

State of Rhode Island

County of Washington

In Hopkinton on the seventeenth day of January 2017 A.D. the said meeting was called to order by Town Council President Frank Landolfi at 6:45 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI 02832.

PRESENT: Frank Landolfi, Thomas Buck, Barbara Capalbo, David Husband; Town Solicitor Kevin McAllister; Town Manager William McGarry; Town Clerk Elizabeth Cook-Martin. Absent: Sylvia Thompson.

A MOTION WAS MADE BY COUNCILOR HUSBAND AND SECONDED BY COUNCILOR CAPALBO TO ENTER INTO EXECUTIVE SESSION UNDER R.I.G.L. 42-46-5(A) (1) FOR DISCUSSION OF JOB PERFORMANCE AND POSSIBLE RE-APPOINTMENT OF TOWN SOLICITOR AND PLANNING SOLICITOR.

Council President Landolfi reported that the person being discussed has been notified in advance in writing and advised that they have the right to have the discussion held in open session.

Vote on the motion:

POLL VOTE:

IN FAVOR: Landolfi, Buck, Capalbo, Husband

OPPOSED: None

SO VOTED

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

IN FAVOR: Landolfi, Buck, Capalbo, Thompson, Husband

OPPOSED: None

SO VOTED

Councilor Thompson had arrived just after the Council voted to enter into executive session.

The regular meeting was called to order at 7:00 P.M. with a moment of silent meditation and a salute to the Flag.

Town Clerk Elizabeth Cook-Martin read the Oath of Office to Patrolman Justin S. LaRoche, swearing him in as a Patrolman.

Chief of Police David Palmer read the Oath of Office to new Sergeant Keith Lambrechts, swearing him in as a Sergeant.

Police Chief David Palmer had prepared letters of appreciation for two Good Samaritan's who had assisted the police department: Kevin Swanson and Edward French. Mr. French was present and Chief Palmer presented him with the letter of appreciation after reading it aloud. Mr. Swanson was not in attendance. The Chief will make sure he receives the letter.

Police Chief David Palmer recognized a number of individuals, businesses and organizations that had donated time and resources for the new Hopkinton Police sign that was now installed on Woodville Road at no cost to the Town. 1. Hopkinton Police Commission - Commission Members Philip Scalise, Stiles Gilmore & Geoffrey Cook were present; 2. Cadd Pro Design (Scott Arzamarski); 3. Crotty & Sons Body Works - Daniel Crotty was present; 4. The Woodworks - Geoffrey Cook was present; 5. Ritacco Electric - Frank Ritacco was present; 6. JG Auto & Performance (John Grillo); 7. Westerly Auto Body - Stiles Gilmore was present; 8. Hopkinton DPW – DPW Foreman David Caswell was present. Chief Palmer read from the letters of appreciation and handed them out to each person. As Mr. Arzamarski and Mr. Grillo were not in attendance, their letters will be delivered.

COUNCIL APPOINTMENTS:

Appointment of Town Solicitor

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO APPOINT KEVIN MCALLISTER, ESQ. AS TOWN SOLICITOR.

IN FAVOR: Landolfi, Buck, Capalbo, Thompson, Husband

OPPOSED: None

SO VOTED

Appointment of Planning Solicitor

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO APPOINT KEVIN MCALLISTER, ESQ. AS PLANNING SOLICITOR. Discussion on the motion:

Council President Landolfi reported the Solicitor Fees had been budgeted at \$120,000.00; this amount would be reduced by \$40,000.00, to \$80,000.00. He noted Solicitor McAllister had after review of the hours for the past years for Council and Planning had forgone the December 2016 stipend of \$10,000.00, so the Town realized an overall savings of \$50,000.00. The cost for all legal positions: Town Solicitor, Planning Solicitor, Zoning Solicitor and Prosecutions Attorney would total \$122,000.00. Councilor Husband added that it had been Solicitor McAllister's recommendation to lower the fees which Councilor Husband appreciated. Vote on the motion:

IN FAVOR: Landolfi, Buck, Capalbo, Thompson, Husband

OPPOSED: None

SO VOTED

Solicitor McAllister thanked the Council and noted it was an honor to serve.

HEARINGS

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

IN FAVOR: Landolfi, Buck, Capalbo, Thompson, Husband

OPPOSED: None

SO VOTED

COMMERCIAL HAULERS LICENSE RENEWALS

The Council opened a hearing on the renewal of the following commercial haulers licenses: Cory's Rubbish Removal, 69½ Ward Ave., Westerly, RI; CWPM, LLC, 25 Norton Place, Plainville, CT; EZ Waste Systems, Inc., 67 Ledward Ave., Westerly, RI; On-Time Disposal, 203 Ashaway Rd, Bradford, RI; Patriot Disposal, Joseph Vinagro, 2101 Plainfield Pike, Johnston, RI; RPE Waste

Services, 9 New King’s Factory Rd., Wood River Jct., RI; Sanitation by Quint Perry, 7 Sweet Corn Ln., Westerly, RI; Sam Piccolo Jr. & Sons, Inc., 7 Boombridge Rd., Westerly, RI; T&J Sanitation, 235 Westerly Bradford Rd., Westerly, RI; Waste Management, 1610 Pontiac Ave., Cranston, RI.

The applications and filing fees had been received and notice had been posted. Councilor Capalbo listed the missing information on some of the applications ranging from no signature on the application to missing State information for the trucks registration and drivers licenses.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE COMMERCIAL HAULERS LICENSES TO CORY’S RUBBISH REMOVAL, CWPM, LLC, EZ WASTE SYSTEMS, INC., ON-TIME DISPOSAL, PATRIOT DISPOSAL, RPE WASTE SERVICES, SANITATION BY QUINT PERRY, SAM PICCOLO JR. & SONS, INC., T&J SANITATION AND WASTE MANAGEMENT, PROVIDED ALL INFORMATION IS COMPLETED ON THE APPLICATIONS INCLUDING SIGNATURES.

IN FAVOR: Landolfi, Buck, Capalbo, Thompson, Husband

OPPOSED: None

SO VOTED

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

IN FAVOR: Landolfi, Buck, Capalbo, Thompson, Husband

OPPOSED: None

SO VOTED

CONSENT AGENDA

The request to adjust off uncollectable taxes (bankruptcy) from Greene Plastics Corp., 103 & 105 Canonchet Road from tax year’s 2012 & 2013 submitted by the Tax Collector, was removed from the Consent Agenda.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY

COUNCILOR HUSBAND TO APPROVE THE CONSENT AGENDA AS

FOLLOWS: Accept the following monthly financial/activity report: Town Clerk;
Approve refunds due to taxpayer overpayment submitted by the Tax Collector;
Approve abatement due to tax value change submitted by the Tax Assessor.

IN FAVOR: Landolfi, Buck, Capalbo, Thompson, Husband

OPPOSED: None

SO VOTED

Councilor Buck and Councilor Husband had questions relative to the Greene Plastics Corp. uncollectible taxes. Councilor Buck had a number of comments. He noted although the Town would take the uncollectable taxes off the books, who owned the property; it was not town property and had there had been a lien on the property. Council President Landolfi stated he had posed the same question to the Solicitor and referred the question to Solicitor McAllister who went on to explain that State Statute RIGL 44-9-1 determines the process if a property owner should go through bankruptcy proceedings; once the bankruptcy debts are all discharged, the Town continues to have a lien for back taxes on the property for up to three years. Once the three years elapses, the lien disappears and the Town has no recourse to collect the back taxes. Typically, what happens is an intervening buyer party becomes and buys the property from the former owner who had it in bankruptcy and the former owner disappears. Councilor Capalbo noted the Council had discussed the property when the people who bought Greene Plastics a couple of years ago because the Council felt it could be a problem but would see what occurred in three years, but the Council knew it was a possibility at that time. Councilor Buck asked who owned the property now as he assumed they were still liable for taxes. Council President Landolfi indicated it was a different owner but the owner's name was not known but acknowledged they are responsible for the taxes going forward. Councilor Husband questioned if it was the taxes for the original granite building and not the corrugated structure and this was confirmed. Town Clerk Elizabeth Cook-Martin referenced Tax Collector Rita Deane's memo indicating subsequent years' taxes have been paid and were up to date through December 2016.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE REQUEST TO ADJUST OFF UNCOLLECTABLE TAXES (BANKRUPTCY) FROM GREENE PLASTICS CORP., 103 & 105 CANONCHET ROAD FROM TAX YEAR'S 2012 & 2013 SUBMITTED BY THE TAX COLLECTOR.

IN FAVOR: Landolfi, Buck, Capalbo, Thompson, Husband

OPPOSED: None

SO VOTED

PUBLIC FORUM

No one spoke during the first public forum.

COUNCIL PRESIDENT REPORT

Council President Landolfi reported he had attended a meeting with Lt. Governor McKee on January 9, 2017 regarding the new B2B Gateway building near Exit 2. The owners hope to be up and running this spring. Council President Landolfi reported the January 9, 2017 Town Council Workshop regarding the application process for commercial solar on appropriately sized RFR-80 zoned parcels was close to being figured out. He reported he had attended the January 10, 2017 Meeting in Charlestown regarding the Northeast Corridor Tier 1 Final Environmental Impact Statement railroad realignment which had been a contentious meeting with approximately 700 people in attendance. One woman had commented that Federal and State initiatives seem to occur just before the holidays. He stated there would be a resolution considered later on this agenda. He reported he had attended the January 11, 2017 Omnibus Meeting and appreciated all the questions that were asked. He was hopeful the school committee will reduce the proposed Chariho budget by a great deal with meaningful cuts as the Towns cannot sustain the increases.

TOWN MANAGER REPORT

Town Manager William McGarry reported on January 6, 2017 he traveled to the West Warwick Town Hall and assisted Town Manager Fred Presley and East Greenwich Town Manager Tom Coyle in reviewing applications for the position of Police Chief in West Warwick. The Police Chief Selection Committee will conduct several interviews with candidates on January 20 & 21, 2017.

OLD BUSINESS

HOPE VALLEY WATERLINE DISTRIBUTION SYSTEM ORDINANCE

This matter had been scheduled for the Council to render a decision on a proposed ordinance entitled "Hope Valley Waterline Distribution System" introduced and sponsored by Councilor Thompson, heard on December 5, 2016.

Council Deliberations:

Councilor Thompson stated she had reviewed the ordinance and felt the changes from the hearing had been incorporated into the ordinance. She felt the ordinance was in good shape and included all the application materials were provided which fully spelled out all the requirements so that future Council's will know. She thanked Mr. McGarry, his assistant Courtney, Finance Director Brian Rosso and the full water line committee for their work. Councilor Capalbo felt it was well done; the workshop went well, the ordinance was well written. Mr. McGarry noted it had been a team effort. Council President Landolfi felt the old policy was very vague. He asked who would be the point person to answer questions. Mr. McGarry responded that it would depend on the question; that questions about the waterline could be asked of Leon Millis as waterline manager and Brian Rosso would deal with questions on finances; new applications would be accepted at the Town Clerk's Office. He noted the individual policies and set of instructions written by his assistant pinned down who does what and when. It was not only for the existing waterline customers but also for the employees.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO ADOPT THE NEWLY PROPOSED HOPE VALLEY WATERLINE DISTRIBUTION SYSTEM ORDINANCE.

IN FAVOR: Landolfi, Buck, Capalbo, Thompson, Husband

OPPOSED: None

SO VOTED

The ordinance shall take effect upon passage. The Hope Valley Waterline Distribution System Ordinance is attached and made part of this record.

NEW BUSINESS

TOWN-WIDE FY 2017-18 ANNUAL GOALS AND FYS 2018-20 MULTI-YEAR GOALS

This matter had been scheduled for the Town Council to discuss, consider and vote whether to adopt the proposed Town-wide FY 2017-18 Annual Goals and FYs 2018-20 Multi-year Goals.

Council President Landolfi asked about multi-year goal #6 – To implement the State-wide building e-permitting system to allow for online applications and payments for the building and zoning office. Mr. McGarry explained it was a pilot program, a state-wide initiative to standardize and make uniform the applications available on-line, an initiative from the State. He noted the application would be available on-line. Councilor Thompson asked about annual goal #1 – to adopt a residential photovoltaic solar energy system (PSES) ordinance to provide standards for placement, design, construction, monitoring, modification and removal. She was concerned that it sounded like it would be allowed on all residential parcels everywhere. She noted it was not needed for the regular sized property owner but for those large-scale RFR-80 parcels whose owners want to sell electricity back to the grid. Mr. McGarry will amend the wording to clarify it further. Councilor Buck asked which year the Town had purchased the backhoe and requested a copy of that particular year's goals and objectives from Mr. McGarry for comparison purposes going forward.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO ADOPT THE PROPOSED TOWN-WIDE FY 2017-18 ANNUAL GOALS AND FY'S 2018-20 MULTI-YEAR GOALS.

IN FAVOR: Landolfi, Buck, Capalbo, Thompson, Husband

OPPOSED: None

SO VOTED

TREE WARDEN 2017

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO REAPPOINT SCOTT E. AHERN AS TREE WARDEN FOR 2017.

IN FAVOR: Landolfi, Buck, Capalbo, Thompson, Husband

OPPOSED: None

SO VOTED

RESOLUTION OPPOSING NORTHEAST CORRIDOR FUTURE, WASHINGTON, DC TO BOSTON, MA TIER 1 FINAL EIS PREFERRED ALTERNATIVE ROUTE

This matter had been scheduled for the Town Council to discuss, consider and vote on a resolution opposing Northeast Corridor FUTURE, Washington, DC to Boston, MA Tier 1 Final EIS preferred alternative route. The deadline for comment is the end of January 2017. Council President Landolfi had attended the January 10, 2017 meeting held in Charlestown. He noted the resolution had been based on Charlestown's and Mrs. Cook-Martin explained it had been adjusted to reflect Hopkinton. Council President Landolfi pointed out the nine items listed on the first page reading through them aloud. He noted there were many shocked individuals in attendance at the January 10 meeting that would be impacted by the location of the tracks running through their homes and property. He hoped Hopkinton could be show support to the people in Charlestown and sponsor the resolution; all Councilors were in agreement. Councilor Thompson asked where the nine items. Council President Landolfi responded they came from Charlestown. Mrs. Cook-Martin felt there were probably many more points that could be made that did not encompass the other impacted communities like the Town of Westerly. Council President Landolfi commented that not everyone had had an opportunity to absorb the magnitude of the project because it came in just prior to the holidays. Councilor Buck asked who would benefit – they took the train track away from Westerly. Council President Landolfi noted the bullet train would be on a straighter track and run at 220 miles per hour. It is a \$130 billion dollar project to save 45 minutes. Councilor Capalbo added that because of rising sea levels they want to move the tracks inland, however this was the wrong way to do it.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR BUCK TO ADOPT THE RESOLUTION OPPOSING NORTHEAST CORRIDOR FUTURE, WASHINGTON, DC TO BOSTON, MA TIER 1 FINAL EIS PREFERRED ALTERNATIVE ROUTE.

IN FAVOR: Landolfi, Buck, Capalbo, Thompson, Husband

OPPOSED: None

SO VOTED

The Resolution follows:

**TOWN OF HOPKINTON, RI
RESOLUTION**

**A RESOLUTION IN OPPOSITION TO THE FEDERAL RAILROAD
ADMINISTRATION PREFERRED ALTERNATIVE FOR THE FUTURE
NORTHEAST CORRIDOR - WASHINGTON, DC TO BOSTON, MA RAIL LINE**

WHEREAS, the Final Environmental Impact Statement released by the Federal Railroad Administration presents a preferred alternative route as part of the proposed upgrade to the Northeast Corridor which includes a section of nearly 13 miles of new rail line in the State of Rhode Island affecting the Towns of Westerly, Charlestown, Richmond and South Kingstown, as part of the so-called Old Saybrook to Kenyon Bypass; and

WHEREAS, the proposed new rail line will principally affect the Towns of Charlestown and Westerly in Rhode Island, including 5.6 miles in Charlestown; and

WHEREAS, through lack of specific outreach on the part of the Federal Railroad Administration, the affected Towns, the citizens, and impacted property owners were wholly unaware of the proposed new route alignment through Charlestown and Westerly, and as a result there were no comments received from the Towns during the public review and comment period for the Tier 1 Draft EIS last year; and

WHEREAS, the review and outreach that the Town of Charlestown, stakeholders and active members of the community have undertaken since becoming aware of the project on or about December 18, 2016, is the first such engagement that the community has done; and.

WHEREAS, the scope of this project and the impact of the route on the Town of Charlestown is significantly negative, as the proposed rail alignment will:

1. Destroy dozens of private homes
2. Decimate the historic mill villages of Burdickville, Columbia Heights and Kenyon
3. Cross land owned by the Narragansett, a federally recognized Indian Tribe
4. Fragment historic and active farmland
5. Fragment the Francis Carter Preserve, a major land holding of The Nature Conservancy along the Pawcatuck River
6. Pass through and/or destroy numerous publicly and privately owned open space otherwise protected in perpetuity
7. Require several crossings of the Pawcatuck River which has been nominated by Congress as a Wild and Scenic River
8. Lie entirely within the land acquisition and habitat management area of the recently established US Fish and Wildlife Great Thicket National Wildlife Refuge
9. Lie entirely within the EPA designated Wood-Pawcatuck Sole Source Aquifer; and

WHEREAS, the Federal Railroad Administration has provided a 30 day waiting period on the Final EIS to allow feedback on the preferred alternative which ends on January 30, 2017, a period of time which the Town considers inadequate to provide sufficient comments outlining in detail their opposition to the preferred alignment; and

WHEREAS, the impacted Towns will bear a significant burden due to loss of areas of environmental, historic, agricultural and social importance without commensurate benefits to those communities as a whole; and

WHEREAS, the Town Council of the Town of Charlestown has invited the neighboring Towns in Washington Council to consider a resolution supporting Charlestown's position.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Hopkinton hereby opposes a change to the railroad alignment and authorizes this resolution be sent to the Federal Railroad Administration, to Rhode Island Governor Gina Raimondo, to U.S. Senator Jack Reed, U.S. Senator Sheldon Whitehouse, Congressman James Langevin and our local delegation showing the Town's opposition to the

so-called Old Saybrook to Kenyon Bypass rail alignment as proposed within its borders, and to keep the railroad on its current Right of Way.

PUBLIC FORUM

No one spoke during the second public forum.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO ADJOURN THE MEETING IN MEMORY OF GAYLE WAITE.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

TOWN OF HOPKINTON, RI

Chapter 250

The Town Council of the Town of Hopkinton does hereby ordain the following:

**HOPE VALLEY WATERLINE DISTRIBUTION SYSTEM
ORDINANCE**

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<u>SECTION #</u>	<u>TITLE</u>
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INTRODUCTION

The Town of Hopkinton maintains an agreement with the Town of Richmond to obtain water for the use of its residents and commercial businesses in the village of Hope Valley. Hopkinton is obligated to pay Richmond for water and services provided for the benefit of waterline customers in Hopkinton. It is necessary for the Town of Hopkinton to insure that customers making use of water obtained from Richmond fully understand their obligations with respect to receiving such water. It is also necessary that the Town insure that it is properly protected in the event certain issues arise concerning water provided to the customers, including but not limited to, nonpayment by waterline customers.

DEFINITIONS

The words and terms listed below shall have the following meaning when used in this Chapter:

Curb stop --- A valve installed on the service pipe at the property line.

Customer --- A person, business, association, or governmental or quasi-governmental entity to which the distribution system supplies water.

Manager --- The person who maintains the waterline distribution system on a day-to-day basis.

Owner --- The proprietor of record of real property or a building or portion of a building to which water is supplied.

Properties --- A building, group of buildings, portion of a building, residence or parcel of land that has a water service connection.

Service pipe -- The pipe from the property line to the meter.

Water main -- The primary water pipe that transports water from the source to water service pipes.

Water system - The water distribution infrastructure operated by the Town of Hopkinton.

ADMINISTRATION OF WATER DISTRIBUTION SYSTEM

- A. The Town's water distribution system shall be operated as an enterprise system monitored on an as needed basis by its Water Manager, who shall be supervised by the Town's Finance Director who, in turn, shall be supervised by the Town Manager.
- B. The Finance Department shall deposit all water system revenue into a restricted account and shall make all expenditures from such fund. The Finance Director shall oversee the operation of the restricted waterline account.
- C. The Town Clerk's Office shall serve as the central repository for all waterline service applications.
- D. The Tax Collector's Office shall be responsible for notifying the Finance Director of any transfers of ownership for properties on the waterline.

TOWN'S RESPONSIBILITIES

- A. The Town will make all reasonable efforts to insure the availability of water obtained from the Town of Richmond, but does not, under any circumstances, guarantee that water

shall always be available. The Town shall not be responsible for any loss, personal injury or property damage resulting from the failure to supply water or water pressure.

- B. The Town shall have the right to stop water service temporarily, without notice, for repairs, emergencies, system maintenance or any other reason, at any time. If the Town determines that an interruption of service is necessary, the Town shall make a reasonable effort to notify affected customers, in advance, and will endeavor to provide an estimate, if possible, as to how long the service will be interrupted. No customer shall be entitled to damages or a refund of any payment for any stoppage of water supply.
- C. The Town will exercise reasonable diligence in providing a continuous and adequate supply of water to its customers.

OWNER RESPONSIBILITIES

- A. Water bills shall be promptly paid when due.
- B. Effective July 1st, 2017, the Town shall issue water bills on a quarterly basis, as follows:
 - 1. During October for the months of July, August and September;
 - 2. During January for the months of October, November and December;
 - 3. During April for the months of January, February and March; and
 - 4. During July for the months of April, May and June.
- C. Payment by owners shall be due thirty (30) days from the date of invoice. Interest of one percent (1%), per month, shall accrue on unpaid balances and owners shall pay to the Town all costs of collection of the overdue amounts, including any legal fees incurred. Failure to receive an invoice does not relieve the owner of the responsibility to pay for water and services.
- D. All consumption fees and any other charges for water and services, as well as costs of collection including legal fees, shall be a lien on the real property to which the water is delivered in the same manner that municipal taxes are a lien on the property, and shall be collected in the same manner that overdue municipal taxes are collected.
- E. Property owners whose checks are returned for insufficient funds shall pay a thirty dollar (\$30.00) returned check fee.
- F. Property owners who transfer ownership shall notify the Finance Director at least three (3) working days before the conveyance or transfer to obtain a final meter reading and account closing statement for payment. Any outstanding charges against the account shall remain collectable. Property owners shall be liable for the payment of all charges incurred, until the Town receives proper notice of the transfer of property ownership. Failure to receive an invoice sent to a previous address does not relieve the owner of the obligation to pay such invoice.

- G. Property owners shall allow a representative of the Town access to the premises, during reasonable hours, to examine service pipes and fixtures, to install or replace a meter and for any other reason related to water service.
- H. Property owners shall allow a representative of the Town access to the premises, at any time, in the event of an emergency situation related to water service.

RESTRICTIONS ON WATER USE

- A. If the Town of Richmond notifies the Town of Hopkinton that water supplies are inadequate because of weather conditions, the Town has the authority to declare a water emergency and require water conservation measures, including but not limited, to prohibition of water use for watering non-agricultural gardens and lawns, washing motor vehicles, and filling swimming pools. Before such a restriction takes effect, the Town shall make every effort to notify customers of the reason and nature of the restriction, and its effective date.
- B. Commercial irrigation systems operated by agricultural operations, as defined in Rhode Island General Laws § 2-23-4(a) shall not be connected to the water system.

EXISTING WATER SERVICE ACCOUNTS

- A. Property owners shall promptly pay any outstanding water balances, prior to the conveyance or transfer of ownership.
- B. Property owners shall pay any past due balance on their water bills that accrued prior to the effective date of this Ordinance.
- C. During the 2016-17 replacement period, the cost for removal and installation of water meters shall be financed through the Town's restricted waterline account.
- D. After the 2016-17 replacement period, the cost for removal and installation of water meters shall be borne by the property owner, under the jurisdiction of the Town.

NEW WATER SERVICE ACCOUNTS

- A. All applications for Town water service connections shall be made on an *Application for a New Waterline Service Connection Form* which may be obtained at the Town Clerk's Office. The owner shall complete the application form, have the septic system pumped, inspected and determined to be functioning and adequate by a licensed septic hauler, consistent with the provisions of Chapter 121-14 of the Town of Hopkinton's Waste Water Management Ordinance.

- B. A check for \$100.00, made payable to the Town of Hopkinton, must accompany the application.
- C. The Town's approval of the owner's signed application shall constitute a binding agreement between the owner and the Town that obligates the owner to pay all applicable rates and charges.
- D. The Town's Finance Director shall have the authority to require a deposit against future charges if the owner is not able to establish credit to the satisfaction of the Finance Director.

