

State of Rhode Island

County of Washington

In Hopkinton on the sixth day of January 2020 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, Scott Bill Hirst, Barbara Capalbo, Sharon Davis; Town Solicitor Kevin McAllister; Town Manager William McGarry; Town Clerk Elizabeth Cook-Martin. Absent: Sylvia Thompson.

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 DAVIS TO SIT AS A LICENSING BOARD.

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

CAMPGROUND LICENSE RENEWALS

The Council opened a hearing on the renewal of the following campground licenses:

Frontier Camper Park, LLC– Scott W. Thompson, 180A Maxson Hill Road, Ashaway, RI licensed for 225 Campsites & Safari Sites. Mrs. Thompson was present.

Greenwood Hill Campground Association, Inc. – Jeffrey P. Aldrich, 13 Newberry Lane, Hope Valley, RI licensed for 80 Campsites & Safari Sites. Mr. Aldrich was present.

Holly Tree Campground, Inc. – Marie Patrizzo, 109 Ashaway Road, Ashaway, RI licensed for 158 Campsites & Safari Sites. Mrs. Patrizzo was present. It was noted by the Town Council that there were outstanding tangible due which she will have taken care of.

Whispering Pines Campground – Cameron May/WP Management Group, LLC, 41 Saw Mill Road, Hope Valley, RI licensed for 213 Campsites & Safari Sites. A representative was present.

Ashaway Pines RV Resort, LLC – Jennifer Smith, License Coordinator, 225 Ashaway Road licensed for 260 Campsites. There are no Safari Sites. A representative was present.

All filing fees had been paid and notices posted. No one spoke in favor or in opposition to the renewal of the campground licenses.

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

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

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

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

CONSENT AGENDA

The request of National Grid & Verizon for a joint pole on Skunk Hill Road was removed from the Consent Agenda.

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

FOLLOWS: Approve Town Council Meeting Minutes of December 16, 2019;

Executive Session Minutes of December 16, 2019; Special Town Council

Meeting Minutes of December 9, 2019; Executive Session Minutes of December

2, 2019; Accept the November 25, 2019 transcript as the record of the hearing re: Centrica Business Systems/James & Karen Cherenzia Comprehensive Plan Amendment/Zoning Ordinance Amendment; Set February 18, 2020 as the second Town Council Meeting in February due to the President's Day Holiday; Approve \$72.76 from Town Council Contingency line item #5065-001 for sympathy flower arrangement; Approve abatement resulting from 2019 motor vehicle tax value change submitted by the Tax Assessor; Approve refund due to an overpayment on 2019 M.V. tax submitted by the Tax Collector.

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

Councilor Davis asked if the new poles and anchor had anything to do with the Skunk Hill Road solar project. Town Manager McGarry indicated that he had asked the Public Works Director, Tim Tefft, that same question and was told no, this was completely unrelated. They were just adding in a pole between two existing poles and putting an anchor on it.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR DAVIS TO APPROVE THE REQUEST OF NATIONAL GRID & VERIZON FOR A JOINT POLE ON SKUNK HILL ROAD.

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

PUBLIC FORUM

President Landolfi explained that he would like to change this just a little by limiting people's time to speak to ten minutes with a thirty minute total time for public forum. Also, the first public forum would be for comments regarding anything on the agenda and the second public forum would be for anything not on the agenda. No one spoke during this public forum.

COUNCIL PRESIDENT REPORT

Council President Landolfi reported that he attended the December 27, 2019 wake service for Superintendent Barry Ricci, as did Councilor Capalbo and Mr.

McGarry. It was very well attended and he was sorry to see him go. He noted Mr. Ricci was adamant about budgetary items but he was always very cordial. Councilor Capalbo stated Mr. Ricci was very respected and he led the Chariho School District to be one of the better school districts in the State. Councilor Hirst stated he enjoyed Mr. Ricci even though he disagreed with him at times. He noted he saw him at the Ashaway Elementary School recently, commenting he was an educator to the end. Councilor Davis reported she had attended the ceremony at the Ashaway Elementary School when they were named a Blue Ribbon School and noted it was obvious that spending on education leads to good results. She added that she felt there was still a million dollars in the budget that can be cut. Council President Landolfi stated they had recently exchanged text messages because he had some questions and agreed with Councilor Hirst that he was an educator to the very end. He had worked on a Friday and passed away on Sunday.

OLD BUSINESS

ATLANTIC SOLAR LLC/ATLANTIC CONTROL SYSTEMS, INC. COMPREHENSIVE PLAN FLUM AMENDMENT/ZONING ORDINANCE AMENDMENT RE: 0 MAIN ST.

The Town Council would discuss and consider a Motion to Remove from the Table the ongoing public hearing suspended on October 28, 2019 on the petition for amendments to the Hopkinton Zoning Ordinance and Hopkinton Comprehensive Plan Future Land Use Map filed by Atlantic Solar, LLC, 260 West Exchange Street, Providence, Rhode Island, 02903 and Atlantic Control Systems, Inc., 318 Dry Bridge Road, North Kingstown, Rhode Island 02865, the land owner for property located at 0 Main Street identified as Plat 7, Lot 32, Plat 10, Lot 87, and Plat 11, Lot 35, an RFR-80 zone, and, if appropriate, to set a date, time and location for the resumption of the public hearing, as requested by the applicants' Attorney Robert Craven, Esq.

The Town Clerk reported she had contacted the Chariho School District and determined the availability of the CMS Auditorium on January 27, February 10 and February 24, 2020.

Councilor Capalbo noted that she would like this hearing to resume as soon as possible on January 27, 2020. Solicitor McAllister indicated that the proper procedure was to first have a motion to remove this matter from the table.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR DAVIS TO REMOVE FROM THE TABLE THE ONGOING PUBLIC HEARING SUSPENDED ON OCTOBER 28, 2019 ON THE PETITION FOR AMENDMENTS TO THE HOPKINTON ZONING ORDINANCE AND HOPKINTON COMPREHENSIVE PLAN FUTURE LAND USE MAP FILED BY ATLANTIC SOLAR, LLC, 260 WEST EXCHANGE STREET, PROVIDENCE, RHODE ISLAND, 02903 AND ATLANTIC CONTROL SYSTEMS, INC., 318 DRY BRIDGE ROAD, NORTH KINGSTOWN, RHODE ISLAND 02865, THE LAND OWNER FOR PROPERTY LOCATED AT 0 MAIN STREET IDENTIFIED AS PLAT 7, LOT 32, PLAT 10, LOT 87, AND PLAT 11, LOT 35, AN RFR-80 ZONE.

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

Councilor Hirst commented that for an applicant to make a change to their proposal after submitted their application was bad form.

It was noted that the earliest this matter could be heard would be January 27, 2020 for this matter would need to be advertised and certified mail notice letters would need to be sent out.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR DAVIS TO SCHEDULE MONDAY, JANUARY 27, 2020 AS THE DATE FOR THE RESUMED HEARING AT THE CHARIHO MIDDLE SCHOOL AUDITORIUM AT 7:00 PM.

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

CENTRICA BUSINESS SYSTEMS FOUR PENDING ZONE AMENDMENT & COMPREHENSIVE PLAN FLUM AMENDMENT PETITIONS LETTER RE: STATUS

The Council would discuss, consider and possibly vote to send a letter to Centrica Business Systems re: the status of the Zone Amendment & Comprehensive Plan Future Land Use Amendment petitions for the four remaining properties – requested by Councilor Davis:

- a. Michael & Donna Church, 10 Grantville Extension; AP 15, Lot 11A.
- b. Ronnie & Kay Bonnie Sposato, 40 Maxson Hill Road; AP 4, Lot 38.
- c. Maitland Fothergill, 10A Crandall Lane; AP 2, Lot 001.
- d. Fated Farmer, 0 Wich Way; AP 7, Lot 20.

Councilor Davis read a draft letter she had prepared and wished sent to Centrica, Attorney Comolli and the owners of the properties. Her letter asked for a written update as to the status of these applications by January 21, 2020. She noted that it had been a year since their initial filing. Town Clerk Cook-Martin suggested a change to the draft letter which was acknowledged.

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR CAPALBO TO SEND A LETTER AS AMENDED TO CENTRICA BUSINESS SYSTEMS TO DETERMINE THE STATUS OF THE ZONE AMENDMENT & COMPREHENSIVE PLAN FUTURE LAND USE AMENDMENT PETITIONS FOR THE FOUR REMAINING PROPERTIES.

