

**Board of Selectmen
Regular Meeting Minutes
September 13, 2021, 7:00PM**

Present: Chair Keyes, Selectman Arcudi, Selectwoman Hazard, Town Administrator Schindler.

Chair Keyes convened the meeting at 7:00PM. Chair Keyes began the meeting with the Pledge of Allegiance.

Chair Keyes thanked those involved in the preparing the 911 remembrance ceremony that took place over the weekend at the Atria.

Colonel Masnik Citation Award, Presented by Chair Brian R. Keyes. Chair Keyes read the citation award dedicated to Colonel Masnik. Chair Keyes stated that the annual Hopedale Day at the Park will be dedicated to him. Chair Keyes will also present and read the citation award at the Day at the Park. The Board of Selectmen thanked Colonel Masnik for all he has done for his Country and his community.

7:00 pm, Joint Meeting w/ Water & Sewer Commission
Ed Burt, Chair of the Water Commission called the joint meeting to order at 7:07PM.

Water Sourcing Update, ARPA funding Water Source/Adin Street, PFAS update and litigation, Draper Mill, Cost-Sharing Agreement Status

Selectman Arcudi asked Watson to define and explain what PFAS is for the residents. Watson stated that there are hundreds of thousands of PFAS components. The Environmental Protection Agency (EPA) and Department of Public Health (DP) gave guidelines regarding a maximum contaminant level known as PFAS 6. PFAS is a chemical used for water proofing, some examples are duct tape, firefighting foam, certain gloves. PFAS is not safe for human consumption. This is a manmade chemical. Regarding the Class Action suit, the law firms are going after the manufacturers of PFAS. The Water Commission will be meeting with the law firm to discuss the options and if the Town can move forward. Watson stated that if their board chooses to move forward, funding will need to be explored.

Ed Burt gave the Selectboard a brief overview of events, he stated that at the beginning of the year, the Town was focused on locating a water source between Bens Way and the Golf course using new horizontal drilling techniques. This was primarily funded through a PFAS grant which also covered the cost of doing a design for plant upgrade for PFAS mitigation. In June 2021, the exploration came to conclusion where the Town was not successful with the well. The plant upgrade and design were completed. This information led to more detail related to bedrock wells. Due to this information, the Town is able to locate where Milford Granite is which is led to the new source. Tim Watson, Superintendent of the Water/Sewer Department stated that there are different water qualities in different areas of Town. There is a large area that consists of milford granite that starts on Laurelwood and continues through Bens Way, Richard Road and continues into the Town of Mendon. Watson stated that a true bedrock well would not be under the influence of surface water, the Towns bedrock wells that have the PFAS issues are under the influence of surface water. Watson stated that they have identified a number of fractures but were able to pinpoint two fractures that would not require additional land taking. Town Administrator Schindler shared the maps that the Water Commission provided. The two fractures will provide 400ft radius. On Wednesday, the Water Department will conduct a low frequency test, this will verify soil types and bedrock depths in an effort to pinpoint the bedrock well, drilling will then need to be done. The next course of action is to provide access to the bedrock, the Water Department will need to wrap around the wetlands and the swamp to access the two locations. There will need to be tree clearing about 25ft wide, stump removal and adding gravel to the road. The cost of the project is estimated around \$200,000, the Town can reduce this number by \$40,000 if they succeed on the first well. Watson stated this is the best option at this point in time if water is found. The Town will only need to run a pipe to the water main due to the proximity. Watson stated that if the Selectboard approves the funding tonight, the Water Department will have this done by December 2021. On the PFAS treatment, the upgrades are about 3.2 million dollars, the Water Department applied for a low interest loan for funding, however, if the water source does not need PFAS treatment then the debt would be pushed back. Town Administrator Schindler stated the money that has been discussed for this project is the American Rescue Plan Act (ARPA) money, the Town received \$311,441 which is the first portion of the ARPA money. The Town will receive twice the amount of this totaling \$622,000 is the Towns allocation. This is federal funding that is fairly limited in the eligible categories that Towns can spend it on, one of the categories is Water/Sewer, Broadband and Stormwater Infrastructure. Chair Keyes stated this will not be a taxpayer burden. Selectman Arcudi asked Town Administrator Schindler if there were discussions with the Finance Committee if this was the best way to spend the ARPA monies or was this money planned on being spent elsewhere. Schindler stated that there have not been discussions with the finance committee. Watson stated that a decision and vote on the ARPA funding is very time sensitive.

Chair Keyes asked the Finance Committee to join the joint meeting to discuss the ARPA funding for the Water Department project, spending \$311,411 of the \$622,000 from ARPA.

Chris Hodgins, Chair of the Finance Committee stated that due to this not being on the finance committee's agenda, they will not be voting at tonight's meeting. The finance committee will decide at their next meeting after having time to review. Selectman Arcudi stated that a joint meeting with the finance committee can be scheduled for next week. The finance committee will give their vote/recommendation then the Selectboard can vote.

Watson stated that regarding the Adin St project, it would make most sense to do the infrastructure work on the water lines prior to the complete streets project. Regarding the cost sharing agreement, Chair Burt stated that this item is put on hold until after the lawsuit.

Don Cooper moved to conclude the joint meeting. Jim Moring seconded the motion.
Cooper – Aye, Morin – Aye, Burt – Aye

Chair Burt closed the joint meeting at 7:52PM

7:35 pm Joint w/ Finance Committee

Chair Hodgen's called the joint meeting to order at 7:53PM

Discussion and Consideration of the Significant/Capital Expenses Items

Chair Hodgens presented a preliminary recommendation on the capital items that should be put before voters at town meeting. Chair Hodgens stated that this list is subject to change due to some outstanding questions from department heads, these will be answered, and the list will be finalized prior to town meeting. Town Administrator Schindler shared the capital investment recommendation on her screen. The listing shows the departments, the items requested, and amounts requested. The Finance Committee started with \$192,000 for available funds. These funds due to the debt exclusion were put into stabilization. Chair Hodgens stated that the total debt exclusion was around \$292,000, the finance committee is estimating about \$100,000 will be consumed through separate warrant articles that will be put forward that the committee has not reviewed as of yet. Regarding the department requests that did not make this list, the departments will be notified after this meeting and a plan will be created to incorporate the requests in future budgets. Ideally, the list will be a running list so that no requests are left off. Chair Keyes stated that he is comfortable with the items on the list. Keyes stated that the Town is working hard to address items that did not make the list.

Colleen Strapponi moved to adjourn the finance committee meeting. Dennis Madigan seconded the motion.

Chair Hodgen's closed the joint meeting at 8:16PM

Consent Items: Approval of May 13, 2021, Regular Minutes, Approval of May 24, 2021, Regular Minutes, Approval of June 14, 2021, Regular Minutes, Approval of June 30, 2021, Regular Minutes, Approval of August 9, 2021, Regular Minutes

Chair Keyes stated that these meeting minutes will be approved collectively. Selectman Arcudi stated that the May 24, 2021, meeting minutes will need to be reviewed and approved by KP Law, Town Counsel. Selectman Arcudi stated that in a vote during the May 24, 2021, a Selectperson voted no, Selectman Arcudi stated a reason needs to be recorded in the meeting minutes prior to the Board approving the minutes. The May 24, 2021, minutes will not be approved at tonight's meeting. Selectman Hazard stated that in the June 30, 2021, meetings there are typos that need to be corrected after approval.

Selectman Arcudi moved to approve the of May 13, 2021, Regular Minutes, June 14, 2021, Regular Minutes, June 30, 2021, Regular Minutes, August 9, 2021 Regular Minutes. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Accept the grant award of \$300 from the Firefighters Charitable Foundation for the Fire Departments Equipment Program. Chair Keyes read the letter regarding the grant award from Chief Daige. Chair Keyes recognized the letter to the Fire Department from Frank Tepedino, President of the Firefighters Charitable Foundation. Matthew Berger spoke of the grant process and stated that this grant will be applied to providing more batteries for the Fire Department.

Selectman Hazard moved to accept the \$300 grant award from the Firefighters Charitable Foundation for the Fire Department Program. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes - Aye

Appointments and Resignations

Appointment of Michael Colainni to the Hopedale Housing Authority as a Tenant Board Member, effective September 13, 2021, 5 Year Term.

Chair Keyes read the letter provided by Michael Colainni regarding this appointment. Town Administrator Schindler stated that the Town solicited this appointment because it is a Tenant Board Member.

Selectman Arcudi moved to appoint Michael Colainni to the Hopedale Housing Authority as a Tenant Board Member, effective September 13, 2021 for a 5 year term.. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Appointment of Charles Duczakowski to the Hopedale Council on Aging, effective immediately
Chair Keyes stated the Board received the talent bank form for Charles. Carole Mullen, COA Director stated that Charles has been involved with the meals on wheels program for many years, he has a firsthand understanding of the predominant services that the COA provides and has ample experience with assisting in senior services.

Selectman Arcudi moved to appoint Charles Duczakowski to the Hopedale Council on Aging effective September 13, 2021 for a year term. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Resignation of Call Firefighter Candidate Alex Carchio from the Hopedale Fire Department, effective immediately.

Selectwoman Hazard move to accept the resignation of Call Firefighter Candidate Alex Carchio from the Hopedale Fire Department effective immediately. Selectman Arcudi seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

Resignation of Call Firefighter Candidate, Robert Hansen from the Hopedale Fire Department, effective immediately

Chair Keyes read the resignation letter provided by Chief Daige. The Board of Selectmen and Chief Daige wish the best for Robert Hansen and wish him good health.

