

State of Rhode Island

County of Washington

In Hopkinton on the first day of June 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; Town Manager William DiLibero; 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) POTENTIAL LITIGATION.

POLL VOTE:

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

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR FELKNER TO RECONVENE IN OPEN SESSION AND SEAL THE MINUTES OF THE EXECUTIVE SESSION.

IN FAVOR: Buck, Kenney, Capalbo, Felkner

OPPOSED: None

SO VOTED

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

RESOLUTION RE: ENERGY POLICY

A Resolution pertaining to an energy policy had been forwarded by Councilor Kenney from the Washington County Regional Planning Council (WCRPC). Mr. DiLibero stated WCRPC Executive Director Jeffrey Broadhead had reported on a large grant opportunity for the eight Towns and five School Districts in Washington County regarding energy usage and weatherization and would be developing a regional proposal. Councilor Capalbo noted the draft energy policy

should be held for discussion, not for instituting because if it was adopted as is, it would be massively expensive to implement many of the items to be undertaken by the Town. Councilor Felkner expressed concerns. He felt if there was an effort to secure a grant, the Towns should have an opportunity to review the grant first and, if the Town signed on to the policy as presented, low-interest revolving loans would be a commitment. Mr. DiLibero stated the proposed policy could be revised. He noted the adopted policy would become a part of the grant submittal. Councilor Capalbo suggested the Solicitor review the policy and make recommendations for revision. Councilor Thompson suggested the policy be renamed a resolution and to substitute the word “may” for “should”. She questioned what the time frame was. Mr. DiLibero stated according to an email from Mr. Broadhead, an RFP would be published the end of June or early July, and estimated the proposal would have to be back to the State by mid-July. He felt there was time to make revisions to the policy/resolution.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR FELKNER TO TABLE THE PROPOSED ENERGY POLICY TO JUNE 15, 2009.

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

OPPOSED: None

SO VOTED

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, Felkner

OPPOSED: None

SO VOTED

SPECIAL EVENT PERMIT

The Council opened a hearing on an application for a Special Event Permit for a Field Day for Children filed by the Ashaway Sportsman’s Club, Vice President Dennis Page, P.O. Box 257, Ashaway, RI 02804 proposed for June 7, 2009 from 9:00 AM to 5:00 PM at Crandall Field.

Ronnie Sposato was present. The application was complete.

Council President Buck questioned if they were seeking a waiver of the filing fee. Mr. Sposato confirmed they were. Mr. Sposato noted that this was the annual Huck Finn Day which had been an annual event for roughly 55 years for kids and families and offered a variety of activities and free, hot dogs, hamburgers and soda's. He reported that last year 400 kids participated in the event. Council President Buck questioned how many kids dressed up. Mr. Sposato responded approximately fifteen or twenty, not as many as in years past. There were no objectors present.

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR CAPALBO TO APPROVE THE SPECIAL EVENT PERMIT FILED BY THE ASHAWAY SPORTSMAN'S CLUB, VICE PRESIDENT DENNIS PAGE, P.O. BOX 257, ASHAWAY, RI 02804 PROPOSED FOR JUNE 7, 2009 FROM 9:00 AM TO 5:00 PM AT CRANDALL FIELD AND TO GRANT A WAIVER OF THE FILING FEE.

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

OPPOSED: None

SO VOTED

CLASS F LIQUOR LICENSE

The Council opened a hearing on an application for a Class F Liquor License to serve wine during an informational evening event filed by Hopkinton Land Trust Vice-Chair Sarah Windsor, 39 Canonchet Road, Hope Valley, RI 02832 proposed for June 4, 2009 from 7:00 PM to 9:00 PM at the Langworthy Library, 24 Spring Street, Hope Valley, RI.

Sarah Windsor was present. The application was complete. There was a request for a waiver of the filing fee.

Councilor Thompson noted regular events, such as wine tasting, were held at the Langworthy Library. Mrs. Windsor stated Trustee W. Edward Wood would be

giving a talk about the open space bonding question that would appear on the June 9, 2009 referendum ballot, and in addition to the wine, there would be fruit and cheese free to the public offered as refreshments. There were no objectors present.