NEW WATER SERVICE CONNECTIONS

- A. New water services may be connected only after the Finance Department certifies, in writing, that the *Application for New Waterline Service Connection* is complete.
- B. Water service connection requests from properties not listed in Exhibit A of the Agreement by and between the Towns of Richmond and Hopkinton, dated July 9th, 1991, shall be referred to the Richmond Town Council for consideration. If approved, requests shall then be considered by the Hopkinton Town Council for final approval.
- C. Installation of a service pipe shall be performed by a licensed contractor, at the owner's expense, and inspected by the Water Manager.
- D. Connection of the service pipe to the curb stop shall be performed by a state-licensed master plumber, and inspected by the Water Manager.
- E. Maintenance and repair of the service pipe from the curb stop to the owner's property shall be the owner's responsibility.
- F. Purchase and installation of new water meters shall be performed by a master plumber, at the owner's expense, and inspected by the Water Manager, under the jurisdiction of the Town.

BACKFLOW AND CROSS-CONNECTION PREVENTION

- A. Property owners shall be responsible for preventing the backflow of water or other fluids from sources, other than the approved water source, that could contaminate or pollute the public water distribution system.
- B. Backflow prevention device required by the Rhode Island Building Code shall be installed at every new property and connected to the water system by a state-licensed master plumber.
- C. Property owners shall be responsible for maintaining backflow prevention devices in good working condition and shall repair or replace malfunctioning devices.

- D. Installation of a by-pass device around any backflow prevention device is prohibited, unless a backflow prevention device of the same type is installed on the by-pass. If the property owner's water supply cannot be shut down for testing of the backflow prevention device, the owner must install, at the owner's expense, another backflow prevention device of the same type on a by-pass to enable testing and repair to take place.
- E. If property served by the water distribution system has a well, the owner shall ensure that the well is not cross-connected to the water distribution system. An air gap shall be maintained between the well and the system.
- F. Air conditioning systems that use water from the water distribution system shall be equipped with a check valve to prevent entry of used water into the system's water main.
- G. If the Water Manager determines that a cross-contamination hazard exists, the owner shall correct the hazard within ten (10) days. However, the Water Manager shall have the authority to grant extensions of time for such corrections for reasonable cause, but in no event shall the time for such corrections exceed forty-five (45) days.
- H. The Building and Zoning Official shall notify the Water Manager of every plumbing and/or building permit application for a property owner who seeks to be connected to the water distribution system.
- I. Each temporary water service connection shall be fitted with a shut-off valve and a backflow prevention device.
- J. Cross-connection prevention devices shall be installed in every commercial building, industrial building, or residence containing four or more dwelling units.

DISCONNECTION OF WATER SERVICE

- A. Owners who wish to have their water service disconnected shall notify the Town at least thirty (30) days before the scheduled disconnection date. Such disconnection shall be performed by Town's Water Manager.
- B. The Town shall have the authority to disconnect service to properties whose owners are in arrears for six (6) months or more; however, at that time, the Town shall then formally notify the property owners, in writing, that they have an additional sixty (60) days to pay their water bills before the Town disconnects their service.
- C. Water service may be disconnected, without notice, to property owners for the following reasons:
 - I. If the Town determines that an imminent hazard exists to the public health, safety, and welfare of residents and business owners.

2. If the property owner uses equipment in a manner that adversely impacts the water system equipment or service to other customers.
3. If the Town has evidence that the owner is obtaining water service by fraudulent means, is diverting water for an unauthorized use, or is obtaining water that is improperly metered.
4. If the property owner tampers with water equipment owned by the Town.
5. If the property owner fails to provide access, a suitable location or any other condition required by the Town.
6. If the property owner is allowing leakage to occur.

PROHIBITED ACTIVITIES

- A. No person or persons shall cause a physical connection to be made between the water distribution system and any other water supply for any purpose at any time.
- B. No person shall connect a pump to the water main or to a service pipe for the purpose of increasing water pressure, without express written approval of Town officials.
- C. No person shall insert any object, material or substance that may cause damage or pollution into any water pipe or main that is part of the water distribution system, discontinue the flow of water in any pipe or main, tap into any main or service pipe, or tamper with or alter any service pipe, or tamper, remove, or install any meter without the approval of the Town.
- D. No person, other than authorized fire company personnel, shall open, close, or tamper with a hydrant valve.
- E. No person shall obstruct access to a fire hydrant.
- F. All damage to water mains, service pipes, hydrants, or other parts of the water system that occur during any construction shall be the responsibility of the property owner for whom the work is being performed.

RATES

- A. Charges for water usage rates, service charges, debt service or other fees shall be set from time to time by the Hopkinton Town Council.

This act shall take effect upon its passage.

Adopted: January 17, 2017

ATTEST: 
Elizabeth Cook-Martin
Town Clerk