

State of Rhode Island

County of Washington

In Hopkinton on the sixth day of November 2017 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 02833.

PRESENT: Frank Landolfi, Thomas Buck, Barbara Capalbo, Sylvia Thompson, David Husband; Town Solicitor Kevin McAllister; Town Manager William McGarry; Deputy Town Clerk Marita Breault.

HEARINGS

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

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

OPPOSED: None

SO VOTED

LIQUOR LICENSE RENEWALS

The Council opened a hearing on renewal of the following Liquor Licenses:

Class A:

Hopkinton Liquor Depot, Lynn Marie Finn, President of PLW Hopkinton. Inc. – 229 Main Street, Ashaway, RI 02804. Applicant or representative not present.

Village Place Liquors, Dennis Plante, President of D&M Liquors, Inc., - 26 Alton Bradford Road, Bradford, RI 02808. Applicant's representative, Steven Surdut, was present.

Class BV:

Brick Oven Restaurant – Keith Knott, President, Brick Oven Restaurant of Ashaway, Inc., - 209 Main Street, Ashaway, RI 02804. Applicant present.

Chariho Grill – Daniel Konuch, President, - 14 Spring Street, Hope Valley, RI 02832. Applicant or representative not present. No application, no filing fees submitted.

Fenner Hill Country Club, LLC – Ronald Levesque, President, - 33 Wheeler Lane, Hope Valley, RI 02832, with courtesy cart. Applicant or representative present.

Lucky House Restaurant, Inc. - Danny Zeng, President – 32 Main Street, Ashaway, RI 02804. Applicant's representative, Steven Surdut, was present.

Pavilion Steakhouse – Raymond J. Quinlan, President, Frontier Road Properties, LLC, - 15 Frontier Road, Ashaway, RI 02804. Applicant’s representative, Steven Surdut, was present.

Wood River Golf, LLC - Kathleen Thompson, President, - 78A Woodville Alton Road, Hope Valley, RI 02832, w/courtesy cart. Applicant or representative was present.

Class B-LIMITED:

Main Street Pizza, Christopher Hoinsky, President, CHS, LLC, 229 Main Street, Ashaway, RI 02804. Applicant or representative was present.

Filing fees were paid by all except Chariho Grill and notices were posted.

There was discussion concerning continuing the licenses where the applicants had not appeared to the November 20, 2017 meeting. There were no comments from the public.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HUSBAND TO approve the BV license for Brick Oven Restaurant, Fenner Hill Country Club, LLC and Wood River Golf, LLC; and for B-Limited, Main Street Pizza, subject to all fees paid and notices posted.

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

OPPOSED: None

SO VOTED

Attorney Steven Surdut of the Law Office of George A. Comolli, Ltd. introduced himself and indicated that he was appearing on behalf of several local businesses regarding their license renewal. He indicated that Village Place Liquors’ project is ongoing and they hope to be completing it soon. He also indicated that he was representing Lucky House and the Pavilion Restaurant, the latter establishment will be transferring their license. Attorney Surdut indicated that their license would be transferred at the State level and then be coming here. Councilor Thompson asked if he was looking for the approval of the Pavilion Steakhouse’s license and Attorney Surdut indicated yes. Council President Landolfi clarified with Attorney Surdut that he represented Village Place Liquors, Lucky House and the Pavilion Restaurant.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO grant renewal of the Class A license for Village Place Liquors and Class BV, Lucky House and Class BV Pavilion Steakhouse.

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

OPPOSED: None

SO VOTED

Council President Landolfi indicated that the only applicant that was not present or not represented was Chariho Grill and Hopkinton Liquor Depot.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR BUCK to set the limit on liquor licenses as follows: Class A – 2; Class B-V Limited – 1; Class BV – 6.

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

OPPOSED: None

SO VOTED

Councilor Husband discussed the Chariho Grill which he indicated was a non-existent business. There is an empty building which nothing has been done with for at least two or three years. He indicated that he has a problem with issuing a license to an empty building. Councilor Husband said that as soon as Chariho Grill obtained a Certificate of Occupancy he would be agreeable to give them a license, however, until then he didn't wish to renew it. Solicitor McAllister indicated that this was a moot point because the application has not been filed as of this date.

VICTUALLING LICENSE RENEWALS

The Council opened a hearing on renewal of the following Victualling Licenses:

Back in Thyme Herb Farm & Kitchen, 493 Main St., Hopkinton. Brick Oven Restaurant, 209 Main St., Ashaway. Chariho Grill, 14 Spring Street, Hope Valley. Dunkin' Donuts, 231 Main Street, Ashaway. Fenner Hill Country Club, 33 Wheeler Ln., Hope Valley. Lucky House Restaurant, 32 Main St., Ashaway. Ma & Pa's Country Cookin, 865 Main St., Hope Valley. Ma & Pa's Country Store, 1044 Main St., Hope Valley. Main Street Pizza, 229 Main St., Ashaway. Pavilion Steakhouse, 15 Frontier Rd., Hopkinton. Pete's Grocery, 244B Ashaway Rd., Bradford. Spring Street Market, 1 Spring St., Hope Valley.

West's Bakery, 995 Main St., Hope Valley. Whispering Pines Corp., 41 Saw Mill Rd., Hope Valley. Wood River Golf, 78A Woodville Alton Rd., Hope Valley.

Council President Landolfi indicated that he was aware that several of these establishments were not current on their Town taxes and he obtained an update from the Tax Collector which indicated that West Bakery was now paid in full; Chariho Grill as of September of \$681.28; Ma and Pa's Country Store was past due in the amount of \$787.69 as of today with the tangibles paid, and Back in Thyme had a past due balance of \$3.95 on the 2016 tangible tax and \$72.25 for the 2017 tangible tax.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO grant renewals of the licenses subject to all state and town regulations being met and all town taxes current prior to issue, except for Chariho Grill.

This was seconded by Councilor Capalbo.

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

OPPOSED: None

SO VOTED

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

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

OPPOSED: None

SO VOTED

CONSENT AGENDA

Approve Town Council Meeting Minutes of October 16, 2017; Executive Session Minutes of October 16, 2017; Set December 4, 2017 for a Class B-V Liquor License transfer hearing re: Frontier Road Properties, LLC/Pavilion to ABK, LLC; Approve refunds resulting from the Motor Vehicle Phase-Out Program and a refund due to an overpayment at closing submitted by the Tax Collector.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE CONSENT AGENDA MINUS THE MINUTES OF THE OCTOBER 16, 2017 MEETING.

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

OPPOSED: None

SO VOTED

Councilor Capalbo indicated that on page 4 of the draft Minutes for the October 16, 2017 meeting, regarding the utility paragraph where it talks about the water system on Eccleston Plat that was also known as Bethel Village, she had said that and Councilor Thompson had made the previous comments. Councilor Husband indicated that on page 7, third line from the bottom, Karen Pinch was Town Administrator for the Town of Richmond and not Hopkinton as indicated.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE OCTOBER 16, 2017 AS AMENDED.

IN FAVOR: Landolfi, Capalbo, Husband and Thompson

ABSTAIN: Buck

SO VOTED

PUBLIC FORUM

Scott Bill Hirst of 20 Maple Court suggested that when the Town Council adjourns they may wish to do so in memory of our departed veterans and also in honor of our living veterans in light of the fact that Saturday is Veterans Day.

COUNCIL PRESIDENT REPORT

Council President Landolfi reported that on October 29, 2017 we had a severe storm and he wanted to thank Councilor Buck for contacting Paul Stasiuk from National Grid and Town Manager McGarry for all the work they did in the field, as well as Chief Palmer and Department of Public Works. By Tuesday for the most part all the roads were cleared and the trees removed and the electricity slowly came back on. There was a great effort by all. Councilor Thompson indicated that several people on Tomaquag Road had commented on how great a job the Department of Public Works did because their road was a mess.

Council President Landolfi then discussed a meeting he had with Fran Cohen on November 4, 2017 regarding the Ashaway Free Library Capital Campaign. They want to add about 700 sq. ft. to the library in Ashaway to help out with some of the functions they have. This is going to cost about \$250,000. Ms. Cohen asked that Council President Landolfi reach out to some business owners to try to raise some money. Council President Landolfi indicated that he may put this on a subsequent agenda so Ms. Cohen can come in and talk about what the anticipated improvements will be. Councilor Husband asked if we could put this on the Town's website and the consensus was yes. Town Manager McGarry indicated that they would give her a call.

OLD BUSINESS

Councilor Capalbo had requested an update from PRISM, the street light program that the Town participated in. Brian Rosso indicated that he had spoken with Tom Getz who was very helpful coordinating this project and was told that all of the materials have been ordered and received by PRISM. This was the biggest lag. PRISM informed him that the installation would begin in a couple of weeks and it usually takes approximately six weeks to complete, so they are looking at mid-December to have that completed, without any exceptions. The loan is in good shape. Rhode Island Infrastructure Bank was supposed to close on the program in July, but this is the first time the bank has done tax exempt leases so this is taking a little bit longer. They are expecting to have this wrapped up by the end of November, beginning of December. At that point we will close on the lease. Councilor Buck indicated that Chase Hill Road still needed a lot of poles to be put up and maybe we should hold off until this was done rather than moving them afterwards. Mr. Rosso stated that the installation was part of the maintenance contract and this wouldn't cost anything additional. Councilor Thompson questioned whether Public Works should be asked if they know of any other areas where there still were double poles. Councilor Buck indicated that part of Chase Hill Road across to Oak Street and possibly they should delay that area being done until this was completed. Council President Landolfi asked Mr. Rosso if he was given any indication as to what streets they would start with and how they will progress and he indicated no, they hadn't gotten that far yet, but he would check.

NEW BUSINESS

This matter had been scheduled to discuss and consider scheduling a hearing date for a proposed Registration and Maintenance of Vacant and/or Abandoned Property Ordinance introduced and sponsored by Council President Landolfi.

Town Manager McGarry discussed the proposed ordinance that they have been working on. They have been through thirteen drafts and it has been reviewed by Town Solicitor Kevin McAllister and Assistant Zoning Official Sherri Desjardins. He feels that this ordinance is something the Town needs because there are several properties that have gone to foreclosure. This ordinance allows the Town to have the documentation in place to notify the mortgage companies that they need to either repair or maintain properties and the Town has something to fall back on, a policy that is approved by the Town Council that can be relied on. Councilor Thompson suggested this be placed on the agenda for a hearing during the first meeting in December which would be December 4, 2017.

LETTER IN SUPPORT – TOWN OF CHARLESTOWN REGARDING PROPOSED BURRILLVILLE POWER PLANT

This matter had been scheduled to discuss, consider and vote to send a letter of support and congratulations to the Town of Charlestown regarding its successful efforts to intervene in the Energy Facility Siting Board hearings to license proposed Burrillville power plant and the potential impact on the aquifer/water supply.

Council President Landolfi indicated that what was disturbing to him was that the Narragansett Indian Tribe had signed this agreement with the power plant to provide an alternative water supply of 780,000 gallons a day by trucking it up to Burrillville. He had spoken with Virginia Lee, the Charlestown Council President, who wasn't able to be present, but he believes there would be too many consequences. Town Council President Landolfi feels we should ban together and support Charlestown. Councilor Capalbo agreed.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO SEND A LETTER OF SUPPORT TO CHARLESTOWN.

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

OPPOSED: None

SO VOTED

DIRECT ENERGY CONTRACT

Discuss, consider and vote to authorize the Town Manager to enter into a two-year Agreement with Direct Energy from December, 2017 to December, 2019 to provide electricity to the Town of Hopkinton at a fixed rate, as determined on November 6th, 2017.

Brian Rosso explained that the Town’s contract with Direct Energy was a three year fixed contract which was expiring in December. He explained that they had looked into several options but felt that the two year offer from Direct Energy was the best. He explained the REAP program which they had used in the past, indicating that they are the custodian between most of the municipalities, who basically pool together their resources and Rhode Island League of Cities & Towns obtains the lowest rate possible. They gave the contract to Direct Energy who are offering much lower rates than we have had in the past. The Town would lock in at this rate for two years. They do not have an option to lock in for three years as they had in the past because Direct Energy’s contract expires in two years with the Rhode Island League of Cities & Towns. Council President Landolfi asked what the current rate was per kilowatt and Brian indicated that as of November 6, 2017 the rate was 7.19 cents per kilowatt. The rate is constantly changing so he wished to lock in quickly.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO AUTHORIZE THE TOWN MANAGER TO ENTER INTO A TWO-YEAR AGREEMENT WITH DIRECT ENERGY FROM DECEMBER 2017 TO DECEMBER 2019 TO PROVIDE ELECTRICITY TO THE TOWN OF HOPKINTON AT A FIXED RATE.

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

OPPOSED: None

SO VOTED

BOARDS & COMMISSIONS

A MOTION WAS MADE BY COUNCILOR BUCK WHICH WAS SECONDED BY COUNCILOR THOMPSON TO REAPPOINT JONATHAN URE TO THE ZONING BOARD.

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

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO ACCEPT THE RESIGNATION OF TIMOTHY WARD AS A ZONING BOARD ALTERNATE WITH REGRETS.

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

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO APPOINT DANIEL BARUTI AS ZONING BOARD ALTERNATE.

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

OPPOSED: None

SO VOTED

PUBLIC FORUM

No one spoke.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HUSBAND TO ADJOURN IN HONOR OF PAST AND CURRENT VETERANS.

SO VOTED

Marita D. Breault
Deputy Town Clerk