

State of Rhode Island

County of Washington

In Hopkinton on the fifth day of February 2018 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 02833.

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.

**EXECUTIVE SESSION**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR BUCK TO ENTER INTO EXECUTIVE SESSION UNDER R.I.G.L. 42-46-5(A) (1) BOARD/COMMISSION INTERVIEW – CHARTER COMMISSION.

POLL VOTE:

IN FAVOR: Landolfi, Buck, Capalbo, Husband

OPPOSED: None

SO VOTED

Council President stated the person being discussed had been notified in advance in writing and advised that he had the right to have the discussion held in open session.

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

IN FAVOR: Landolfi, Buck, Capalbo, Husband

OPPOSED: None

SO VOTED

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

**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

OPPOSED: None

SO VOTED

**MULTI-EVENT PERMIT**

This matter was a continuation of the hearing on an application for a Multi-Event Permit filed by ABK, LLC d/b/a Boneyard Barbeque, 15A Frontier Road, Ashaway, RI 02804 for Karaoke, Car Shows, Live Music and other nightly entertainment to be held seven days a week, Sundays through Saturday, tabled from January 16, 2018. Additional information was provided the Town Council by the applicant.

Pat Kane and William Beggs were present. The application was complete, there were no waivers requested. The filing fees were paid.

Councilor Capalbo indicated that she was happy with the letter the applicant had submitted listing the events that were being planned. Regarding the cruise night event which they indicated would be held on Wednesdays throughout the season, what did “the season” mean? Mr. Beggs indicated that the weather dictates this, but as soon as the nice weather comes until the cold begins. Counselor Capalbo asked if it would be Memorial Day to Labor Day and Mr. Beggs indicated yes, though it may be a week before or after that depending on the weather. Councilor Capalbo also indicated that since this was the restaurant’s first year they didn’t fully know what events they would be holding. Mr. Beggs stated that he doesn’t want to tie his hands, they are trying to make this a successful business and be something that is great for the community. Councilor Capalbo indicated that these permits come up every year so next year they will know a little better what they will be doing. It was indicated that they should speak with the police department if they knew they are going to have a really big event. Mr. Beggs indicated that they will give the Town as much notice as they can when an event is scheduled. Councilor Husband asked how their restaurant in Seekonk handled their events and if this restaurant would have a similar procedure. Mr. Beggs

indicated that Seekonk is much smaller than this establishment but they had a police detail if necessary; they will do whatever is necessary to make everything go smoothly and make everyone happy. Councilor Husband indicated that he is not worried about the small events; his only concern is about the larger events such as car shows or weddings where there may be a traffic situation concern. He felt as long as they kept in contact with the Police Chief and advised him that they were expecting 200 to 300 cars, than maybe they would need to place an officer there. Mr. Beggs indicated that he agreed with this as a police presence keeps everyone calm. Councilor Capalbo agreed, especially since they have motorcycle charity events in the area as well. Councilor Husband indicated that they want to make sure the neighbors are happy and they just want to be aware of any larger events.

There were no objectors present. Discussion ended and the Council proceeded to vote.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR BUCK TO APPROVE THE MULTI EVENT PERMIT FILED BY ABK, LLC D/B/A BONEYARD BARBEQUE.

IN FAVOR: Landolfi, Buck, Capalbo, Husband

OPPOSED: None

SO VOTED

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

IN FAVOR: Landolfi, Buck, Capalbo, Husband

OPPOSED: None

SO VOTED

**CONSENT AGENDA**

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

FOLLOWS: Approve Town Council Meeting Minutes of January 16, 2018;

accept the January 16, 2018 transcript as the record of the hearing for the Oak Square Partners LLC and Eminel Holdings LLC Zone Amendment request; Approve refunds resulting from the Motor Vehicle Phase-Out Program submitted by the Tax Collector; Approve abatement due to real property & motor vehicle adjustment submitted by the Tax Assessor.

IN FAVOR: Landolfi, Buck, Capalbo, Husband

OPPOSED: None

SO VOTED

### **PUBLIC FORUM**

Scott Bill Hirst, 20 Maple Court, Ashaway requested the Council not fund the Community 2000 Foundation request. He is opposed to it and he doesn't think they should use tax money to finance a private scholarship. Council President Landolfi indicated that they would make this decision during the budgetary session.

### **COUNCIL PRESIDENT REPORT**

Council President Landolfi reported that on January 23, 2018 he attended the RI Interlocal Risk Management Trust Dinner and the Ocean State Foleys were the entertainment. The Trust announced that the partnership, through CVS, was reducing the Trust insurance premiums, including member Towns, by half. Our savings was about \$26,000. On January 29, 2018 we all attended the Wind Ordinance workshop. We are working on that and will see how that works out.

### **TOWN MANAGER REPORT**

Town Manager William McGarry reported during the month of January, he and DPW Director Tim Tefft conducted several interviews for the vacant position of DPW custodian. Former custodian Tammy Lamphere resigned her position and moved out-of-state. A second round of interviews was held on January 29, 2018. We received about 25 applications for the position. They awarded that position to Monica Gordon of North Road, a local resident, and she accepted that position and is going to start on February 12, 2018. Town Manager McGarry also indicated that he had met with Finance Director, Brian Rosso and Town Council President Landolfi several times to prepare the FY 2019 annual budget for future Council review and that budget was forwarded to the Council last Friday.

**OLD BUSINESS**

**HOPKINTON COMPREHENSIVE PLAN UPDATE**

This matter had been scheduled to render a decision on the Ten Year Update of all elements of the Hopkinton Comprehensive Plan as a result of the public hearing held on January 16, 2018. There were no further comments from the Council.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO ADOPT CHAPTER 256, THE ORDINANCE APPROVING THE COMPREHENSIVE PLAN UPDATE.

IN FAVOR: Landolfi, Buck, Capalbo, Husband

OPPOSED: None

**SO VOTED**

The Ordinance identified as Chapter 256 follows.

**TOWN OF HOPKINTON, RHODE ISLAND**

Chapter 256

**AN ORDINANCE IN AMENDMENT OF THE TOWN OF HOPKINTON’S COMPREHENSIVE PLAN AND ITS 2010 COMPREHENSIVE PLAN 5-YEAR UPDATE**

It is ordained by the Town Council of the Town of Hopkinton as follows:

Section 1. The Town of Hopkinton’s Comprehensive Plan and its 2010 Comprehensive Plan Five-Year Update are hereby amended and further updated as follows:

So as to adopt and incorporate by reference in its entirety all elements of Draft No. 4 of the Ten Year Update to the Town of Hopkinton’s Comprehensive Plan which has received tentative approval by the State of Rhode Island.

All other parts of the Town of Hopkinton’s Comprehensive Plan and its 2010 Comprehensive Plan 5-Year Update to remain in full force and effect.

Section 2. This Ordinance shall not become effective for the purposes of guiding State agency actions until it is finally approved by the State of Rhode Island pursuant to the methods stated in RIGL sec. 45-22.2-1 *et. seq.*, a/k/a as the Rhode Island Comprehensive Planning and Land Use Act, or pursuant to any rules and regulations adopted pursuant to RIGL sec. 45-22.2-1 *et seq.* For all other purposes, including for the purposes of conforming municipal land use decisions and for the purpose of being transmitted to the Rhode Island Director of Administration for State approval, this Ordinance shall take effect immediately upon passage.

Adopted: February 5, 2018

ATTEST: Elizabeth J. Cook-Martin  
Town Clerk

**SCHEDULE WORKSHOP RE: WATERLINE CAPITAL IMPROVEMENT INFRASTRUCTURE EXPENSES**

This matter had been scheduled to consider setting a date to conduct a public workshop to discuss the Town's waterline capital improvement infrastructure expense. The Council set Monday, March 5, 2018 as the date for the workshop beginning at 6:00 PM prior to their regularly scheduled Town Council Meeting.

## **NEW BUSINESS**

### **PROPERTY SALES DATA 2017**

This matter had been scheduled to hold discussion on property sales data for 2017 relative to income.

Councilor Capalbo indicated that she has been keeping track of property sales in Hopkinton for 2015, 2016 and 2017 in order to discover exactly how Hopkinton stands where low and moderate income properties are involved. The State of Rhode Island demands that we have 10% of our properties reserved for low and moderate families. She believes we have done that without using codicils of 30 years or more, without using their plan. The information shows every property sold in the first two years, the amount of properties from under \$100,000 to over \$300,000 and in the last year a line was added because we went above \$500,000. Looking at the sale of properties in 2017, 38% of our properties sold were low income and of these 64% are under \$150,000. There were 55 properties sold under \$200,000. Low and moderate is considered \$200,000 and sometimes \$220,000. Twenty-two (22%) percent were between \$200,000 and \$250,000 and \$250,000 to \$300,000 was 17% and \$300,000 and over were 23%. People who want to find moderate income homes can find that in Hopkinton, especially teachers and police officers, without having to do 30 year specialty mortgages. She feels our houses are not too expensive. Councilor Capalbo indicated that the State should look at our sales and they should count our low income, not State-assisted homes. There are over 57 trailers that we have had on our tax rolls for decades. There is lack of common knowledge and the use of theory instead of practice within Rhode Island communities when they discuss low and moderate income. In Councilor Capalbo's review of the school budget she found that most teachers earn approximately \$100,000; that is not low income that is not even moderate income. She feels that one of the benefits is that they are actually selling more properties over the \$300,000 range than previously. Councilor

Husband wanted this information passed along to Brian Kennedy since he was one of the co-sponsors of this bill.

**TREE WARDEN 2018**

Mr. Ahern indicated in writing he would like to be considered for reappointment.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR BUCK TO REAPPOINT SCOTT E. AHERN AS TREE WARDEN FOR 2018.

IN FAVOR: Landolfi, Buck, Capalbo, Husband

OPPOSED: None

SO VOTED

**BOARDS & COMMISSIONS:**

**Police Commission**

Mr. Cook indicated in writing he would like to be considered for reappointment.

A MOTION WAS MADE BY COUNCILOR BUCK AND SECONDED BY COUNCILOR CAPALBO TO REAPPOINT GEOFFREY COOK TO THE POLICE COMMISSION.

IN FAVOR: Landolfi, Buck, Capalbo, Husband

OPPOSED: None

SO VOTED

**Animal Control Commission**

Mr. Greene indicated in writing he would like to be considered for reappointment.

A MOTION WAS MADE BY COUNCILOR BUCK AND SECONDED BY COUNCILOR CAPALBO TO REAPPOINT ROBERT GREENE TO THE ANIMAL CONTROL COMMISSION.

IN FAVOR: Landolfi, Buck, Capalbo, Husband

OPPOSED: None

SO VOTED

**Juvenile Hearing Board**

Ms. Ethier indicated in writing he would like to be considered for reappointment.

A MOTION WAS MADE BY COUNCILOR BUCK AND SECONDED BY COUNCILOR CAPALBO TO REAPPOINT FRANCES ETHIER TO THE JUVENILE HEARING BOARD.

IN FAVOR: Landolfi, Buck, Capalbo, Husband

OPPOSED: None

SO VOTED

**Recreation Commission**

Mrs. James indicated in writing she does not wish to be considered for reappointment and submitted her resignation.

A MOTION WAS MADE BY COUNCILOR BUCK AND SECONDED BY COUNCILOR CAPALBO TO ACCEPT DIANE JAMES' RESIGNATION FROM THE RECREATION COMMISSION WITH DEEP REGRET

IN FAVOR: Landolfi, Buck, Capalbo, Husband

OPPOSED: None

SO VOTED

**PUBLIC FORUM**

No one spoke during the second public forum.

**ADJOURNMENT**

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

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk