

State of Rhode Island

County of Washington

In Hopkinton on the sixth day of July 2009 A.D. the said meeting was called to order by Town Council President Thomas Buck at 6:30 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI.

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

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR CAPALBO TO ENTER INTO EXECUTIVE SESSION UNDER RIGL 42-46-5A (2) COLLECTIVE BARGAINING – POLICE CONTRACT; (2) EXISTING LITIGATION; (1) PERSONNEL – TOWN MANAGER.

POLL VOTE:

IN FAVOR: Buck, Thompson, Kenney, Capalbo, Felkner

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR THOMPSON TO RECONVENE AS A COUNCIL AND TO SEAL THE MINUTES OF THE EXECUTIVE SESSION.

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: Felkner

SO VOTED

The regular meeting convened at 7:15 PM with a moment of silent meditation and a salute to the Flag.

HEARINGS

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.

Town Council President Thomas Buck stated he was not comfortable making a ruling at this time. He reported National Grid had agreed to table the matter to July 20, 2009. Council President Buck stated he would like to visit the Public Utilities Commission.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR KENNEY TO CONTINUE THE DECISION RE: ZONING TEXT AMENDMENT FILED BY NATIONAL GRID TO JULY 20, 2009.

IN FAVOR: Buck, Thompson, Kenney, Capalbo, Felkner

OPPOSED: None

SO VOTED

CONSENT AGENDA

Councilor Kenney removed the minutes of June 22, 2009 from the Consent Agenda as she would be abstaining from voting on them as she had been absent. Councilor Felkner removed the report of the Chief of Police from the Consent Agenda as he had questions about the comp time.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR KENNEY TO APPROVE CONSENT AGENDA AS FOLLOWS: Approve Special Town Council Meeting Minutes of June 8, 2009; Accept the transcript of June 8, 2009 as the record of the hearing pertaining to Gordon Greene Post No. 27; Accept the June 16, 2009 transcript as the record of the second hearing re: National Grid zoning text amendment; Set August 3, 2009 as a hearing date for a Special Event Permit for Swamp Yankee Days; Set August 3, 2009 as a hearing date for a Class F Liquor License for Swamp Yankee Days; Set July 20, 2009 as a hearing date for the transfer of a Class BV Liquor License

re: Pavilion Restaurant; Accept the following report: Tax Collector - which includes corrections, Animal Control Official.

IN FAVOR: Buck, Thompson, Kenney, Capalbo, Felkner

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO APPROVE THE SPECIAL TOWN COUNCIL MEETING MINUTES OF JUNE 22, 2009.

IN FAVOR: Buck, Thompson, Capalbo, Felkner

OPPOSED: None

ABSTAIN: Kenney

SO VOTED

Councilor Felkner questioned the comp time; how it was accumulated and paid out. Council President Buck stated it was accumulated by individuals who worked days without getting paid. Agnes Hall from the Finance Office stated payment would come from drug forfeiture and seizure funds.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR KENNEY TO ACCEPT THE CHIEF OF POLICE REPORT.

IN FAVOR: Buck, Thompson, Kenney, Capalbo, Felkner

OPPOSED: None

SO VOTED

PUBLIC FORUM

Ray Cox of Main Street commented on a number of items: about potholes on the highway in need of repair; that he spoke with Representative Brian Kennedy about why the RI Department of Transportation was mowing the sides of the roads when there are potholes to be repaired and where the State's priorities were; complained about the condition of Wellstown Road; the double pole problem; about the no passing signs that he felt were no longer needed. The Council requested the Interim Town Manager to contact the RI Department of Transportation.

Mr. Cox commented about the denial by the Planning Board of the Love's Truck Stop proposal and that the applicant can come back and appeal the decision. He reported he had spoken to roughly 200 to 300 people about the Love's Truck Stop proposal and that only 3 people he spoke to were in favor of it. Council President Buck stated the Zoning Board of Review, sitting as the Platting Board of Review was the appeal board for appeals of decisions of the Planning Board. Appeals of the Platting Board decision would have to go to Superior Court. Mr. Cox stated 98% of the people in Town do not want a truck stop.

Scott Bill Hirst of Maple Court stated Laurel Street was a State road and was in lousy condition especially around Church Street. He added the area around Trinity Lutheran Church had drainage problems.

Agnes Hall of Woodville Road commented that the roads had to be placed on the TIP list by way of the Public Works Department who would ask for inclusion on the list. She suggested they speak to Public Works Director Doug Reese. She noted that there was a RIDOT website to report potholes.

William Champagne of Main Street reported the Ham Radio Field Day had been held last weekend. He stated the event got started a day late but by 9:00 AM Saturday they were set up and had held their first drill and by 2:00 PM they were entirely set up, running and in contact with the rest of the world making over 1,000 contacts throughout the country and the world. He stated the emergency communications exercise went off well. He commented that when all else fails, the amateur ham radio emergency services network succeeds. He stated the Hopkinton Police Station was a plug and play facility and that the Ashaway Ambulance Association and EMA Director Michael Oceau were working on the same. He reported the Town of Charlestown and Town of Westerly had a large ham radio community and the dispatch center of Chestnut Street also had the capability. Mr. Oceau has asked them to conduct classes for police officers with a class planned for the Fall. He thanked the Town Council for allowing the Ham Radio Club to hold their event at Crandall Field.

Patricia Fontes of Lawton Foster Road stated she had spoken to the electrical engineer that had installed solar panels on her home who said he was certain National Grid already had temporary transformers set up. She stated she hoped National Grid had the foresight in the future to include solar energy and wind energy. She stated there had been statements made that there would be no cost to have new businesses in Town but there was a cost and it was for electricity. In regards to the Love's Truck Stop, Ms. Fontes suggested the Town Council redefine the powers the Zoning Official, which could be by way of the Town Charter or the Zoning Regulations. She felt there should be better supervision of that office because of the decisions that had been made in regards to certain zoning use categories.

TOWN SOLICITOR REPORT

Town Solicitor Patricia Buckley had no formal report.

COUNCIL PRESIDENT REPORT

There was no formal report. Town Council President Thomas Buck noted he had been busy over the July 4, 2009 Holiday enjoying great weather and great fireworks shows.

TOWN MANAGER REPORT

The Town Council introduced M. Linda Urso who would be working as the Interim Town Manager. There was no formal report.

OLD BUSINESS

TOWN BILLS

There was one addition to the bill list: \$572.00 to Diane Bentley for Drama Class at the Recreation Department.

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR CAPALBO TO AUTHORIZE THE FINANCE DEPARTMENT TO PAY THE TOWN BILLS WITH THE ADDITION OF \$572.00 TO DIANE BENTLEY AND NO DELETIONS.

IN FAVOR: Buck, Thompson, Kenney, Capalbo, Felkner

OPPOSED: None

SO VOTED

JOINT TOWN COUNCIL-PLANNING BOARD WORKSHOP

The Council set July 27, 2009 at 6:30 P.M. as a Joint Town Council-Planning Board Workshop re: Comprehensive Plan instead of July 13, 2009 as the State had not forwarded their comments back to the Maguire Group consultants.

NEW BUSINESS

INTERVIEWS – APPOINTMENTS – RESIGNATIONS:

Highway Commission

A notice had been received from Raymond Schmidt that he was not seeking reappointment to the Highway Commission.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR KENNEY TO ACCEPT MR. SCHMIDT’S RESIGNATION FROM HIGHWAY COMMISSION.

IN FAVOR: Buck, Thompson, Kenney, Capalbo, Felkner

OPPOSED: None

SO VOTED

RATIFY POLICE CONTRACT

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR KENNEY TO TABLE THE RATIFICATION OF THE POLICE CONTRACT TO JULY 20, 2009 FOR AN UPDATED CONTRACT AND COST ANALYSIS.

IN FAVOR: Buck, Thompson, Kenney, Capalbo, Felkner

OPPOSED: None

SO VOTED

BUDGET STATUS

Council President Buck questioned the status of the FY 08/09 budget. Agnes Hall from the Finance Office stated it appeared the Town ended the fiscal year in good shape. In regards to the final tax rate and percentage change, Mrs. Hall stated she would know more about them this week.

CORRESPONDENCE

Councilor Thompson noted receipt of a proposal from the Maguire Group to develop a gravel bank ordinance and requested the matter appear on the July 20, 2009 Agenda.

PUBLIC FORUM

Dorothy Gardiner of Canonchet Driftway commented on the issuance of the zoning permits for the Love's Truck Stop by the Zoning Official. She stated the Zoning Official was not a hydrologist or a geologist and she felt he should have sought additional guidance or assistance from the appropriate expert once there was a proposal to store 1.8 million gallons of gasoline over the aquifer. She stated a truck stop was not a gas station.

Thurman Silks of North Road read a letter regarding utility substations but did not submit it to the Council.

ADJOURNMENT

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

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk