not be subject to the Civil Service statute, all as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Select Board to approve such amendments:

**AN ACT EXEMPTING ALL POSITIONS IN THE FIRE DEPARTMENT OF THE TOWN OF HOPEDALE FROM THE CIVIL SERVICE LAW**

*Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same as follows:*

SECTION 1. Notwithstanding any general or special law to the contrary, all positions in the fire department of the town of Hopedale shall be exempt from chapter 31 of the General Laws.

SECTION 2. This act shall not impair the civil service status of a person holding a position described in section 1 on the effective date of this act.

SECTION 3. Notwithstanding the provisions of Section 2, no appointments or promotions made after the effective date of this act will be governed in any way by chapter 31 of the General Laws.

SECTION 4. This act shall take effect upon its passage.

Submitted by: Select Board

Commentary: By exempting the Fire/EMS Department, it will allow more flexibility in personnel matters while still ensuring the protections by incorporating into contracts.

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**ARTICLE 10: Amend Hopedale Zoning Bylaw**

To see if the Town vote to amend the Zoning Map of the Town, as it is established and referenced in Section 3.2 (Location of Districts) of the Zoning Bylaw, to change the zoning for the following fourteen (14) parcels from General Business (GB-A) to Commercial (C), the complete text and maps relative to such changes being available for inspection in the Town Clerk's office, or take any other action act relative:

1. 24-31-2, 10 Charlesview Road
2. 24-36-0, 404 South Main Street
3. 24-37-0 ,144 Hartford Avenue
4. 24-38-0, 1 Charlesview Road
5. 24-39-0, 3 Charlesview Road
6. 24-40-0, 5 Charlesview Road
7. 24-41-0, 7 Charlesview Road
8. 24-42-0, 8 Charlesview Road
9. 24-43-0. 6 Charlesview Road
10. 24-44-0, 4 Charlesview Road
11. 24-45-0, 150 Hartford Avenue

- 12. 24-45-1, 156 Hartford Avenue
- 13. 24-55-2, 4 Evergreen Lane
- 14. 24-55-3, 2 Evergreen Lane

*2/3rds Vote Required.*

Submitted by: Planning Board:

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**ARTICLE 11: Amend Hopedale Zoning Bylaw to Create Marijuana Overlay District**

To see if the Town vote to amend the Zoning Map of the Town, as it is established and referenced in Section 3.2 (Location of Districts) of the Zoning Bylaw, to create a Marijuana Overlay District, the complete text and map relative to such overlay district being available for inspection in the Town Clerk's office, or take any other action related thereto.

*2/3rds Vote Required.*

Submitted by: Planning Board:

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**ARTICLE 12: Reserve Fund Transfer to Planning Board Salaries**

To see if the Town will vote to transfer a sum of money from the Reserve Fund account to the Planning Board Salaries and Wages Permanent account, or take any other action related thereto.

Submitted by: Select Board

*Commentary: This article will move funding that was already authorized by Town Meeting from the Finance Committee Reserve Fund to an account line in the Planning Board budget so the position of Town Planner can be filled.*

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**ARTICLE 13:** To see if the Town will vote to amend the Zoning Bylaw: Section 12. 12, Non-Medical Marijuana Retailers, to prohibit the issuance of Special Permits allowing the physical locating and operation of Retail Marijuana Establishments, as defined under G.L. c94G 1, on a parcel which is within one thousand (1000) feet (to be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the Retail Marijuana Establishment is or will be located) of a parcel occupied by another licensed Retail Marijuana Establishment, or act on anything relating thereto?

Submitted by: **Citizen's Petition**

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**ARTICLE 14:** This change would alter the restriction against curbside transactions for a Cannabis Retailer. This change would allow Cannabis Retailers to do curbside transactions ONLY in the following scenario:

1. The State of Massachusetts changes the law back to allow curbside transactions because of shutdowns preventing customers to enter a Retail Cannabis store. This happened in 2020 due to the COVID-19 pandemic.
2. Assuming condition 1 has been met, an actual shutdown of Cannabis Retailers has been ordered either at the town or state level. This shutdown would prevent customers from entering a retail store. A restriction on the

number of occupants would NOT allow curbside operations to commence,  
only the inability of any customers to enter the store.

Curbside transactions are currently not allowed by the State. This petition is focused on a time in the future if curbside transactions are allowed again. All retailers would have this right to do curbside transactions regardless of Special Permit conditions in play when there is not a shutdown. Once a shutdown order has been ended, Retailers would then immediately discontinue curbside transaction activities.

Submitted by: **Citizen's Petition**

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You are hereby directed to serve this Warrant by posting attested copies thereof at three public places in different parts of the Town not less than fourteen days before the holding of said meeting. Hereof, fail not to make the due return of the meeting aforesaid.

Given under our hands, this twenty-fourth day of October 2022.

HOPEDALE SELECT BOARD

Glenda A Hazard  
Glenda A Hazard (Oct 25, 2022 14:19 EDT)  
Glenda A. Hazard, Chair

Brian R Keyes  
Brian R Keyes (Oct 25, 2022 14:43 EDT)  
Brian R. Keyes

Bernard Stock  
Bernard J. Stock

A True Copy, ATTEST: Susan M. Pecora  
Posted in the Town Hall, Police Station, and Post Office Lobby.

Constable [Signature]

10/26/22  
Date

Signature: Bernard J Stock  
Bernard J Stock (Oct 26, 2022 07:30 CDT)

Email: bstock@hopedale-ma.gov