

**TOWN OF HOPEDALE – ANNUAL TOWN MEETING MINUTES**  
**MAY 19, 2009**

The inhabitants of the Town of Hopedale qualified to vote in elections and Town affairs met in the auditorium of the Jr. – Sr. High School at 7:00PM. At 7:09PM Moderator Francis Larkin declared a quorum (50) present and convened the Annual Town Meeting. The Annual Town Meeting was called under the authority of the warrant dated May 4, 2009. The warrant was posted according to Town by-laws by a sworn Constable.

Moderator Larkin led the assembly in the Pledge of Allegiance.

A motion to extend privileges of the floor to specific non-residents was made and seconded. The non-residents include Police Chief Eugene Costanza, Town Collector/Treasurer Barbara Walls, Acting Fire Chief Tom Daige and Blackstone Valley Regional School Superintendent Michael Fitzpatrick. The motion was carried by voice vote as declared by the Moderator.

Selectman Michael Collins moved to dispense with the reading of the warrant. The motion was seconded and carried by voice vote.

**Article 1:** Selectman Chair Alan Ryan moved to hear and act upon the report of the Selectmen and other offices, departments, or committees of said town.

The motion was seconded. No reports were heard at this time.

**Article 2:** Selectman Michael Collins moved, pursuant to M.G.L. c.41, §108 to fix the annual salary and compensation for each elected Town officer and further to fix the annual compensation for special appointed officials for his/her service in fiscal year 2010, as follows:

Town Moderator (1)	\$ 200
Board of Selectmen (3)	\$ 5,850
Town Clerk (1)*	\$32,905
Road Commissioners (3)	\$ 1,980
Board of Health (3)	\$ 1,665
Park Commissioners (3)	\$ 1,440
Water/Sewer Commissioners (3)	\$ 1,980
Tree Warden (1)	\$ 900
Planning Board (5)	\$ 3,330
Board of Assessors (3)	\$ 1,665
Board of Registrars (3) appt.	\$ 1,440
Clerk to Registrars (1)	\$ 500
Zoning Board of Appeals (5) appt.	\$ 2,340
Finance Committee (9) appt.	\$ 4,140
School Committee (5)	\$ 4,950
Conservation Committee (5)	\$ 2,340
Library Trustees (3)	\$ 1,440

\*Town Clerk is paid weekly; all others twice per year

The motion was seconded and carried by voice vote at 7:19pm as declared by the Moderator.

**Article 3:** Water & Sewer Commission Chairman Robert Bird moved to raise and appropriate through assessments provided under M.G.L. c. 83, §16, and to be collected under M.G.L. c. 44, §53E bond issue payments of \$69,456.00 for the Sewer Department.

The motion was seconded and carried by voice vote at 7:20pm as declared by the Moderator.

**Article 4:** Town Coordinator Gene Phillips moved to pass over this article until date certain June 23, 2009.

The motion was seconded and carried by voice vote at 7:21pm as declared by the Moderator.

**Article 5:** Gene Phillips moved to authorize the continued use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding a hazardous waste collection day and recycling program to include composting and yard waste and other related costs, which fund shall be credited with receipts from the Board of Health to be expended under the authority of the Board of Health, such expenditures not to exceed \$30,000.00 for the fiscal year 2010.

The motion was seconded and carried by voice vote at 7:22pm as declared by the Moderator.

**Article 6:** Gene Phillips moved to authorize the continued use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding the operating costs of the animal control division of the Hopedale Board of Health, which fund will be credited with receipts for the boarding of stray animals, fines for violations, and the licensing of animals, to be expended under the authority of the Board of Health, such expenditures not to exceed \$15,000.00 for the fiscal year 2010.

The motion was seconded and carried by voice vote at 7:23pm as declared by the Moderator.

**Article 7:** Gene Phillips moved to authorize the Conservation Commission to spend without further appropriation in accordance with M.G.L. c. 131, §40 certain sums as received in filing fees from prior fiscal years, for the fiscal year 2010.

The motion was seconded and carried by voice vote at 7:23pm as declared by the Moderator.

**Article 8:** Gene Phillips moved to authorize the Treasurer to borrow up to the sum of \$132,448.00 in anticipation of Chapter 90 State reimbursement funds for the purpose of providing road paving/improvement projects.

The motion was seconded and carried unanimously at 7:25pm as declared by the Moderator.

**Article 9:** Selectman Robert Burns moved to pass over this article until date certain June 23, 2009.

The motion was seconded and carried by voice vote at 7:25pm as declared by the Moderator.

**Article 10:** Gene Phillips moved to pass over this article until date certain June 23, 2009.

The motion was seconded and carried by voice vote at 7:26pm as declared by the Moderator.

**Article 11:** Robert Bird moved to authorize the Water Department Budget to be funded by offset receipts as follows, Salaries \$186,920.00, Expenses \$521,500.00, Long Term Debt \$89,880.00.

The motion was seconded and carried by voice vote at 7:27pm as declared by the Moderator.

**Article 12:** Robert Bird moved to authorize the Sewer Department Budget to be funded by offset receipts as follows, Salaries \$ 241,002, Expenses \$ 345,453 and Sewer Debt of \$155,125.

The motion was seconded and carried by voice vote at 7:28pm as declared by the Moderator.

**Article 13:** Alan Ryan moved to pass over this article until date certain June 23, 2009.

The motion was seconded and carried by voice vote at 7:28pm as declared by the Moderator.

**Article 14:** Mike Collins moved to raise and appropriate the sum of \$1,423 to pay the Town's annual assessment of costs and expenses of the Central Massachusetts Regional Planning Commission District.

The motion was seconded and carried by voice vote at 7:29pm as declared by the Moderator.

**Article 15:** Blackstone Valley Vocational Regional High School Committeeman Paul Yanovitch moved to raise and appropriate the sum of \$ 208,106 for the Town's net operating and capital assessment for the Blackstone Valley Vocational Regional High School, which is inclusive of \$ 14,103 for the debt service associated with Hopedale's previously (2001) voted amount for the District's addition/renovation project.

The motion was seconded and carried by voice vote at 7:31pm as declared by the Moderator.

**Article 16:** Gene Phillips moved to authorize the use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding and operating the Hopedale Cable Advisory Board and other related costs, which fund shall be credited solely with receipts from Comcast pursuant to Sections 5.2(a) and 5.2(b) of the renewal license dated January 9, 1999 to be expended under the authority of the Hopedale Cable Advisory Committee, such expenditures not to exceed \$85,000.00 for the fiscal year 2010.

The motion was seconded and carried by voice vote at 7:32pm as declared by the Moderator.

**Article 17:** Principal Assessor Teri Gonsalves moved to increase the availability of tax exemptions to senior citizens owning real property pursuant to M.G. L. Ch. 59 §5, Clause 41C, as authorized under Section 51 of Chapter 184 of the Acts of 2002 of the General Court, by approving an increase in the value of the tax exemption, currently \$4,946.66 in valuation or \$620.40, whichever is greater, to \$5,119.80 in valuation or \$642.11, whichever is greater.

The motion was seconded and carried by voice vote at 7:33pm as declared by the Moderator.

**Article 18:** Teri Gonsalves moved to pass over this article.

The motion was seconded and carried by voice vote at 7:33pm as declared by the Moderator.

**Article 19:** Teri Gonsalves moved to pass over this article.

The motion was seconded and carried by voice vote at 7:33pm as declared by the Moderator.

**Article 20:** Teri Gonsalves moved to accept paragraph 8 of Chapter 60A Section § 1 of the Massachusetts General Laws, inserted by Chapter 182, Section § 16 of the Acts of 2008. This will exempt from motor vehicle excise Massachusetts residents who are on active duty outside the country for at least 45 days of the excise calendar year. If the service member is wounded or killed in armed conflict, the exemption will apply regardless of the number of days deployed.

The service member may exempt only one vehicle owned and registered for personal use.

*Commentary: If accepted this will be effective as of January 1, 2010.*

The motion was seconded and carried by voice vote at 7:35pm as declared by the Moderator.

**Article 21:** Robert Burns moved to transfer from Stabilization \$60,000.00 to fund the current installment of a six-year mortgage with Louis J. Noferi as authorized by Article 20 of the April 12, 2005 Annual Town Meeting and as amended by Article 20 of the May 16, 2006 Annual Town Meeting.

The motion was seconded and carried unanimously by voice vote at 7:37pm as declared by the Moderator.

**Article 22:** Superintendent Patricia Ruane moved to authorize the use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding a School Bus Transportation Account and other related costs, which fund shall be credited with receipts from the School Department's Transportation Fee, to be expended under the authority of the School Committee,

such expenditures not to exceed \$50,000.00 for the fiscal year 2010.

The motion was seconded and carried by voice vote at 7:40pm as declared by the Moderator.

**Article 23:** Gene Phillips moved to authorize the Board of Selectmen to acquire, by gift, purchase, or eminent domain, for general municipal purposes, including the purpose of reconstructing the Mill Street Bridge and associated Spindleville Pond Spillway, the fee and drainage easements and/or temporary construction easements in portions of the following parcels of land: (a) land now or formerly owned by M.C. Machine Company, and described in deeds recorded with said Deeds in Book 15928, Page 167 and in Book 15928, Page 164; and (b) land owned by owners unknown and/or the Town of Hopedale, located on Mill Street and as may abut the river, and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition.

The motion was seconded and carried unanimously by voice vote at 7:43pm as declared by the Moderator.

**Article 24:** Michael Collins moved to pass over this article until date certain June 23, 2009. The motion was seconded and carried by voice vote at 7:44pm as declared by the Moderator.

**Article 25:** Robert Burns moved to pass over this article until date certain June 23, 2009. The motion was seconded and carried by voice vote at 7:45pm as declared by the Moderator.

**Article 26:** Alan Ryan moved to amend Chapter 320 of the General Code of the Town of Hopedale by adding a new section sequentially numbered entitled PUBLIC CONSUMPTION OF MARIJUANA OR TETRAHYDROCANNABINOL to read as follows:

No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C s. 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, recreation area, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned or under the control of the Town within the limits of the Town of Hopedale; or in or upon any bus or passenger conveyance operated by a common carrier; or in a motor vehicle while it is in, on or upon any public way or any way to which the public has a right of access within the limits of the Town of Hopedale, or in any place to which the public has a right of access.

This by-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal complaint pursuant to G.L. c. 40 s. 21, or by noncriminal disposition pursuant to G.L. c. 40 s. 21D, by the Board of Selectmen or their duly authorized agents, or any police officer. Whoever violates the provisions of this section shall be punished by a fine not exceeding One Hundred Dollars (\$100) for the first offense; Two Hundred Dollars (\$200) for the second offense; and Three Hundred Dollars (\$300) for any third or subsequent offense. Any penalty imposed under this by-law shall be in addition to any civil penalty imposed under G.L. c. 94C s. 32L.

The motion was seconded and carried by voice vote at 7:49pm as declared by the Moderator.

Gene Phillips moved to adjourn the meeting until date certain June 23, 2009 at 7:00 pm.

The motion was seconded and carried by voice vote at 7:49pm as declared by the Moderator.

A true copy, attest:

Janet Orff Jacaruso  
Town Clerk