

State of Rhode Island

County of Washington

In Hopkinton on the twentieth day of July 2009 A.D. the said meeting was called to order by Town Council President Thomas Buck at 7:00 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI.

PRESENT: Thomas Buck, Sylvia Thompson, Beverly Kenney, Barbara Caplbo; Town Solicitor Patricia Buckley; Interim Town Manager M. Linda Urso; Town Clerk Elizabeth Cook-Martin.
Absent: William Felkner.

The meeting opened with a moment of silent meditation and a salute to the Flag.

HEARINGS

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR CAPALBO TO SIT AS A LICENSING BOARD.

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: None

SO VOTED

TRANSFER - CLASS BV LIQUOR LICENSE

The Council opened a hearing on an application for the transfer of a Class BV Liquor License from Hopkinton Investments, LLC d/b/a Hopkinton Golf Pavilion, Joseph D. Rando & Anthony Rando, 555 Pleasant St., Suite 201, Attleboro, MA 02703 for property located at 15A Frontier Rd., Ashaway, RI 02804 to Pavilion Properties, LLC d/b/a Pavilion Restaurant, Denise Bourque & Stephan Bourque, 31 Maple St., Hope Valley, RI 02832, Irma D. Valdez, 4 George St., Westerly, RI 02891 and Silverio Martinez, 27 Pierce St., Westerly, RI 02891.

Denise & Stephan Bourque were present with George Comolli, Esq. The application was complete. Notice had been posted, the filing fees were pending.

Attorney Comolli stated this facility had been opened by Joseph Rando and Anthony Rando of Hopkinton Investments, LLC and consisted of a golf driving

range, golf clinic, mini-golf course and restaurant. He stated Mr. Rando had decided to close the facility because he had decided he was not going to be successful at that location and had said the same thing to various town officials and his client Raymond Quinlan found out about it. This led to a meeting between Mr. Quinlan, the Bourke's and Anthony Rando. He stated an agreement had been entered into to purchase the 2.2 acres with restaurant, subject to administrative subdivision by the Town Planner which was in the works, subject to the application for a license for the restaurant, golf course and driving range. He stated the mini golf course and driving range would be operated by the Bourke's until such time as the Rando's decided what to do with the property. He reported Mr. & Mrs. Bourke had been operating the facility and some changes had been made; the building had been painted, there was a new menu and new atmosphere. Attorney Comolli questioned Mrs. Bourke that she was currently the manager and was presently operating the facility she responded, yes. She handed out an updated menu and stated they had been working hard as a family, holding weekly antique car rally's on Friday evenings, affordable golf clinics, and was excited about reaching out to the community. The hours of operation for the golf facility would be from 11:00 AM to 10:00 PM. Golf clinics were offered to adults and children at affordable prices. Attorney Comolli stated the facility employed 20 individuals.

Councilor Capalbo stated she had an issue with the lighting and requested the lights for the main driving range be shut off at 9:00 PM instead of 10:00 PM. Mrs. Bourke stated there were individuals who came out to use the golf facility at 8:30 PM as they worked later. She stated she would try to shut down the lights by 9:00 PM or 9:30 PM but would definitely be shut off by 10:00 PM. Councilor Capalbo stated she was concerned about the light spill and suggested they only run the lights as necessary. She also asked if they had considered allowing the Chariho golf team to access the facility. Mrs. Bourke stated students from the Chariho golf team have been there as well as some from the University of Rhode Island and Stonington, CT. Mr. Bourke stated all were welcome and noted they had reduced the price of a round of mini-golf to \$4.00 per round.

