

State of Rhode Island

County of Washington

In Hopkinton on the fifth day of October 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, William Felkner; Interim Town Manager M. Linda Urso; Town Clerk Elizabeth Cook-Martin.

Absent: Barbara Capalbo; Town Solicitor Patricia Buckley.

Also present: Town Manager Search Committee Members David Holt, Elwood Johnson and Dorothy Gardiner.

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR FELKNER TO ENTER INTO EXECUTIVE SESSION UNDER R.I.G.L. 42-46-5A (1) PERSONNEL – TOWN MANAGER UPDATE.

POLL VOTE:

IN FAVOR: Buck, Thompson, Kenney, Felkner

OPPOSED: None

SO VOTED

A motion was made and seconded to convene in open session and seal the minutes of the executive session, which led to discussion: Councilor Felkner had asked for consideration of two separate motions: a motion to convene in open session and a motion to seal the minutes of the executive session. It was determined this could be considered at the next Town Council Meeting when it next occurs. Discussion ended and the Council proceeded to vote on the following motion:

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

IN FAVOR: Buck, Thompson, Kenney

OPPOSED: Felkner

SO VOTED

The regular meeting began at 7:00 PM and 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 THOMPSON TO SIT AS A LICENSING BOARD.

IN FAVOR: Buck, Thompson, Kenney, Felkner

OPPOSED: None

SO VOTED

CLASS F LIQUOR LICENSE

The Council opened a hearing on an application for a Class F Liquor License filed by Library President Michelle Walker, 39A Berrie Lane, P.O. Box 118, Rockville, RI 02873 on behalf of the Langworthy Public Library, Spring Street, Hope Valley, RI 02832 for an event to be held on October 24, 2009 at the Centerville Mill, 230 Spring Street, Hope Valley, RI 02832.

Michelle Walker was present. Councilor Buck questioned if they were seeking a waiver of the filing fee, as it was not on the form. Mrs. Walker responded they were. Councilor Kenney questioned the hours of the event. Mrs. Walker responded they would be the same as previous; 7:00 PM to 9:00 PM. She noted that in addition to a wine tasting, they would be conducting an auction. The venue had changed because there was minimal parking at the library. She reported tickets were available for purchase at the library. There were no objectors present.

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR THOMPSON TO APPROVE THE CLASS F LIQUOR LICENSE FILED BY LIBRARY PRESIDENT MICHELLE WALKER, 39A BERRIE LANE, P.O. BOX 118, ROCKVILLE, RI 02873 ON BEHALF OF THE LANGWORTHY PUBLIC LIBRARY, SPRING STREET, HOPE VALLEY, RI 02832 FOR A WINE TASTING AND AUCTION EVENT TO BE HELD AT THE CENTERVILLE MILL, 230 SPRING STREET, HOPE VALLEY, RI 02832 TO BE HELD ON OCTOBER 24, 2009 FROM 7:00 PM TO 9:00 PM.

IN FAVOR: Buck, Thompson, Kenney, Felkner

OPPOSED: None

SO VOTED

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

IN FAVOR: Buck, Thompson, Kenney, Felkner

OPPOSED: None

SO VOTED

CONSENT AGENDA

The Town Council Meeting Minutes of July 20, 2009 were removed from Consent Agenda as requested by Councilor Thompson and Councilor Felkner.

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

FOLLOWS: Authorize Town Clerk to withdraw \$100.00 from the Nettie Edwards Champlin Cemetery #7 & \$100.00 from the Peter P. Palmer Cemetery #13 for perpetual care completed by Brian Santerre; Set December 7, 2009 as a hearing date for renewal of Holiday Sales Licenses; Accept the following reports: Tax Collector – which includes adjustments, Animal Control Official.

IN FAVOR: Buck, Thompson, Kenney, Felkner

OPPOSED: None

SO VOTED

Councilor Thompson reported that she had requested amendments to the minutes. On page twelve, eliminate the word “lifetime” in two areas in the first paragraph on line 12 and line 14 as it pertains to health insurance; reword the sentence on page twelve, line 15 to read: “ 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 compounded COLA”; reword the sentence on line 13 on page thirteen to read: “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”. Copies of the amended pages of the minutes had been distributed to the Council. Council President Buck had already incorporated his changes into the minutes that had been included in their books. Councilor Felkner had not been present at this meeting and would abstain from voting.

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR THOMPSON TO APPROVE THE JULY 20, 2009 TOWN COUNCIL MEETING MINUTES, AS AMENDED.

IN FAVOR: Buck, Thompson, Kenney, Felkner

OPPOSED: None

ABSTAIN: Felkner

SO VOTED

PUBLIC FORUM

Roger Kenyon of River Road was present. He thanked the Council for their hard work in regards to the electric substation decision. He commented that he had spoken at the public hearing conducted by the Public Utilities Commission (PUC) on September 29, 2009 and provided a hard copy of his comments for distribution and asked the Council to please read them. He thanked the Council for their representation and felt that they had tipped the scales in the Towns favor; that this had been felt and heard and expected that it was unanimous. He noted responses were due by October 21, 2009 with a hearing before the PUC on October 28, 2009. He felt the momentum of this issue was in the Town’s favor and requested the Town Council to authorize the Town Solicitor to prepare a vigorous rebuttal. He felt the Town could win and that success was in reach.

Scott Bill Hirst of Maple Court noted he had been impressed with the decorum of those in attendance at the PUC hearing; that people had been well spoken and

stuck to the facts. He requested the Town Council to adjourn in memory of Stiles Gilmore, a Town resident and member of the Police Commission.

TOWN SOLICITOR REPORT

There was no report

COUNCIL PRESIDENT REPORT

Council President Buck reported Councilor Barbara Capalbo's mother had passed away on Saturday, October 3, 2009. Eleanor Kristiansen was 92 years of age and he requested the Council close the meeting in Mrs. Kristiansen's and Mr. Gilmore's memory; He reported a workshop was scheduled on October 26, 2009 regarding school choice and asked the Town Clerk to invite Hopkinton's representative members on the Chariho School Committee to this workshop. He asked to add to the agenda to include the 1904 Building reuse, so if there was time it could be discussed. All Councilors were interested in receiving any information assembled and collected by Councilor Felkner in advance of the workshop.

TOWN MANAGER REPORT

Interim Town Manager M. Linda Urso reported the RIDEM was processing the \$20,000.00 landfill grant funding due to the Town that could take as much as 6-8 weeks or as little as 4-6 weeks; reported the mutual aid agreements between the Towns of Charlestown and Hopkinton and Westerly and Hopkinton had been provided to her by Lieutenant Baruti and that there was no existing agreement between the Town of Hopkinton and Richmond, nor would there be; that Metro PCS has responded to the Town's request for changes to the proposed site lease and had agreed to a monthly rental fee of \$1,200.00 up from \$500.00 per month and that there were other items still pending that had not been addressed; had signed a modification to the agreement between the Department of Mental Health, Retardation and Hospitals for the grant provided to the Police Department for tobacco and alcohol enforcement; that she had provided a copy of an agreement between the Town and the Department of Health for grant money. She reported she had spoken to EMA Director Michael Oceau as David Balbi from the DOH indicated he was familiar with the grant and also that Mr. Balbi recommended the Town sign and return the agreement as soon as possible to be eligible for the funding. She stated Mr. Oceau was not available this evening but would be on

October 19, 2009 and a workshop was recommended in order for him to answer any questions. She noted one of the agreements would provide funding to the Town in the event they became a point of distribution (POD) for the H1N1 flu vaccine if there was a large outbreak, currently Westerly was the POD. She stated there was no match required and that Mr. Oceau indicated this type of agreement had been signed in the past and would require documentation to the State for the funding to become available as well as possible training drills.

OLD BUSINESS

TOWN BILLS

There were four additions to the bill list submitted by the Recreation Director: \$664.62 to the Lydia & Isabella Marcy Scholarship Fund, \$487.50 to Sportees, \$175.62 to ALS Foundation; and mileage reimbursement for 270 miles to Mark Radicioni for the Meals-on-Wheels Program.

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

IN FAVOR: Buck, Thompson, Kenney, Felkner

OPPOSED: None

SO VOTED

GROUNDWATER-WELLHEAD PROTECTION ORDINANCE & MAP AMENDMENT

The Council rescheduled the hearing regarding the Groundwater & Wellhead Protection Ordinance & Map amendment to November 2, 2009.

NEW BUSINESS

INTERVIEWS – APPOINTMENTS – RESIGNATIONS

There were no interviews, appointments or resignations considered.

PUBLIC HEALTH EMERGENCY RESPONSE GRANT AGREEMENT – RI DOH

This matter had been scheduled to authorize the Town Manager to sign Public Health Emergency Response Grant agreement from RI Department of Health. Because Mr. Oceau was unable to attend and unable to answer questions about

the grant, the Council continued the matter to the October 19, 2009 agenda and also scheduled a workshop for 6:15 PM prior to the Town Council Meeting.

BUDGET STATUS

There was nothing to report.

CORRESPONDENCE

Councilor Kenney reported the Depot Square Park dedication ceremony had been held on September 27, 2009; that Representative Brian Kennedy had presented two Citations from the RI House of Representatives to the Hope Valley-Wyoming Fire District and the Town of Hopkinton, the latter of which she held up for viewing.

Councilor Thompson noted the surplus-deficit report for June 30, 2009 had been received from the Chariho School District, which showed the surplus was projected at \$1,526,131.00, un-audited. She noted they were closing the gap on the millions in surplus funds held previously.

PUBLIC FORUM

No one spoke during the second public forum.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR KENNEY AND SECONDED BY COUNCILOR FELKNER TO ADJOURN IN MEMORY OF STILES M. GILMORE, III AND ELEANOR KRISTIANSSEN.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk