

State of Rhode Island

County of Washington

In Hopkinton on the sixth day of July 2020 A.D. the said remote 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, Sylvia Thompson; Town Manager William McGarry were present in the Meeting Room; Barbara Capalbo, Sharon Davis; Town Solicitor Kevin McAllister and Town Clerk Elizabeth Cook-Martin attended remotely.

This meeting was held remotely. Instructions for participating remotely were included on the Town Council Agenda.

PETITION FOR AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN AND A ZONING ORDINANCE AMENDMENT

Council President Landolfi noted that a continuance had been requested by the applicant's attorney, Steven H. Surdut, who wished this matter to be postponed until it could be heard in person and not remotely. Solicitor McAllister noted that Attorney Surdut had indicated to him that he wished this matter to be rescheduled to some unknown date when the Town Council was back to normal meetings with an audience in the meeting room. When a new date is selected, this matter will need to be re-advertised, with certified mailings sent to all abutters. Councilor Hirst noted that he was very disappointed because a lot of people were very interested in this proposal and he felt that the applicant and attorney should have requested a postponement much sooner. Councilor Thompson noted that the application was filed in January of 2019 and she was not willing to postpone this matter indefinitely. She would like the Council to pick a date to continue this matter to and advise the attorney that there will be no more extensions and he will have 90 minutes to present his proposal and the public will have 90 minutes to speak. Councilor Hirst agreed with Councilor Thompson and felt this was an insult to the town. Councilor Davis also agreed with Councilor Thompson and

felt they should pick a continuance date tonight. Councilor Capalbo indicated that she understood Councilor Thompson's perspective and generally agreed with it; however, she suggested setting a date in August. She believed it was important for the citizens to be present at these meetings which involve them directly and felt they could possibly use the auditorium at the high school and seat people six feet apart. She was unsure if they could allow a time limit on how long people can speak. Solicitor McAllister noted that the Council could continue this meeting for it was noted on the agenda; however, he did not believe they could put a time limit on the application for this was not noted on the agenda and felt that this would violate the Open Meetings Act. He believed if they did wish to limit the time of testimony they should put that on an agenda before the hearing. They are entitled to make a reasonable presentation. There was discussion amongst the Councilors as to the date of the hearing and whether it would be held at the school or town hall.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HIRST TO CONTINUE THE HEARING OF CENTRICA BUSINESS SOLUTIONS, 1484 CANDLEWOOD ROAD – SUITE T-W, HANOVER, MD 21076 AND MAITLAND FOTHERGILL, 16 WOLLEN DRIVE, CUMBERLAND, RI FOR PROPERTY LOCATED AT 10-A CRANDALL LANE #B, ASHAWAY, RI AND RESUME THE PUBLIC HEARING ON AUGUST 17, 2020 AT THE TOWN HALL.

Solicitor McAllister noted that they did not commence this hearing and the motion should be reworded.

Councilor Thompson withdrew her motion, which was seconded by Councilor Hirst.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR DAVIS TO RESCHEDULE THE PUBLIC HEARING OF CENTRICA BUSINESS SOLUTIONS, 1484 CANDLEWOOD ROAD – SUITE T-W, HANOVER, MD 21076 AND MAITLAND FOTHERGILL, 16 WOLLEN DRIVE, CUMBERLAND, RI FOR PROPERTY LOCATED AT 10-A

CRANDALL LANE #B, ASHAWAY, RI TO AUGUST 17, 2020 AT THE TOWN HALL.

Councilor Capalbo wished to attempt to have this meeting in person and noted that some people could attend by phone if they preferred.

IN FAVOR: Landolfi, Hirst, Thompson, Davis

OPPOSED: Capalbo

SO VOTED

CONSENT AGENDA

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

FOLLOWS: Town Council Meeting Minutes of June 1, 2020; Accept the following monthly financial/activity report: Town Clerk; Approve funds resulting from overpayment of 2019 real property taxes by the escrow company submitted by the Tax Collector.

IN FAVOR: Landolfi, Hirst, Capalbo, Thompson, Davis

OPPOSED: None

SO VOTED

PUBLIC FORUM

Joe Moreau of Old Depot Road suggested, in order to alleviate some of the stress at the Town Clerk's Office during the last week of June with the elections coming up and the declaration of candidacy period, that this information be placed on the town's website. He noted that Councilor Davis had put something in the Westerly Sun in this regard and had also contacted him personally and provided him with the deadlines. Mr. Moreau also noted that Clerk Cook-Martin had been nice enough to update him on what was occurring during the last week of June. He wished there to be information posted on the town's homepage of their website so that other residents could look there and know what the deadlines were, which may eliminate some phone calls.

Town Clerk Cook-Martin advised that this could be done and they could also add a link that would refer to the RI Secretary of State's website which had a lot of information as well as answers to frequently asked questions.

NEW BUSINESS

AWARD BID RE: PROFESSIONAL AUDITING SERVICES

This matter had been scheduled to discuss, consider and possibly vote to approve a bid award for Professional Financial Auditing Services to Bacon & Company for fees of \$26,000 for FY 2019-20, \$26,500 for FY 2020-21 and \$27,000 for FY 2021-22.

Town Manager McGarry noted that they had received two bids: one from Bacon & Company for three fiscal years as noted above and the second bid was received from Nadeau Wadovick, LLP and their bid was lower at \$23,500 for FY 2020; \$23,500 for FY 2021 and \$23,500 for FY 2022. After a lengthy review by Finance Director Rosso, he recommended that Bacon & Company be awarded the bid because of the number of hours that they were going to expend which was 25% more than what Nadeau Wadovick had quoted, and Bacon was already very familiar with town-wide operations.

Councilor Davis asked who had been the auditor over the last ten years and Town Manager McGarry noted that it has been Bacon & Company for as long as he could remember and Councilor Capalbo agreed it had been Bacon & Company. Councilor Davis asked if at any time there had ever been any significant findings which the town had to correct and Mr. McGarry indicated that he did not believe so. Thereafter, Councilor Davis asked why he thought that 320 hours versus 235 hours were needed, especially if Bacon & Company had been doing these audits for a substantial amount of time. She noted that their contract was \$9,000 more than Nadeau's for this period of time and this was a lot of money. Mr. McGarry advised that it was Finance Director Rosso's recommendation to award the bid to Bacon & Company and he concurred with it. Councilor Capalbo noted that she did concur with Mr. Rosso's opinion and believed that one of the reasons that there had never been a problem with the audit was because of the amount of time and thoroughness that Bacon & Company puts into their audit. She also felt that this year they were going to have to do the audit with COVID revenue and expenses and she felt that this would be a very complex audit.

Councilor Thompson questioned Councilor Davis on where she came up with the \$9,000 and she felt the other company would not meet the town's needs.

Councilor Davis noted that over the course of the three years, Bacon & Company would cost \$79,500 and Nadeau's total over the course of the three years is \$70,500, so there is a \$9,000 difference. Bacon was estimating to spend 25% more time on their audit which she wasn't sure would be required.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HIRST TO AWARD THE BID FOR PROFESSIONAL FINANCIAL AUDITING SERVICES TO BACON & COMPANY FOR FEES OF \$26,000 FOR FY 2019-20, \$26,500 FOR FY 2020-21 AND \$27,000 FOR FY 2021-22.

IN FAVOR: Landolfi, Hirst, Capalbo, Thompson, Davis

OPPOSED: None

SO VOTED

MEMORANDUM OF AGREEMENT RE: ONE YEAR EXTENSION OF COLLECTIVE BARGAINING AGREEMENT FOR LOCAL UNION 808

This matter was before the Town Council to consider and vote on a motion to authorize the Town Manager acting on behalf of the Town, to agree to and sign the Memorandum of Agreement on Extension of the Collective Bargaining Agreement between the Town and the Rhode Island Laborers' District Council, Local Union 808, Hopkinton, RI, thereby extending the current Collective Bargaining Agreement for one (1) year for the period of time commencing July 1, 2020 through June 30, 2021.

Mr. McGarry stated that this was a great benefit for the town and affords another year without any increase in salaries or any additional benefits to the ten union members of the Department of Public Works. He believed the union recognizes that because of the COVID-19 situation, to go into collective bargaining negotiations at this time would not be in their best interest or the town's best interest. This is a statewide initiative with many unions in various cities and towns in the state and he recommended that the town move forward and agree to this one year extension to the DPW Labor Contracts.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO AUTHORIZE THE TOWN MANAGER

ACTING ON BEHALF OF THE TOWN, TO AGREE TO AND SIGN THE MEMORANDUM OF AGREEMENT ON EXTENSION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN AND THE RHODE ISLAND LABORERS' DISTRICT COUNCIL, LOCAL UNION 808, HOPKINTON, RI, THEREBY EXTENDING THE CURRENT COLLECTIVE BARGAINING AGREEMENT FOR ONE (1) YEAR FOR THE PERIOD OF TIME COMMENCING JULY 1, 2020 THROUGH JUNE 30, 2021.

IN FAVOR: Landolfi, Hirst, Capalbo, Thompson, Davis

OPPOSED: None

SO VOTED

BOARDS & COMMISSIONS

LAND TRUST BOARD OF TRUSTEES RESIGNATION

Paul Wilcox submitted his resignation from the Land Trust Board of Trustees.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR CAPALBO TO ACCEPT THE RESIGNATION OF PAUL WILCOX FROM THE LAND TRUST BOARD OF TRUSTEES WITH REGRET AND TO WISH HIM WELL IN HIS NEW TOWN OF RESIDENCE.

IN FAVOR: Landolfi, Hirst, Capalbo, Thompson, Davis

OPPOSED: None

SO VOTED

ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR THOMPSON TO ADJOURN IN MEMORY OF LOUIS CIMALORE A/K/A "LOU THE BARBER".

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Murray

Deputy Town Clerk

