

State of Rhode Island

County of Washington

In Hopkinton on the second day of April 2018 A.D. the said meeting was called to order by Town Council President Frank Landolfi at 6:15 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; Town Clerk Elizabeth Cook-Martin.

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO CONVENE OPEN SESSION AND RECESS TO EXECUTIVE SESSION UNDER RIGL SEC. 42-46-5(A)(7) FOR PRELIMINARY DISCUSSIONS AND/OR CONSIDERATIONS RELATED TO THE INVESTMENT OF PUBLIC FUNDS WHERE THE PREMATURE DISCLOSURE WOULD ADVERSELY AFFECT THE PUBLIC INTEREST.

POLL VOTE:

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

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO RECONVENE IN OPEN SESSION.

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

OPPOSED: None

SO VOTED

Council President Landolfi reported that no votes were taken in Executive Session.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO SEAL THE MINUTES OF THE EXECUTIVE SESSION.

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

OPPOSED: None

SO VOTED

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

CONSENT AGENDA

The March 5, 2018 transcript as the record of the Oak Square Partners & Eminel Holdings decision 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: Approve Town Council Meeting Minutes of March 19, 2018; Executive Session Minutes of March 19, 2018; Budget Workshop Notes of February 26, 2018; Budget Workshop Notes of March 8, 2018; Budget Workshop Notes of March 14, 2018; Approve refunds resulting from the Motor Vehicle Phase-Out Program and a motor vehicle abatement submitted by the Tax Collector; Approve abatements due to motor vehicle adjustments submitted by the Tax Assessor.

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

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR BUCK AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE March 5, 2018 transcript as the record of the Oak Square Partners & Eminel Holdings decision.

IN FAVOR: Landolfi, Buck, Husband, Thompson

ABSTAIN: Capalbo

OPPOSED: None

SO VOTED

PUBLIC FORUM

Scott Bill Hirst of 20 Maple Court, Ashaway spoke in regard to the funding of the Ashaway Ambulance Corps by the Town. He stated that he has been the only person in the Town's history that has been on the governing board of the Ashaway Fire District as well as the Town Council. Mr. Hirst indicated that he

takes exception to the vote that occurred last week at the Ashaway Fire District's special meeting and objects to that vote. He stated that what people need to remember is historically the ambulance is not part of the fire department. The law that created the Ashaway Fire District only mentions rescue, it does not mention ambulance service. He went on to state that years ago there was an actual vote by referendum on whether residents wanted the fire station to include the ambulance association and that was rejected by the voters. Mr. Hirst believes that if the Fire Department get involved with Ashaway Ambulance it would create an inconsistency in the Town for this is not done in the Hope Valley/Wyoming Fire District. Mr. Hirst does not support the Town reimbursing the Ashaway Fire District for any money loaned to the Ashaway Ambulance Corps. He also does not believe a government entity should be sending out mailings telling people how they should vote as he felt this is not an appropriate use of taxpayers' money.

NEW BUSINESS

JOINT TOWN COUNCIL AND PLANNING BOARD WORKSHOP

This matter had been scheduled to discuss and consider setting April 23, 2018 as a date for a joint Town Council-Planning Board Workshop. Councilor Capalbo indicated that she would not be available to attend that meeting. It was agreed that this meeting would occur on April 23, 2018 and commence at 6:30 p.m.

RESOLUTION OPPOSING CONTINUANCE OF CONTRACTURAL PROVISIONS

This matter had been scheduled to discuss, consider and vote to adopt a Resolution in Opposition to H-7198 and H-7379, An Act Relating to Labor and Labor Relations - Arbitration – Continuance of Contractural Provisions. Council President Landolfi asked Town Manager McGarry to explain why this would be a disadvantage to a governing body to have these Acts pass and stated he thought this put the Town at a disadvantage when there is a contract that needs to be negotiated. Town Manager McGarry explained that it does put the town or city at a significant disadvantage for many times contracts are not agreed upon until after the ending date. Under the Evergreen provisions, those provisions state that the Town will not be able to change the contract should it expire; however, if there are no Evergreen provisions, the contract can still be negotiated after it expires.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO ADOPT A RESOLUTION IN OPPOSITION TO H-7198 and H-7379S.

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

OPPOSED: None

SO VOTED

The Resolution follows:

TOWN OF HOPKINTON, RI

**A RESOLUTION IN OPPOSITION TO H-7198 AND H-7379
AN ACT RELATING TO LABOR AND LABOR RELATIONS – ARBITRATION –
CONTINUANCE OF CONTRACTUAL PROVISIONS**

WHEREAS, House Bill H-7198 and H-7379, an Act Relating to Labor and Labor Relations – Arbitration – Continuance of Contractual Provisions are under consideration in the Rhode Island General Assembly; and

WHEREAS, these Bills require that the contractual provisions contained in an otherwise expired collective bargaining agreement with certified school teachers and municipal employees continue until a successor agreement has been reached between the parties; and

WHEREAS, the practical effect of this legislation for Hopkinton and other Municipalities will be to place an unnecessary burden on the bargaining process between Town officials and certain unions; and

WHEREAS, contracts with unions represent a significant portion of Municipal budgets; and

WHEREAS, these contracts need to be renegotiated from time to time to serve the needs of the Hopkinton's and other town's citizens; and

WHEREAS, these Bills may force the Town of Hopkinton to adhere to provisions of a contract long after it has expired; and

WHEREAS, these Bills will have the practical effect of retroactively modifying union contracts that are in place to, among other things, potentially make them permanent, or to require perpetual annual raises when those provision were never the intent of the parties negotiating the agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the Hopkinton Town Council respectfully requests that the House drop from consideration House Bills H-7198 and H-7379, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby instructed to submit a copy of this resolution to the Town of Hopkinton's State Senators and State Representatives in the Rhode Island General Assembly, the Senate President, the Speaker of the House, the Executive Director of the Rhode Island League of Cities and Towns, all the Cities and Towns in the State of Rhode Island and the Governor in consideration of their support to defeat this amendment to the General Laws.

BOARDS & COMMISSIONS

Planning Board Appointment

This matter had been scheduled to discuss, consider and vote to appoint Ronald Prellwitz to the Planning Board. Mr. Prellwitz had been interviewed on March 19, 2018.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR BUCK TO APPOINT RONALD PRELLWITZ TO THE PLANNING BOARD.

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

OPPOSED: None

SO VOTED

PUBLIC FORUM

No one spoke during the second public forum.

ADJOURNMENT

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

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Breault

Deputy Town Clerk