

State of Rhode Island

County of Washington

In Hopkinton on the fifth day of November 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 meeting was called to order with a moment of silent meditation and a salute to the Flag.

HEARINGS:

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.

Representative was present.

Village Place Liquors, Dennis Plante, President of D&M Liquors, Inc., - 26 Alton
Bradford Road, Bradford, RI 02808.

Applicant was present.

Class BV:

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

Applicant was present.

Fenner Hill Country Club, LLC – Ronald Levesque , President, - 33 Wheeler
Lane, Hope Valley, RI 02832, w/courtesy cart.

Representative was present.

Lucky House Restaurant, Inc. - Danny Zeng, President – 32 Main Street,
Ashaway, RI 02804.

Representative was present.

Boneyard BBQ, William Beggs, President, ABK, LLC, 15A Frontier Road,
Ashaway, RI 02804.

Representative was present.

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

Applicant was present.

Class B-LIMITED:

Main Street Pizza, Christopher Hoinsky, President, CHS, LLC, 229 Main Street,
Ashaway, RI 02804.

Applicant was present.

Filing fees were paid and notices posted. No one present spoke for or against
granting renewal of the liquor licenses.

Discussion:

Councilor Capalbo questioned Boneyard Barbecue and Main Street Pizza about
having taxes past due. William Beggs and Pat Kane of Boneyard Barbecue
indicated that the Tax Collector had mailed their tax bill to a wrong address and
they were now taking care of this issue. It was noted that Main Street Pizza had
paid their taxes.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED
BY COUNCILOR CAPALBO TO approve the Class A for Hopkinton Depot and
Village Place Liquors; BV license for Brick Oven Restaurant, Fenner Hill
Country Club, LLC, Lucky House Restaurant, Boneyard Barbecue and Wood
River Golf, LLC; and, B-Limited for Main Street Pizza, subject to all fees paid,
notices posted and taxes current.

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

OPPOSED: None

SO VOTED

Discuss, consider and vote to set limit on liquor licenses:

Class A – 2; Class B-V Limited – 1; Class BV - 5.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR BUCK TO SET A LIMIT ON THE LIQUOR LICENSES AS CLASS A – 2; CLASS B-V LIMITED – 1; CLASS BV - 5.

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

OPPOSED: None

SO VOTED

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; 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.; Boneyard BBQ, 15A 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.

Discussion:

Councilor Capalbo noted that Back in Thyme Herb Farm & Kitchen and West’s Bakery both had outstanding taxes due.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO approve the Victualling licenses for Back in Thyme Herb Farm & Kitchen; Brick Oven Restaurant; Dunkin’ Donuts; Fenner

Hill Country Club; Lucky House Restaurant; Ma & Pa’s Country Cookin; Ma & Pa’s Country Store; Main Street Pizza; Boneyard BBQ; Pete’s Grocery; Spring Street Market; West’s Bakery; Whispering Pines Corp. and Wood River Golf, subject to all fees paid and notices posted and town taxes paid to date.

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

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 and Thompson

OPPOSED: None

SO VOTED

CONSENT AGENDA

The Special Town Council Meeting Minutes of October 22, 2018 and October 1, 2018 transcript as the record of the hearing filed by Southern Sky Renewable Energy RI, LLC, LR6-A Owner LLC & Realty Financial Partners VI LP were removed from the Consent Agenda.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO APPROVE CONSENT AGENDA AS FOLLOWS: Approve Special Town Council Meeting Minutes of October 29, 2018; Town Council Meeting Minutes of October 15, 2018; Special Town Council Meeting Minutes of October 9, 2018; Approve abatement resulting from a real property adjustment submitted by Tax Assessor; Approve refunds resulting from a 2017 overpayment of a Real Property Tax and a 2018 overpayment of a 2018 Motor Vehicle Tax.

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

OPPOSED: None

SO VOTED

Councilor Capalbo stated that on page 6 of the Minutes of October 22, 2018 it should read “... didn’t understand why the Planning Board did not have the

authority...” the word “not” should be added in. Also, with regard to the October 1, 2018 transcript, she stated that the index was incorrect for pages 66, 67 and 68 in that it indicated her name rather than Joe Capalbo. Council Husband also stated that regarding page 48, the fifth line up from the bottom, indicates, “I said I live on Wineam Pond...” and that should be “Wyoming Pond”.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO ACCEPT THE MINUTES OF OCTOBER 22, 2018 AND THE OCTOBER 1, 2018 TRANSCRIPT WITH AMENDMENTS.

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

OPPOSED: None

SO VOTED

PUBLIC FORUM

Scott Bill Hirst of 20 Maple Court, Ashaway asked that the Town Council adjourn in honor of the Boston Red Sox who recently won the World Series.

OLD BUSINESS

TREE COMMITTEE

This matter was scheduled to discuss, consider & vote on the membership of the Tree Committee.

Council President Landolfi noted that Tim Tefft and David Caswell would be attending a meeting in Coventry regarding the standing dead trees across the State. Councilor Thompson advised that she had met with Town Manager William McGarry who had suggested they form a Tree Committee with Public Works, Finance, Town Manager McGarry and the Tree Warden, and stated that she had offered to assist, as well as Councilor Capalbo. Tim Tefft, Director of Public Works explained that his department had started about a month ago to put together an accurate count and location of the dead trees in Town that needed to be cut down. He stated that there are approximately 8,000 town-owned dead trees and on the other side of the boundaries there are approximately 2,000 more dead trees. He explained that they did not mark these trees for he believed this would cause an influx of phone calls. Councilor Buck asked Mr. Tefft if there were any areas more prone to dead trees and was advised that Tomaquag and Canonchet

Roads have a lot of dead trees. Mr. Tefft advised that they have already cut some trees down on Canonchet Road between the ponds because there were no electrical poles there and they did not have to contact National Grid. Mr. Tefft stated that he and Dave Caswell had signed up to attend a class being offered entitled, “Forestland Damage Assessment & Recovery for R.I. Municipalities” being held at the Coventry Town Hall on November 14, 2018 and this is going to be a day-long workshop to discuss the hazards, responsibilities and state laws as well as how to work with National Grid for assistance with the hazardous tree removal program. Involved in this class will be National Grid, Public Works, RI Public Works Association and RI DEM. Mr. Tefft also stated that he had spoken to Paul Stasiuk of National Grid and he is well aware, as is National Grid that these dead trees are going to be a problem. National Grid is trying to obtain some money to get some of these trees down. Councilor Capalbo wished to have a meeting after the November 14, 2018 class in order to discuss which trees they believe to be the most crucial and which can be postponed. Mr. Caswell explained that they had identified the trees and recorded them by pole number and/or street address. Mr. Tefft explained they had put the town-owned trees into categories with their top priority being trees that may reach a house if it fell. Councilor Thompson questioned how far in from the road did the Town own and Mr. Tefft stated that the general rule was ten feet; however, if there was a stone wall then they would consider that the property line. Councilor Husband asked what Public Works did with the wood and Mr. Tefft stated that Public Works burned some in their garage and the rest they left on the side of the road and if someone wanted it they could pick it up. Councilor Thompson believed 8,000 trees was too big a job for Public Works and dead trees were a problem in the whole State and what about dead trees on the other side of stone walls. Councilor Buck stated that those trees would be the owners’ problem and not an expense to the Town. Council President Landolfi inserted that they did not have anything in the budget for the cutting of 8,000 trees. Mr. Tefft had spoken to the forest serviceman that works out of Arcadia who indicated that there was a disease that attacked the trees and the sick and dying trees attracted beetles which is what killed them. Councilor Buck explained that the Emerald Ash Borer beetle was

found in RI. Councilor Capalbo asked Mr. Tefft if he had a list of the trees that needed to be cut down so they could review it and he stated he did. He also stated that some of their challenge was operating a 30+ year old truck and only having one employee who operates it who is 60 years old. Council President Landolfi stated that the tree committee should meet after their class on November 14, 2018 and Councilor Thompson advised that they would speak with the Town Manager to set something up.

NEW BUSINESS

PROPOSED ORDINANCE AMENDMENT

This matter has been scheduled to discuss and consider setting a hearing date for an amendment to Chapter 4, Sec. 4-8 of the Code of Ordinances entitled “Nuisance abatement—Generally” introduced and sponsored by Councilor Capalbo and Councilor Buck.

Town Clerk Elizabeth Cook-Martin indicated that this needed to be advertised once in the newspaper and she believed it could be scheduled for November 19, 2018. Councilor Thompson indicated that she was not in favor of the ordinance as it was written. It was decided that this amendment would be scheduled to November 19, 2018.

SET HEARING DATE RE: ZONING ORDINANCE AMENDMENT & COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT; SKUNK HILL SOLAR, LLC & GORDON EXCAVATING, INC.

This matter had been scheduled to discuss and consider setting a hearing date for a Zoning Ordinance Amendment and Comprehensive Plan Future Land Use Amendment filed by Skunk Hill Solar LLC and Gordon Excavating, Inc. for property identified as AP 18 Lots 8 & 13.

This matter was scheduled for a hearing on December 17, 2018 at the Chariho Middle School if available. Council President Landolfi stated that the Grunde matter would have to be heard on December 3, 2018 at the Chariho Middle School if available.

SET HEARING DATE RE: ZONING ORDINANCE AMENDMENT & COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT; SKUNK HILL SOLAR, LLC & HOPKINTON LAND 1, LLC.

This matter had been scheduled to discuss and consider setting a hearing date for a Zoning Ordinance Amendment and Comprehensive Plan Future Land Use Amendment filed by Skunk Hill Solar LLC and Hopkinton Land 1 LLC for property identified as AP 18 Lot 14.

This matter was scheduled for a hearing on December 17, 2018 at the Chariho Middle School if available.

BOARDS & COMMISSIONS

REAPPOINTMENT TO HISTORIC DISTRICT COMMISSION

This matter had been scheduled to discuss and consider voting to reappoint Theresa Prescott to the Historic District Commission.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO REAPPOINT THERESA PRESCOTT TO THE HISTORIC DISTRICT COMMISSION.

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

OPPOSED: None

SO VOTED

PUBLIC FORUM

Joseph Moreau of Old Depot Road wished to thank Councilor Buck for all of his hard work. He thereafter asked about the status of the Stubtown Road dump. Council President Landolfi indicated that they could not answer any questions, but Mr. Moreau could ask them and he would email him. Mr. Moreau indicated that his question was that some information was emailed on August 10, 2018 to Councilor Thompson but as of today the developer has not spoken to anyone from the Town. Mr. Moreau stated that he sent the Town Council an email dated October 24, 2018 with all the information in there and his question was why is it that in four months nothing has been done? Councilor Thompson responded that she would answer his question and advised that when the budget discussions were held she asked the Town Council to consider putting \$20,000 in the budget to have an audit prepared for the interconnection and thereafter when they went out to bid they would be reimbursed that cost; the Council did not want to do that.

Since then the State Office has offered to help in putting together the RFP. This project is absolutely something that want to do. Mr. Moreau questioned why since August 10th until this point this has not been a work in progress. The Council explained it was because there were so many other applications pending at this time. Mr. Moreau went on to state that at a zoning meeting there was a developer there from New York and he could have spoken for any length of time because he was an expert but residents are only allowed to speak for five minutes which was unfair; and, the attorney for the abutters spoke for fifteen minutes about nothing. He stated that all he has heard recently is that children are a burden to the tax base; however, if you review the enrollment records from 2016 forward there has been a decline. The issue is not with the children but with the school budget. The Town has suggested that the new Town Council hear the Brushy Brook project. The attorney was asked back in August to consider that and the developer said the project was behind schedule. The Cranston resident who came to prior meetings was concerned because this same developer had done a project in Cranston which is a nightmare and the only thing he was asked was if he was done. He thanked Councilor Thompson for all of the hard work that she has done for the Council in the past; however, stated that she has not returned any of his phone calls. Councilor Thompson responded by indicating that she won't meet with the developer or applicant during the hearing process and she will not meet with the neighbors for she does not feel this is appropriate. She went on to state that she will speak with anyone in a public setting at the hearing and for she does not trust that what she says will not be twisted around and feels she has to be very cautious. Council President Landolfi explained to Mr. Moreau that a public forum was not an opportunity to poke at everyone and that he should wrap it up. Mr. Moreau stated that he felt Councilor Thompson should resign for not doing her job. Mr. Moreau asked when they can talk; when can he discuss issues with the Town Council? Council President Landolfi stated that Mr. Moreau could call him any time. Mr. Moreau asked what if he wanted to speak with someone else? Councilor Buck stated that the problem was that they can't converse for it would become a meeting issue; and, if it is not on the agenda then it becomes an open meetings violation. Public forum was for residents to bring something to the

Council's attention that they do not already know; when they are concerned about something that the Council hasn't already dealt with; or anything on the agenda. Councilor Husband told Mr. Moreau that if he wanted to discuss something back and forth with the Council then he would need to request that the item be placed on the agenda, though there was no guarantee it would be placed on an agenda. Then there can be a conversation back and forth. Mr. Moreau asked Councilor Thompson if he could make an appointment to meet with her and she stated that she would be happy to meet in a public forum but not alone for she did not trust him. Carolyn Light of 43 Forest Glen Drive confronted the Council and explained that professional courtesy means that when somebody calls you or emails you and you have no comment for professional reasons that should be indicated. She advised that only one Council member was polite enough to acknowledge an email that she had sent regarding hazardous materials and the Council should respect the residents who are paying the bills of the Town as taxpayers.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR BUCK AND SECONDED BY COUNCILOR HUSBAND TO ADJOURN IN HONOR OF WORLD SERIES CHAMPIONS BOSTON RED SOX.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Breault

Deputy Town Clerk