Selectwoman Hazard moved to accept the resignation of Call Firefighter Candidate, Robert Hansen from the Hopedale Fire Department effective immediately. Selectmen Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

New Business

Selectman Arcudi moved to move the agenda item Petition Received re: Neighborhood Opposition to Board Vote on Overdale Parkway from New Business Item 4 to Item 1. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Town Administrator Schindler acknowledge that the petition letter has been received by the Town, the Selectboard and Town Counsel. Schindler stated that there has been a request to have some discussion at a parks commission meeting. Selectman Hazard asked Attorney Klein if she is comfortable with the research that was done on the articles. Chair Keyes stated that Attorney Klein has done her due diligence in regard to the conclusion she came to. Attorney Klein stated that the title research done indicated that this portion of Overdale Parkway has no evidence that it is under the care and custody of the Park Commission and there is no evidence that the portion is under Article 97. Selectwoman Hazard asked Attorney Klein to clarify the amendment to a warrant article mentioned in the petition letter. Attorney Klein stated that an amendment was considered, to petition general court, she feels that we cannot extrapolate a great deal from this because it was passed over during that time. Attorney Klein stated again, there is a substantial amount of evidence that states this road is not a portion of Article 97. Chair Keyes opened the meeting to resident comments.

Resident Stephanie Thomas, 12 Overdale Parkway, stated that the opposition letter is to convey that the past precedence that has been set regarding the unpaved portion of Overdale parkway since 1916, states that it is been used as parklands, used as a park entrance and has been maintained by the Parks Commission. Thomas stated that from her research this was validated in litigation in 2003 and upheld an appeal by Judge Kilburn, Chief Judge of Land Court. Thomas questioned the due diligence of the Attorneys regarding the Overdale Parkway Selectboard decision. Thomas referenced Article 33 from a 1985 special town meeting warrant, she stated that there were revised minutes that that reflect article 33, that ruled the article out of order. This upheld the unanimous vote of the park commission that denied the land release request to develop the parks access road. Attorney Klein stated that the motion regarding sending this to the general court was voted to pass over, by unanimous voice vote. Attorney Klein stated that the original deeds from 1916 deeded these parcels of land that create all of Overdale Parkway, to the Town, not the parks commission. The fact that the parks commission may have spent some monies on this portion of land does not mean that it is parklands. Attorney Klein stated that in her opinion is under the care and control of the Selectboard. Attorney Klein stated that if a deed does not specify who will have care and custody by default it falls to the Selectboard. Thomas stated that GL c. 45 Section 1 should apply because the Selectboard has not appropriated this land for over 20 years meaning this land should be considered a Parklands. Attorney Klein stated that a road is not a town common, Klein stated that this is definitely a road and there is no disputing this fact. It may provide access to the parklands however it is not considered parklands; it is a road. Thomas believes that this is still not a road. Selectman Arcudi stated that regarding the gate on the road, it was requested by the residents in 1972, due to safety reasons that were residentially driven. Chair Keyes stated that this portion of land has been title searched and reviewed by multiple attorneys, the due diligence is there. Thomas asked the Selectboard to respond to the six questions from the petition letter. Selectman Arcudi mentioned that in previous meeting minutes it is written that Joe Antonellis reviewed each town meeting from 1918-1999 and determined that the land deeded to the town was never deeded to parklands. Also, in 1999 the Chairman of the Parks, Mr. Espinet, agreed with the findings of Joe Antonellis. Town Administrator Schindler stated the petition letter questions will be responded to after discussing with Town Counsel. Chair Keyes stated that the 703ft of land being discussed is not parklands, the Selectboard accepted a gift based on the research and confirmation regarding this. Attorney Klein clarified that the Selectboard accepted a gift that had been deeded to the Town over 100 years prior pursuant to the article from 1985. Some residents expressed concern regarding access to the parklands. Chair Keyes stated that the Selectboard is not eliminating access to the parklands the gate will be removed and there will be parking spaces added to a cul-de-sac. Selectman Arcudi stated that currently there is no parking spaces for Hopedale resident's that do not live on Overdale Parkway. Resident Jennifer Beater, 3 Overdale Parkway stated that there is room to park on the street. Chair Keyes confirmed with Jennifer that there are no official parking spaces.

Open STM warrant, Set Date of Town Meeting, List of Proposed Articles

Town Administrator Schindler stated the tentative dates for special town meeting are Saturday, October 16, 2021 and a rain date of Saturday, October 23, 2021. Schindler proposed a start time of 11AM, she stated this time works for the Town Clerk as well. Chair Keyes stated that the Selectboard needs to be aware of fall sports and that some residents may not be able to attend due to scheduling. Schindler suggested that the board vote for the warrant to be closed on September 23, 2021.

Selectwoman Hazard moved to open the special town meeting warrant. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Accept Award of AFG Grant in the amount of \$291,326.19 for the Purchase of Self-Contained Breathing Apparatus (SCBA) for Hopedale Fire Department

Chief Daige spoke to the grant application process. Lt. Berger submitted the grant on the Hopedale Fire Departments behalf. Chief Daige stated that this equipment is critical to the Fire Department. The Hopedale Fire Departments share of the grant is \$14,566.31. The Selectboard praised Matt Berger and Chief Daige's efforts.

Selectman Arcudi moved to accept the award of AFG grant amount \$291,326.19 for the purchase of self-contained breathing apparatus (SCBA) for the Hopedale Fire Department and committing to the \$14,566.31 the 5%. Selectwoman Hazard seconded.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Report from Carole Mullen, Hopedale COA Director, General Discussion on COA Programs and Services, Impact of COVID on COA and Hopedale Seniors

Carole Mullen stated that this item will be moved to a future agenda due to the length of the meeting already. Carole invited the selectboard to the October 28, 2021, COA meeting. Selectman Arcudi stated he will attend.

Selectman Arcudi moved to defer this item to a future agenda. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Old Business

Accept Green Communities Designation Grant Contract in the amount of \$137,759 (to be signed by Chair)

Schindler stated that within the next year the monies need to be spent, after this the Town can apply for competitive grants. Chair Keyes thanked everyone involved in this grant process.

Selectwoman Hazard moved to accept the green community's designation grant in the amount of \$137,759. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Update re: Ten Citizen Lawsuit, Hearing Date September 9, 2021, 2 pm

Schindler stated that the papers/arguments from the attorneys and the Judge, by the end of today, was supposed to review all of the information and provide an additional ruling by end of day tomorrow.

Update re: Remote Participation/Televised Meeting Policy

Schindler stated the Hopedale Cable is going to install some additional cameras, microphones, and television in the Draper room to assist with hybrid meetings. Visibility and audio are a priority when it comes to hybrid meetings. Currently, the Health Agent is encouraging that meetings continue on zoom especially, especially if there will be a large group attending. Some Boards are meeting in person. Once the Draper room is set up for hybrid meetings, the boards will need to schedule room use so there is no overlap. There is a deadline of November 1, 2021, for the draper room to be set up. Schindler is going to reach out to the Health Agent, Bill Fisher regarding if the meetings will be open to the public in person or if the Town will continue on zoom.

Finalize Selectboard Office Hours (to start 9/27)

Selectman Arcudi stated that will be available on September 28, 2021, from 5-630PM and September 29, 2021, 12-130PM.

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

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

Schindler stated that all of the information pertaining to the items below are in the packet.

Beyond Full Rent Payment Update – Excel Spreadsheet in Packet

Central Massachusetts Mosquito Control Project personnel will be in the community to respond to resident's concerns about mosquitoes in the area on the following dates: August 30, 2021, and September 7, 2021

Letters Received from Attorneys Lurie & Keavany Regarding Easements for Crossings & IRAP Grant

Award Letter to Full Circle Technologies for Electronic Permitting Grant Project

Award Letter to CMRPC for Hazardous Mitigation Plan Update Grant Project

Hopedale Public Schools FY20 DESE End of Year Report Audit Report

Requests for Future Agenda Items: Joint w/ Board of Health and Finance Committee – E.L. Harvey Service Review & Contract

Chair Keyes read the executive session paragraph.

Selectman Arcudi moved to enter into executive session per the paragraph that Chair Keyes read.

Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Executive Session:

For item # (3) To discuss strategy with respect to collective bargaining or litigation that an open meeting may have a detrimental effect on the litigation position of the public body and the chair so declares, which he does. **Purpose: Call Fire and Permanent Fire Union, Fire Chief Daige Present**

For item # (3) To discuss strategy with respect to collective bargaining or litigation that an open meeting may have a detrimental effect on the litigation position of the public body and the chair so declares, which he does. **Purpose: Collective Bargaining; Clerical, Public Works & Dispatch Units.**

Chair Keyes dissolved the meeting at 10:35pm

Submitted by:

Lindsay Mercier

Lindsay Mercier, Executive Assistant

Adopted: _____

Select Board
Regular Meeting Minutes
September 29, 2021, 7:00 pm

Present: Chair Keyes, Selectman Arcudi, Selectwoman Hazard, Town Administrator Schindler

Chair Keyes called the meeting to order at 7:02PM. Chair Keyes began the meeting with the Pledge of Allegiance.

Consent Items

Approval May 24, 2021 Regular Minutes, KP Law reviewed

Approval of September 13, 2021 Regular Minutes

Approval of September 23, 2021 Regular Minutes

Selectwoman Hazard moved to approve the May 24, 2021 regular minutes, September 13, 2021 and the September 23 2021 regular minutes. Selectman Arcudi seconded the motion.

The Board moved for discussion, Selectwoman Hazard asked that the September 13, 2021 regular minutes hold for approval on the Overdale Parkway portion of the minutes. Selectwoman Hazard stated she received a call from resident Rick Espanet stating that he was concern regarding what the minutes reported on his position during this portion of the meeting. Rick Espanet was not present during the September 13, 2021 regular meeting. Chair Keyes read the portion of minutes from the September 13, 2021 regular meeting that Selectwoman Hazard is referencing "Selectman Arcudi mentioned that in previous meeting minutes it is written that Joe Antonellis reviewed each town meeting from 1918-1999 and determined that the land deeded to the town was never deeded to parklands. Also, in 1999 the Chairman of the Parks, Mr. Espinet, agreed with the findings of Joe Antonellis. Town Administrator Schindler stated the petition letter questions will be responded to after discussing with Town Counsel." Rick Espanet stated that he feels there are other inaccuracies in what was said during the minutes. Selectman Arcudi stated that regarding the portion of minutes where Rick Espanet is mentioned in the September 13, 2021 meeting, that there was some discussion regarding what Joe Antonellis has provided to the Town regarding Overdale Parkway. The Park Commission, not Rick Espanet specifically, at that time, felt Joe Antonellis' findings were correct, confirming that there was never evidence that transferred the land to the Parks Commission. Rick Espanet stated that on the Parks Commission webpage, there is a time capsule that goes covers years 1899 - 2003, there is an entry in 1899 that states the Park Commission can purchase property. Rick Espanet stated he never agreed with Joe Antonellis' position. Rick Espanet stated that in the year 2000, the Park Commission told the residents of Overdale Parkway that the Commission would go with what Town Counsel said was correct information for that area. Town Counsel reviewed two blueprint maps, one stating that showed from the gate and up was parklands, another identical map showed that it was not parklands. Town Counsel stated that the gate and up was not parklands. The residents then went to a Judge that stated it was parklands and cannot be used as access. Rick Espanet reiterated that he agreed with Town Counsel, not Joe Antonellis. Rick Espanet stated that the portion of the minutes needs to be changed regarding the Park Commission purchasing land, and that in fact, the Park Commission can purchase land since 1899 from Town approval. Rick Espanet also stated that in 1972 the gate was installed due to residents' requests is not true, the gates have always been chained. In 1988, it was the Park Commission's decision to put up gates on Overdale due to vehicle traffic and vandalism. Resident Rick Lima stated that the Judge did not rule that the portion of property Rick Espanet discussed as parklands, the Judge ruled that it was a way to the parklands.

Chair Keyes asked for an amended motion, removing the September 13, 2021 from the motion to review and edit.

Selectwoman Hazard moved to approve the May 24, 2021 and September 23, 2021 regular minutes. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Accept the donation of \$3,800 to the Council on Aging from the Friends of Elders for the purpose of supplementing payment to Senior Center class instructors.

Chair Keyes read the letter from Carole Mullen, COA Director regarding the donation.

Selectwoman Hazard moved to accept the donation of \$3,800 to the Council on Aging from the Friends of Elders for the purpose of supplementing payment to Senior Center class instructors. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

New Business

Request for Planning Board Administration, Steve Chaplin, Planning Board Chair

Town Administrator Schindler stated that the Planning Board has been receiving ample applications into the planning board thru the cannabis cultivation and retailers as well as the distribution center. The Town expects continued developers coming to Hopedale. The planning board has been facing challenges regarding administrative work, the planning board been supported by Town Counsel as Chair Keyes suggested in the previous meeting. The planning board has means of expert representation regarding site plan reviews and other permitting processes, however, the administrative aspects and organizing the work is where the planning board needs assistance. Steve Chaplin, Chair of the planning board stated that the planning board has been actively working with Town Counsel. Chair Keyes stated that there needs to be assistance with organizing the process for planning board applications and filling in the gaps where expertise is needed. Town Administrator Schindler stated that in the Spring, the planning board approved a Town Permitting Guide for the planning board and the zoning board. This will be online and residents, businesses, etc. will be able to follow the planning, zoning, and building process. Schindler stated that she proposes that the Board approve funding for a planning board administrator. Steve Chaplin stated that he agrees with Chair Keyes, the planning and zoning boards need a unified playbook for the planning and zoning process and also, an administrative person to handle all other items, such as scheduling, meeting postings, publishing notices, following up on the status of peer review proposals, correspondence, etc. Steve Chaplin stated that he is proposing allocating the sum of \$10,000 for an existing employee(s) to take on the administrative tasks. Chair Keyes stated that he feels that \$10,000 is somewhat of a steep price for this kind of work. Keyes suggested that a stipend has been used in the past and the Town has received applicants interested in this. Selectman Arcudi stated that there are some monies in the planning board budget for funding assistance with agendas and minute taking. Selectman Arcudi stated that the Town Clerk's Office is being under utilized and that they would be able to assist the planning board as well. Arcudi stated that if someone is hired for the planning board, it should be someone that is an expert in the field, possibly a retired planner and hiring them as free-lance. Selectman Arcudi stated that in the long term, there does need to be a hired planner for the planning board. Arcudi stated that he fully supports finding a way to create a plan and find a professional planner, other than just a note taker.

Selectwoman Hazard stated that she is in favor of a professional planning position. However, meanwhile the planning board is asking for help, and we need a solution now. Selectman Arcudi stated that he supports the \$10,000 however, there needs to be a plan and a person that is able to assist. Rick Lima stated that in surrounding Towns, they employ a part-time planner/engineer. Chris Hodgins Sr, volunteered to assist the planning board now while the Select Board and the Planning Board look for long term solutions. He stated that he does not have the engineering background, but he does have the legal background. The Select Board and Steve Chaplin thanked Chris Hodgins Sr for his generous offer and are excited to have him start.

Request for IRAP Grant Support; Michael Milanowski, President, GU RR

Chair Keyes clarified that there will be no vote on this item at tonight's meeting, this item is only for informational purposes and will not have public comment. Michael Milanowski shared his screen with the Select Board and the attendees. Milanowski stated that currently, the GU RR is not requesting approval of the IRAP application this evening pending decision from the Appeals Court. The GU RR continues to operate in accordance with the settlement agreement that was negotiated in January/February 2021. The GU RR remains confident that any challenges to the settlement agreement will ultimately be rejected and they continue to take steps towards carrying out their obligations under the settlement agreement including engineering and surveying of the different parcels.

Milanowski reviewed the terms of the settlement agreement. Milanowski wanted to reiterate that the Town waived its rights to Chapter 61 land and has made agreements that states the land shall not be subject to Chapter 61. The GU RR agreed to withdraw its petition to the Federal Surface Transportation Board and the Select Board is the decision-making body of the Town for the purposes of implementing the provisions of the settlement agreement. The settlement agreement has a severability clause approved that should any provision be deemed to be unenforceable; the remaining provisions shall nonetheless be of full force and effect. The GU RR will finalize the survey and title work that the Town will share proportionally with the GU RR. Milanowski shared map of the 81X plan that was filed earlier this summer, this map shows the land the GU RR went through and did the title work, surveyed and walked through. Milanowski stated that as part of the settlement agreement, the Town will receive Parcel A (+/- 64 acres) and Parcel D (+/- 20 acres), the agreement states that there will need to be a Town Meeting vote to accept the donation of Parcel D. Parcel A and D will be subject to the Army Corps of Engineers no-build restrictions with exception of water supply/infrastructure and other easements for preserving said property for conservation and recreation purposes to create a public owned corridor connecting Hopedale Parklands to 1,000 of other acres. As part of the initial master planning of the site, the more sensitive land was agreed to be transferred to the Town vs. the uplands that were more suited for development per the zoning that was retained by the GU RR. The GU RR will continue to develop the railroad right of way, and the 18 acres of industrial land already owned by the GU RR, as well as Parcel B, C and E that is no longer subject to Chapter 61. Milanowski stated that the GU RR is focused on developing the right of way, that is the core of the IRAP application. The GU RR will record groundwater protection deed restriction that mirrors what currently exists in the Town Bylaws, this is quantitative giving the public similar protections plus Roadways will be reviewed by the SB and will be designed by a licensed engineer following the Army Corps of Engineers Stormwater Management and Steam Crossing design standards. GU RR has agreed to provide a 50ft easement restricting buildings from wetland boundaries also, the Town and GU RR will share the cost of testing water sources.

Regarding the IRAP and the next steps, the GU RR has agreed to keep the Town apprised of any development plans and to meet with Town staff to discuss the development plans. Included in the IRAP application, the GU RR has several rail uses for the property that includes warehouse uses (food grade, cold storage, and international intermodal, light manufacturing assembly and transportation of aggregates materials (sand and gravel). At full buildout, the project is anticipated to generate in excess of a million dollars a year in new taxes for schools, public safety, town services and create a couple hundred jobs. The next steps are to discuss with the Town Administrator the road layout options and receive input from Town professional staff. Milanowski and the GU RR feel that this is a win-win for the Town and GU RR, this will provide opportunities to bring commerce and jobs back into the US starting in Hopedale while adding additional protections to the land negotiated by the Select Board.

Milanowski stated that the IRAP application where it states Upton, MA as the Town is an error and can be corrected. The application is not null due to the typos because it does not change the intent of the application. Regarding the environmental permits that are necessary, this is within the railroad right of way, so there are no statutory requirements for additional permitting in the area that already has gravel and tracks on it. Selectwoman Hazard asked Michael Milanowski to summarize the discussion of the presentation/walk through of the Upton, MA facility. Milanowski stated the purpose of the walk through was not related to the Upton IRAP application or the Hopedale IRAP application. Milanowski wanted to share the facility with local town board members and residents for transparency.

Old Business

Review and Sign Final Special Town Meeting Warrant

Selectman Arcudi moved to move the agenda items “vote to Use ARPA Funds for Water Sourcing Project; (Finance Committee Voted to Recommend 9/27) *” to before the Town Meeting Warrant vote. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Selectman Arcudi stated that the Finance Committee unanimously supported advising the Select Board to vote to take the monies from the ARPA funds for the water sourcing project. The Board moved for discussion.

Chair Keyes asked if the \$200,000 is a set number or will this number increase due to discrepancies. Water/Sewer Superintendent, Tim Watson stated that he does not anticipate additional costs however it is not out of the realm of possibility. Ed Burt, Chair of the Water Commission, questioned that there was supposed to be \$200,000 for water sourcing and \$100,000 for sewer. Chair Keyes and Selectman Arcudi stated that this was not presented or mentioned in previous meetings. They were only aware of the \$200,000 for water sourcing. Tim Watson stated that the sewer was not included in the ARPA discussions from previous meetings, this is to be incorporated in the Complete Streets Grant Project and is eligible for ARPA funding, but a decision was not made in previous meetings, just discussion. Schindler confirmed that these topics are separate.

Selectman Arcudi moved the use of ARPA funds of up to \$200,000 for the water sourcing project. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Review and Sign Final Special Town Meeting Warrant

Town Administrator Schindler shared the Town Meeting Warrant with the Select Board. The edits the Select Board requested from the previous meeting have been made. Schindler reviewed the warrant articles with the Select Board.

Selectman Arcudi moved to make the edits of breaking the article into three separate articles and to delete Article 15. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Selectman Arcudi moved to approve the Special Town Meeting Warrant for October 16, 2021, with the edits that were made. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

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

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

Hopedale MVP Designation Letter

Town Administrator Schindler stated that over the last year the Town had done the MVP planning processes. The Town then submitted the planning process into the office of environmental affairs and the Town has officially become an MVP community. There will be grant rounds in the upcoming years, items that could be eligible are the dams, dredging Hopedale Pond for flood storage reasons, water sourcing, stormwater, etc.

Memorandum & Order on Motion for Preliminary Injunction*

Town Administrator Schindler stated there the Town had received the results of the temporary restraining order. This is included in the packet for the public to access.

Letter from Attorneys Lurie re: IRAP*

Chair Keyes stated that the Board is not casting a vote tonight regarding the IRAP.

Memorandum in Support of Petition from Attorney Keavany*

Chair Keyes stated that Attorney Keavany represents the GU RR. Schindler stated that there is not an update regarding this item. This item in the packet is to show the GU RR's response to the Judges decision on the temporary restraining order.

Requests for Future Agenda Items:

Council on Aging Report, the Board of Health & Finance Committee to discuss the renewal of the trash contract, 2023 budget discussions will begin soon, schedule a meeting with Chair of the Finance Committee

Chair Keyes read the executive session paragraph.

Selectman Hazard moved to enter executive session per G.L. c. 30A, §21(a)(3) (Purpose #3), to discuss strategy with respect to collective bargaining and litigation that an open meeting may have a detrimental effect on the bargaining and litigation position of the public body and the chair so declares, which he does. (DLR Case No. JLM-21-8830). Present: Attorney Timothy D. Zessin. Selectman Arcudi seconded the motion

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Executive Session:

In accordance with G.L. c. 30A, §21(a)(3) (Purpose #3), to discuss strategy with respect to collective bargaining and litigation that an open meeting may have a detrimental effect on the bargaining and litigation position of the public body and the chair so declares, which he does. (DLR Case No. JLM-21-8830). Present: Attorney Timothy D. Zessin

Chair Keyes dissolved the meeting at 9:27PM

Submitted by:

Lindsay Mercier

Lindsay Mercier, Executive Assistant

Adopted: _____



HOPEDALE FIRE DEPARTMENT

40 Dutcher Street - Hopedale MA. 01747

Tel. (508) 473-1050 Fax: (508) 902-0076

www.hopedale-ma.gov/fire-department

Thomas M. Daige – Fire Chief

David J. McMorrow – Deputy Chief



Hopedale Select Board
Town Hall Office
78 Hopedale Street
Hopedale MA 01747

October 5, 2021

Re: Termination of Call Firefighter Candidate Jake Carnaroli

Mr. Chairman,

This letter is in reference to Call Firefighter Candidate Jake Carnaroli and his lack of attendance with our department. Jake has had very poor (< 20% of the mandatory calls) attendance for each of the past 10 months. Over those 10 months Jake was verbally counseled, given both a verbal warning and written warning and finally demoted to Call Firefighter Candidate (non-compensated) in August, in an attempt to get his attendance back above the required 50% per the collective bargaining agreement between the Town and the Call Firefighters Association. When Jake was demoted to Candidate status, Jake had stated to me that he would be resigning because he no longer has the time to commit to our department. I have asked repeatedly for that resignation letter and as of today have still not received it.

I respectfully request that the board terminate the employment of Call Firefighter Candidate Jake Carnaroli effective today.

Respectfully,

Thomas Daige
Fire Chief



TOWN OF HOPEDALE

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

Tel: 508-634-2203 X215 Fax: 508-634-2200

www.hopedale-ma.gov

Email: lpedroli@hopedale-ma.gov

Lisa M. Pedroli, CMMC

Town Clerk
Justice of the Peace
Notary Public
Burial Agent

October 4, 2021

Local Election Districts Review Commission
Office of the Secretary of the Commonwealth
c/o Elections Division
One Ashburton Place, Room 1705
Boston, MA 02108

RE: TOWN OF HOPEDALE - 2020 RE-PRECINCTING

We, the undersigned, hereby certify that at a meeting held on October ____, 2021 the Board of Selectmen voted to remain one (1) precinct.

SIGNED: Board of Selectmen

Brian R. Keyes Chairman

Louis J. Arcudi, III

Glenda Hazard

A true copy. ATTEST:

Lisa M. Pedroli
Hopedale Town Clerk



The Commonwealth of Massachusetts

William Francis Galvin

Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-1512

SINGLE PRECINCT AUTHORIZATION FORM

Name of Town: **HOPEDALE**

US Census Bureau 2020 Population Actual: **6,017**

Authorization:

- ☐ Pursuant to M. G. L. c. 54, § 6 our town wishes to stay one precinct and hereby request the Secretary of the Commonwealth to prepare a single precinct map on our behalf.

Massachusetts General Laws require towns to divide into convenient voting precincts after each federal census. See M. G. L. c. 54 § 6 (the board of selectmen of every town of less than six thousand, two hundred inhabitants may, on their own motion, or shall, when so directed by the town meeting, and the board of selectmen of every town having precincts or six thousand, two hundred or more inhabitants shall, divide the town into convenient voting precincts).

Approved and accepted,

Select Board: _____

Date: _____

Please mail signed form to:

Local Election Districts Review Commission
c/o Elections Division
One Ashburton Place, Room 1705
Boston, MA 02108

From: [Diana Schindler](#)
To: [Lindsay Mercier](#)
Subject: FW: Fiscal Year (FY) 2020 Staffing for Adequate Fire and Emergency Response (SAFER)
Date: Thursday, October 7, 2021 9:01:10 AM

Please add to correspondence on the agenda for 10/12

From: FEMA GO <no-reply@fema.dhs.gov>
Sent: Wednesday, October 6, 2021 12:49 PM
To: Chief Daige <firechief@hopedale-ma.gov>; matthewdberger@gmail.com; Diana Schindler <DSchindler@hopedale-ma.gov>
Subject: Fiscal Year (FY) 2020 Staffing for Adequate Fire and Emergency Response (SAFER)

10/06/2021

Hopedale Fire Department
40 Dutcher St
Hopedale, MA, 01747 -1223

Reference: EMW-2020-FF-00341

Dear Staffing for Adequate Fire and Emergency Response Grant Program Applicant:

On behalf of the Federal Emergency Management Agency's (FEMA) Grant Programs Directorate, I would like to thank you for applying for assistance under the Fiscal Year (FY) 2020 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program. Unfortunately, after careful consideration and review, we are unable to fund your application. We regret that the news could not be more positive.

As you are aware, the SAFER Program is among the Department of Homeland Security's (DHS) and FEMA's most competitive grant programs. In FY 2020, FEMA received over 1,300 SAFER Program applications, requesting more than \$2 billion in federal assistance. The large number of applications received, and the finite amount of available funding, resulted in many commendable applicants not being funded and accentuates the highly competitive nature of this program. FEMA encourages your organization to apply for funding through the FY 2021 SAFER Program.

Given the high number of applications received, the SAFER Program is unable to provide your organization with an individualized comprehensive review of your application. However, we can tell you that your application did not score well in the preliminary assessment. The scores from the second phase of review, the peer review panel, indicated that your application narrative was deficient in the level of details needed to receive a competitive rating.

There are several other tools and resources available to help fire departments and volunteer interest organizations develop effective SAFER Program grant applications. I encourage you to make use of these resources as you prepare your next grant request.

1. **Assistance to Firefighters Grant Program (AFGP) Website:**

<https://www.fema.gov/grants/preparedness/firefighters>. The AFGP Website offers a

wealth of resources, including:

- The SAFER Program Notice of Funding Opportunity (NOFO), which explains funding priorities and evaluation criteria
- Frequently Asked Questions (FAQs)
- Narrative Self-Evaluation Tool
- SAFER Program Application Checklist
- Get Ready Guides
- Online tutorials with key information about preparing grant requests
- SAFER Program E-Mail Alerts (biweekly e-mail messages to the SAFER Program mailing list), which provide important announcements about new application periods, upcoming workshops , and other SAFER Program updates (to receive the SAFER Program E-Mail Alerts, sign up on the AFGP website)
- Recipient success stories

2. Toll-Free SAFER Program Help Desk: 1-866-274-0960 or firegrants@fema.dhs.gov.

The SAFER Program Help Desk answers questions from applicants by telephone and by e-mail. Between application periods, they field general questions about the SAFER Program. During application periods, they provide technical assistance with the online application and answer questions about the SAFER Program NOFO. If additional assistance is needed, the Help Desk staff can refer questions directly to subject matter specialists.

Your interest in the SAFER Program reminds us that America's fire departments and volunteer firefighter interest organizations continue to have great need for support. FEMA and DHS will continue to work closely with and support the Nation's first responders and their vital work. Thank you again for your dedication and commitment.

Regards,

Kerry L. Thomas
Director
Preparedness Grant Division