

**Select Board
Regular Meeting Minutes
April 11, 2022, 7:00 PM**

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

Chair Keyes called the meeting to order at 7:01PM. Chair Keyes began the meeting with the Pledge of Allegiance.

7:00 PM Pole Petition Public Hearing – Plain Street, *Michael Parent, National Grid Representative*
Chair Keyes read the notice of the public hearing.

Vote to Open Public Hearing

Selectwoman Hazard moved to open the public hearing. Selectman Arcudi seconded the motion.
Arcudi – Aye, Hazard – Aye, Keyes – Aye

The public hearing was opened at 7:05PM

Public Comment

Michael Parent, National Grid Representative, stated that regarding this specific pole, it is about to fail and National Grid needs to correct this. A push brace will be installed to correct this, the DPW and National Grid came up with this plan. The Select Board and Public did not have any questions or comments at this time. Chair Keyes stated that he will be abstaining from the vote because he is an abutter and is related to another abutter of this location.

Vote to Close Public Hearing

Selectman Arcudi moved to close the public hearing. Selectwoman Hazard seconded the motion.
Hazard – Aye, Arcudi – Aye, Keyes – Aye

Board Decision and Roll Call Vote

Selectman Arcudi moved to accept the request that national grid has proposed. Selectwoman Hazard seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Abstaining

Chair Keyes dissolved the public hearing at 7:07PM

7:30 PM Presentation of Complete Street Prioritization Plan Draft Results, *Daniel O. Roop, PE, Project Manager and Alexander D. Fagnand, PE, Tighe & Bond*

Mr. Roop and Mr. Fagnand provided a complete streets program project prioritization plan. Roop stated that this is tier two of the Mass DOT funded project. Schindler stated that the Board had adopted the Complete Streets policy around a year ago, this policy sets a standard for when a Town does a road construction project, it's going to look through the lens of complete streets, i.e., making it multi-mobile, walking, biking, accessibility, public transit, etc. The second phase of this program is to adopt a prioritization plan which the Mass DOT funds to hire a consultant. From this, the Town will put together a list of projects that will be added to the prioritization plan, which becomes the funding schedule for DOT and the future for Town construction.

Fagnand stated that he is a transportation manager with Tighe & Bond. Fagnand shared a presentation with the Board and the public.

Consent Items

Approval of March 9, 2022 Regular Minutes

Approval of March 22, 2022 Regular Minutes

Approval of March 28, 2022 Regular Minutes

Approval of April 4, 2022 Regular Minutes

Chair Keyes stated that all three board members were present during these minutes.

Selectwoman Hazard moved to approve the March 9, 2022 Regular Minutes, March 22, 2022 Regular Minutes, March 28, 2022 Regular Minutes and April 4, 2022 Regular Minutes. Selectman Arcudi seconded the motion.

The approval of meeting minutes was opened for discussion. Selectman Arcudi stated that in the March 28, 2022 regular minutes regarding the Dam, he wanted the record to be more specific that the settlement agreement does not conflate the Dam. The Town was already in the process of fixing the Dam before the settlement agreement. Town Administrator Schindler stated that she will reclarify the March 28, 2022 regular minutes regarding the edit that Selectman Arcudi is discussing and add to a future agenda for approval. Selectman Arcudi also asked to have Mr. Shwachman review the minutes prior to Select Board approval due to the Board voting on minutes that state he has agreed to items pertaining to the Dam. The Select Board revised the motion for approval of minutes due to this.

Selectwoman Hazard amended her motion to approve the regular meeting minutes of March 9, 2022, March 22, 2022 and April 4, 2022. Selectman Arcudi seconded this motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Appointments and Resignations

Appointment of Barry Sims as a Hopedale Constable, effective April 11, 2022

Selectwoman Hazard moved to appoint Barry Sims as a Hopedale Constable, effective April 11, 2022. Selectman Arcudi seconded.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Appointment of Jeffrey White to the Hopedale Police Department as a Full-Time Police Officer, effective April 12, 2022

Chief Giovanella stated that Jeffrey White is full academy trained, a member of the National Guard and has some Police service experience already. Chief Giovanella and the Board stated that Jeffrey would be a great asset to the Town of Hopedale Police Department.

Selectman Arcudi moved to appoint Jeffrey White to the Hopedale Police Department as a Full-Time Police Officer effective April 12, 2022. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Appointment of Christopher Chase to the Hopedale Development & Industrial Commission, term to expire June 30, 2026

Selectwoman Hazard moved to appoint Christopher Chase to the Hopedale Development & Industrial Commission, term to expire June 30, 2026. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Resignation of Call Firefighter David Shearns, effective March 24, 2022

Resignation of Call Firefighter Brandon Deluca, effective March 25, 2022

Chair Keyes stated that Chief Daige was not able to attend tonight's meeting due to a prior obligation. Chair Keyes read the resignation letters provided by the Fire Chief.

Selectman Arcudi moved to accept the resignation of Call Firefighter David Shearns, effective March 24, 2022 and Call Firefighter Brandon Deluca, effective March 25, 2022. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Resignation of Zoning Board Alternate and Secretary, Mary Arcudi, from the Hopedale Zoning Board of Appeals, effective March 28, 2022

Chair Keyes read the resignation letter provided by Mary Arcudi. Chair Keyes and the Board thanked Mary for her time and efforts spent volunteering with the Town of Hopedale. Chair Keyes stated that Selectman Arcudi will abstain from voting this item due to the relation with Mary.

Selectwoman Hazard moved to accept the resignation of Zoning Board Alternate and Secretary, Mary Arcudi, from the Hopedale Zoning Board of Appeals, effective March 28, 2022. Chair Keyes seconded the motion.

Hazard – Aye, Keyes – Aye, Arcudi - Abstaining

New Business

Request for Can Drive Fundraiser, Hopedale Junior/Senior High School Parking Lot, April 30, 2022, 10AM-2PM, Katherine Hagner, Class of 2023 After Prom Party Committee (Vote)

Selectman Arcudi moved to approve the Can Drive Fundraiser, Hopedale Junior/Senior High School Parking Lot, April 30, 2022, 10AM-2PM, *Katherine Hagner, Class of 2023 After Prom Party Committee*. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Address Annual Town Meeting Date/Time and Location

Town Administrator Schindler stated that this meeting will most likely take place in the High School Auditorium. Schindler stated that typically, the Town would hold it on the third Tuesday in May, this year that would fall on Tuesday, May 17, 2022. Chair Keyes stated that if the School and the Health Agent have no issue with that date and holding the Town Meeting inside then he has no issue with it. Selectman Arcudi stated that he will not be a Board member at that time so he has no issue with this date.

Selectwoman Hazard moved to set the date for Annual Town Meeting for Tuesday, May 17, 2022 at 7PM. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Address Hybrid Meetings for Select Board

Schindler stated that for the public's sake, the Board is going to continue with hybrid meetings. Schindler has received a lot of feedback from the public supporting hybrid meetings. Schindler also noted that the Town is saving some money with Attorney fees having the hybrid meeting option available. Chair Keyes stated that regarding hybrid meetings, at least one of the Board members will need to be in the Draper room. Keyes stated that while he is Chair, he will be in the Draper room. Schindler stated that currently capacity requirements are met by zoom, Town Hall Streams and in person, a quorum is met via zoom and in person until July 15, 2022. Chair Keyes stated that starting next meeting, the Select Board meetings will be hybrid.

Old Business

Marijuana Establishments Impact Fees – HCA Language Revision, *Attorney Brian Riley*

Attorney Riley stated that the DOR has put out detailed guidance regarding this topic. When an impact fee is paid to a Town, whether it is quarterly, annually, etc, in general, it is treated like any other receipt or tax payment and is placed into general funds. This means that the payment needs to go through the DOR and get certified as free cash. There is nothing in Chapter 90 G that sets up a special account for these funds. Riley stated that there is one method for accounting for these payments, the DOR advises this method, Towns can set up a special stabilization (example: marijuana impact fee stabilization fund) fund and dedicate the monies that come into this fund. It will take a 2/3rds vote at Town Meeting to take this money out, this money could be used for any purpose, it is not earmarked for impact fees. Riley stated that a bill is possibly getting put in place that states that the Town will need to provide annual reports explaining what the impact fees are going towards. Town Administrator Schindler stated that she does not recommend putting the monies into a stabilization fund.

Selectman Arcudi moved to accept the changes made to the HCA proposed by the Select Board and to not create a stabilization fund. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Update regarding Town v. Jon Delli Priscoli, Trustee of the One Hundred Forty Realty Trust, et als., Attorney Peter Durning

Durning stated that the activities taking place now are largely taking place in the litigation room. The 10 citizens group filed an emergency motion to preserve the status quo on the 8th with the Single Justice of the Appeals Court. The Single Justice gave the other parties (Town and GU RR) until April 7th to file a response to the motion. The GU RR filed an opposition, the Town filed a separate motion for an injunction pending appeal which was the course of action that the Town was already on. There has been no further comment from the Single Justice of the Appeals Court since the filing of these actions. The Town is currently waiting on response/feedback. Attorney Durning stated that he still recommends holding an executive session after tonight's open session.

FY23 Budget Update

Schindler stated that the Finance Committee has been meeting weekly with different Departments. Their goal is to be wrapped up by April 20th, on Wednesday, the Finance Committee will discuss the stipends. Schindler stated that if the Town goes through with the stipends, then a policy should be put in place. Schindler stated that she has reached out to surrounding Town's regarding stipend policies, but she did not receive any feedback. Chair Keyes stated that he does not want the Town to lose site on the reason why stipends were eliminated because the Town has been asking for overrides for years. Selectman Arcudi stated that he would be in favor of not issuing stipends until the Town is not asking for overrides, there are employees that have not gotten raises in years.

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

A/P Warrant #22-21, \$808,627.38, 4/6/2022

P/R Warrant #22-21, \$886,584.45, 4/6/2022

Tech Associates – Grafton & Upton Railroad (G&U) 2022 Vegetation Control Program, G&U's 2022 Yearly Operational Plan

Chair Keyes read the executive session paragraph below.

Selectman Arcudi moved to enter executive session per the purpose Chair Keyes read. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Executive Session

Motion: To move into Executive Session, pursuant to M.G.L. c.30A, § 21(a) for item # (3): To discuss strategy with respect to litigation that an open meeting may have a detrimental effect on the litigation position of the public body and the chair so declares. Roll Call Vote

Purpose: Litigation strategy re: Town v. Jon Delli Priscoli, Trustee of the One Hundred Forty Realty Trust, et als, Attorneys Brian Riley and Peter Durning present.

Chair Keyes dissolved the open meeting at 9:32PM

Submitted by:

__Lindsay Peterman_____

Executive Assistant

Adopted: _____

**Select Board
Regular Meeting Minutes
April 25, 2022, 6:00 PM**

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

Chair Keyes called the meeting to order at 6:01PM. Chair Keyes began the meeting with the Pledge of Allegiance.

Chair Keyes read the executive session paragraph below. Chair Keyes stated that the executive session was recommended by Town Counsel, not by a Board member. Attorney Vetere will not be present during this executive session.

Selectwoman Hazard moved to enter executive session per the paragraph and purpose that Chair Keyes read. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

The Select Board entered executive session at 6:03PM.

Executive Session

Motion: To move into Executive Session, pursuant to M.G.L. c.30A, § 21(a) for item # (3): To discuss strategy with respect to litigation that an open meeting may have a detrimental effect on the litigation position of the public body and the chair so declares. Roll Call Vote

Purpose: Litigation strategy re: Town v. Jon Delli Priscoli, Trustee of the One Hundred Forty Realty Trust, et als, Attorneys Brian Riley, Peter Durning and Peter Vetere present.

The Board returned to open session at 7:18PM

Update regarding Town v. Jon Delli Priscoli, Trustee of the One Hundred Forty Realty Trust, et als.
Attorney Peter F. Durning

Attorney Durning stated that the Town filed an appeal for Judge Rubin's of the Land Court and also brought a motion to the Land Court, asking the Land Court to impose an injunction while the appeal was pending. Judge Rubin denied the motion. On March 28, 2022, the citizens group filed a motion with a Single Justice of the Appeals Court, seeking an injunction and also seeking permission to intervene in the appeal. Judge Desmond issued a temporary injunction which operated to instruct the GU RR not to undertake work at the property while the Single Justice gave the parties (Citizens & Town) the opportunity to file their responses and giving the Single Justice the opportunity to review all the filings. At the time, the Town filed a separate motion for injunction pending appeals, the Appeals Court had all of those papers and filings from the GU RR opposing the request by the Citizens and the Town. Last week, Judge Desmond, a Single Justice of the Appeals Court on Tuesday, issued a multipage ruling in which he walked through the materials that had been submitted and came to the conclusion that he did not believe that either the Town or the Citizens had a likelihood of success on the merits of the appeal. Durning stated that this was, from the Town's perspective, the Town's appeal of its motion seeking to vacate dismissal. Judge Rubin made a clear error in denying the Town's motion that was filed under Mass rules & procedures 60B, for vacating a stipulation of dismissal. Judge Desmond ruled that he believed there was not a strong likelihood of success based on the merits and that Judge Goodwin had properly exercised her authority and discretion to deny the Town's motion to vacate the stipulation for dismissal.

Durning provided some additional context stating that one of the important issues that Justice Desmond relied on in coming to this conclusion was the question of whether or not the terms of the stipulation of dismissal included any specific terms of the settlement agreement. In particular, the related Superior Court decision found that the element of the settlement agreement whereby the Town was to acquire parcel A, at a purchase price that was less than the authorized full purchase price of the Chapter 61 land. Judge Goodwin determined that the Town would require a separate appropriation from Town Meeting to fund the purchase price of parcel A. In Judge Desmond's analysis, he found that Judge Rubin was correct in her ruling. In Judge Rubin's analysis, the specifications of the settlement agreement were not included in the stipulation of dismissal, they were therefore not before the land court when the land court initially accepted the stipulation of dismissal. Durning stated that the Single Justice took notice of the fact that there was a potential remedy for the issue that Judge Goodwin had flagged being that there had been separate Town Meeting approval. Single Justice remarked that the Town Meeting did not approve the appropriation, it shows that Judge Goodwin was not in error with how she ruled. Single Justice Desmond feels that there is not a strong likelihood of success based on the merits and denied the injunction and terminated the temporary injunction he put in place. Durning stated that the outcome of the executive session in light of the recent decisions determining that the Town does not have a strong likelihood of success on appeal, the Select Board has voted 2:1 to seek a voluntary dismissal of the remaining appeal in the Appeals Court of the Land Court trial of the Town's motion to vacate the stipulation of dismissal. The Select Board did not have any comments at this time.

Resident, Ed Burt asked if this decision could be made in a month from now when there Select Board has a different member. Durning stated that regarding the appeal for the motion to vacate the stipulation of dismissal, that will be at an end. That does not foreclose a subsequent Board to take other actions to 364 West Street.

Resident, Liz Reilly asked Attorney Durning and the Board if they are considering any other options to protect the land at West Street? Durning stated that the only item the Board and the Attorney's discussed today was the reaction to the Single Justice's decision.

Non-Resident, Rob Fahey asked if it is standard practice for Select Boards to make and vote on decisions regarding litigation without asking the public first. Durning stated that regarding matters of litigation, they are most often dealt with in executive sessions, that is partly why it exists. It was within the Boards power to not bring this up in a public session and just executive the litigation strategy, however the Board decided to disclose this information and receive public comment. Fahey stated that he feels the mediation should not have been entered so that means the settlement agreement is invalid because the Select Board did not get the support of the Town.

Consent Items

Approval of March 28, 2022 Regular Minutes

Selectwoman Hazard moved to accept the March 28, 2022 Regular Meeting Minutes. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Appointments & Resignations

Resignation of Ryan Costello from the Hopedale Police Department, effective April 25, 2022

Police Chief Giovanella is present at tonight's meeting for this resignation. Chair Keyes read the resignation letter. Chair Keyes stated that he has heard from many residents regarding Officer Ryan Costello's professionalism and work ethic. It will be a great loss to the Hopedale Police Department to accept this resignation. The Select Board echoed Chair Keyes sentiments. Chief Giovanella stated that Ryan Costello is a great Officer and was a huge asset to Hopedale.

Selectwoman Hazard moved to accept the resignation of Ryan Costello from the Hopedale Police Department, effective April 25, 2022. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

New Business

Cannabis Product & Delivery Discussion – *Caroline Frankel, Caroline's Cannabis*

Caroline Frankel shared her screen and presented a power point presentation to the Select Board and the Public. Frankel stated that Caroline's Cannabis opened in October and business is going well. She is seeing on average 500 customers a day. Frankel stated that she wishes to discuss with the Board expanding her business to product manufacturing and home delivery at the Charlesview location. Frankel stated that delivery licenses are exclusive to social equity members and the State has already approved her application. Delivery hours would take place from 8AM-9PM, 7 days per week. Frankel stated that the delivery vehicles will have no markings that indicate the vehicle is being used for marijuana delivery. Frankel stated that security measures will be compliant with the State regulations. Selectman Arcudi asked Town Administrator Schindler if the area is zoned for this? Schindler stated that this area is correctly zoned for this however, they would need to acquire a special permit. Counsel for Caroline's Cannabis stated that the HCA would be amended if this gets approved, a new HCA is not required. Chair Keyes asked Frankel to notify the Board of when the Community Outreach meeting will take place. Selectman Arcudi asked the Frankel reach out to the Hopedale Police and Fire regarding traffic and safety concerns prior to the Select Board voting on this item. Chair Keyes asked Town Administrator Schindler to work with Frankel on the action steps for this agenda item.

Cannabis License Limit Discussion

Chair Keyes stated that he is not an advocate of putting a limit or cap on the cultivating, testing, or manufacturing side of cannabis licenses. He is open to putting a limit on the retail side of cannabis licenses. Selectwoman Hazard stated that she agrees with some sort of limit on retail licenses, especially because currently, the Town does not have the space. Selectman Arcudi suggested capping the retail licenses at 3 if that is the amount that Hopedale currently has. Police Chief Giovanella stated that he feels there should absolutely be a limit on retail licenses in Hopedale. Chief Giovanella stated that if this is going to be a further discussion he would like to be included. Town Administrator recommended putting this item on a future agenda, including the Chief of Police and consulting with Town Counsel. Chair Keyes agreed that this item will be discussed at a future Select Board Meeting.

Select Board FY23 Meeting Schedule (Vote)

Selectwoman Hazard asked to change the August meeting date to August 1, 2022. Selectman Arcudi stated that he is going to abstain from voting because he will not be on the Board during these dates.

Selectwoman Hazard moved to approve the amended Select Board FY23 Meeting Schedule. Chair Keyes seconded the motion.

Hazard – Aye, Keyes – Aye, Arcudi – Abstained

Review Current Appointed/Elected Roster with Vacancies

Chair Keyes stated that there are no contested elected seats for this year.

Town Election Warrant – Review, Vote & Sign

Selectwoman Hazard moved to approve the Town Election Warrant as presented. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Draft Annual Town Meeting Warrant for Review

Town Administrator Schindler stated that she has worked on the draft warrant but was not able to get the draft to the Board due to being on vacation. Schindler stated that she will provide the Board with the draft shortly. Schindler recommended that the Board open the warrant tonight. Chair Keyes stated that he would like to have a budget discussion with the Select Board, Town Administrator and Finance Committee prior to the Town Meeting. Selectman Arcudi recommended that he not be part of this process other than opening the warrant because his term will have expired shortly before the Town Meeting date. He feels that the new Board member should have more say in the process of this. Schindler stated that on May 11, 2022, she recommends having a joint meeting with Finance Committee.

Selectwoman Hazard moved to open the Town Meeting Warrant. Selectman Arcudi seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

Memorial Day – Certificate of Appreciation, 495 Rental Center (Review, Vote & Sign)

Selectwoman Hazard moved to approve the Certificate of Appreciation for 495 Rental Center.

Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Old Business

Delay Annual Town Meeting to May 24, 2022, per MGL C 39, §9 (School Auditorium Not Available May 17, 2022) (Vote)

Selectwoman Hazard moved to change the date of Annual Town meeting to Tuesday, May 24, 2022 at 7PM in the School Auditorium. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

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

Memorial Day: Monday, May 30, 2022 at 8:00AM, Parade begins at the Hopedale High School and ends at the Village Cemetery. The Ceremony begins at 8:30AM at the Hopedale Village Cemetery (Itinerary in Packet).

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

A/P Warrant #22-22, \$849,085.44, 4/21/2022

P/R Warrant #22-22, \$913,328.10, 4/21/2022

Hopedale Police Department – FY22 Quarterly Stats, 2nd Quarter & 3rd Quarter

Hopedale Parks Commission Letter Hopedale Youth Baseball Association (HYBA) Electric Service to the Draper Baseball Field

Selectman Arcudi moved to adjourn the meeting. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Chair Keyes dissolved the open meeting at 9:33PM

Submitted by:

____ Lindsay Peterman _____
Executive Assistant
Adopted: _____

Select Board
Regular Meeting Minutes
May 9, 2022, 7:00 PM

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

Chair Keyes called the meeting to order at 7:00 p.m. Chair Keyes began the meeting with the Pledge of Allegiance.

7:05 pm Legislative Citations from Senate and House of Representatives presented to Louis J. Arcudi, III, in Recognition of His 31 years of Service to the Town of Hopedale, presented by Representative Brian W. Murray

Chair Keyes thanked Selectman Arcudi for his long tenure with the Town of Hopedale. Representative Murray read the citation dedicated to Selectman Arcudi and thanked him for his service to the Town of Hopedale. Selectwoman Hazard also thanked Selectman Arcudi for his work on the Select Board.

Consent Items

Approval of April 25, 2022 Regular Minutes

Selectman Arcudi moved to approve the April 25, 2022 Regular Minutes. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Accept Donation from Seven Hills Foundation of \$5,000

Chair Keyes stated that Seven Hills Foundation has been providing generous donations to the Town of many years and he is very thankful.

Selectwoman Hazard moved to accept the donation from Seven Hills Foundation of \$5,000. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Appointments & Resignations

Appointment of George Leurini as a Full-Time Police Officer to the Hopedale Police Department, effective June 6, 2022

Chief Giovanella stated that Mr. Leurini has over 25 years of experience as a Police Officer, and he will be a great asset to the Hopedale Police Department.

Selectman Arcudi moved to appoint George Leurini as a Full-Time Police Officer to the Hopedale Police Department, effective June 6, 2022. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Resignation of Reserve Officer Joseph Houde from the Hopedale Police Department, effective April 30, 2022

Selectman Arcudi moved to accept the resignation of Reserve Officer Joseph Houde from the Hopedale Police Department, effective April 30, 2022. Selectwoman Hazard seconded the motion.

Chair Keyes thanked Officer Houde for his 15 years of service to Hopedale. Chair Keyes read the letter provided by Officer Houde to the Chief of Police.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

New Business

Address Open Meeting Law Complaint Received from Elizabeth Reilly

Town Administrator Schindler provided the response from Town Counsel pertaining to the open meeting law complaint received from Elizabeth Reilly. Schindler stated that the complaint addresses some concerns pertaining to executive sessions the Board has held, Schindler stated the detailed complaint can be located in the meeting packet if the public wishes to review it. Town Counsel responded to the Attorney General's Office stating that the Town does not have a violation and the Town has a right to enter into executive session for a litigation strategy.

Hopedale Boosters Club 12th Annual Hopedale Blue Raider 5K Run/Walk – Saturday, May 14, 2022 at the Hopedale – Jr-Sr High School (Vote to Approve)

Chair Keyes stated that he whole heartedly supports this event. Chair Keyes read the letter provided by the organizer of the event.

Selectwoman Hazard moved to approve the Hopedale Boosters Club 12th Annual Hopedale Blue Raider 5K Run/Walk – Saturday, May 14, 2022 at the Hopedale – Jr-Sr High School. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Declaration of Juneteenth Holiday, June 19, 2022. Town Hall will be closed on Monday, June 20, 2022.

A vote is not required for this item. Chair Keyes asked that the Town Administrator's Office give the public ample notice that the Town Hall will be closed on Monday, June 20, 2022.

Review Draft Annual Town Meeting warrant

Town Administrator Schindler stated that this is a standard warrant, she did add articles for Water/Sewer and CPA. Schindler stated that there will be not vote taken at tonight's meeting, the final warrant will be voted on at next weeks meeting. However, she wanted the Select Board to have time to review the draft town meeting warrant.

Old Business

Address GU RR IRAP Grant Request for 364 West Street, Michael Milanowski, President, GU RR

Milanowski stated that this is the identical IRAP application that was submitted in September of 2021 that the Board had tabled until the litigation had been resolved. Milanowski stated that the only change is the types that Selectwoman Hazard had pointed out previously. Selectwoman Hazard stated that she did not want to vote on this at tonight's meeting because she has not had enough time to review the application. Selectman Arcudi suggested moving the topic to discussion but not voting on the item because he has questions for Mr. Milanowski pertaining to this topic.

Selectman Arcudi moved to provide a letter of support for the GU RR IRAP Grant Request for 364 West Street. Chair Keyes seconded the motion.

Milanowski stated that the railroad needs additional growth capacity. Milanowski stated that this is expansion on the railroads land, not any land that is in dispute. Chair Keyes stated that he does not see a reason why not to vote on this at tonight's meeting despite Selectwoman Hazard's previous statement. Milanowski stated the total project cost is \$837,678.00, the IRAP funds are \$500,000 because the State matches 60%, the railroad will pay \$337,000. The length of the track is roughly 3000ft, taking place within the right of way owned by the Railroad. Selectman Arcudi stated that this information and application is located on the website in the meeting packet that was posted last week.

Arcudi – Aye, Hazard – No, Keyes – Aye

Request for Rezoning Change Petition of 150-156 Hartford Avenue, Constant Poholek

Chair Keyes stated that this is the third location request, the current location is zoned general business. A. Poholek stated that the owner of 150-156 Hartford Ave, Antonio Pinto had no objection to the zoning change for Charlesview however, the thought that the rezoning would have included his property. Chair Keyes stated that he wants to have Poholek’s business in Town however, the location he is proposing is right next to other cannabis stores and does not feel that this is a good location for another cannabis store. The Select Board feels that Poholek should bring this to the Hopedale Planning Board.

Review FY23 Budget

Schindler stated that she had sent the Board the most current budget draft that the Finance Committee had reviewed. Schindler stated some reductions and increases were brought forward during the Finance Committee meeting. Schindler stated that as of the Finance Committee’s May 5th meeting, there is still a override, with using \$290,000 from free cash. There is roughly \$300,000 that needs to be found within the budget to balance. Schindler stated that the joint meeting will take place with the Finance Committee and Select Board on the coming Monday. Resident Lou Costanza stated that the stipends for Boards/Commissions should be reinstated and that he will organize a citizen’s petition so this item can be on the warrant. Schindler stated that this would increase the amount the budget needs to be balanced.

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

A/P Warrant #22-23, \$343,749.49, 5/5/2022

P/R Warrant #22-23, \$731,392.30, 5/5/2022

Chair Keyes read the executive session purposes below.

Selectman Arcudi moved to enter executive session per the purposes read by Chair Keyes, not to reconvene to open session. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Executive Session

Motion: To move into Executive Session, pursuant to M.G.L. c.30A, § 21(a) for item # (3): To discuss strategy with respect to litigation that an open meeting may have a detrimental effect on the litigation position of the public body and the chair so declares. Roll Call Vote

Purpose: Litigation strategy re: Town v. Jon Delli Priscoli, Trustee of the One Hundred Forty Realty Trust, et als, Attorney Peter Durning present.

Motion: To move into Executive Session, pursuant to M.G.L. c.30A, § 21(a) for item # (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. (Collective Bargaining; All Units)

Chair Keyes dissolved the open meeting at 9:03PM

Submitted by:

Lindsay Peterman

Executive Assistant

Adopted: _____



Bancroft Memorial Library
50 Hopedale St.
Hopedale, MA 01747

12 May 2022

Ms. Barbara A. Levinson
70 Jones Road
Hopedale, MA 01747

Dear Ms. Levinson

On behalf of the Library Trustees, staff, and patrons, I want to thank you for your thoughtful and generous donation in the amount of \$50 to the Bancroft Memorial Library.

We are truly appreciative of your gift, and will use the funds to supplement our upcoming 2022 Summer Reading Program. This year's theme is "Read Beyond the Beaten Path", encouraging reading, exploring and adventuring, as well as skill development. We are working now on creating programming initiatives and reading incentives that can be shared and enjoyed by readers of all ages, and your gift will allow us to expand the scope and breadth of this important program.

Please know how grateful we are for your generous donation.

Yours sincerely,

Tricia Perry
Library Director

cc: Town of Hopedale Select Board

From: [Tricia Perry](#)
To: [Diana Schindler](#); [Lindsay Peterman](#); [FREDERICK OLDFIELD III](#)
Subject: Library Donation Acknowledgement
Date: Thursday, May 12, 2022 11:27:45 AM
Attachments: [2022 Barbara Levinson.docx](#)

Hi Diana and Lindsay:

I wanted to share with you information about a new donation made to the Library-- \$50 from Barbara A. Levinson (70 Jones Road, Hopedale). When I received the check, I called Ms. Levinson, to determine what the donation was for. She told me that it was to be used "for whatever the Library might need - and could be used however we might see fit". I have attached a copy of our "thank you" note.

If you can bring this to the attention of the Select Board at their next meeting, that would be great.

Thank you!

Tricia

Tricia Perry

Library Director

Bancroft Memorial Library

50 Hopedale Street

Hopedale, MA 01747

tperry@cwmars.org

Phone: 508-634-2209



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

Select Board
Town of Hopedale
Hopedale, MA 01747

May 18, 2022

Dear Board Members,

I respectfully request the board appoint Nicholas Walker to the position of part-time dispatcher effective May 24, 2022. Nick has previous dispatch experience with advanced dispatch training. Thank you in advance for your consideration with this matter.

Sincerely,

Mark A. Giovanella
Chief of Police



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

May 19, 2022

Re: Appointment of Call Firefighter Candidates

Mr. Chairman,

I recommend that the Select Board appoint the following people to the position of Call Firefighter Candidate effective June 1st, 2022:

1. Timothy Morse
2. Andre' Aureliano
3. John McCarthy

Timothy Morse

Mr. Morse is moving to Hopedale in June to be closer to family. Mr. Morse comes to us with his Firefighter I/II National Pro-Board Certification he obtained while serving as a volunteer Firefighter in Maine for 2 years until his employment moved him to upstate New York. While in New York for the past 3 years, he has served as a volunteer there as well.

Andre' Aureliano

Mr. Aureliano is a 34-year-old Milford resident who owns a gym in Mendon. Mr. Aureliano is interested in giving back to the community by joining the Fire Department.

John McCarthy

Mr. McCarthy is a 22-year-old young man who lives in Milford and attends Mass Bay Community College. Mr. McCarthy aspires to be a career firefighter one day.

All of these individuals have successfully passed the personal and professional background checks as well as their CORI check. If appointed, these individuals have one year to successfully complete the Massachusetts Fire Academy Call/Volunteer Training Academy and one year of probation.

Respectfully,

Thomas Daige
Fire Chief



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

May 19, 2022

Re: Surplus Equipment

Mr. Chairman

The Fire Department has an opportunity to dispose of old, damaged, expired, never to be used again turn-out gear by selling them to companies that provide these types of garments to third world countries. We have approximately twelve (12) sets (coat and pants), the inventory is attached to this letter. If your board is to declare these items as surplus, I respectfully ask that if we are to receive money for these items, that the money collected be placed into an account within the Fire Department to be used on needed equipment.

Respectfully,



Thomas Daige
Fire Chief

Description	Manufacture	Model Number	Serial Number	Date of Manufacture	Size
Firefighting Coat	Sperian	S25WVZW	12335301	7/2009	48R
Firefighting Coat	Sperian	S25WVZW	33048301	11/2008	50R
Firefighting Coat	Sperian	S25WVZW	12335901	7/2009	48T
Firefighting Coat	Sperian	S25WVZW	12335701	7/2009	40R
Firefighting Coat	Sperian	S25WVZW	12401901	9/2009	48T
Firefighting Coat	Sperian	S25WVZW	12335601	7/2009	46S
Firefighting Coat	Sperian	S25WVZW	12335602	7/2009	46S
Firefighting Coat	Sperian	S25WVZW	29262001	7/2009	46R
Firefighting Coat	Sperian	S25WVZW	12335302	7/2009	48R
Firefighting Coat	Honeywell	LT03413TB	1502000409	2/2002	42R
Firefighting Coat	Sperian	S25WVZW	12335801	7/2009	44S
Firefighting Coat	Sperian	S25WVZW	12335501	7/2009	42R
Firefighting Pants	Sperian	S36WVZW	32642101	10/2008	36-28
Firefighting Pants	Sperian	S36WVZW	12337201	7/2009	36-30
Firefighting Pants	Lion			8/1997	36R
Firefighting Pants	Sperian	S36WVZW	33052801	12/2008	46-30
Firefighting Pants	Sperian	S36WVZW	29283701	9/2007	40-30
Firefighting Pants	Sperian	S36WVZW	12337101	7/2009	46-30
Firefighting Pants	Sperian	S36WVZW	32642301	10/2008	36-30
Firefighting Pants	Sperian	S36WVZW	32959201	11/2008	38-30
Firefighting Pants	Sperian	S36WVZW	29283601	9/2007	42-30
Firefighting Pants	Sperian	S36WVZW	12337001	7/2009	42-28
Firefighting Pants	Sperian	S36WVZW	26759201	11/2006	38-30
Firefighting Pants	Sperian	S36WVZW	12336901	7/2009	44-32