

State of Rhode Island

County of Washington

In Hopkinton on the first day of November 2021 A.D. the said meeting was called to order by Town Council President Stephen Moffitt, Jr. at 6:00 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI 02833.

PRESENT: Stephen Moffitt, Jr., Sharon Davis, Robert Marvel; Scott Bill Hirst, Michael Geary; Town Clerk Elizabeth Cook-Martin. Town Solicitor Stephen Sypole and Town Manager Brian Rosso were in attendance at 7:00 PM.

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO CONVENE IN OPEN SESSION AND RECESS TO EXECUTIVE SESSION UNDER: RIGL SEC. 42-46-5(A)(1) INTERVIEWS: MUNICIPAL COURT JUDGE; RIGL SEC. 42-46-5(A)(1) INTERVIEWS: BOARDS & COMMISSIONS: POLICE COMMISSION & ZONING BOARD OF REVIEW ALTERNATE.

POLL VOTE:

IN FAVOR: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO RECONVENE IN OPEN SESSION AND SEAL THE MINUTES OF THE EXECUTIVE SESSION.

IN FAVOR: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

Council President Moffitt reported no votes were taken in Executive Session.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO SEAL THE MINUTES OF THE EXECUTIVE SESSION.

IN FAVOR: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

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 DAVIS AND SECONDED BY COUNCILOR HIRST TO SIT AS A LICENSING BOARD.

IN FAVOR: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

LIQUOR LICENSE RENEWALS

The Council opened a hearing on the 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. A representative was present.

Village Wine & Spirits, Venkat Doddapeneni, President of M2 Wines, LLC, - 26 Alton Bradford Road, Bradford, RI 02808. A representative was present.

Class B:

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

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

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

Little Rhody Lobster, LLC, Kevin Sullivan, President – 15A Frontier Road, Ashaway, RI 02804. Mr. Restivo was present.

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

Class B-LIMITED:

Main Street Pizza, Christopher Hoinsky, President, CHS, LLC, 229 Main Street, Ashaway, RI 02804. No one was present to represent this matter so it will be scheduled for November 15, 2021.

Class C:

Village Place Studio, LLC, Sherri Desjardins, President & Norbert Ansay, Jr., Manager, 999 Main Street, Hope Valley, RI 02832. Ms. Desjardins was present.

All fees paid and notices posted. The Town Clerk noted that application for Little Rhody Lobster also included a courtesy cart as well.

Discussion:

Councilor Hirst asked the status of the fees and Clerk Cook-Martin explained that the owner of 15A Frontier Road, BCP, LLC, had paid their first quarter tax bill and was now current; however, two other entities had outstanding taxes but had the month of November to become current.

No one spoke in favor of or in opposition to the liquor license renewals.

A MOTION WAS MADE BY COUNCILOR HIRST 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: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR GEARY TO SET THE LIMIT ON LIQUOR LICENSES: Class A: 2; Class B: 5; Class B Limited: 1; Class C: 1.

IN FAVOR: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

VICTUALLING LICENSE RENEWALS

The Council opened a hearing on the renewal of the following Victualling Licenses: Brick Oven Restaurant, 209 Main St., Ashaway; Dunkin’ Donuts, 231 Main Street, Ashaway; Fenner Hill Country Club, 33 Wheeler Ln., Hope Valley; Little Rhody Lobster, 15A Frontier Rd., Ashaway; 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; Pete’s Grocery, 244B Ashaway Rd., Bradford; Spring Street Market, 1 Spring St., Hope Valley; West’s Bakery, 995 Main St., Hope Valley; Wood River Golf, 78A Woodville Alton Rd., Hope Valley.

No one spoke in favor of or in opposition to the Victualling License renewals.

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

IN FAVOR: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

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

IN FAVOR: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

CONSENT AGENDA

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO APPROVE CONSENT AGENDA AS FOLLOWS:

Approve Town Council Meeting Minutes of October 18, 2021; Special Town Council Meeting Minutes of October 25, 2021; Set December 6, 2021 as a hearing date for a transfer of a Liquor License re: Brick Oven Restaurant; Approve abatement due to 2021 motor vehicle adjustment submitted by the Tax Assessor.

IN FAVOR: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

OLD BUSINESS

PROPOSED COMMUNICATION COMMITTEE CHARGE

This matter was scheduled to discuss and consider charge re: formation of a Communication Committee for the purpose of improving how the Town communicates important and general information to taxpayers.

Councilor Marvel proposed that a temporary committee be formed known as the Hopkinton Communications Committee to consist of five members appointed by the Town Council. The Committee will be responsible for exploring strategies and resources that will foster and promote a positive and productive dialogue with community members. Specifically, the committee will: (a) explore ways in which the Town can better communicate with the public through the use of various vehicles, such as social media and the Town website; (b) consider the establishment and management of a Town newsletter and other forms of communication, including costs involved; (c) explore ways for other Boards and Commissions to better communicate with residents as well as with each other; and (d) make recommendations to the Town Council consistent with their findings and present those recommendations to the Town Council. The Committee will meet on a specified day and will conclude its work upon providing its findings and recommendations to the Town Council.

Councilor Hirst felt that bulk mailing was a good way to get information to residents. He also believed the Councilors should be promoting the Town.

Councilor Geary asked if applicants would need to have background checks performed and be interviewed, and how long this Committee would last.

Councilor Marvel stated that applicants would be required to have background checks and an interview. He also suggested the Committee finish its work right around budget time so that the Council can gauge the success of this Committee based on the budget vote turnout. Council President Moffitt wished this to be a short term Committee to follow up with the Council after three months' time. He also did not wish to overwork Town staff and felt that the Committee should work with the Council. Councilor Marvel noted that this Committee should have a liaison assigned which he volunteered to be. Town Manager Rosso noted that in the budget they had asked for funding for the town's website and this Committee could possibly help with suggestions on the website as well. Council President Moffitt wished to be more specific on the charge, such as looking for avenues to provide information to residents. Councilor Marvel asked if they should tie this Committee directly to the up-coming budget vote and have the charge be defined as finding more ways to engage residents to vote. Councilor Hirst felt that there should always be an up-to-date website, especially for any emergency. There was discussion on the number of members and it was agreed that five would suffice. Council President Moffitt reiterated that he wished this Committee to report directly to the Council with their suggestions and it was agreed that the charge as written by Councilor Marvel was appropriate.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR GEARY TO ACCEPT THE CHARGE REGARDING THE FORMATION OF A COMMUNICATION COMMITTEE FOR THE PURPOSE OF IMPROVING HOW THE TOWN COMMUNICATES IMPORTANT AND GENERAL INFORMATION TO TAXPAYERS.

IN FAVOR: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

UPDATE FROM POTTER HILL DAM INFORMATION STUDY COMMITTEE

The Potter Hill Dam Information Study Committee Chair Jim Duksta was present to provide an update to the Town Council. Other Committee members present: Carl Rosen, Marie Ward and Howard Mills.

Mr. Duksta read the following update:

On Friday, October 15th the Fuss & O'Neill report was received by our committee. Highlights of each alternative were provided to the Hopkinton Town Council on Sunday October 17th in preparation for the Fuss & O'Neill presentation to the Westerly Town Council on Monday, October 18th.

Following a workshop session on Monday, October 25th there was a vote by the Westerly Town Council to pursue Alternative 3. The Westerly Town Council went on to approve the revision and renewal of the year two contract with Fuss and O'Neill for design, permitting, and construction for Alternative 3.

Their Council stated the following reasons as they made their votes:

- Does not impact Fire and Rescue
- Preserves the water level for wells
- Preserves the current Wildlife habitat
- Maintain property values
- Because they felt lack of funding should not dictate the solution
- Fuss & O'Neill successfully delivered a similar solution for the town in Bradford

Per the Fuss and O'Neill report, Alternative 3 entails lowering the dam 2.6 feet and then facilitates construction of a full height riffle-pool channel that would maintain the river's water levels upstream of the dam at or near their current elevations through the range of annual and flood-related flows.

The Hopkinton Potter Hill Dam Information Committee has reviewed the Fuss and O'Neill report and attended the Westerly Town Council Meetings and workshops. The committee supports Alternative 3 as the best solution possible for the following reasons:

- Avoid impact to water wells

- It is the only alternative that will meet the requirements of the US FWS design manual for fish passage at both the Potter Hill Mill site and the Route 3 Bridge locations
- Eliminates the potential danger of dropping the water level too low for fish passage
- Will not impact wildlife habitat currently in place today
- Will not impact property values
- Eliminates concerns with the river's edge becoming mudflats that will provide the opportunity for invasive plants to overtake riverbanks
- The river width will remain scenic and beautiful instead of losing 55 feet
- Maintains current accessibility for Fire and Rescue

The Hopkinton Potter Hill Dam Information Committee would like to make the following formal requests of the Hopkinton Town Council:

1. The Hopkinton Town Council takes a formal position on the alternatives at the next Town Council meeting
2. Hopkinton Town Council engages with the Westerly Town Council on actions and plans regarding the dam going forward
3. The appointment of a Town Council Liaison to this committee as a conduit for information
4. Hopkinton Town Council assists with seeking funding for the selected approach
5. A request be made to the Westerly Town Manager to provide the well survey names and answers provided for the Town of Hopkinton. This is valuable information to the town in general and would be of use should there be any change in the alternative selected.

Our committee has reviewed a large volume of information on this Dam removal and other dam removals. Please feel free to engage me or our committee members if you have any questions on the removal alternatives presented for the Potter Hill Dam.

The Hopkinton Potter Hill Dam Information Committee will continue to meet monthly (and as required if necessary) to continue to gather information until conclusion of this matter per our charge.

Councilor Davis noted that she had contacted Gina Fuller and asked for the results of the questionnaire so they would know who the residents were that would be most impacted. Council President Moffitt asked Mr. Duksta what Westerly's next steps were since they were in year two of the NOAA grant. Mr. Duksta advised that when it was brought to Westerly's attention that there was controversy, they terminated the year two contact with Fuss & O'Neill. On October 25, 2021, Westerly made a motion to renegotiate the contract with Fuss & O'Neill for Alternative 3. Councilor Davis noted that Alternative 3 will cost at least Two Million Dollars more. Mr. Duksta noted that seeing that this matter concerned both towns, their Committee believed that both towns could benefit from seeking funding at the state level. Councilor Davis indicated that Ms. Fuller had suggested that Hopkinton invite the U.S. Fish and Wildlife and NOAA to speak with them regarding funding.

Howard Mills of Maxson Street asked Councilor Davis if she had said there were 39 wells that would be affected by lowering the river and Councilor Davis noted that in the Fuss & O'Neill report they had identified 20 wells that almost definitely would need to have their wells replaced and a possible 19 others.

Mr. Duksta finished by indicating that the Potter Hill Dam Information Committee would continue meeting and they understand that there are some people interested in purchasing the mill property after it is cleaned up, including one party who may be a solar developer.

Carl Rosen of River Road noted that in the Fuss & O'Neill report, the URI information, he believed, was the most statistically correct which indicated that up to fifty wells may be affected. He reiterated Mr. Duksta's statement about a number of parties being interested in purchasing the mill property; one being a private developer who has placed solar panels all over the Westerly area.

NEW BUSINESS

GRAVEL BANK REGISTRATION RENEWAL

The Kenyon Earth Removal Registration Renewal Application had been submitted for approval. The Building and Zoning Department had signed off on the application as required.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO APPROVE THE KENYON EARTH REMOVAL REGISTRATION RENEWAL APPLICATION.

IN FAVOR: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

SCHOOL COMMITTEE MEMBER APPOINTMENT

This matter had been scheduled to discuss, consider and possibly vote to appoint one of four applicants: Sylvia Stanley, Polly Hopkins, Tyler Champlin or endawnis Spears; to the Chariho School Committee to fill the vacancy to November 2022. The applicants were interviewed on October 25, 2021.

Councilor Davis had prepared a statement which she read into the record:

“endawnis Spears is an exceptionally qualified candidate for the following reasons: (1) she is a professional education consultant who works with K-12 schools, college/universities, and public humanities sites; (2) she provides a 6-day professional development training seminar for classroom and museum educators; (3) she has spent 2½ years participating on the Hope Valley Elementary School Improvement Team; (4) she is also working with others to provide curriculum, policy and practices recommendations to the Chariho School Committee; (5) she will work to maintain the rural nature of the School District by keeping small, distinct elementary school in Chariho towns; (6) she is committed to the implementation of forthcoming RIDE standards to better serve students, families, educators, and administrators that take into account the challenges of Covid-19 and diverse populations; and (7) she is a Tribal Community Member in Residence at Brown University to support Native students and consult with faculty/administrator for better curricular and demographic representation. endawnis’ expertise, experience, drive and enthusiasm would be well received by the Chariho School Committee and would allow her to ‘hit the ground running’. Therefore, I am making a motion to select endawnis Spears to fill the current Chariho School Committee vacancy from November 1, 2021 until the next election that will be held on November 8, 2022.”

Councilor Hirst noted that he supported Tyler Champlin, a certified public accountant, noting that the Chariho School District absorbs approximately 74% of town taxes and they need to be held accountable for their financial affairs.

Councilor Hirst also stated that he was very dissatisfied with the School Committee and the Council for he believed that the Council did not stand behind Pastor Dave Stall. He also did not appreciate that Hope Valley Elementary School Principal, Giuseppe Gencarelli, injected himself in the selection process, being an employee of the School District. He did wish Ms. Spears well and hoped she would extend respect for all members of the community and not go along with some of the disrespect and contempt that the Chariho School Committee has had involving the public including the other night when they restricted public input from non-parents in certain things at Chariho.

Councilor Geary agreed with Councilor Hirst noting that every year there is a discussion on how the school budget works and questions as to why it keeps increasing, and his choice was also for Tyler Champlin.

Councilor Davis indicated that she had spoken with the Rhode Island Ethics Commission and they indicated that there was nothing wrong with the Principal and Ms. Macaruso sending them their suggestions.

Council President Moffitt did not agree with Councilor Hirst's comments regarding Pastor Dave Stall and the fact that the Council should support him.

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR MARVEL TO APPOINT ENDAWNIS SPEARS TO THE CHARIHO SCHOOL COMMITTEE TO FILL THE VACANCY TO NOVEMBER 2022.

IN FAVOR: Davis, Marvel, Moffitt

OPPOSED: Hirst, Geary

MOTION CARRIES

DISCUSSION RE PUBLIC UTILITIES RESPONSE TO POWER OUTAGES

Councilor Hirst had requested a discussion and consideration of whether there was a response plan by public utilities to power outages.

Councilor Hirst wished to invite someone from the Public Utility Commission or the power company to address the length of time that it takes to restore power outages and why the same areas seem to lose power. He believed Emergency Management personnel and Public Works should be involved in order to determine if there are any improvements that can be done to stop the amount of outages.

Councilor Davis noted that she felt that National Grid should be involved and possibly the State Public Utility Commission.

Town Manager Rosso advised that he had received numerous calls from residents and had seen emails from National Grid and the Public Utility Commission concerning this issue. He noted there are other issues besides trees, with one issue possibly being a transformer. Council President Moffitt speculated that our State Representatives or Senators could possibly make a phone call in this regard. He felt that it would be a good idea to send a letter to the Public Utility Commission indicating that there was a concern. Councilor Hirst indicated that he would call the Public Utility Commission and ask how the town should proceed with this concern. Councilor Marvel felt it would be more effective to reach out to the State Representatives and indicate that there is a recurring problem and they would like some assistance in talking to the Utility Commission. Councilor Geary suggested sending a letter to the Representatives asking them to follow-up in this regard. Council President Moffitt felt that they should send a letter to Representative Kennedy and Senator Morgan asking for assistance and Councilor Hirst indicated that he would call the Public Utility Commission and provide a report at the next meeting.

PUBLIC FORUM

Caleb Grant of Hope Valley stated that he was very excited for the appointment of endawnis Spears to the School Committee. He noted that he is an independent voter and he has friends on the conservative side and felt that the only way we can move forward as a community, on issues of equity or diversity, is to work together to have these conversations. He believes there is truth on both sides and his role in being involved in the diversity and equity work is to speak to the fact that he hears both sides, he cares about the conservative families and he cares

about the people that have been identified by the anti-racist task force that need a voice as well.

Tyler Champlin of Camp Yawgoog Road felt that the Town should be aware that the School Committee meetings were taking place with no representation from Hopkinton. He felt this was a big problem and noted that when you elect four individuals to be on a Committee and not one of them shows up and there are votes being taken and Hopkinton is not being represented, that is a big problem. These people are elected to do a job and they need to start participating; the elected officials need to be held accountable.

endawnis Spears of 9 Evans Lane indicated that she was grateful and honored to represent the Town on the Chariho School Committee. She advised that she would represent all Chariho families and educators.

Councilor Geary noted that Veteran's Day was on November 11th and he wished all veterans a "Happy Veteran's Day".

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO RECESS INTO EXECUTIVE SESSION UNDER: RIGL 42-46-5(A)(2) LITIGATION AND RIGL 42-46-5(A)(5) ANY DISCUSSIONS OR CONSIDERATIONS RELATED TO THE ACQUISITION OR LEASE OF REAL PROPERTY FOR PUBLIC PURPOSES, OR OF THE DISPOSITION OF PUBLICLY HELD PROPERTY WHEREIN ADVANCED PUBLIC INFORMATION WOULD BE DETRIMENTAL TO THE INTEREST OF THE PUBLIC IN CONNECTION WITH ENVIRONMENTAL REMEDIATION AT STUBTOWN LANDFILL SITE.

IN FAVOR: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO RECONVENE IN OPEN SESSION AND TO SEAL THE MINUTES OF THE EXECUTIVE SESSION.

IN FAVOR: Moffitt, Davis, Marvel, Hirst, Geary

OPPOSED: None

SO VOTED

Council President Moffitt reported that no votes were taken in Executive Session.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY
COUNCILOR DAVIS TO ADJOURN.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Murray

Deputy Town Clerk