Attorney Comolli requested the transfer is required to be subject to the approvals of the proper state and local authorities. He reported that Building-Zoning Official Brad Ward had noticed that Hopkinton Investments, LLC had been issued their permits based on a district use code as operating under an amusement use so that within six months they would have to reapply to the Zoning Board of Review to correct the district use code to use code #583 as recommended by the Zoning Official; that it would be subject to a closing on the parcel scheduled for August 15, 2009 and subject to any outstanding fees. Attorney Comolli stated he wanted the Council to be aware that the restaurant may lose the mini golf course and driving range in the future. There were no objectors present.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR KENNEY TO APPROVE THE CLASS BV LIQUOR LICENSE TRANSFER FROM HOPKINTON INVESTMENTS, LLC D/B/A HOPKINTON GOLF PAVILION, JOSEPH D. RANDO & ANTHONY RANDO, 555 PLEASANT STREET, SUITE 201, ATTLEBORO, MA 02703 FOR PROPERTY LOCATED AT 15A FRONTIER ROAD, ASHAWAY, RI 02804 TO PAVILION PROPERTIES, LLC D/B/A PAVILION RESTAURANT, DENISE BOURQUE & STEPHAN BOURQUE, 31 MAPLE STREET, HOPE VALLEY, RI 02832, IRMA D. VALDEZ, 4 GEORGE STREET, WESTERLY, RI 02891 AND SILVERIO MARTINEZ, 27 PIERCE STREET, WESTERLY, RI 02891 SUBJECT TO THEIR APPLYING FOR A SPECIAL USE PERMIT, SUBJECT TO THEIR CLOSING ON THE PROPERTY, SUBJECT TO ALL STATE AND TOWN REGULATIONS BEING MET, ALL TOWN TAXES CURRENT, OUTSTANDING BILLS, PRIOR TO ISSUE.

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR CAPALBO TO ADJOURN AS A LICENSING BOARD AND RECONVENE AS A COUNCIL.

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: None

SO VOTED

ZONE CHANGE HEARING – NATIONAL GRID

Render a decision re: Petition for a Zoning Ordinance Amendment filed by The Narragansett Electric Company d/b/a National Grid, 280 Melrose Street, Providence, RI 02907 for property owned by The Narragansett Electric Company d/b/a National Grid and located at Main Street/Route 3 identified as Assessors Plat 22, Lot 19 an RFR-80 Zone and filed in accordance with Section 16 of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended. The applicant seeks a text amendment to the District Use Table by adding a category (“486- Electric substation”) and a corresponding footnote to the Dimensional Regulations, continued from July 6, 2009.

This matter was before the Town Council to render a decision. Attorney Lacouture was present.

Councilor Thompson stated based upon public comment, the comprehensive plan and staff input she read the following findings of facts: “The majority of the request for an amendment to the Hopkinton Zoning Ordinance did not adhere to the Town of Hopkinton’s Comprehensive Plan. Specifically, allowing electrical power substations in RFR-80, Neighborhood Business and Commercial Zones will not maintain the quality of life and rural character of the town and will not insure that contiguous land uses of the town are compatible within its borders. Hopkinton residents vocalized their concern during the public hearing stage that allowing electrical substations throughout the entire town would decrease property values and should not be located in proximity to residential homes and neighborhoods. However, allowing an amendment to the zoning ordinance to allow a substation in a Manufacturing Zone does adhere to the Comprehensive Plan by identifying land in town for small scale or non-intrusive industrial applications and providing land to meet the future utility needs of a growing population.

Councilor Capalbo commented on the standards required to render a decision:

1. Is the proposed amendment consistent with the Town's Comprehensive Plan.

She stated she believed it was consistent with the comprehensive plan; it would allow for Hopkinton and Ashaway growth, it would provide additional power at Exit 1 for the manufacturing and commercial zones reducing the chance for

brown outs. 2. Does the amendment bear a reasonable relationship to the public

health, safety and welfare. She felt it would bear a reasonable relationship, the high voltage lines were directly over the proposed location of the electric

substation, and was the best place for the lines to come down to an electric

substation for additional power. 3. Is the proposed amendment in the best interest

of the community. She did not feel the proposed amendment met this standard.

She felt the amendment was not in the best interest of the community, the Council

could not spot zone, which is what this amendment would do. She stated the

zoning text amendment would allow substations in an RFR-80 zone and that 80%

of the Town's land was in an RFR-80 Zone.

Councilor Kenney stated her comments had been addressed.

Council President Buck noted that the proposal for the zoning ordinance text change was site specific regarding where the electric substation would be placed.

He stated the Council had no jurisdiction over the proposed site and had to

consider the zoning ordinance as a whole. He stated 80% of the Town was zoned

RFR-80 and this petition would change the zoning categories for the entire town.

He stated he did not support a town-wide zoning change, which is what would

result if the zoning ordinance text change was granted and there were areas in

town where a substation should definitely not go.

Discussion ended and the Council proceeded to vote in the following motion:

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED

BY COUNCILOR KENNEY TO APPROVE THE FOLLOWING: THE

DISRICT USE TABLE WILL ADD THE CATEGORY 486 ELECTRIC

SUBSTATION (LIMITED CAPACITY/SIZE TO 115KV OR LESS); RFR-80, NEIGHBORHOOD BUSINESS AND COMMERCIAL SHALL LIST AN “N” FOR NOT PERMITTED; MANUFACTURING SHALL LIST “S” FOR SPECIAL USE PERMIT AND “A” IN THE PRIMARY AND SECONDARY ZONES; IN SECTION 6 DIMENSIONAL REGULATIONS, THE FOLLOWING WILL BE ADDED: FOOTNOTE 7: ELECTRIC SUBSTATIONS IN MANUFACTURING ZONES SHALL REQUIRE FRONT, SIDE AND REAR YARD SETBACKS TO BE TWO HUNDRED (200) FEET FROM ANY RESIDENTIAL USE. ADDITIONALLY, THE MAXIMUM PERCENTAGE COVERAGE OF THE LOT THAT MAY BE COVERED BY BUILDINGS, TRANSFORMERS, FENCING AND IMPERVIOUS SURFACES SHALL NOT EXCEED TWELVE PERCENT (12%) AND THE MINIMUM LOT SIZE SHALL BE TWELVE (12) ACRES.

IN FAVOR: Buck, Thompson, Kenney

OPPOSED: Capalbo

SO VOTED

CONSENT AGENDA

The Council removed the Town Council Meeting Minutes of May 18, 2009 as requested by the Town Clerk as they were incomplete. The minutes will be placed on a subsequent agenda for approval. Councilor Kenney removed petition for the approval National Grid and Verizon for joint GRid-VERIZON pole locations on Dye Hill Road.

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR CAPALBO TO APPROVE CONSENT AGENDA AS

FOLLOWS: Set August 3, 2009 as a hearing date for a special event permit filed by the Recreation Director for the 25th Annual Crafts Festival; Accept the following reports: Town Clerk, Tax Collector’s collections to date, Tax Assessor which includes abatements & supplements, Recreation Director, Chief of Police.

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: None

SO VOTED

Councilor Kenney stated she had removed the petition of National Grid and Verizon for joint GRid-VERIZON pole locations on Dye Hill Road because of the continued problem with double poles, that they were not removing the old poles. Councilor Thompson questioned if the Public Works Director had looked into the petition. Town Clerk Elizabeth Cook-Martin stated a copy of the petition had been provided to him. Council President Buck stated he had not had an opportunity to review the location. Councilor Thompson suggested writing them and asking representatives from both utilities to attend and to inform them the Council was seeking answers to the double pole problem. Council President Buck suggested the petition be tabled to the next meeting. The Town Council agreed. The Town Clerk will forward a letter to the National Grid and Verizon in regards to the continuance and to request their presence at the August 3, 2009 in relation to the joint pole location petition and the situation with the double poles.

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR THOMPSON TO TABLE THE PETITION OF NATIONAL GRID AND VERIZON FOR JOINT GRID-VERIZON POLE LOCATIONS ON DYE HILL ROAD

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: None

SO VOTED

PUBLIC FORUM

No one spoke during the first public forum.

TOWN SOLICITOR REPORT

Town Solicitor Patricia Buckley stated she had no formal report and hoped the Council all had read the material in the confidential packet of information she provided.

COUNCIL PRESIDENT REPORT

Town Council President Buck reported he had had a busy couple of weeks; had dealt with police contract negotiations; had sat in on a grievance hearing with the Town Manager.

TOWN MANAGER REPORT

Interim Town Manager M. Linda Urso reported that she had been familiarizing herself with current departments and issues; had met with Public Works Director Doug Reese and discussed with him the pot hole issue on various roads; was reviewing various files.

Councilor Capalbo questioned the One Call Now notification system to update information. Ms. Urso responded there would be a section on the tax bill dedicated to One Call Now that would have the Emergency Management Agency Director Michael Oceau's contact information. She stated Mr. Oceau was working on having the form to update phone contact numbers in the notification system, on the website.

