

State of Rhode Island

County of Washington

In Hopkinton on the sixteenth day of January 2018 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; Town Clerk Elizabeth Cook-Martin.

The Town Council did not enter into the Executive Session scheduled for 6:45 PM to interview an applicant for the Charter Commission as the applicant was not in attendance.

The meeting opened with a moment of silent meditation and a salute to the Flag.

#### **HEARINGS**

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

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

OPPOSED: None

SO VOTED

#### **MULTI-EVENT PERMIT**

The Council opened a 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.

Patrick Kane and Carnig Aschian were present. The application was complete, there were no waivers requested. The Town Clerk was provided with the Courtesy Cart information which she relayed to the Town Council; that they will be using a courtesy cart during car shows and other special events on the property, selling beer, soda, water, sandwiches and other prepared foods to the patrons of

these events. In response to Council question as to when they planned to open, Mr. Aschian reported the health department approval was about two weeks out so they hoped to be open the end of January or early February, maybe in time for the Superbowl. Councilor Capalbo noted the application indicated events were scheduled seven days per week and those listed on application were very generic. She stated this was not the intent of the Council when they enacted the multi-event permit procedure. She stated she was concerned with the outdoor events and more detail was needed. Mr. Aschian explained there would not be an event scheduled seven days per week or every night. As an example, he stated they may hold an event at the beginning of the season (Memorial Day), a pig roast in July and an event at the end of the season (Labor Day). Councilor Capalbo noted she would be more comfortable if there were a list of events anticipated. Councilor Thompson agreed and followed up noting they need to include the hours and if outside music was planned. Mr. Aschian noted he did not feel anything held outside would be loud and any event held outside would usually be done by dark. Councilor Husband referred to the playing of music at the car shows. Mr. Aschian confirmed there would be a DJ with music at the car shows; he added that he felt most outdoor events would be done by 8:00-8:30 PM; as most events would be held during the day. Councilor Thompson affirmed the Council is supportive of the business and what they have proposed so far but will need a list of the events with the hours and functions. Council President Landolfi suggested the Council could approve the Multi Event Permit subject to satisfactory review of the events. Councilor Capalbo would like to hold off making a decision until the events are known. Councilor Husband explained how the previous owners had handled their permits by listing when the various events were planned; dates and times of the car shows and other events such as weddings, etc. and in this way any potential traffic concerns could be addressed. Mr. Aschian stated there may be a car show held separate and apart from what they will have scheduled, as he had been in talks with the widow of the person who was involved in the car shows held at that site previously. Councilor Buck agreed with his fellow councilors and questioned if they were planning on outdoor concerts. Mr. Aschian stated they would be playing music with a DJ for the pig

roast. Mr. Aschian felt he could get a more detailed list of events together by the end of the week. There were no objectors present. The matter was tabled to February 5, 2018.

**CAMPGROUND LICENSE RENEWAL**

The Council opened a hearing on the renewal of the following campground license continued from January 2, 2018: Whispering Pines Campground – Cameron May, 41 Saw Mill Road, Hope Valley, RI licensed for 213 Campsites & Safari Sites.

A representative, William Corbin, was present representing the campground.

Councilor Thompson was pleased a representative was present. Filing fees were paid and notices had been posted. There were no objectors present.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO GRANT RENEWAL TO THE LICENSE SUBJECT TO ALL STATE AND TOWN REGULATIONS BEING MET AND ALL TOWN TAXES CURRENT PRIOR TO ISSUE.

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

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; MTG Disposal, LLC, 19 Industrial Way, Seekonk, MA; On-Time Disposal, 203 Ashaway Rd, Bradford, RI; Patriot Disposal, Joseph Vinagro, 2208 Plainfield Pike, Johnston, RI; RPKK, Inc., 9 New King's Factory Rd., Wood River Jct., RI; Republic Services, Inc. 1080 Airport Rd., Fall River, MA; Sanitation by Quint Perry, 7 Sweet Corn Ln., Westerly, RI; Steven Piccolo & Sons Rubbish Removal, LLC, 6 Nest Drive, Westerly, RI 02891 (formerly 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.