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR CAPALBO TO APPROVE THE CLASS F LIQUOR LICENSE FILED BY HOPKINTON LAND TRUST VICE-CHAIR SARAH WINDSOR, 39 CANONCHET ROAD, HOPE VALLEY, RI 02832 PROPOSED FOR JUNE 4, 2009 FROM 7:00 PM TO 9:00 PM TO SERVE WINE DURING AN INFORMATIONAL EVENING EVENT AT THE LANGWORTHY LIBRARY, 24 SPRING STREET, HOPE VALLEY, RI AND TO GRANT A WAIVER OF THE FILING FEE.

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

OPPOSED: None

SO VOTED

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

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

OPPOSED: None

SO VOTED

CONSENT AGENDA

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

FOLLOWS: Accept the following report: Chief of Police.

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

OPPOSED: None

SO VOTED

PUBLIC FORUM

No one spoke during the first public forum.

TOWN SOLICITOR REPORT

Town Solicitor Patricia Buckley reported at the last meeting a complaint had been brought up during the National Grid zoning text amendment hearing about an outside light being on all the time at the Oak Street substation. She stated the attorney for National Grid had been contacted and the problem was being taken care of. The light was being changed to a switch.

COUNCIL PRESIDENT REPORT

Council President Thomas Buck reported on his continued involvement working on negotiating various labor contracts with the Town Manager: the police contract had been settled and he hoped to be finished with the Professional-Technical and Clerical contracts next week.

TOWN MANAGER REPORT

Town Manager William DiLibero reported that he had been involved with finalizing the police contract with Sergeant Lyman and Patrolman Cole; had been working on an arbitration matter; had been showing the new GIS/IT Director Matthew Desmaris around Town and that Mr. Desmaris had already completed mapping work for the Planning Board; reported he was preparing a spreadsheet regarding \$250,000.00 in federal stimulus dollars earmarked for the Town, he stated he would email the spreadsheet to the Council; reported he had testified at the State House in support of the elimination of the Caruolo Act and that there had been a good showing in committee by the various Towns; had distributed the follow up proposals from the three architectural firms: Architectura, Durkee-Brown and Newport Collaborative; in regards to transitional issues and the issues with staff spacing, he reported he had requested prices on a pre-constructed, pre-fabricated building on a slab utilizing the pricing based upon Architectura's cost proposal; had attended a monthly meeting of the Town Manager's Association.

Councilor Thompson noted that recently she had seen reported in the news that the City of Providence would be utilizing old box containers for office buildings. She asked when Mr. Desmarais had begun working for the Town. Mr. DiLibero responded on May 26, 2009, adding that Mr. Desmarais would be attending a three day GIS training seminar but would be picking up the tab for the seminar himself.

Councilor Capalbo questioned if the pricing for the transitional office space would be based on the first floor square footage from the Architectura firm's proposed drawings. Mr. DiLibero responded basically yes, but with some minor changes to the space.

Council President Buck reported he had counted thirteen sets of double poles from the Meeting House Bridge to the Police Station. He suggested the Public Works Director should contact the Public Utilities Commission. Councilor Thompson questioned whether it would be helpful knowing the locations of the double poles and suggested that their removal should be prioritized based on whether they present a danger to the public.

OLD BUSINESS

TOWN BILLS

There were four additions to the bill list: \$125.00 to Doug Rathbun, \$3,217.75 to Petro; \$315.00 to Melanie Benda-Joubert; \$650.00 to Labor Arbiter Gary Altman. Councilor Thompson questioned the \$315.00 invoice. Mr. DiLibero responded the former GIS/IT Director had done some work for the Town during the time when the position was vacant.

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR CAPALBO TO AUTHORIZE THE FINANCE DEPARTMENT TO PAY THE TOWN BILLS WITH THE ADDITIONS OF \$125.00 TO DOUG RATHBUN, \$3,217.75 TO PETRO; \$315.00 TO MELANIE BENDA-JOUBERT; \$650.00 TO GARY ALTMAN FOR ARBITRATION SERVICES AND NO DELETIONS.

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

OPPOSED: None

SO VOTED

NEW BUSINESS

INTERVIEWS – APPOINTMENTS – RESIGNATIONS:

Interviews for pending boards and commissions applicants will be conducted at 6:30 PM on June 8, 2009.

WOOD PAWCATUCK WATERSHED ASSOCIATION – TAX EXEMPTION REQUEST

Christopher Fox, Executive Director of the Wood Pawcatuck Watershed Association (WPWA) was present to request a tax exemption on a parcel of land located at 47 Main Street and identified as Map 22 Lot 3. Councilor Kenney questioned if this was the parcel on the Richmond-Hopkinton border. Mr. Fox stated it was not, that it was a small sliver of land in close proximity to River Road in Ashaway. Council President Buck questioned if there would be public access to the parcel. Mr. Fox stated there would. He went on to explain the WPWA took ownership of the property donated by the Patnoad Family in August 2008. The WPWA intended to redevelop the property to provide minimal parking for roughly six cars and canoe access similar to the Switch Road access site. He stated he was uncertain if the structure would remain on the lot. Councilor Capalbo questioned if it was similar in size to the Switch Road site. Mr. Fox responded about the same size. Councilor Capalbo questioned if the parcel was part of the area's preserve. Mr. Fox responded it was not. Councilor Felkner commented that it was his understanding that religious or educational organizations qualified for a tax exemption and questioned what educational opportunities the WPWA provided. Mr. Fox responded their current headquarters in Hope Valley was an educational campus that provided on-going educational classes. In addition, he stated the Chariho Middle School participated in an annual weeklong class that included various degrees of monitoring the waterways using kayaks; that the WPWA conducted sea paddles and conducted other trips along the Wood and Pawcatuck Rivers. Councilor Felkner asked if they did anything else. Mr. Fox stated he was doing more for the organization; that the WPWA had applied for a \$2.5 million dollar grant from National Oceanic & Atmospheric Administration. Councilor Felkner questioned if the WPWA was a non-profit organization. Mr. Fox responded they were. Councilor Felkner questioned if they had a business model. Mr. Fox responded that there was an existing action plan that was periodically updated with member priorities as well as the continued river restoration projects. Councilor Thompson noted she had belonged to the Board years ago and that they had assisted the Town with the water line.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCLOR KENNEY TO GRANT THE REQUEST FOR A TAX EXEMPTION OF FUTURE TAXES FOR THE PARCEL LOCATED AT 47 MAIN STREET, IDENTIFIED AS MAP 22 LOT 3, FILED BY THE WOOD PAWCATUCK WATERSHED ASSOCIATION.

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

OPPOSED: None

SO VOTED

ARCHITECT FOR 1904 ASHAWAY ELEMENTARY SCHOOL BUILDING

Re: 1904 Ashaway Elementary School reuse: Mr. DiLibero had forwarded the additional follow up proposals from the three architectural firms that had responded to the original request for proposals issued by the Town Manager back in November 2008 and that had come in too high. The follow up proposals received are as follows: Architectura - \$12,000.00, Durkee Brown Viveiros Werenfels - \$11,000.00 and Newport Collaborative - \$12,000.00.

Councilor Felkner questioned why the Building-Zoning Official could not advise the Town on use. Mr. DiLibero responded the Building Official could not unless something was on paper. Councilor Felkner questioned why the Town should spend money on it if another party who was interested in using the building would spend the money. Mr. DiLibero stated no one had approached the Town to use the building. Councilor Felkner stated he felt there were interested parties and he could not see spending \$12,000.00. Mr. DiLibero questioned if the Council wanted to hire an architect to get an idea of what could be done with the building. Councilor Capalbo stated there may be a way to solicit interest in the building and have an architect involved. She stated Durkee Brown Viveiros Werenfels came in at \$11,000.00 and what she liked about their quote was there were specifics on the scope of services, who would be paid and what the hourly rate would be.

Councilor Thompson pointed out that with Durkee Brown Viveiros Werenfels had listed under their proposed scope of services as number one would be a preliminary meeting with Town representatives to identify goals and objectives for study. Councilor Capalbo agreed. Councilor Thompson stated she would like

to select an architect and move forward as she felt an architect was needed. Councilor Felkner questioned why an architect was needed. Councilor Capalbo stated there were ramifications with what can or can't be done and an architect would provide the Council alternatives for what the building could be used for. The uses would be identified. She felt something should be done sooner rather than later so it could be advertised. Councilor Felkner questioned why it should be an architect telling the Council, why not a lawyer or another official, someone with experience and familiarity, as an example, with fire codes or the elderly. He felt someone who would take a deal on using the building would spend the money. Councilor Capalbo stated an architect would know what could be done and ways around any limitations. Councilor Felkner stated people who built elderly housing would also know that. He felt it could still be advertised without involving an architect. Councilor Kenney commented on the hourly rate between the three firms: Architectura - \$105.00 per hour, Durkee Brown Viveiros Werenfels - \$130.00 per hour and Newport Collaborative - \$250.00 per hour and added that Architectura had included engineers in their proposal. Council President Buck stated he understood Councilor Capalbo's position that was once the Town knew what could be done with the building, the Town would then know how and what to target for advertisement purposes. Councilor Felkner stated that was a valid point but the availability of the building could still be advertised or placed in trade publications without an architect. Councilor Capalbo questioned the Manager regarding where he recommended advertising and Mr. DiLibero indicated he was uncertain at this point. A motion was made and seconded to hire Durkee Brown Viveiros Werenfels which led to further discussion: Mr. DiLibero recommended to the Council that they require the architectural firm to be clear about what the reimbursable expenses were. Councilor Thompson pointed out that these firms had sent their bids to the Town in November 2008, but the Town could not afford what they proposed so the Council had asked the Manager to seek revised proposals. She stated hiring an architect would be a beginning to get guidance and advice. It would not mean an end result but a direction to follow. Councilor Felkner commented that one architect that had been more involved should be informed. Councilor Capalbo agreed with Councilor Thompson that

they move forward with an architect based on the Town's need. She stated since there was no scope for a project, the building could be a school or a library, but the Town needed an architect to work toward that end.

Discussion ended and the Council voted in the following motion:

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO HIRE DURKEE BROWN VIVEIROS WERENFELS ARCHITECTS IN ACCORDANCE WITH THEIR \$11,000.00 BID QUOTE TO BEGIN WITH A PROPOSED SCOPE OF SERVICES TO DETERMINE THE 1904 SCHOOL BUILDING RE-USE POTENTIAL.

IN FAVOR: Buck, Thompson, Capalbo

OPPOSED: Kenney, Felkner

SO VOTED

Mr. DiLibero stated he would get a letter out to the Durkee Brown Viveiros Werenfels architectural firm. Councilor Capalbo noted if the Town were to deal with the senior architect vs. the principal architect, it may be less expensive.

REQUEST TO HIRE OFFICER TO ATTEND AUGUST 2009 RECRUIT CLASS

Chief of Police John Scuncio and Lieutenant Daniel Baruti were present regarding a request to hire a police officer to attend the August 2009 recruit class announced by the RI Department of Public Safety Municipal Police Training Academy. Mr. DiLibero stated the Training Academy had scheduled August 11, 2009 as the date for the Class of 2009-III Police Recruit Training Academy and would need the name of a recruit by July or there would be a waiting period for the next class. Lieutenant Baruti stated the orientation process would begin on June 24, 2009. Councilor Capalbo questioned if the Chief had an individual in mind. Chief Scuncio responded he had a list of candidates. He stated he would have to reserve a seat soon for the August session. Council President Buck confirmed with the Chief that the class was limited to 40 recruits.

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR CAPALBO TO GRANT THE REQUEST OF THE CHIEF OF POLICE TO HIRE AN OFFICER TO ATTEND THE AUGUST 2009 RECRUIT CLASS AT THE RI MUNICIPAL POLICE ACADEMY.

IN FAVOR: Buck, Thompson, Kenney, Capalbo

OPPOSED: Felkner

SO VOTED

AWARD BID – POLICE PATROL VEHICLES

Mr. DiLiberio noted that during budget deliberations there had been discussions on clearing out the excess vehicles at the police department. He stated Lieutenant Baruti had proposed that they incorporate the excess vehicles in a request for proposals so that the bidder would take a number of the cars in trade, as part of the transaction. Lieutenant Baruti reported ten vehicles would be liquidated and most of them were seizure vehicles. Two bids had been received in response to the advertised request for proposals for two police patrol vehicles from Columbia Ford, Inc. out of Columbia, Connecticut and MHQ Municipal Vehicles out of Marlborough, MA. Columbia could not provide price quotes for 2009 model vehicles, only for 2010 model vehicles which would break down to \$24,369.00 each vehicle. MHQ provided price quotes for 2009 model vehicles which would break down to \$23,927.00 each vehicle. Both respondents each submitted \$10,500.00 as bids for the ten trade-in vehicles. He reported \$24,000.00 had been allocated in the budget and he recommended awarding the bid to MHQ. Councilor Capalbo questioned if it would be a lease-purchase of the vehicles. Lieutenant Baruti responded it would, three even payments for the next three years with a one dollar buyout at the end of the lease. Councilor Capalbo questioned the bid exceptions from Columbia Ford. Lieutenant Baruti stated they did not feel they needed to take some of the exceptions, which was another reason Columbia Ford was disqualified. Councilor Felkner questioned the tires. Lieutenant Baruti stated the Towns specifications called for Goodyear all season tires with a G plus 4 rating, also an exception with Columbia Ford. He also stated MHQ would be transferring 98% of the removal and installation the emergency equipment from two older higher mileage vehicles to the two new vehicles. He stated they were also negotiating a lower interest rate with MHQ.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILRO KENNEY TO AWARD THE BID FOR THE LEASE

PURCHASE OF TWO POLICE PATROL VEHICLES TO MHQ MUNICIPAL VEHICLES, 401 ELM STREET, MARLBORO, MA 01752 IN ACCORDANCE WITH THEIR BID SUBMITTAL OF \$47,854.00, AS RECOMMENDED BY THE TOWN MANAGER.

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

OPPOSED: None

SO VOTED

TOWN MANAGER POSITION/AUTHORIZE ADVERTISEMENT

Councilor Thompson noted the Town Clerk had forwarded information re: the Town Manager position to the Town Council. She stated from this information she had prepared a draft advertisement which she read:

“Town Manager Hopkinton, RI; New England community of 7836 seeks Town Manager. The ideal candidate has strong interpersonal skills, budget development, grant writing, council and community relations, land use, human resources, contract negotiations, economic development and values technology. Website address: www.hopkintonri.org. Candidates must have BA with 5-7 years in town management or related field. Applicants kept confidential until finalists selected. Salary \$75,000 to \$81,000 DOE with benefit package. Send resume, cover letter and three letters of reference to Hopkinton Search Committee, Town of Hopkinton, 1 Town House Road, Hopkinton, RI 02833.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO AUTHORIZE THE TOWN CLERK TO ADVERTISE THE POSITION OF TOWN MANAGER.

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

OPPOSED: None

SO VOTED

The advertisement will be placed in the Westerly Sun, the ICMA newsletter, on RIJobs.com and on the Town’s website.

Councilor Thompson stated that when the Town hired the Chief of Police back in the 1990’s, a search committee had been formed. She stated she felt a search committee for a Town Manager was warranted and indicated she would be willing to serve on the committee. She reported she had spoken to David Holt, a former Town Manager; Elwood Johnson, a retired RI State Police Major; Kevin Breene, a current Town Administrator and former State Senator; and resident Dorothy Gardiner, all of whom had agreed to serve. She stated she asked W. Edward

Wood, but he was not available, and asked Vincenzo Cordone, but he was not available as he and his wife were expecting a baby in July. Councilor Felkner and Councilor Capalbo both expressed interest in serving on the committee. The Town Clerk noted three council representatives on the committee constituted a quorum of the Town Council. Solicitor Buckley recommended two councilors. Councilor Felkner stated he did not have a problem not being on the committee if Councilor Capalbo wished to sit on the committee.

Dorothy Gardiner of Canonchet Driftway suggested the search committee should meet ahead of time and be provided with the job description, develop a matrix for the candidates, determine if there was a budget, etc. while the help wanted advertisement ran. She commented that if the Council already had an idea of who they wanted to hire for the position, they should not bother advertising.

BUDGET STATUS

Nothing new was reported on the proposed budget; budget referendum scheduled for June 9, 2009 at Town Hall from 7:00 AM to 9:00 PM.

CORRESPONDENCE

No correspondence was discussed.

PUBLIC FORUM

Patricia Fontes of Lawton Foster Road stated she chose not to be sworn in as a new member of the Historic District Commission (HDC) because she had not received enthusiastic support to her appointment.

ADJOURNMENT

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

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk