



## OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General  
One Ashburton Place  
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

### Your Contact Information:

First Name: Donald Last Name: Keavany

Address: Christopher Hays Wojcik & Mavricos, LLP, 370 Main Street, Suite 970

City: Worcester State: MA Zip Code: 01608

Phone Number: 5087922800 Ext. 225

Email: dkeavany@chwmlaw.com

Organization or Media Affiliation (if any): Grafton & Upton Railroad Company

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual  Organization  Media

### Public Body that is the subject of this complaint:

City/Town  County  Regional/District  State

Name of Public Body (including city/town, county or region, if applicable): Hopedale Water and Sewer Commission

Specific person(s), if any, you allege committed the violation: \_\_\_\_\_

Date of alleged violation: 6/2/22

**Description of alleged violation:**

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

The Agenda for the Water and Sewer Commission June 2, 2022 Meeting consisted of the following one agenda item:

**New Business:**

**A. Development impact request**

However, at its June 2 meeting, the Water and Sewer Commission discussed whether to petition the United States Environmental Protection Agency to investigate real property owned by Grafton & Upton Railroad Company in Hopedale. The agenda item "Development Impact Request" did not inform the public of the nature of the discussion that the Water and Sewer Commission intended to engage in on June 2, 2022. The agenda item did not identify the real property at 364 West Street as being a topic for discussion on June 2. The agenda item did not disclose to the public that the Water and Sewer Commission were going to discuss whether to draft and send a petition to the US EPA with respect to any property. Clearly, due to the length and substance of the Petition, which is dated June 2 (the same date as the Meeting) the Petition (and its content) was an intended topic for discussion at the June 2 meeting. The sole agenda item for the June 2 meeting - "Development Impact Request" - was intentionally vague and ambiguous, and misled the public. The agenda item did not inform the public that the Petition to the US EPA was to be discussed.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

The Water and Sewer Commission should rescind the June 2, 2022 Petition to the US EPA forthwith. Should the Water and Sewer Commission wish to discuss whether it is appropriate to Petition the US EPA with respect to the real property at 364 West Street, the Board should clearly identify that topic as an agenda item at a future public meeting.

**Review, sign, and submit your complaint**

**I. Disclosure of Your Complaint.**

**Public Record.** Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

**Publication to Website.** As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

**II. Consulting With a Private Attorney.**

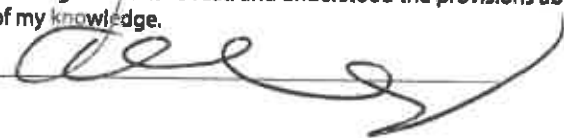
The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

**III. Submit Your Complaint to the Public Body.**

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us).

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: \_\_\_\_\_



Date: \_\_\_\_\_

6/29/22

For Use By Public Body

Date Received by Public Body:

For Use By AGO

Date Received by AGO: