

TOWN COUNCIL MEETING MINUTES - March 21, 2016

State of Rhode Island

County of Washington

In Hopkinton on the twenty first day of March 2016 A.D. the said meeting was called to order by Town Council President Frank Landolfi at 7:00 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI.

PRESENT: Frank Landolfi, Barbara Capalbo, Thomas Buck, Sylvia Thompson, Dave Husband; Town Solicitor Kevin McAllister; Town Manager William McGarry; Deputy Town Clerk Lorraine Tarket-Arruda

The meeting was called to order with a moment of silent meditation and a salute to the flag.

**HEARINGS**

**SOLAR ENERGY COLLECTION FACILITIES TANGIBLE PROPERTY TAX ABATEMENT**

The Town Council opened a hearing to render a decision on an application for a Solar Energy Collection Facilities Tangible Property Tax Abatement filed by S. M. Trombino Properties, LLC, Stano Trombino, owner, 26 Main Street, Ashaway, RI 02804 for property located on Bank Street identified as Assessor's Plat 028/Lot 122, a Commercial Special Zone.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO APPROVE THE APPLICATION FOR THE SOLAR COLLECTION FACILITIES FILED BY S. M. TROMBINO PROPERTIES, LLC, FOR PROPERTY LOCATED ON BANK STREET IDENTIFIED AS ASSESSOR'S PLAT 028/LOT 122, A COMMERCIAL SPECIAL ZONE THAT THE APPLICANT WILL PAY THE LAND TAX, THE VALUE OF THE LAND TAX, AND WILL PAY IN ADDITION TO THAT \$2,500.00 YEARLY FOR TWENTY YEARS OF THE LEASE THAT HE HAS WITH NATIONAL GRID AND THAT PAST TAXES ARE PAID UP TO DATE. Discussion on the motion:

Council President Landolfi mentioned the facility was located on an unbuildable piece of property. He stated the project would bring additional taxes to the town without any negative impact. He thanked Mr. Trombino for coming forward with the project. Vote on the motion:

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

OPPOSED: None

SO VOTED

**CONSENT AGENDA**

The Town Council Budget Workshop Notes of February 10, 2016 were removed from the Consent Agenda.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE CONSENT AGENDA AS FOLLOWS: Set April 18, 2016 as a hearing date for a transfer of a Class A Liquor License filed by D & M Liquors a/k/a Village Place Liquors; Accept the following monthly financial/activity report: Town Clerk.

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

OPPOSED: None

SO VOTED

Councilor Thompson explained she wanted the Workshop Notes of February 10, 2016 to be corrected because the record indicated she was at the meeting when she was not.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE BUDGET WORKSHOP NOTES OF FEBRUARY 10, 2016 TO REFLECT THE ABSENCE OF COUNCILOR THOMPSON.

IN FAVOR: Landolfi, Capalbo, Husband, Buck

ABSTAIN: Thompson

OPPOSED: None

SO VOTED

**PUBLIC FORUM**

Mary Karlssen, Hope Valley, explained she was not in favor of a new building for the RYSE School. She felt a joint resolution on the funding plan was not legally binding and did not believe the Legislation would be either. She felt the agreement was not tight enough and thought the taxpayers should be very concerned because if the leadership was replaced, they may not hold up their end of the bargain. She stated she was angry because the architect hired for this contract was the same architect that misjudged wear and tear on the Chariho Technical Center, a blunder that cost the taxpayer's money. Mrs. Karlssen went on to say she was angry that a stand alone building was not being built. She was concerned about the students pulling the fire alarm which caused the fire company to make a run which would disrupt the entire Middle School. She was concerned about the many Police reports indicating damage that had been done by students who were out of control, feeling these children could gain access into the Middle School. Mrs. Karlssen explained that Westerly Schools and South Kingstown have separate buildings and contract with the Bradley School to run their programs. She felt Bradley School was state of the art in the Autism Spectrum and behavioral disorders, and was concerned RYSE had no published papers or methodology. She stated she wanted the students to be a part of pilot program that was now being run by McClain Hospital in Massachusetts. She explained they had a break through wellness program in which the children's diets were changed and some of the autism traits had diminished and the children had their lives back. She felt the children's development was being stunted without any affiliation to a hospital that could provide other ways to help them. She believed the program had not been well thought out and felt the RYSE program pigeon-holed our students.

Lisa Macaruso thanked the Town Council for placing the RYSE building issue on the agenda. She stated she was optimistic after a review of the Bond Legislation and a thoughtful discussion with Hopkinton's residents, the Resolution would be adopted in order for the building committee to move forward to build an

equitable facility for the RYSE students. She pointed out there were many individuals in attendance who wished to speak and noted they covered diverse community roles. Mrs. Macaruso acknowledged the work of Town Council President Frank Landolfi and Councilor Barbara Capalbo for attending all of the meetings and their thoughtful feedback. She quoted Councilor David Husband as stating, "The Chariho community needs to insulate the RYSE students without isolating them."

Kevin McGreevy, Richmond School Committee and Chairperson of the Building Committee, stated the resolution presented tonight was the compromise of all three towns coming together and working for a common goal. He stated it would benefit all three towns financially and educationally. He noted the key point of the resolution was the way it would be paid for and which was by student enrollment. He explained if any town had to pay over 33%, the difference would be taken from the district's unassigned fund balance. He explained there was \$1,500,000.00 in place and if \$10,000.00 was to be paid to a town or two, it would not deplete the fund balance.

Mr. McGreevy stated there were also concerns about attaching the RYSE building to the Middle School. He explained it was to allow for shared resources and as to the issue of safety, the Middle School could not be accessed from the RYSE School. Mr. McGreevy felt the project was financially fair to all three towns. He stated if new buildings were leased to replace the old ones or if the district were to send children out to another facility, it would be very costly and Hopkinton's share would be \$247,870.00 each year. He explained the building should have a fifty year life span and with the bill paid in ten years and for forty years after that, there would not be any payments. He explained that, according to calculations, Hopkinton would be saving \$2,500,000.00 dollars.

Sylvia Stanley, School Committee Member, stated she too had been concerned about the RYSE program and the building. She explained she spent a day at the RYSE building to observe the program. She felt the students were not a behavioral problem as had been stated, all she saw was children who were functioning and happy. Mrs. Stanley explained there are two programs, one was a

clinical program and the other was for the children who did not excel in a regular classroom. She stated the children did not excel in a classroom with 25 children, but did in a classroom with less children. She explained one of the reasons for keeping the children at the Chariho Campus was so they could access a class in the main school if they wanted to.

She stated she sat with them in the lunchroom where one child told her they were so happy they were going to get a Gym, because they could eat in there and not in the classrooms. She stated she had seen success, and children who learned differently than others, some by reading, some by doing or whatever method worked to help them to learn. She felt those children needed to be treated like the rest of the students.

Etta Zasloff, 12 Karen Drive, stated she was a former teacher who continued to be involved with the school, because education was key to a viable community. She commended Chariho for creating the RYSE Program, which was a grassroots program. She felt it was unique in many ways, it kept neighborhood children in the same area, instead of bussing them elsewhere. She stated the trailers were supposed to be temporary and 13 years later were still there and felt it was a negative message to send. She urged the Town Council to allow the voters make the final decision.

Sarah Algieri, Chairperson of the Chariho Special Education Advisory Committee, stated it had been universally agreed upon the current conditions of the RYSE school building were substandard and not equitable to the rest of the Chariho Campus. She stated the committee had been diligent in their charge to produce a recommendation to construct a new building for the RYSE school. She reminded everyone on November 12, a special meeting was held to form a building committee and in order to hold the meeting a quorum of twenty five registered voters had to be present from each town. Ms. Algieri stated that Richmond had 34, Charlestown had 36, and Hopkinton had 48, who were unanimous in voting to form a committee to create a vision for the RYSE school building. She stated the building committee had worked tirelessly and mindfully to keep within the budget. She stated during a meeting concerning the RYSE

School on October 19th, Councilor Thompson stated "I am thrilled this was finally going before the voters." She implored the Town Council to stand by that statement and ask that you consider the Resolution so it can go before all the voters to decide.

Sarah Clark, North Road, stated she could not look at another parent and say their child was not as valuable as mine. She stated she appreciated all the hard work the building committee went through to bring the matter this far.

Janice Palmer, Pequot Lane, hoped the Town Council would allow the issue to move forward and let the taxpayers vote on it.

LeeAnn Hill, of Diamond Hill Road, stated she was the parent of two special needs children and felt it would be wonderful if this was approved and felt the issue was about equality, every child should have the same education and to see the building falling apart was heartbreaking and unfair.

#### **TOWN COUNCIL PRESIDENT REPORT**

Council President Landolfi reported he attended a Leadership Breakfast Conference in Providence on March 10, 2016 with Town Manager William McGarry. He explained the theme of the conference was the importance of listening to the ideas of the citizens. He stated he had attended the last Town Budget Workshop on March 14, 2016 and to recap, the budget was decreased by another \$12,519.00. He stated the Town had the insurance numbers in and it came in below the money that had been budgeted by \$22,700.00.

#### **TOWN MANAGER REPORT**

Mr. McGarry stated he and Public Works Director, Tim Tefft had worked the last several of weeks on requests for proposals and qualifications for the Town. He stated RFP's were compiled for Mid-Grade Gasoline, Diesel Fuel, #2 Fuel Oil, Heating and Cooling System Maintenance, Propane Gas Heating, Oil Burner Service, Winter Sand and Chip Seal. He stated those were advertised in the Providence Journal, along with the Hope Valley Waterline Extension RFQ and the Town Hall Generator RFP. He explained the generator would be funded through Community Development Block Grants.

#### **NEW BUSINESS**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR BUCK TO AMEND THE AGENDA AND MOVE THE RESOLUTION FOR RYSE TO THE NUMBER ONE POSITION AND MOVE THE DIRECTOR OF VETERANS AFFAIRS PRESENTATION TO THE NUMBER TWO POSITION.

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

OPPOSED: None

SO VOTED

**RESOLUTION REGARDING THE RYSE PROGRAM**

Town Council President Landolfi read the following;

“A RESOLUTION REQUESTING THAT THE GENERAL ASSEMBLY ENACT LEGISLATION AUTHORIZING THE CHARIHO REGIONAL SCHOOL DISTRICT TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$6,000,000 TO FINANCE THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING FOR THE R.Y.S.E. SCHOOL, INCLUDING REMOVAL OF EXISTING MODULAR CLASSROOMS AND TO FINANCE IMPROVEMENTS TO THE SWITCH ROAD CAMPUS, INCLUDING BUT NOT LIMITED TO LANDSCAPING, PAVING, PARKING AND TRAFFIC REDESIGN AND ALL EXPENSES INCIDENTAL THERETO, SUBJECT TO APPROVAL OF STATE SCHOOL HOUSING AID AT A REIMBURSEMENT RATE OF NOT LESS THAN 56%.”

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO ADOPT THE RESOLUTION IN ITS ENTIRETY.

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

OPPOSED: None

SO VOTED

**TOWN OF HOPKINTON, RHODE ISLAND**

A RESOLUTION REQUESTING THAT THE GENERAL ASSEMBLY ENACT LEGISLATION AUTHORIZING THE CHARIHO REGIONAL SCHOOL DISTRICT TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$6,000,000 TO FINANCE THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING FOR THE R.Y.S.E. SCHOOL, INCLUDING REMOVAL OF EXISTING MODULAR CLASSROOMS AND TO FINANCE IMPROVEMENTS TO THE SWITCH ROAD CAMPUS, INCLUDING BUT NOT LIMITED TO LANDSCAPING, PAVING, PARKING AND TRAFFIC REDESIGN AND ALL EXPENSES INCIDENTAL THERETO, SUBJECT TO APPROVAL OF STATE SCHOOL HOUSING AID AT A REIMBURSEMENT RATE OF NOT LESS THAN 56%

**Whereas**, the Town Council of the Town of Hopkinton endorses and supports the financing of a new building for The R.Y.S.E. School and related improvements to the Switch Road Campus of the Chariho Regional School District; and

**Whereas**, in order to undertake said construction and improvements, the Chariho Regional School District must issue bonds in an amount not to exceed \$6,000,000; and

**Whereas**, the Town Council understands that bond legislation to be submitted to the electors of the District's member towns shall provide that in accordance with the provisions of Section 15 of Chapter 55 of the Public Laws of 1958 as heretofore amended, including amendments made by Chapter 490 of the Public Laws of 2006 (the "Chariho Act"), the principal of, redemption premium and interest on the bonds and or notes shall be borne by the member towns in the same proportion as the enrollment of students from each town bears to the total student enrollment of the District; and

**Whereas**, the Town Council further understands that the bond legislation will provide that the Chariho Regional School District Committee shall annually make payments from its fund balance to the District's member towns in an amount equal to the difference between 33 $\frac{1}{3}$ % of debt service and any member towns actual annual contribution of principal and interest on bonds and notes for these projects if that contribution exceeds 33 $\frac{1}{3}$ % of debt service; and-

**Whereas**, the Town Council further understands that the bond legislation will provide that bonds and notes shall not be issued unless the Chariho Regional School District has received a letter from the Rhode Island Department of Elementary and Secondary Education confirming that the Board of Education has approved the facilities to be financed for school housing aid and that the then-current reimbursement rate pursuant to Sections 16-7-35 through 16-7-47 of the general laws, as amended from time to time, providing for funds to municipalities or regional school districts for school housing aid purposes, is not less than fifty-six percent (56%) of debt service for eligible costs.

**Now therefore, be it resolved** that the Town Council of the Town of Hopkinton hereby requests that the General Assembly enact enabling legislation authorizing the Chariho Regional School District to finance the construction, furnishing and equipping of a new building for The R.Y.S.E. School, including removal of existing modular classrooms and to finance improvements to the Switch Road Campus, including but not limited to landscaping, paving, parking and traffic redesign and all expenses incidental thereto by the issuance of not more than \$6,000,000 bonds and/or notes therefor, subject to approval of state school housing aid at a reimbursement rate of not less than 56% of debt service for eligible costs.

**Be it further resolved** that the Chariho Regional School District Committee, the Chariho Regional School District Building Committee and Bond Counsel for the Chariho Regional School District ensure that the appropriate legislation is submitted to the General Assembly in a timely manner in order that the electors of the three Member Towns may consider the question of the financing at the general election of November 8, 2016.



Councilor Husband felt the RYSE Program was a wonderful and necessary addition to the education process in general. Councilor Capalbo read a statement she prepared regarding the RYSE building proposal, "The Federal Government doesn't function because no one will compromise. We are elected to represent all the people not just a few. It is not what we wanted in the three-way split, it's not perfect but it is prudent. It is good for the students, good for the three towns, good for the budget and good for our citizens. This program was now a successful and controlled innovative program and part of an inclusive community of good people. We spent decades returning school budget money to the three towns in true thirds only recently through Richmond's Bob Cardoza's work did we get the budget money back in the proportion they were given. With the construction of this building no town will pay more than a third which means, Hopkinton and Richmond will effectively receive a larger portion back as we use the fund balance to build this building. I do encourage everyone to vote for this project, it is time, it is ready, and it is right." Councilor Thompson asked if the Westerly and South Kingstown schools had a contract with a hospital to provide special services. She asked if so, what was different about RYSE that it was not hospital affiliated or were all the services needed provided at RYSE. Mr. McGreely replied RYSE was not hospital affiliated because there were contracts for clinical services that were used in house, otherwise that would be a huge expense. He explained services were provided 24 hours per day, 365 day a year, if a parent or child was experiencing difficulty, after school help was provided to them. He explained the program was unique situation in that clinicians would drive the children to a doctor's appointment or help in any way that was needed, which was a major difference. Councilor Thompson stated she was pleased to hear there was no direct access to the main building from the RYSE School. She asked if the building committee intended to go out to bid on the project when the time comes. Barry Ricci explained Kaestle Boos went through a competitive bidding process and was already on a retainer so they were used and the building committee would be prepared to go out to bid for new architectural services and Kaestle Boos may or may not be the recipient of that award. Councilor

Thompson stated she was in favor of moving the Resolution forward and the voters need to decide. Councilor Buck stated he wanted to clarify his feelings on the old Ashaway School. He stated he had made no bones about it, he had a personal attachment to that school and had great memories of going up there. He felt the school could be rehabed and found information concerning that. He explained in 2014 there was an estimate of \$3,400,000.00 to rehab the school. He stated he had spoken with the Rhode Island Department of Education who told him they would reimburse the town 61% of the cost and because it was an older structure they would pay an additional 4%. Councilor Buck explained that brought the cost down to \$2,700,000.00, which would have left a balance of \$1,326,000.00 and divided by a third would equal \$422,000.00. He stated someone was willing to donate money towards the rehab of the school and that amount was without the donation factored in.

He stated he was not against the RYSE Program, people elected him to save taxes, and that was what he was trying to do. He explained when the RYSE Program began he was against it because he felt it was outside the scope of the Chariho Act, but after 13 years it appeared the program worked and it was time to bring the children into the Chariho Campus again. He suggested the School Committee change the name of the program to remove the stigma of the RYSE Program. Councilor Buck felt the taxpayers have the final say with the building issue. Council President Landolfi stated he was not in favor of going into debt, but there was an obligation to educate these children. He pointed out the lease payment per month on the trailers for RYSE was \$9,200.00, which would only get more expensive if they had to be replaced. He explained the State reimbursement was 60% of the \$5,900,000.00 and the debt service per month for Hopkinton would be \$422,517.00. He stated at 35.74%, which was Hopkinton's enrollment rate, it would be approximately \$6,500.00 that would come from the town's fund balance to supplement the 33%, which was not a lot of money. He mentioned he had toured the facility today and it was not in good shape.

A MOTION WAS MADE BY COUNCILOR THOMPSON TO AMEND THE

MOTION TO REQUEST THAT OUR TOWN COUNCIL ALSO ADOPT THE LANGUAGE IN THE LEGISLATION INTO THE CHARIHO ACT ITSELF THAT IS BEING PROPOSED WHICH SPELLS OUT ALL OF THE DETAILS.

There was no second. Motion failed.

**DISCUSSION WITH DIRECTOR OF VETERANS AFFAIRS**

Director of Veterans Affairs, Kasim Yarn was present to explain services available to Rhode Island Veterans. He explained the Governor appointed him a month prior and he was visiting each Town Council in Rhode Island so everyone would be aware of what programs were available to the Veterans in the community. He stated there was approximately 738 veterans living in Hopkinton and his vision was to be an advocate for them and a leader in Veteran's Affairs. He explained part of his vision was threefold, first he must be a leader for what was needed, the second component was in order to fix a problem, the problem had to be defined and a determination made on how to solve the problem. He pointed out this year marked the 50th Anniversary for Vietnam Veterans and wondered what the conditions would be here at home for our younger veterans, 20 or 30 years in the future. He stated his task was to make conditions better now and for the future. He stated not only does he need to make sure conditions are good for the Veterans, his administration needed to serve the families as well, they have been holding down the fort while their veteran was serving. He explained his duties were also to help the family members of our service men and women. Councilor Thompson stated the closest VA housing facility in Rhode Island was in Bristol, which posed a hardship for families that live at this end of the state to drive such a long way. She suggested he make a note of that and try to find or build a facility in this area of the state that veterans could live in or obtain services from. Mr. Yarn asked what was envisioned, would it house the unemployed, the elderly or the disabled. He explained he had spoken with the head of the VA Center and there was housing for disabled veterans to live in these type of facilities, but there was a great need for more. He stated, in addition, there were transitional homes, that were temporary and helped with educational needs so they would be able to work again. Councilor Thompson suggested it would be

nice to have a home that was comprehensive and our Hopkinton residents could stay in a facility in Hopkinton.

Councilor Capalbo stated there were transportation problems in our area. Mr. Yarn replied he had looked into the transportation problem and he had spoken with the RIPTA Program Director about the transportation problem in this area.

**ANNUAL FINANCIAL TOWN ASSEMBLY**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO HOLD THE FINANCIAL TOWN ASSEMBLY SCHEDULED FOR MAY 3, 2016 IN THE TOWN HALL COUNCIL CHAMBERS.

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

OPPOSED: None

SO VOTED

**SCHEDULE A SPECIAL TOWN COUNCIL MEETING**

It was the consensus of the Town Council to hold a Special Town Council Meeting on May 9, 2016 at 6:30 PM to approve the Town Budget.

**BOARDS & COMMISSIONS**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO APPOINT WILLIAM KASUNAS TO THE ZONING BOARD OF REVIEW.

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

OPPOSED: None

SO VOTED

**PUBLIC FORUM**

No one spoke at the second Public Forum.

**ADJOURNMENT**

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

SO VOTED

Lorraine Tarket-Arruda

Deputy Town Clerk