OLD BUSINESS

TOWN BILLS

Councilor Capalbo commented on the Timothy Goss invoice on page 9 of the bill list. She wanted the public to be aware that people should try to see if there were food donations available at the Animal Shelter before giving an animal up for financial reasons. She questioned the Phillips Healthcare invoice on page 7 for two defibrillators and where they were located. Agnes Hall from the Finance Office was present and stated they were in the police department. Council President Buck commented on a Cox Communications invoice for phone service on page 2 and that there was also a Verizon phone bill on page 9. Ms. Hall stated there was a non-recorded line at the police station that had been missed when phone service had been transferred to Cox Communications. Council President Buck questioned the Secretary of State invoice for notary application for Chief Scuncio found on page 8. Ms. Hall stated it was for the Chief to reapply as a notary public. Council President Buck questioned if there was a line item in the EMA budget for emergency management supplies. Ms. Hall responded there was a line item of \$750.00 and the invoice was over by \$7.70. Council President Buck questioned the mileage reimbursement submitted by Mark Radicioni dating back to March. Ms. Hall stated that it was for reimbursement for mileage for the meals on wheels program and that the mileage request dated back that far because it had been misplaced. She stated an itemized list for reimbursement was provided.

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR THOMPSON TO AUTHORIZE THE FINANCE DEPARTMENT TO PAY THE TOWN BILLS WITH NO ADDITIONS OR DELETIONS.

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: None

SO VOTED

RENOVA LIGHTING SYSTEMS, INC. TAX STABILIZATION STATUS

This matter had been scheduled as an update to the Renova Lighting Systems, Inc. tax stabilization status regarding compliance with their landscaping and lighting design continued from June 15, 2009. The update was requirement when the Town Council granted the tax stabilization request on September 15, 2008.

David Nadeau, Vice President of Renova Lighting Systems, Inc. was present. He reported that landscaping had commenced and the lighting had been installed.

Council President Buck commented on the placement of the burlap around recent plantings intended to keep the soil intact. He also stated he felt the lighting at the facility was perfect and informed Mr. Nadeau that he often used to their lighting as an example to others. Mr. Nadeau stated the landscaping included the creation of a berm which had been planted. He noted that there had been concern during the September 2008 hearing regarding the planting of arborvitae, which they kept in mind, adding there were few choices of plants that were deer resistant. He reported their landscape expert Mark Koswaski had provided them with guidance. Bayberry had been planted, and was being irrigated, in the front to stabilize the bank to prevent erosion control and grass seed had been planted in the back. The berm had been built up so that the roof line of the facility could barely be seen. He stated this would provide a forest affect and would prevent washout. Councilor Capalbo stated it would also be good for other wildlife.

Additional planting of spruce trees, white pine and maple would be staggered in mid to late September. He stated they had met with Town Planner James Lamphere and he had been in favor of the plan. There were no objectors present.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR KENNEY TO GRANT THE TAX STABILIZATION REQUEST FILED BY N.E. VENTURES, LLC/ RENOVA LIGHTING SYSTEMS, INC. AS DETAILED IN THE SEPTEMBER 15, 2008 MINUTES, AS THEY HAVE DEMONSTRATED COMPLIANCE WITH THE LANDSCAPE AND LIGHTING DESIGN.

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: None

SO VOTED

RATIFY POLICE CONTRACT

This matter had been continued from July 6, 2009. Town Council President Buck reviewed the changes made to the Police Contract as a result of negotiations: Article VII Work Time & Leave Time, Page 9 regarding working days for officers on a five days on, two days off schedule, an additional fifteen days off with pay per year would be granted to compensate them for the additional days worked, over those officer who work a four day on, two day off schedule. This was formerly 17 days, the Town negotiated two days back. In the next paragraph on the same page, changes were made in the language to better control of overtime costs. On page 10, Section 3 Overtime, the longevity language has been removed. On page 11, Section 7 Personal Days, one personal day was added, Section 8 Holidays, one a half day before New Year's Day was added. On page 12, Section 9 Vacations, the length of time for vacations was changed; from start date to 1 year was 3 days; 1-5 years was ten days, 5-10 years was now 19 days, after ten years of service, 22 days, so the town negotiated back 2 days. In addition, there will be no pay in lieu of vacation, an employee could carry over only six days so it will have to be used up or it will be lost. Section 10 Authorized leave, A. Sick leave. 20 working days per year, added two days, the 5 family leave days had been removed and the town negotiated 3 days back. On page 14, Section B Bereavement leave was changed to reflect the language in the DPW contract, the town negotiated 3 days back. On page 17, second paragraph, language deletion regarding outside duty if an injury was sustained while on duty the word "substantially" was removed. On page 18, Section 14 Exemplary

service, language change requiring with the approval of the Town Manager if a day off was granted, as a check and balance. Article VIII Health, Dental, Life Insurances/Other Benefits, co-contributions had been increased: year one - 12%, year 2 - 13% and year 3 - 14%. The previous contract was capped at a 10% co-contribution level. On page 19, second paragraph, language addition regarding a \$100.00 fee for using the emergency room with the exception of casting and overnight placement in hospital. The buy-back language was originally limited to \$3,500.00 and this has been reduced to \$2,500.00. On page 20, Section 3 Eye care, the eye care rider was increased to \$150.00. On page 22, regarding vacancies, language change that states six month period, formerly a four month period. On page 30, Section 5, second paragraph regarding the reduction of staffing positions. This read, 1 Chief, 1 Lieutenant, 2 Sergeants, 9 patrol officers for a total of 13 people. He stated the mention of additional people was solely for the purpose of assigning duties and not to imply additions. Laid-off officers would have a one year recall right, this was formerly 2 years. On page 36, a language change regarding compensatory time, up to 40 hours may be accrued, but it had to be used by June 1 of each year. There would be no carry-over of compensatory time. Under Article XVI Wages, Longevity, Uniforms and Clothing Allowance on page 36, the longevity language was removed. In Section 2, \$1,500.00 payment will be granted for uniform cleaning and cell phone expenses for a cell phone purchased by officer, most officers had their own cell phones. On page 38, Attachment A, Salaries, wages for the past 3 years was approximately a 3.5% increase each year. Now provisional language had been added that annual salary increase will be as follows pending either State Aid for General Revenue for Hopkinton's contribution in the amount of \$191,394.00 or approval of two officers funded by the COPS grant for existing positions. Percentage increases would be 0% in year 1, 2% in year 2, and 3% in year 3 of the contract. If either one of these provisions are not fulfilled, then the raises for the next three years would be year 1 – 0%, year 2 -1% and year 3 -2%.

A motion was made by Councilor Kenney and seconded by Councilor Thompson to approve the police contract which led to discussion: Councilor Capalbo felt

they had done a good job on the contract but she had a problem with the compounded COLA (cost of living adjustment) that was in state law. Councilor Buck stated there had been a proposal on the table for a health retirement plan that would provide for a yearly payment to a health retirement account, but it was determined to be more expensive and would cost the Town more. He noted the State Pension Board had informed the former Town Manager that they may eliminate the compounded COLA and regular COLA. Councilor Capalbo did not feel they would move swiftly enough. Council President Buck noted there were three pension plans: Judicial, Municipal and Teachers/State. Councilor Thompson commented the Town should not count on the State to act. She noted good or bad, we had the compounded COLA, other communities did things differently, upon a police officer's retirement, they pay for health insurance. She stated it would be better not to have either but it turns out that compounded COLA was less costly than health insurance. Council President Buck stated the family health plan was \$15,000.00 per year. Councilor Thompson stated former Councilor John Matson had prepared a detailed file on the compounded COLA. The chart he prepared correctly applied State law, used the correct salary amount and showed the pension amount a retired officer would receive with the compounded COLA. Councilor Capalbo pointed out that there were Towns that did not have extended health insurance or compounded COLA. Council President Buck stated there were forty police departments, including the State Police and URI that had one or the other. He stated one other thing that had been said was that the employee only paid 1%, which was untrue. He stated the police paid 9% of their retirement with a 20 year opt out plan. The town paid 18.4%. Councilor Kenney added that nothing more was paid once the employee retired.

Council President Buck reported he spent two hours with the Finance Director to get a handle on pensions. Councilor Capalbo questioned what the unfunded liability was. Finance Director Laura Kenyon responded that it was unknown and had to be determined by an actuarial study, which was done each June. Councilor Capalbo stated she was hoping the compounded cola would be eliminated and if it was not, she asked if it would come up again in the next contract. Council

President Buck responded it would. He noted that this contract was the former Town Manager's proposal. At issue was what could possibly be a trade-off for something so big and it had been too expensive, and was why it had been pulled off the bargaining table. Councilor Capalbo stated she felt it was a huge unfunded liability that would only get larger if nothing was done to stop it. She hoped it would be addressed again in three years and finally stopped. Councilor Thompson commented that the Town had not had to close down any shifts, that the steps/longevity were being eliminated. She stated there was a 0% salary increase this year and subtle changes made to the language in the contract. Council President Buck stated longevity had been rolled into the steps as a one time rollover. It would be done differently now, there were no more percentages and the longevity had been taken away. He stated it was a major thing to get taken out of a contract. Councilor Thompson felt there had been misinformation that the past and current council, along with the town manager, negotiated the contract on its own. She stated both councils did retain labor attorney Daniel Kinder, Esq. for negotiating assistance. She recommended the Town consider setting aside funding for labor negotiations in the next budget and the following two years. Councilor Kenney noted that the last police contract had been negotiated by Daniel Kinder, Esq., who had gotten a lot of the management language negotiated back into the contract, but not a lot of the monetary pieces. She stated the Town Manager and Council President had gotten a lot of the monetary pieces negotiated into this contract. Council President Buck noted that the starting salary for a police officer was \$19.14 per hour to start and after 21 years would be in the \$31.96 per hour range. Discussion ended and the Council proceeded to vote as follows:

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR CAPALBO TO APPROVE THE POLICE CONTRACT THAT COVERED THE DATES FROM JULY 1, 2009 TO JUNE 30, 2012.

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: None

SO VOTED

The Council expressed their thanks to Finance Director Laura Kenyon.

NEW BUSINESS

INTERVIEWS – APPOINTMENTS – RESIGNATIONS

Interviews for Boards and Commissions applicants were conducted at 6:30 P.M.

Zoning Board of Review:

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO APPOINT C. WRIGLEY BYNUM AS THE SECOND ALTERNATE TO THE ZONING BOARD OF REVIEW.

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: None

SO VOTED

Conservation Commission

Councilor Thompson made a motion, seconded by Councilor Kenney to reappoint Dorothy Gardiner to the Conservation Commission. Councilor Capalbo stated she preferred to stay with the regular routine of interviewing and then appointing at a subsequent meeting. The motion and second was withdrawn.

PROPOSAL BY MAGUIRE GROUP TO DEVELOP LAND CLEARING & EARTH EXCAVATION (GRAVEL MINING) ORDINANCE

This matter had been scheduled for discussion and a decision regarding a funding source for the Maguire Group's \$4,765.00 proposal to develop a land clearing and earth excavation (gravel mining) ordinance. The Maguire Group was the consultant currently in the process of preparing an update to the Town's Comprehensive Plan.

Town Planner James Lamphere was present. He reported that funds had been placed into the Town Council's budget under contract services which would cover the cost of developing the ordinance.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR KENNEY TO REQUEST THE TOWN MANAGER TO PURSUE A CONTRACT WITH THE MAGUIRE GROUP REGARDING THEIR PROPOSAL TO DEVELOP LAND CLEARING AND EARTH EXCAVATION (GRAVEL MINING) ORDINANCE IN ACCORDANCE WITH

THEIR QUOTE OF \$4,765.00 WITH DETAILS TO BE PROVIDED TO THE COUNCIL.

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: None

SO VOTED

BACON & COMPANY ENGAGEMENT LETTER

An engagement letter had been received from the Town's auditors Bacon & Company in regards to performing the annual audit for fiscal year ending June 30, 2009. The Town Solicitor had reviewed the letter.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR KENNEY TO AUTHORIZE THE COUNCIL PRESIDENT TO SIGN THE BACON & COMPANY ENGAGEMENT LETTER TO PERFORM THE ANNUAL AUDIT FOR FISCAL YEAR ENDING JUNE 30, 2009.

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: None

SO VOTED

BUDGET STATUS

There was nothing to report on this agenda item.

CORRESPONDENCE

Councilor Thompson referred to the receipt of three letters from individuals commending the Hopkinton Police Department: A letter from Catherine Evans of Heather Lane recognizing Officer Cole and Officer Nutting; A letter from Brigitte Brocato of Tomaquag Road to Chief Scuncio recognizing the efforts of the police department; A letter from Kenneth Gray of Portsmouth, RI recognizing Officer Kenyon.

PUBLIC FORUM

No one spoke during the second public forum.

EXECUTIVE SESSION

The Executive Session under R.I.G.L. 42-46-5A (2) Collective Bargaining - Police Contract was not needed.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY
COUNCILOR CAPALBO TO ADJOURN.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk