

HOPKINTON TOWN COUNCIL REMOTE MEETING – May 4, 2020  
BUSINESS AGENDA  
1 Town House Road, Hopkinton, RI 02833

**NOTICE  
MEETING BEING HELD REMOTELY**

Understanding the people have a vested interest in the operation of their government, the Hopkinton Town Council intends to include the public on May 4, 2020. However, due to the COVID-19 virus, the Council wants to be sure that everyone will do so safely from their own homes.

To attend the meeting, please call in by **6:00 PM**. Toll free: **1-877-853-5247** or **1-888-788-0099**. Enter the Meeting ID and #: **820-904-7625#**.

When asked for a participant ID press #  
To be recognized to speak press \*9

Please note: Because of ever-changing regulations due to the COVID-19 virus, this meeting may be cancelled. Please check the Town of Hopkinton website [www.hopkintonri.org](http://www.hopkintonri.org) for updates on these meetings and other important Town or COVID-19 information.

Elizabeth J. Cook-Martin  
Council Clerk/Town Clerk

**6:00 P.M.** Call to Order – Moment of silent meditation and a salute to the Flag.

**I. RESUMPTION OF THE APRIL 6, 2020 PRELIMINARY DISCUSSION BY THE TOWN COUNCIL SITTING IN A QUASI-JUDICIAL CAPACITY CONCERNING THE RECOMMENDATION BY THE TOWN SOLICITOR TO CONSIDER INITIATING FURTHER PROCEEDINGS TO DETERMINE WHETHER ALFRED W. DIORIO SHOULD BE REMOVED FROM THE HOPKINTON PLANNING BOARD FOR GOOD AND DUE CAUSE UNDER RIGL SEC. 45-22-3 AND CHAPTER 2, ARTICLE II DIVISION 5, SECTION 2-112 OF THE TOWN ORDINANCES**

In compliance with RIGL sec. 42-46-5(a)(1), by e-mail dated April 29, 2020, Mr. DiOrio was given written notice of the intention of the Town Council to resume its preliminary discussion from the April 6, 2020 Council meeting, captioned as above, on May 4, 2020 at 6:00 p.m. Said April 29, 2020 written notice to Mr. DiOrio referenced his prior invocation of his right to require that this discussion be held at an open meeting and not in Executive Session and that resumption of this preliminary discussion will again be held in open session, and not in Executive Session. Mr. DiOrio was again advised at the time that the public would not be allowed to participate in the resumed preliminary discussion, that he had the right to be represented by legal counsel during the discussion, and that there would be no sworn testimony during this preliminary discussion.

1. Updated report of status concerning this matter from the Town Solicitor, including but not limited to the current status of Mr. DiOrio's Open Meeting Complaint, a recap of the April 9, 2020 conversation between Mr. DiOrio and the Town Solicitor and its outcome, the legal and practical impact of this matter upon the May 6, 2020 Planning Board meeting, etc. This report from the Town Solicitor will be followed by an opportunity for Mr. DiOrio to respond to, or comment upon, said report of status.
2. Presentation by the Town Solicitor of his recommendation to the Council concerning Mr. DiOrio and the reasons for said recommendation, including but not limited to introduction of the partial transcript of Mr. DiOrio's relevant comments from the March 4, 2020 Planning Board hearing and e-mails between Mr. DiOrio and the Town Solicitor dated March 5, 2020 initiated by Mr. DiOrio, and the legal and financial consequences to the Town should it fail to undertake further proceedings to determine whether Mr. DiOrio should be removed from the Planning Board for good and due cause based upon his March 4 and 5, 2020 referred to herein.
3. Response by Mr. DiOrio to recommendation by the Town Solicitor.
4. Council discussion and possible vote on the Town Solicitor's recommendation to the Town Council that it schedule a quasi-judicial evidentiary hearing at a later date to determine whether good and due cause exists to remove Alfred W. DiOrio from the Hopkinton Planning Board Pursuant to RIGL sec. 45-22-3 based upon his verbal remarks made on March 4, 2020 at the

Planning Board and his written statement to the Solicitor on March 5, 2020 requested by Alfred DiOrio.

5. Discussion and possible vote on potential motions to set a date for the Town Council to conduct a quasi-judicial evidentiary hearing; the need for the potential appointment of special legal counsel to advise the Council during said evidentiary hearing and deliberations following its conclusion; and to set conditions, if any, regarding Mr. DiOrio's continuation as Chair and Member of the Hopkinton Planning Board until the conclusion and decision by the Town Council on the issue of whether good and due cause exists to remove Mr. DiOrio from the Planning Board.

**N.B. THERE WILL BE NO OPPORTUNITY FOR THE PUBLIC TO PARTICIPATE IN THIS PRELIMINARY DISCUSSION, THIS DISCUSSION CONCERNS A PERSONNEL MATTER DURING WHICH THE TOWN COUNCIL WILL BE SITTING IN A QUASI-JUDICIAL CAPACITY.**

**CONSENT AGENDA**

Approve Town Council Meeting Minutes of April 6, 2020; Town Council Meeting Minutes of April 20, 2020; Ratify and Approve the Fifth Local Declaration of Emergency from May 8, 2020 to May 31, 2020.

**MOTION TO APPROVE CONSENT AGENDA**

**PUBLIC FORUM**

**OLD BUSINESS**

1. Discuss and consider rescheduling the hearing date for an application for a Class B-V Liquor License, Victualling License, Holiday Sales License filed by New Frontier, LLC for property located at 15A Frontier Road.
2. Discussion re: Chariho Budget vote in June – requested by Council V.P. Hirst.

**NEW BUSINESS**

1. Discuss and consider referral to the Planning Board for advisory opinion and setting a hearing date and beginning the required statutory process under RIGL secs. 45-24-51 and 45-24-53 for consideration of proposed amendments to the March 2, 2020 0 Main Street Decision and to Chapters 272 and 273 of the Hopkinton Town Ordinances relative to the conditions setting the amount of the required cash decommissioning bond, thereby striking “of \$25,000 per Megawatt AC” and substitute “to be determined by the Planning Board” - introduced and sponsored by Councilor Thompson.
2. Discuss, consider and possibly vote to appoint Joseph Moreau as Moderator Pro-tem for the May 5, 2020 Financial Town Assembly (FTA).
3. \$295,861 RIDEM Grant award for Crandall Field Playground Improvements Announcement.

**BOARDS & COMMISSIONS**

1. Discuss, consider and possibly vote to appoint Emily Schumchenia from alternate to full term member to September 2020 to fill the unexpired term of the full-term vacancy position on the Planning Board.

**ADJOURN**

If communication assistance (readers/interpreters/captions) is needed or any other accommodation to ensure equal participation by any person, please contact the Town Clerk's Office at 377-7777 (V) or 377-7773 (TDD) at least two (2) business days prior to the meeting.

Posting Details: Town Hall, Police Station, Hopkinton Website, Secretary of State Website. Posting date: April 30, 2020