

TOWN OF HOPEDALE

SPECIAL TOWN MEETING WARRANT

Saturday, October 16, 2021

11:00 AM

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 on the lawn of the Community House located at 43 Hopedale Street, Hopedale, MA 01747, on October 16, 2021, at 11:00 am, or on Saturday, October 23, 2021 at 11:00 am, if event is postponed and notice provided; then and there to act on the following articles:

ARTICLE 1: 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 FY21, 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 the previous fiscal year. 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.

ARTICLE 2: To see if the Town will vote to transfer a sum of money from COA Expenses to COA Salaries/Wages to adjust the Fiscal Year 2022 operating budget, or take any other action related thereto.

Submitted by: Council on Aging

Commentary: This article will authorize transfer from expenses to salaries, where costs are being incurred.

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$15,000, to fund the Treasurer/Collector Salaries/Wages account, or take any other action relative thereto.

Submitted by: Select Board

Commentary: This article will provide funds for Employment Agreement with the Treasurer/Collector pursuant to M.G.L. Chapter 41, Section 108N ½.

ARTICLE 4: To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$7,000 to adjust the Bancroft Memorial Library Salaries/Wages account, or take any other action related thereto.

Submitted by: Library Trustees

Commentary: This article will provide funds for Employment Agreement with the Library Director pursuant to M.G.L. Chapter 78, Section 34.

ARTICLE 5: To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$5,000 to adjust the Board of Health Expenses for FY22, or take any other action related thereto.

Submitted by: Board of Health

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

ARTICLE 6: To see if the Town will vote to transfer from Stabilization, sums of money to fund equipment and capital purchases, or take any other related action thereto.

2/3rds Vote 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.

ARTICLE 7: To see if the Town will vote to raise and appropriate, borrow, or transfer a sum of money to fund the purchase of a Leaf-Vac machine for the Highway Department, or take any other action relative thereto.

2/3rds Vote Required.

Submitted by: Road Commissioners

Commentary: This article will provide funds for the purchase of a new Leaf-Vac machine necessary to continue the Town's leaf pick up program.

ARTICLE 8: To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, a sum of money to fund the purchase a small dump truck with plow for the Highway Department, or take any other action relative thereto.

2/3rds Vote Required.

Submitted by: Road Commissioners

Commentary: This article will provide funds for the purchase of a small pick-up truck with plow for the Highway Department to be used in snow removal and that replaces an older, expired vehicle.

ARTICLE 9: To see if the Town will vote to raise and appropriate and/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 Public Safety Dispatchers MCOP Local 164 covering the period of July 1, 2021 through June 30, 2022, or take any other action relative thereto.

Submitted by: Select Board

Commentary: Required by MGL, 150E, §7, Articles 9-13 are necessary to approve the cost items within a newly signed collective bargaining agreement.

ARTICLE 10: To see if the Town will vote to raise and appropriate and/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 Highway Water and Sewer on behalf of the Public Employees Local Union 272 covering the period of July 1, 2021 through June 30, 2022, or take any other action relative thereto.

ARTICLE 11: To see if the Town will vote to raise and appropriate and/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 Clerical Staff on behalf of the Public Employees Local Union 272 covering the period of July 1, 2021 through June 30, 2022, or take any other action relative thereto.

ARTICLE 12: To see if the Town will vote to raise and appropriate and/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, 2022, or take any other action relative thereto.

ARTICLE 13: To see if the Town will vote to raise and appropriate and/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 Call Firefighters Association covering the period of July 1, 20 through June 30, 2022, or take any other action relative thereto.

ARTICLE 14: To see if the Town will vote to: (a) authorize the Select Board to acquire, by purchase, gift and/or eminent domain, the fee to and/or permanent and/or temporary easements, for public way purposes, including without limitation, for the construction, installation, maintenance, improvement, repair, replacement and/or relocation of rights of way, sidewalks, drainage, utilities, driveways, retaining ways, guardrails, slopes, grading, rounding, construction, landscaping, and other appurtenances and/or facilities, to enable the Town to undertake the Mendon Street Intersection Project and for any and all purposes incidental or related thereto, in, on and under certain parcels of land located on or near Mendon Street (Route 16) and Hopedale Street and approximately shown on plans entitled "Hopedale - Mendon Street (Rte. 16) at Hopedale Street Easement Plan," prepared by BSC Group, said plans on file with the Town

Clerk, as said plans may be amended and/or incorporated into an easement plan, and land within 200 feet of said parcels; (b) transfer the care, custody, and control of a portion or portions of the Town-owned property or properties shown on the aforesaid plans from the board or officer having custody of the same for the purposes for which such properties are currently held to the Select Board for public way and utility purposes and further to dedicate said portions of the Town-owned properties to the foregoing purposes, and, if applicable, authorize the Select Board to submit petitions to the General Court to allow the foregoing under Article 97 of the Massachusetts Constitution or otherwise; (c) raise and appropriate, transfer from available funds, and/or borrow a sum of money to fund the foregoing project and any and all costs incidental or related thereto, including, without limitation, the cost of any land/easement acquisitions, appraisals, and surveys; and, further (d) authorize the Select Board to enter into all agreements and take any and all actions as may be necessary or appropriate to effectuate the foregoing purposes, or take any other action related thereto.

2/3rds Vote Required.

Submitted by: Select Board

Commentary: This article allows the Town to perform necessary appraisal(s) and acquire easements needed to implement construction of improvements at the intersection of Mendon Street (Rte. 16) and Hopedale Street.

ARTICLE 15: To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation authorizing the Conservation Commission to transfer a parcel of land, located at 187 Freedom Street, containing 3.75 acres, more or less, currently held for the purposes of conservation and open space, said parcel identified as Assessor's Map 9, Lot 103, described as Parcel 8 in a deed recorded with the Worcester South District Registry of Deeds in Book 15009, Page 353, to the Select Board, for the purposes of installing, operating, maintaining, repairing and replacing a water tank, in the form 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, or take any other action related thereto.

2/3rds Vote Required.

The petition for special legislation shall take the following form:

An Act Authorizing the Town of Hopedale to transfer a parcel of land currently held by the Conservation Commission for conservation and open space purposes to the Select Board for a water tank.

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

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the authority of the town of Hopedale conservation commission to transfer a parcel of land held for the purposes of conservation and open space to the Select Board for the

purposes of installing, operating, maintaining, repairing and replacing a water tank, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. The town of Hopedale may transfer from the conservation commission a parcel of land, containing 3.75 acres, more or less, currently held for the purposes of conservation and open space, said parcel identified as assessor's map 9, lot 103, described as Parcel 8 in a deed recorded with the Worcester south district registry of deeds in book 15009, page 353, to the Select Board, for the purposes of installing, operating, maintaining, repairing and replacing a water tank, subject to the requirements of sections 2 through 5 and to such additional terms and conditions consistent with this act as the commissioner of the division of capital asset management and maintenance, in consultation with the commissioner of the department of the executive office of energy and environmental affairs, may prescribe. Prior to finalizing the transaction herein, the commissioner of the division of capital asset management and maintenance may make minor modifications to the bill in order to carry out the purposes of this act.

SECTION 2. To mitigate impacts to public lands protected for natural resources, the commissioner of the division of capital asset management and maintenance may, in her discretion, require the town of Hopedale to compensate the commonwealth for the interests in land described in section 1 through the dedication of other land for conservation and open space purposes and/or the transfer of funds, the value of such compensation, if any, to be determined by the commissioner. Any funds shall be deposited in a fund dedicated to conservation of land in the town of Hopedale.

SECTION 3. The commissioner of the division of capital asset management and maintenance may commission an independent appraisal of the value of the parcel of land described in section 1, which shall be prepared in accordance with the usual and customary professional appraisal practices by a qualified appraiser. Consideration for the grant of the above-described property interests may be the value of the property interests, or some lesser consideration, including nominal consideration, as determined by the commissioner of the division of capital asset management and maintenance, in her discretion.

SECTION 4. The town of Hopedale shall assume any and all costs associated with engineering, surveys, appraisals, deed preparation and other expenses deemed necessary by the commissioner of the division of capital asset management and maintenance to execute the transfer authorized by this act.

SECTION 5. No instrument executed pursuant to this act shall be valid unless it provides that the parcel of land shall be used solely for the purposes described in section 1.

SECTION 6. This act shall take effect upon its passage.

Submitted by: Water/Sewer Commission

Commentary: This article allows the Town to petition the State legislature to remove this parcel from Article 97, land to be considered permanently protected open space, to convert to municipal use to install a water tank for water supply. This article is supported by the Conservation Commission.

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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-ninth day of September 2021.

HOPEDALE SELECT BOARD

Brian R Keyes

Brian R. Keyes, Chair

Louis Arcudi III

Louis J. Arcudi III

Glenda A. Hazard

Glenda A. Hazard

A True Copy, ATTEST:

Posted in the Town Hall, Police Station, and Post Office Lobby.


Constable

093021
Date

Signature: 
Brian R. Keyes (Sep 29, 2021 12:28 EDT)
Email: bkeyes@hopedale-ma.gov

Signature: 
Louis Arcudi (Sep 29, 2021 21:58 EDT)
Email: larcudi@hopedale-ma.gov

Signature: glenda A. Hazard
glenda A. Hazard (Sep 29, 2021 22:04 EDT)
Email: ghazard@hopedale-ma.gov