All the applications had been filed, filing fees were received for all but two applicants; these latter two were pending in the mail; notice had been posted. Councilor Capalbo commented that she was pleased that all applications were filled out in their entirety with all required information provided. There were no objectors present.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO GRANT RENEWAL TO ALL LISTED COMMERCIAL HAULERS LICENSES.

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

OPPOSED: None

SO VOTED

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

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

OPPOSED: None

SO VOTED

Councilor Capalbo recused herself and stepped down from the following matter.

**PETITION FOR ZONING ORDINANCE AMENDMENT AND COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT**

The Council opened a hearing on a Petition for a Zoning Ordinance Amendment involving a zoning map amendment and a comprehensive plan map amendment filed by Oak Square Partners, 119 Brain Street-Suite 211, Boston, MA 02134 for property owned by Eminel Holdings, LLC, 12 North Road, Pawcatuck, CT 06379, located on High Street, Ashaway, RI 02804 identified as Assessors Plat 4 Lot 2 an RFR-80 Zone.

The applicant is requesting an amendment to the zoning map and comprehensive plan map to allow for a rezone of the subject property from RFR-80 to

Commercial to allow for the installation of a solar array and is filed in accordance with Appendix A; Zoning; Section 16 of the Zoning Ordinances of the Town of Hopkinton as amended.

George Comolli, Esq. was present. Also present from Oak Square Partners LLC: Civil Engineer Jason Gold and Oak Square Partner John Typadis. Filing fees were paid and notice posted. A stenographer was present to record the proceedings. A copy of the transcript will be attached and made part of the record.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR BUCK TO CONTINUE THE HEARING TO FEBRUARY 20, 2018.

IN FAVOR: Landolfi, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

Councilor Capalbo was reseated.

#### **HOPKINTON COMPREHENSIVE PLAN UPDATE**

The Council opened a hearing to discuss and consider the draft Ten Year Update of all elements of the Hopkinton Comprehensive Plan. Town Planner James Lamphere, Planner Assistant Sean Henry and Mason & Associates Consultant David Westcott were present. Mr. Lamphere reported in 2015, the Planning Department began the process updating the Comprehensive Plan that was last approved by the State of Rhode Island in 2011. He explained the reason that this was done is to maintain State approval; this State approval of the Comprehensive Plan places the Town in a better position to apply for grants for various projects that may be in the Comprehensive Plan and it also compels all State agencies to acknowledge and respect our Comprehensive Plan. He reported part of the process that began in Spring 2015 and included an on-line survey his assistant Lynda St. Amour had prepared and upon completion, the results assembled; in November 2015 the Town Council awarded a competitive bid to the consulting firm Mason & Associates to update the plan. They immediately took the results of

the survey and the consultant produced draft #1 of the plan by June 8, 2016. This initial draft of the plan was sent to the State for informal review, which led to a second draft that incorporated the States' comments. The draft #2 of the plan was reviewed by the Planning Board during the public hearing in May 2017; the Planning Board unanimously approved the plan subject to verification of the changes made at the meeting which led to draft #3. This third draft was sent to State Wide Planning and after they took a look at it, the State asked Mr. Lamphere to come up and meet with them which he did on September 20, 2017. As a result of that meeting, they came away with a clear understanding of the final amendments that had to be made to the plan to please the State and that resulted in draft #4 which was again was submitted to State Wide Planning. The State provided a letter of tentative approval of what was provided in draft #4 of the plan conditional upon no significant changes being made to it. He thanked his assistant Sean Henry and IT/GIS Director Ed Vazquez who did all the mapping for this project, saving the Town \$10,000.00-\$12,000.00. He pointed out the Future Land Use Map (FLUM) purpose is a guide for zoning regulations and for the subdivision land use regulations as well. This map was submitted to the State and given tentative approval. He noted one addition was made to the FLUM and that was the Council approved the solar project on Alton Bradford Road; that will be sent to the State and he expected that will be approved by the State with flying colors. He turned the presentation over to Mr. Westcott. Mr. Westcott stated he felt this was a good plan and it is Hopkinton's plan, not the State's plan, and the Town would want the State sign off on it as it was one of the few times a Town can tell the State what it wants. He reviewed a few of the changes. He noted the build-out analysis was added which covers through years 2209-2250 this was added because it is a requirement. He stated the plan speaks a bit more about agriculture than the old plan did. He commented about the Zoning Maps and Future Land Use Map and when the two were overlaid there were a few places where they did not match up so Town staff had contacted all owners of these particular parcels to ask their opinion on the future intent for their property relative to zoning and future use. He added that the Town Council would ultimately make the decision on these inconsistencies if land owners came before

them requesting to change the Zoning Map to match the Future Land Use Map or, to change the FLUM to match the Zoning Map; or if the Council wanted to wait for a period of time and then reconsider it in the future. He stated everything was updated in the plan and it all runs through 2040, but he added this plan can be adjusted as needed going forward. He noted once the Council closes the public hearing he would ask that the ordinance be considered for adoption on February 5, 2018. There were no questions or comments from the Town Council. Planning Board Member Amy Williams stated the Planning Board gave its full support to the Comprehensive Plan update. There were no comments from the public.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO CLOSE THE HEARING AND SET A DATE TO ADOPT AN ORDINANCE APPROVING THE COMPREHENSIVE PLAN UPDATE.

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

OPPOSED: None

SO VOTED

The Council set February 5, 2018 as the date to consider adoption of the ordinance approving the Comprehensive Plan Update.

#### **CONSENT AGENDA**

The Town Council Meeting Minutes of January 2, 2018 were removed from the Consent Agenda. A motion was made by Councilor Thompson and seconded by Councilor Capalbo to approve the Consent Agenda excluding the January 2, 2018 minutes but the motion and second were withdrawn and restated as Councilor Husband would be abstaining from voting on the Tax Collector request for refunds resulting from the Motor Vehicle Phase-Out program. This latter item was also removed from the Consent Agenda.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO APPROVE THE CONSENT AGENDA AS FOLLOWS: Approve Town Council Meeting Minutes of December 18, 2017;

Accept the following monthly financial/activity report: Town Clerk; Approve abatement due to real property adjustment submitted by the Tax Assessor.

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

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO APPROVE THE JANUARY 2, 2018 TOWN COUNCIL MEETING MINUTES.

IN FAVOR: Landolfi, Buck, Capalbo, Thompson

ABSTAIN: Husband

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO APPROVE REFUNDS RESULTING FROM THE MOTOR VEHICLE PHASE-OUT PROGRAM SUBMITTED BY THE TAX COLLECTOR.

IN FAVOR: Landolfi, Buck, Capalbo, Thompson

ABSTAIN: Husband

OPPOSED: None

SO VOTED

### **PUBLIC FORUM**

No one spoke during the first public forum.

### **COUNCIL PRESIDENT REPORT**

Council President Landolfi reported he and Mr. McGarry had attended the wake for Lois Wilcox, Sherry Stedman's mother on January 5, 2018; he reported he had attended the January 10, 2018 Omnibus Meeting where the Chariho School District proposed budget was discussed which was always challenging; he reported he had received notice of Michael Lichtenstein's resignation as President and CEO of Wood River Health Services which he felt was a loss for WRHS.

### **TOWN MANAGER REPORT**

Town Manager William McGarry skipped over the RIDOT I-95 Signage Meeting referenced under his report as it was scheduled on this evening's agenda under

Old Business; he reported on January 9 and 11, 2018, he and Finance Director Brian Rosso met with all Department Heads to discuss and review their proposed individual budgets and CIP projects for FY 2018-19.

## **OLD BUSINESS**

### **INTERSTATE 95 SIGNAGE**

This matter had been scheduled to discuss, consider and possibly vote to authorize the Town Manager to forward correspondence to RIDOT formally notifying them of the Town's position on the previously discussed tentative resolution on Interstate 95 destination signage among the Towns of Hopkinton and Richmond, and the RIDOT. Mr. McGarry reported that on Wednesday, January 3, 2018, he and Council President Landolfi attended a meeting held at the Richmond Town Hall, along with Officials from the RI Department of Transportation and Town of Richmond regarding proposed changes to signage on I-95 at the Route 138 Interchange (Exit 3). This matter was originally placed on the October 2, 2017 Town Council agenda by Council President Landolfi because it had been brought to the Town's attention that a member of the Richmond Town Council recommended that signage at Exit 3 read "Richmond" rather than Hope Valley or Wyoming. The January 3, 2018 meeting was professional and productive and officials from Richmond, Hopkinton and RIDOT discussed the proposed signs for I-95 at the Route 138 Interchange at Exit 3 and came up with a reasonable compromise. The following reflects the tentatively agreed upon signage: On I-95 Southbound, it will include Advanced Guide Signs at the 1 mile and ½ mile marker displaying Hope Valley, South Kingstown; the Overhead Exit Direction Sign will display Hope Valley, South Kingstown; the Supplemental Sign – mainline will display Richmond, University of Rhode Island; the Supplemental Sign at the off-ramp will display Wyoming, Hope Valley, South Kingstown. On I-95 Northbound, it will include Advanced Guide Ground Mounted Signs at the 1 mile and ½ mile marker displaying Richmond, South Kingstown; the Overhead Exit Direction Sign will display Richmond, South Kingstown; the Supplemental Sign – mainline will display Hope Valley, University of Rhode Island; the Supplemental Sign on the off-ramp will display Wyoming, Hope Valley, South Kingstown.

Council President Landolfi noted he had attended this meeting as well and noted there was a change to the ground mounted sign that currently displays Wyoming; that will be replaced and will display Richmond; this was one of the compromises. He added that they had asked but did not get the removal of the South Kingstown wording from the signage; that will remain and it is most likely because the University of Rhode Island is in South Kingstown. Mr. McGarry explained the RIDOT stated they are destination signs vs. directional signs and the University of Rhode Island was a key element with leaving South Kingstown displayed. Council President Landolfi also noted that Exit 3B & 3A will be changed and it will strictly be Exit 3 going forward; those supplemental signs, the last in the category, will be at the very end of the exits. He was happy they had attended and participated in the meeting otherwise, the Council's requests might not have been considered.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR BUCK TO AUTHORIZE THE TOWN MANAGER TO FORWARD CORRESPONDENCE TO RIDOT FORMALLY NOTIFYING THEM OF THE TOWN'S POSITION ON THE PREVIOUSLY DISCUSSED TENTATIVE RESOLUTION ON INTERSTATE 95 DESTINATION SIGNAGE AMONG THE TOWNS OF HOPKINTON AND RICHMOND, AND THE RIDOT.

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

OPPOSED: None

SO VOTED

#### **NEW BUSINESS**

#### **SET HEARING DATE RE: RI SOLAR RENEWABLE ENERGY LLC & MAXSON HILL LLC ZONE AMENDMENT & COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT**

This matter had been scheduled to discuss and consider setting a hearing date for Zone Amendment & Comprehensive Plan Future Land Use Map Amendment filed by RI Solar Renewable Energy, LLC & Maxson Hill, LLC. Attorney Kelly Fracassa was present. The hearing was set for Tuesday, February 20, 2018.

#### **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 expenses. Finance Director Brian Rosso was present. He reported in 2015 the Town of Richmond purchased a new water tank for \$1.3 million dollars; Hopkinton is responsible for 16.33% of the debt service according to the second amendment to the waterline agreement between Hopkinton and Richmond. The first two payments were made out of what was in the reserve account; there is not enough left in the reserve account to cover a third payment of \$9,100.00. Mr. Rosso suggested taking a look at adjusting water usage billing rates to increase revenue to cover this portion of the debt service payment, which was why he was requesting a workshop on the matter. Councilor Thompson stated she had let Mr. Rosso know there was a capital and maintenance formula that had been used previously that can be enacted again. She noted the formula would bring in more money than necessary so it could be adjusted a bit on all categories because not as much is needed to be raised as was needed before. She suggested when Mr. Rosso has time he can review the formula, see if it works and report back to the Town Council. Council President Landolfi questioned the need for the formula if we already know what the amount is. Councilor Thompson explained it is separate from the water line usage; it is for capital expenses so it would be a loan in a sense because we owe Richmond money for that tank; the extra \$9,000.00 is not in the reserve account and it would be easier for the users; the more you use, the more you would pay toward that fund. She noted Hope Valley Elementary School paid quite a bit back at that time and the Town of Richmond has the Chariho School District paying a good amount of that loan back too because the Richmond Elementary School is on the waterline now. She stated it was something that was used successfully in the past and recommended that it could be considered again. Council President Landolfi asked if this formula was in the agreement. Councilor Thompson responded it was not in the agreement; the Town Council has the authority to set the fees. This would be a temporary measure to raise the extra money and eventually the Council can lower the cost of the water again. Councilor Capalbo felt it would be interesting to see what Mr.

Rosso determines and suggested waiting to mid-March to address it again. No date was set for a workshop.

**TOWN-WIDE FY 2018-19 ANNUAL GOALS AND FY'S 2020-22 MULTI-YEAR GOALS**

This matter had been scheduled to discuss, consider and possibly vote to adopt the proposed Town-wide FY 2018-19 Annual Goals and FY's 2020-22 Multi-year Goals. Town Manager William McGarry reported on January 10, 2018 the Town's department heads met, discussed and selected their proposed FY 2018-19 Town-wide Annual Goals and FY's 2020-22 Town-wide Multi-year Goals. These proposed goals reflected in these two memoranda provide the Town Council members with input to assist them in the budgetary process and the future direction of Town initiatives. He noted the items had not been prioritized but there had been general consensus agreement by all the department heads. There was no discussion on the goals.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND THAT THE HOPKINTON TOWN COUNCIL ADOPT THESE PROPOSED TOWN-WIDE FY 2018-19 ANNUAL GOALS AND THE FY'S 2020-22 MULTI-YEAR GOALS.

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

OPPOSED: None

**SO VOTED**

The proposed Town-wide FY 2018-19 Annual Goals are: 1. Update and adopt a Town-wide Dam Emergency Action Plan for high and significant hazard dams; 2. Update and adopt the Town-wide Hazard mitigation Plan that identifies potential hazards, town-specific vulnerabilities and proposed actions to mitigate threats; 3. Update and adopt the Town's Emergency Operations Plan (EOP); 4. Draft an ordinance to regulate minimum maintenance standards for occupied dwellings; 5. Develop and institute planning and zoning guidelines to assist developers; 6. Obtain funding for signage and develop a town-wide E911 Numbering Ordinance; 7. Amend the Growth Management Ordinance as it pertains to the calculation of impact fees; 8. Increase hours of the Recreation Department's Lead program and Event Coordinator; 9. Archive prior tax bills to a view only screen to allow for

faster searching, viewing and printing of tax information; 10. Establish an online payment method for waterline users that can be accessed through the Town's website; 11. Improve payroll and timesheet submittal processes to minimize input time and eliminate potential errors; 12. Acquire a new fingerprinting machine at Hopkinton Police Department; 13. Complete shingling of the police station's roof.

The proposed Town-wide FY's 2020-22 Multi-year Goals are: 1. Expand and renovate Town Hall to consolidate municipal offices; 2. Replace the existing playground at Crandall Field; 3. Complete Zoning Ordinance rewrite upon adoption of the Comprehensive Plan; 4. Amend the Land Development and Subdivision Regulations; 5. Set-up and install an electronic voucher system online to reduce overhead costs, minimize input time and improve the audit trail; 6. Acquire new mobile laptop computers for front-line police cars; 7. Create a single electronic database in CAMA that includes historic deed reference to make the process more efficient.

#### **PROPERTY SALES DATA 2017**

The discussion on property sales data for 2017 relative to income requested by Councilor Capalbo was not held. The Town Clerk had not received the emailed information. Councilor Capalbo suggested rescheduling to February 5, 2018.

#### **RESOLUTION RE: LEASE PURCHASE AGREEMENT**

This matter had been scheduled to discuss, consider and vote to approve a Resolution authorizing a lease purchase agreement for the purchase of vehicles and equipment for use by the Department of Public Works and Police Department. The resolution before the Town Council had been prepared by Bond Counsel. Finance Director Brian Rosso was present. He reported in the FY 17/18 Capital Improvement Budget the Town Council approved the purchase of two police cruisers and one plow-dump truck for the Public Works Department and the budget had been approved by the taxpayers. In the past when going out to bid the leasing had been done through the vendor. He reported he had done some research and found that savings would be had from a third party lender to get a better rate leasing through them. Instead of having two separate leases, the two leases would be rolled into one lease resulting in a larger lease, but because of that

the town would get a better rate and would realize a good amount of savings in interest. He had researched three financial institutions: Municipal Leasing Consultants, US Bank and Webster Bank and found MLC had offered the best rate; the lease would cover three years and the rate would be 3.77%. He suggested consolidating would be the best option and had provided a payment schedule. He stated the first payment has been funded for this fiscal year so he factored in advance payments to save on interest; so we would pay on day one when they close on the lease, saving on a years' worth of interest and then will have two remaining annual payments after that. Council President Landolfi confirmed with Mr. Rosso that there would be two interest payments instead of three. Councilor Thompson agreed with leasing but questioned why a loan with interest as we usually budget the amount needed for the lease. Mr. Rosso confirmed that is usually done, but this year only one year of lease payments was funded; and he added we budget over three years. He stated we have to purchase them outright; as an example when we purchase the police cruisers, Ford provides us two police cruisers, we have to pay them up front, so that is where MLC comes in. They would provide the money and we pay them two-thirds over the next two years. Councilor Capalbo commented she was aware the police cruisers were on a lease but wasn't aware the plow-dump truck would be. Her understanding from last years' budget is that we would pay that in full and not carry interest on it. She understood why it is done for the police cars but indicated by the time we were done and we owned them, it was time to do it again because their useful life would be half over. Councilor Buck noted the backhoe was handled that way. Mr. Rosso agreed that it had been done that way in the past, including the backhoe, but this is a \$152,000.00 vehicle, so it was not done that way this year. Council President Landolfi commented the Council would not be considering adding it to the lease if it had been budgeted; that a one year allocation was included in the CIP. Mr. McGarry and Mr. Rosso confirmed this. Councilor Husband commented that when the Council reviewed the proposals, one truck was cheaper but had been ruled out because of a lesser transmission; the successful bidder's truck had a better transmission and included a five year extended warranty. Councilor Thompson asked what the amount in the CIP was.

Mr. Rosso responded the amount budgeted in the CIP this current year is \$53,670.00; that same amount repeated over three years, for a total of \$161,000.00 over the three years. This covered the quoted price of \$152,000.00 for the truck plus about \$9,000.00 in interest. That was what was presented to them last year but we know that from the time we budget and by the time we actually purchase a vehicle, because interest rates will change, no one wants to lock in for more than 90 days on an interest rate so that is not a firm number and so he was conservative on the interest. He stated he found he would actually be able to save \$3,000.00 in interest on that vehicle with this lease proposal between what was quoted and what is in the CIP. Mr. Rosso confirmed that the CIP for FY 17/18 included funding for the truck in the amount of \$53,670. Council President Landolfi noted that is one year and the Council would have to budget the amount for the other two years. There were no other questions. Discussion ended and the Council proceeded to vote.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR BUCK TO APPROVE THE RESOLUTION AUTHORIZING A LEASE PURCHASE AGREEMENT FOR THE PURCHASE OF VEHICLES AND EQUIPMENT FOR USE BY THE DEPARTMENT OF PUBLIC WORKS AND POLICE DEPARTMENT FOR A DUMP TRUCK AND TWO POLICE VEHICLES.

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

OPPOSED: None

SO VOTED

The Resolution follows:

THE TOWN OF HOPKINTON

RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES AND EQUIPMENT FOR USE BY THE DEPARTMENT OF PUBLIC WORKS AND THE POLICE DEPARTMENT AND THE FINANCING THEREOF THROUGH AN EQUIPMENT LEASE PURCHASE AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Town desires to enter into a lease purchase agreement for vehicles and equipment for use by the Department of Public Works and the Police Department (the "Equipment"); and

WHEREAS, the Equipment is essential for the Town to perform its governmental functions; and

WHEREAS, the Town has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the purchase of the Equipment and for the lease purchase financing thereof through Municipal Leasing Consultants or one of its agents or assignees, in a principal amount not to exceed \$240,000.

RESOLVED that:

SECTION 1. The Town Council hereby authorizes the Finance Director and the President of the Town Council, acting on behalf of the Town, to purchase the vehicles and equipment and to finance the same through a Lease Purchase Agreement and related documents (the "Financing Documents"), subject to annual appropriation therefore by the Town.

SECTION 2. The form and other details, terms and conditions of the Financing Documents shall be fixed by the Finance Director and the President of the Town Council.

SECTION 3. The Finance Director and the President of the Town Council, each acting singly, is hereby authorized to enter into the Financing Documents and said officers are hereby authorized and instructed to take all actions, and to execute and deliver the Financing Documents and any related agreements, certificates and other documents in such form as they may deem necessary or desirable to implement the lease purchase financing of the equipment. To the extent that the Financing Documents contemplate tax-exempt lease financing, such officers are also authorized to take all action, on behalf of the Town, necessary to insure that interest component of the lease payments will be excludable from gross income for federal income tax purposes and to refrain from all actions which would cause the interest component of the Lease to become subject to federal income taxes.

SECTION 4. That this Resolution is an affirmative action of the Town Council of the Town toward the execution and delivery of the Financing Documents in accordance with the purposes of the laws of the State. This Resolution constitutes the Town's declaration of official intent, pursuant to Treasury Regulation 1.150(2), to reimburse the Town's General Fund for certain capital expenditures paid on or after the date which is sixty (60) days prior to the date of this Resolution, but prior to the execution and delivery of the Financing Documents. Such amounts to be reimbursed shall not exceed \$240,000 and shall be reimbursed not later than eighteen (18) months after (a) the date on which the expenditure is paid or (b) the date the property is placed in service or abandoned, but in no event later than three (3) years after the date the expenditure is paid.

SECTION 5. This Resolution shall take effect upon its passage.

**BOARDS & COMMISSIONS**

**Recreation Commission**

This matter had been scheduled to discuss, consider and vote to reappoint Sherri Ryan to the Recreation Commission.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO REAPPOINT SHERRI RYAN TO THE RECREATION COMMISSION.

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

OPPOSED: None

SO VOTED

**PUBLIC FORUM**

Scott Bill Hirst, 20 Maple Court asked the Council to adjourn in memory of Lois Wilcox and James Cherenzia. Upon adjournment the Council would also add Mary Lenihan and Francis Sardone to the motion.

**ADJOURNMENT**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO ADJOURN IN MEMORY OF LOIS WILCOX, JAMES CHERENZIA, MARY LENIHAN AND FRANCIS SARDONE.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk