



TOWN OF HOPEDALE

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Board of Selectmen
Sandra Biagetti
Robert Burns
Thomas A. Wesley
Town Administrator
Steven A. Sette

BOARD OF SELECTMEN
Regular Minutes
Monday June 15, 2015

The regular Meeting of the Board and Selectmen was called to order at 7:02 p.m. by Chair Biagetti in the Draper Room of Town Hall.

Present: Chair Sandra Biagetti, Selectman Robert Burns, Selectman Thomas A. Wesley, Executive Assistant Susan Brouwer, members of the public, and Videographer Marcia Matthews.

The Board of Selectmen began their meeting by reciting the Pledge of Allegiance

A. Public Comment on Agenda Items

None

B. Consent Items

- 1) Approval of Regular Minutes June 1, 2015

MSDV to approve regular minutes of May 18, 2015

Chair Biagetti-Aye; Selectman Burns-Aye; Selectman Wesley-Aye

- 2) Approval of Executive Session Minutes June 1, 2015

MSDV to approve the executive session minutes of May 18, 2015 as amended and authorized release of these minutes as the matter has been concluded.

Chair Biagetti-Aye; Selectman Burns-Aye; Selectman Wesley-Aye

C. Correspondence

- 1) Chapter 90 Reimbursement Request - \$26,142.00 for a total project cost of \$101,178.00 Mendon Street (Rt. 16) WRAP
- 2) Chapter 90 Project Request - \$10,227.85 Newton St. Cold Planer, Tack Coat & Bituminous Concrete Hot Top
- 3) Chapter 90 Project Request - \$47,343.52 Warfield St. Cold Planer, Tack Coat & Bituminous Concrete Hot Top
- 4) Chapter 90 Project Request - \$157,773.50 Mellen St. Cold Planer, Tack Coat & Bituminous Concrete Hot Top

Ms. Biagetti read the above Chapter 90 reimbursement and project requests stating she already the project requests and reimbursement, so the above items were not held up and waiting for the board's approval.

MSDV to approve the above Chapter 90 Reimbursement and Project requests as read.

Chair Biagetti-Aye; Selectman Burns-Aye; Selectman Wesley-Aye

D. Appointments and Resignations

1) Appointment of New Veteran's Agent Patrick D. Morris

MSDV to approve the appointment of New Veteran's Agent Patrick D. Morris as recommended by Robin Fletcher who is our current Veteran's Agent.

Chair Biagetti-Aye; Selectman Burns-Aye; Selectman Wesley-Aye

Ms. Biagetti stated that Mr. Fletcher is looking to cut back a bit but said he would work closely with Mr. Morris to ensure a smooth transition.

E. New Business

1) Review and Approve FY 16 Reappointments

Chair Biagetti stated she before the FY reappointments are made, she would like to clear up some statements that were recently made to local media outlets regarding the issue of holding multiple town elected and/or appointed positions. Ms. Biagetti said similar issues and concerns came up approximately two years ago and were already addressed by Town Counsel. Sandra said that Massachusetts General Law states that a town with less than 10,000 residents can hold multiple positions and are considered "special employees". Ms. Biagetti continued that Town Counsel recommended disclosure forms be completed and filed with the Town Clerks office outlining possible conflict of interests by serving on multiple boards. Ms. Biagetti noted the appropriate forms are on file in the Town Clerks office and Mr. Burns acknowledged that he too filed all the necessary forms even prior to filing election papers with the Town Clerk.

Ms. Biagetti read the following excerpt from July 17, 2013 Board of Selectmen meeting minutes *"Coordinator Sette commented that a question had been posed with regard to multiple positions being held within municipal government. Town Counsel sent information to Mr. Sette stating that in towns with less than 10,000 residents the Board of Selectmen are automatically designated as special municipal employees (M.G.L. c. 268A, §1 (n)); the exemption provided by M.G.L. c. 268A §20 (d) will apply to the new special municipal employee status of the newly elected Selectperson if a statement is filed with the Town Clerk making full disclosure of interest in the contract to continue to serve as a compensated, appointed member of the Zoning Board of Appeals and with approval of the Board of Selectmen. Town Counsel also advised that with respect to the municipal employee serving as a member of the School Committee, the Board of Selectmen may move to designate School Committee members as special municipal employees and suggested filing a statement of full disclosure of interest in the contract with the Town Clerk. Coordinator Sette asked that two motions be made with regard to Selectwoman Biagetti being a member of the Zoning Board of Appeals and a member of the School Committee, and asked that full disclosure forms be filed with the Town Clerk. It was also suggested that Chairman Burns file a full disclosure form with the Town Clerk with regard to his membership on the Water and Sewer Commission"*.

"MSDV to approve the exemption from M.G.L. c. 268A, §20 of the financial interest of Selectwoman Biagetti in her contract with the Town to serve as a compensated, appointed member of the Zoning Board of Appeals. Chairman Burns – Aye, and Selectwoman Jacaruso – Aye. Selectwoman Biagetti recused herself".

"MSDV to designate members of the School Committee as Special Municipal Employees pursuant to M.G.L. c. 268A, §1(n). Chairman Burns – Aye, and Selectwoman Jacaruso – Aye. Selectwoman Biagetti recused herself".

Board members then reviewed the FY16 list of reappointments and during discussion held on the following reappointments to the Council on Aging;

Claudette Hughes

Cheryl Moreci

Robert Casali

Discussion centered around Section 9-2 of town bylaws that reads A. "The Council of Aging shall consist of at least seven and no more than nine members, who shall serve without pay, to be appointed by the Board of Selectmen for three-year staggered terms, except as follows: No member shall serve more than two consecutive three-year terms. B. Whenever a vacancy shall occur in the membership, it shall be filled by appointment by the Board of Selectmen for the remainder of the unexpired term."

The board then asked Executive Assistant Brouwer to contact Town Counsel for an opinion as to whether the board will be able to reappoint the members before a town meeting vote as all three reappointments have already sat on the board for more than two three year terms. The Board will continue this discussion at their meeting of July 6, 2015.

The board also held off on reappointing the following individuals as they did not return their reappointment paperwork to the Town Administrator's office. If the following individuals return their completed form their reappointments will be considered at the July 6, 2015 meeting;

Meg McElroy – Conservation Commission

Joseph Zacchilli – Assistant Plumbing and Gas Inspector

Scott Guyette – Assistant Wiring Inspector

Mr. Wesley also requested the following reappointment be held;

Sandra Biagetti – Zoning Board of Appeals

Mr. Wesley asked what the difference was between full membership on the Zoning Board of Appeals and Alternate membership. Ms. Biagetti replied an alternate member would only be able to vote if a full member of the board was absent from a meeting. Selectmen Wesley inquired as to whether Ms. Biagetti would be interested in serving as an alternate as she currently sits on three boards. Ms. Biagetti responded that she would not and continued that she has the time to sit on these boards because she has no children and she actually enjoys and has learned a lot. She stated the current Zoning Board of Appeals works well together and is able to agree to disagree when the occasion arises. Ms. Biagetti is seeking reappointment to the Zoning Board of Appeals noting that she returned her form to the Town Administrator's office right away.

Chair Biagetti held Donald Howes reappointment to the Cemetery Committee. Mr. Wesley noted there wasn't a town bylaw or MGL to coincide with this formation of this committee. Mr. Burns advised the reason why the committee was formed was the town cemetery known as S. Hopedale Cemetery located off of Plain Street was in great disrepair and a concerned group formed to discuss options for improving and managing the town owned cemetery. Mr. Burns advised the cemetery committee achieved its mission in improving the infrastructure and grounds. The committee hired a groundskeeper who does a great job maintaining the cemetery and the grounds have never looked better. The board decided to hold off on this reappointment,

until the Town Administrator returns from a leave of absence.

MSDV to hold the reappointments of the Council on Aging to the July 6 meeting at which time, Ms. Brouwer may have an opinion from Town Counsel. The Board also held the following individual reappointments of Meg McElroy, Conservation Commission, Joseph Zacchilli, Assistant Plumbing and Gas Inspector, Scott Guyette, Assistant Wiring Inspector for failure to submit reappointment paperwork. The board is hopeful these individuals will return their reappointment forms by the July 6 meeting. The Board also held off reappointing a Cemetery Committee until the Board and Town Administrator have an opportunity to discuss whether there is a need to continue this committee.

Chair Biagetti-Aye; Selectman Burns-Aye; Selectman Wesley-Aye

The following FY16 reappointments were voted;

3 year term

Steven Sette - ADA Coordinator/ CMRP Commission Alternate Rep.

Lisa Alberto - Board of Assessors

Joshua Otlin - Historical Commission

Sandra Biagetti - Zoning Board of Appeals (***Chair Biagetti abstained***)

1 year term

Robert Speroni – Building Commissioner/Zoning Enforcement Officer

Timothy Aicardi – Local Building Inspector

Colleen Strapponi – Capital Planning Committee

Thomas Daige – Emergency Management Director

John Fontana – Gas & Plumbing Inspector

Donna Lamphere – Parking Fines Clerk

Kopelman & Paige – Town Counsel

Stephanie L’Etalien – Treasurer/Tax Collector

Joseph Scanzaroli – Wiring Inspector

3 month term

Julie Costello – Interim Town Accountant

Ms. Brouwer recommended this be a 3 month reappointment as the term coincides with Ms. Costello’s contract. Board members inquired about whether the Accountant will be seeking a longer contract term. Ms. Brouwer responded that Administrator Sette and Interim Town Accountant Julie Costello were working on longer term contract. Ms. Brouwer stated a 3 month reappointment should give them enough time to work out the details.

MSDV to FY 16 reappointments as listed above except Zoning Board of Appeals. Chair Biagetti asked that the appointment to the Zoning Board of Appeals be a separate vote.

Chair Biagetti-Aye; Selectman Burns-Aye; Selectman Wesley-Aye

MSDV to reappoint Sandra Biagetti to a 3 year term on the Zoning Board of Appeals.

Chair Biagetti-Abstained; Selectman Burns-Aye; Selectman Wesley-Aye

The Board noted that Mr. Lou Constanza also requested appointment to the Zoning Board of

Appeals and questioned whether he may be interested in one of the Alternate positions.

Carole Mullen, Council on Aging Director and Cheryl Moreci, Council on Aging Chair appeared sometime during the reappointment discussion with Ms. Mullen stating she was sitting at home when she received a call from one of her members urging her to go to Town Hall and attend tonight's meeting. Ms. Mullen shared her concerns of the board not reappointing the Council on Aging members; they have a meeting scheduled next week and she needs her Chair to be there. Ms. Mullen advised it came as a complete surprise commenting that all current members with the exception of one member have been appointed multiple times by the Board of Selectmen with no questions. The Board reassured Ms. Mullen and Ms. Moreci that at the meeting prior the board was looking to review all boards and committees asking the executive assistant to put together a detailed list showing a bylaw or MGL that would show how the current town boards and committees evolved, so they could look to see if they are still relevant. Ms. Mullen reiterated that her current board needs to remain intact; she needs her board in order to function. The Board of Selectmen advised that it was not their intention not to reappointment but they need to check with Town Counsel to see about the bylaw on the books. The board stated they would like to see about getting this bylaw changed. Ms. Mullen urged them to do post it on the warrant for the June 30 meeting, The board stated they would like to get an opinion from Town Counsel and will see whether they can possibly reappoint these members at their next meeting on July 6.

2) Open/Closed - Vote to Sign June 30, 2015 Special Town Meeting Warrant

Susan Brouwer reviewed and explained the warrant articles listed on the Special Town Meeting Warrant.

MSDV to open, close and sign the June 30, 2015 Special Town Meeting Warrant

Chair Biagetti-Aye; Selectman Burns-Aye; Selectman Wesley-Aye

3) Fran Marcoux – Request for TIF on Proposed Building Plain Street Industrial Park

Executive Assistant Brouwer advised that Mr. Marcoux is looking for more time to do research on his proposal for a TIF on a building he would like to build on his property located within the Plain Street Industrial Park. Ms. Brouwer advised that Mr. Marcoux stated he should have more information for the July 6, 2015 meeting. Therefore she is recommending the board continue the discussion to July 6.

MSDV to continue discussion to the July 6, 2015 meeting

Chair Biagetti-Aye; Selectman Burns-Aye; Selectman Wesley-Aye

F. Old Business

Draft FMLA/Paternal Leave/SNLP Policy

Executive Assistant Brouwer gave a brief overview of the presented policies stating the Town is need of updating policies and advising in the absence of policy individual departments may adopt policies which will can set precedence and leave the town open exposure and policies they may not find to be in the best interest of the town.

Ms. Brouwer recommended using some of the language from the Maternal/Paternal policy and to incorporate parts of that policy into the more inclusive policy containing FMLA/Paternal Leave/SNLP Policy. Chair Biagetti would like the mission statement from the Maternal/Paternal leave policy added to the top of the FMLA/Paternal Leave/SNLP Policy. Ms Brouwer stated the board might want to consider adding to the mission statement to include the Maternal/Paternal Leave/SNLP Policy. The board would like these changes incorporated and added to the next

agenda for further discussion.

G. Public Comment and requests for future agenda Items

None

H. Administrator News

Discuss date for joint meeting with the Finance Committee to discuss and approve Year End Transfers before June 30, 2015. The board would like to hold a joint meeting with the Finance Committee to discuss and approve departmental year end transfers. In addition the board will discuss motions and articles for the June 30, 2015 STM. The board asked Sue to post a joint meeting on Monday, June 22, 2015 at 6 p.m. in the Draper Room.

I. Adjournment

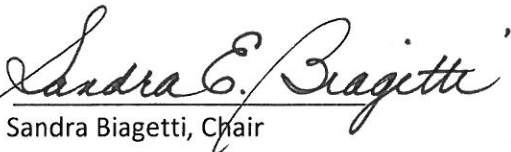
Selectmen Burns made the following motion I am requesting a motion to allow this board to now enter into Executive Session and not to reconvene in regular session, under M.G.L. c.30A, s 21(a) Reason (3): to discuss strategy with respect to collective bargaining, because an open meeting may have a detrimental effect on the bargaining position of the Town.

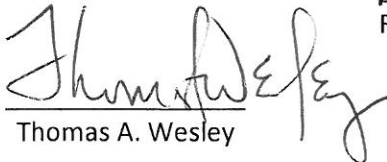
RCV Chair Biagetti-Aye; Selectman Burns-Aye; Selectman Wesley-Aye

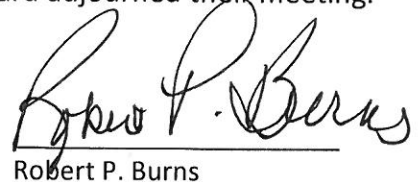
J. Executive Session

- 1) Inter-municipal Agreement for Regional Dispatch Services Between the Towns of Hopedale and Upton

With no further regular business before them at 8:43 p.m. the board adjourned their meeting.


Sandra Biagetti, Chair


Thomas A. Wesley


Robert P. Burns

Hopedale Board of Selectmen
***Moved, Seconded, Discussed and Voted**
**** Roll Call Vote**