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

NEW BUSINESS

REAPPOINTMENT OF MUNICIPAL COURT JUDGE

Margaret Steele had indicated she would like to be reappointed as Municipal Court Judge.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR DAVIS TO REAPPOINT MARGARET STEELE, ESQ. AS MUNICIPAL COURT JUDGE FOR A TERM OF TWO YEARS TO NOVEMBER 2021.

IN FAVOR: Landolfi, Capalbo, Davis

ABSTAIN: Hirst

OPPOSED: None

SO VOTED

RESOLUTION RE: FULLY FUNDED E-911 STATEWIDE & MUNICIPAL SERVICES

This matter was scheduled to discuss, consider and possibly vote to adopt the Resolution in Support of Fully Funded E-911 Statewide and Municipal Services requested by Councilor Capalbo.

Councilor Capalbo indicated that Hopkinton received a Resolution in Support of Fully Funded E-911 Statewide and Municipal Services from the Town of Charlestown and she believed Hopkinton should adopt this Resolution as well.

The concern was that the response time of emergency personnel in rural areas was ten to fifteen minutes, which was a product of distance and antiquated equipment and they wished to have the revenue source completely and fully funded by the State of Rhode Island for the enhanced 911 so that it can use the GPS tracking of cell phones, emergency medical dispatch and have full range of services needed to communicate with Rhode Islanders who may find themselves in highly stressed emergency places. This Resolution is to fully support the E-911 statewide municipal services and to urge the Governor to convene the E-911 Commission to oversee the resolution of any inadequacies in the E-911 system.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR DAVIS TO ADOPT THE RESOLUTION IN SUPPORT OF FULLY FUNDED E-911 STATEWIDE AND MUNICIPAL SERVICES.

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

The resolution follows:

**TOWN OF HOPKINTON, RI
RESOLUTION IN SUPPORT OF FULLY FUNDED E-911
STATEWIDE AND MUNICIPAL SERVICES**

Whereas, E-911’s mission is intended to provide 24 hour effective and efficient emergency communication services in the interest of public good; and

Whereas, Even with some of the best Fire, Rescue and Ambulance Corps in the State, the response times in rural areas may be 10 to 15 minutes – a response time that is a product of distance and antiquated equipment alone; and

Whereas, The revenue source chosen to completely fund the State of RI Enhanced 911 is first remitted to the State of Rhode Island by the phone carriers from surcharges collected from everyone’s individual phone bill; and

Whereas, Since 2002, the State of Rhode Island has co-mingled in general revenue on average 55% of fees collected but not dedicated to E-911 services. E-911 services consist of staffing, training, operations, equipment and technology that help with the operation of delivering E-911 services; and

Whereas, At present, our E-911 system has no GPS tracking for cell phones for voice and text messaging services, no Emergency Medical Dispatch (a process that puts a trained nurse practitioner or physician’s assistant on the line to provide emergency medical instruction), is not in line with mandated municipal equipment upgrades from surcharges and does not have a full range of services needed to communicate with all Rhode Islanders who may find themselves in highly stressed emergency crises; and

Whereas, At present, municipality dispatch centers use equipment that is electronically antiquated and not in keeping with modern efficiencies causing upgrades to be borne by municipal tax payers or by having the Police/Fire dispatch centers search for funds by writing grants.

Now Therefore, be it resolved; that we, the members of the Hopkinton Town Council, support fully funded E-911 statewide and municipal services; and

Be it further resolved; that the members of the Hopkinton Town Council urge the Governor to convene the E-911 Commission to oversee the resolution of any inadequacies in the E-911 system; and

Finally, be it further resolved; that the Hopkinton Town Clerk is hereby directed to forward a copy of this Resolution to all State of Rhode Island City and Town Councils respectfully requesting that they too adopt a similar resolution in support of the Town of Hopkinton in their request to update staffing, training, operations, equipment and technology for 911 Emergency Services. This and other resolutions will be sent to the Governor and other State and grassroots agencies requesting their support.

The **RESOLUTION** shall take effect upon passage.

REAPPOINTMENT OF TREE WARDEN

Scott Ahern had indicated in writing that he wished to be reappointed as Tree Warden.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR DAVIS TO REAPPOINT SCOTT AHERN AS TREE WARDEN FOR A ONE-YEAR TERM TO JANUARY 2021.

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

BOARDS, COMMISSIONS, COMMITTEES:

RESIGNATION FROM CHARIHO SCHOOL COMMITTEE

A letter of resignation from the Chariho School Committee had been received from Sylvia Stanley.

Council President Landolfi wished to thank Ms. Stanley for her service and noted that it has been a struggle with some of the School Committee members. He felt their responsibilities were dual in that they have to provide quality education and also be mindful of the taxpayers, the latter of which he felt fell on deaf ears at

times. He advised that they would have to find someone to replace her for a three-year term.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR DAVIS TO ACCEPT SYLVIA STANLEY’S RESIGNATION WITH REGRET FROM THE CHARIHO SCHOOL COMMITTEE.

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

CHARIHO SCHOOL COMMITTEE VACANCY

The Town Clerk advised that she had prepared a draft vacancy ad and asked for a date that the Council wished to have letters of interest returned. Councilor Capalbo felt the deadline should be February 10, 2020. Council President Landolfi felt it should be sooner. Councilor Hirst advised that he wished to know the political affiliation of every applicant, for the school committee is a partisan political office. Clerk Cook-Martin advised that this would be advertised in the Westerly Sun and Chariho Times and placed on the Town’s website and asked if January 28th would be acceptable as a deadline. The Councilors agreed that date was acceptable and Councilor Capalbo indicated that they would not appoint someone on a political basis; they would appoint someone who was competent.

PUBLIC FORUM

Council President Landolfi opened Public Forum and stated this was the time to speak about items not on the agenda; ten minutes maximum per person; and, thirty minute total time.

Thomas Buck of 11 Church Street spoke regarding the 1904 school building and noted that there was a subcommittee meeting the following night, Tuesday, January 7, 2020 at 6:30 p.m. and they had invited the Chariho School Committee members, as well as the Town Manager and anyone else who might be interested. Councilor Capalbo indicated that there was a Chariho School Committee budget meeting also scheduled for that night. Mr. Buck stated that the budget season was approaching and he wished the Council to work some magic to be able to fund the razing of this building. He went on to state that there would be a very tight

timeline and the subcommittee is going over issues regarding the RFP and other issues they have to deal with in order to finalize this matter. They are anticipating the razing to occur sometime at the end of June and to be completed by the beginning of September. Mr. Buck stated that his biggest concern was that they have not heard back from the restoration companies.

Joe Moreau of Old Depot Road questioned whether the solar project at 0 Main Street was for three properties or four and the Council advised him that it was the original proposal of three properties.

Dick Noel of Lisa Lane spoke concerning the new rules for public forum going forward and how residents felt that they are stakeholders in the community. He felt that if they limit the time to speak at public forum it would essentially discourage residents and in essence tell them to stay home.

Tim Ward of 42 River Road suggested that the Council consider requiring an applicant to pay a substantial sum of money to the town that it would use to hire an expert consultant to guide the Council throughout the entire process of the application; including, but not limited to helping the town determine an appropriate escrow amount for site clean-up at the end of the project. Councilor Davis stated that there are already decommissioning and reforestation bonds that are set and the Planning Board was working with the town's expert, Crossman Engineering. Mr. Ward felt that this expert should assist from the very beginning all the way to the end because the town was in over their heads and he also felt that the applicants should present a PowerPoint presentation and not just have a map on an easel. Mr. Ward questioned Councilor Davis about the letter she wished to send to Attorney Comolli regarding the four solar applications that had been filed but which remained stagnant and what would happen if there was no response to her letter. Councilor Davis felt that if there was no response by the deadline that will be in the letter, that they would have the right to close those matters. Councilor Capalbo indicated that they would have to abide by state law and their definition of reasonable time. Council President Landolfi explained that there were legal implications in the process. The applications are submitted and deemed complete and they do have to hear them statutorily.

Mr. Ward asked Council President Landolfi what constituted a farm and President Landolfi advised that a farmer would have to file Schedule F income on their tax return.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR CAPALBO TO ADJOURN IN MEMORY OF NOVA C. LANDOLFI, HOPE GREENE ANDREWS AND GARRETT C. DRAKE.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Murray

Deputy Town Clerk