

State of Rhode Island

County of Washington

In Hopkinton on the seventeenth day of July 2017 A.D. the said meeting was called to order by Town Council President Frank Landolfi at 6:30 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI 02833.

PRESENT: Frank Landolfi, Thomas Buck, Barbara Capalbo, David Husband, Sylvia Thompson; Town Solicitor Kevin McAllister; Town Manager William McGarry; Town Clerk Elizabeth Cook-Martin.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO CONVENE IN OPEN SESSION AND RECESS TO EXECUTIVE SESSION UNDER RIGL SEC. 42-46-5(A)(7) FOR PRELIMINARY DISCUSSIONS AND/OR CONSIDERATIONS RELATED TO THE INVESTMENT OF PUBLIC FUNDS WHERE THE PREMATURE DISCLOSURE WOULD ADVERSELY AFFECT THE PUBLIC INTEREST.

POLL VOTE:

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

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO RECONVENE IN OPEN SESSION.

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

OPPOSED: None

SO VOTED

Council President Landolfi reported no votes were taken during the Executive Session.

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

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

OPPOSED: None

SO VOTED

The meeting was called to order with a moment of silent meditation and a salute to the Flag at 7:00 PM.

HEARING:

TRANSPORTATION IMPROVEMENT PROGRAM: FFY's 2018-2027

The Council opened a hearing regarding future road repair projects for inclusion into Rhode Island Department of Administration's Statewide Planning Transportation Improvement Program, (TIP) for Federal Fiscal Year's 2018-2027. The TIP is a multi-year program consisting of various road repair projects to State-owned and local roads on the Federal Highway System eligible to receive Federal Funding.

Town Planner James Lamphere was present. Mr. Lamphere explained the State is updating its Transportation Improvement Plan for a ten year period, 2018 through 2027, which gives the Town the opportunity to add to the list or go back and address any previously submitted projects. He reported that he and DPW Director Tim Tefft had met and reviewed the list. Last year there were 18 items on the list, now there are 35 because the State pre-populated the sheets with bridge projects and other items that were not there previously. He stated he and Mr. Tefft had prioritized the local projects based on their knowledge and observations with the intent of adhering to last year's list as much as possible. He reported they singled out the Laurel Street and Maxson Street resurfacing in order to push for an earlier date in the schedule. The State TIP currently has it set for 2020, which had been moved up from 2024, but they would like to encourage the State to move it up even earlier. Another project they support is for the State to establish funding for the Main Street Handicap Access Sidewalk. The Chase Hill Road pavement project has been resubmitted as well. He reported the State has included two bridges on Woody Hill Road on the TIP that have wooden substructures and Mr. Tefft suggested moving them to the top of the list in order to prioritize these bridges. Mr. Lamphere reported the main timbers on the bridges were holding up, but there was a little rot on the outer portion near the guard rails; these bridges

identified as Woody Hill South and Woody Hill were originally ranked #3 and #4 but he suggested a ranking priority of #1 and #2; ranking them in that way would send a message to the State, giving them notice that the Town wishes the bridges to be prioritized for repair. Mr. Lamphere explained that the application was due on August 11, 2017; after that the State will hold a public hearing and he and Mr. Tefft would go and express the Town Council's priorities.

Council discussion:

Council President Landolfi confirmed with Mr. Lamphere that the lower the ranking number for an item the higher it was in importance. He questioned why those items ranked as important were scheduled so many years out for repair if they were such a priority; some were as far out as year 2026. Councilor Capalbo suggested the Town provided the ranking to the State but the State provided Mr. Lamphere the list with the year the item would set for repair; the Town will be asking them to move them up. Mr. Lamphere affirmed the dates can be changed; he and Mr. Tefft can ask for the projects to be moved up at the Public Hearing. He was comfortable that the State has reviewed and inspected all of the bridges and that the year they are scheduled for correlates with their assessment of the condition of the bridges. Councilor Husband asked when the list will come back based on the Towns prioritization. Mr. Lamphere explained the application had to be filed with the State by August 11, 2017 and then the State would compile the data and they will schedule public hearings across the State. The last time a hearing was held at the South Kingstown Town Hall. He stated he and Mr. Tefft will go and express the Town Councils' wishes and desires for the ranking. Councilor Capalbo had no problem moving up the two bridges from #3 and #4 to #1 and #2 but noted Laurel Street and Maxson Street are in pretty horrific condition. She asked if CDBG funds were an option for the Main Street Handicap Access Sidewalk and there was some agreement that this had been attempted. She would like to try for CDBG funds again in an attempt to find money elsewhere as it was an important project. She noted she no issues with including the Chase Hill Road resurfacing project on the TIP. She asked if Woodville Road was still on track for repair this year. Mr. Lamphere felt this year the engineering studies would begin and next year the repairs. Councilor Buck asked about item #15

Potter Hill Culvert, Potter Hill Road at Maxson Brook; that it was newly paved and may have been done already so it may be worth considering ranking it differently. Councilor Capalbo added that #14 Wellstown Road Bridge at Ashaway River; was done after the 2010 floods and was in good shape so that could be moved down on the list. Councilor Buck stated his only concern with changing the ranking was that he doesn't want to let Woodville Road, Laurel Street and Maxson Street to fall by the wayside and does not want a change in ranking to affect when these roads are to be done. Mr. Lamphere commented that a bridge project vs. pavement project were two different sections, plus those items are already in the pipeline. Councilor Buck reported one resident contacted him about the Route 3 beginning from Route 216 to Route 95 span; that the whole side shoulder is falling in. There were no comments from members of the public in attendance nor were there any written comments received.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND THAT THE HOPKINTON TOWN COUNCIL APPROVE THE TOWN'S TRANSPORTATION IMPROVEMENT PROGRAM (TIP) APPLICATION FOR FEDERAL FISCAL YEARS 2018-2017 AND AUTHORIZE THE TOWN MANAGER TO FORWARD THE APPROVED APPLICATION TO THE RHODE ISLAND DIVISION OF PLANNING.

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

OPPOSED: None

SO VOTED

DECISIONS:

DIGITAL SIGN ORDINANCE PROPOSED AMENDMENT

This matter is before the Town Council to allow them to render a decision on a proposed amendment to Chapter 249 Digital Sign Ordinance, in Code of Ordinances, Chapter 134 – Appendix A “Zoning” Section 27. Signs; introduced & sponsored by Council President Frank Landolfi. A hearing was held on June 19, 2017 with one additional minor change recommended: to substitute the word “illuminated” highlighted in bold text below for the word “included” shown as a

strike-through below. The proposed amendment would add language to Section T (p)(1) as follows:

- p. The following colors shall be used in digital signs:
1. Blue, Green or Amber for digital signs in Commercial, Neighborhood Businesses, Industrial or Manufacturing Zones, with the added allowance of the use of red digital numbering of posted gasoline prices “illuminated” ~~included~~ on digital signs located at licensed gasoline facilities that are subject to regulation under RIGL secs. 31-37-11 – 31-37-13, inclusive;
 2. All other Sections of Chapter 134. Section 27 to remain in full force and effect.
 3. This amendment shall take effect immediately upon passage.

Council deliberations:

Council President Landolfi stated he had noticed across the state, both gas stations have red LED sign lights. When he had contacted Councilor Capalbo to ask about an amendment, she had no objection. Councilor Buck asked how long the Council would give the stations to implement the dimming requirement as they have known since day one it was required. Mr. McGarry stated that would be up to the Town Council. Councilor Buck would like it upon passage and added that before the error made by the Building & Zoning Official, the Town had no LED signs. Councilor Husband asked if the ordinance had any “teeth”. Steven Surdut, Esq. was present. They will implement as soon as reasonably possible. He thanked the Council for addressing the matter. Council President Landolfi, we will follow up. Deliberations ended and the Council proceeded to vote.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSAND TO APPROVE THE PROPOSED AMENDMENT TO CHAPTER 249 DIGITAL SIGN ORDINANCE, IN CODE OF ORDINANCES, CHAPTER 134 – APPENDIX A “ZONING” SECTION 27. SIGNS.

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

OPPOSED: None

SO VOTED

RE: RI SOLAR RENEWABLE ENERGY & PELOQUIN BUILDERS PETITIONS

This matter is before the Town Council to allow them to render a decision on a Petition for a Zoning Ordinance Amendment and a Petition for a Comprehensive Plan Future Land Use Map Amendment to Map 10 filed by Rhode Island Solar

Renewable Energy LLC, 43 Creston Way, Warwick RI 02886 for property owned by Peloquin Builders Inc., 58 Main Street, Ashaway, RI 02804 located on the south side of Route 91/Alton Bradford Road identified as Assessors Plat 3 Lot 53D, an RFR-80 Zone. The hearing was held on June 5, 2017.

The applicant is proposing to install a Solar Array requiring the vacant land to be cleared to allow the erection and installation of solar panels to generate approximately *13.3 AC and 18.8 DC megawatts of energy requiring an Zone change from RFR-80 to Manufacturing–Special and is filed in accordance with Section 16 (A) – (E) of the Zoning Ordinances of the Town of Hopkinton as amended.

Vincent Naccarato, Esq. was present representing the Applicants. Attorney Naccarato confirmed that the solar array was 13.8 AC. A stenographer was present to record the proceedings a copy of the transcript will be attached and made part of this record.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR BUCK TO APPROVE THE ZONE CHANGE FROM RFR-80 TO MANUFACTURING SPECIAL AND COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT FOR AN UP TO 13.8 AC MEGAWATT SOLAR ARRAY WITH CONDITIONS TO INCLUDE: ADHERING TO THE NON-RESIDENTIAL PHOTOVOLTAIC SOLAR ENERGY SYSTEMS (PSES) KNOWN AS THE SOLAR ORDINANCE; THAT THERE BE AN ESCROW ACCOUNT IN AN AMOUNT SET BY THE PLANNING BOARD THAT WILL BE USED UPON DECOMMISSIONING; UPON DECOMMISSIONING THE PARCEL AUTOMATICALLY REVERTS BACK TO RFR-80 ZONING; THAT THEY ADHERE TO THE AGREEMENT WITH THE LAND TRUST FOR A PARKING AREA AND A WALKING PATH EASEMENT, THAT THE FENCE SURROUNDING THE SOLAR ARRAY BE SITUATED SIX INCHES OFF THE GROUND FOR SMALL ANIMALS TO PASS THROUGH, THAT A BUFFER BE MAINTAINED OR INCREASED WITH SHRUBBERY OR

TREES AT THE BOUNDARY OF THE HOUSES THAT ABUT THE PROPERTY SO THAT PEOPLE ON THE FIRST FLOOR WILL NOT BE ABLE TO SEE THE DEVELOPMENT, THAT THE DECIBEL LIMIT SHOULD BE LESS THAN OR EQUAL TO 55 DECIBELS AT THREE METERS, THE STANDARD FOR HUMANS FROM THE WORLD HEALTH ORGANIZATION AND SUBJECT TO INTERCONNECTION APPROVAL BEFORE CLEAR-CUTTING AND SUBJECT TO COMPLIANCE WITH THE REST OF THE REQUIREMENTS OF THE SOLAR ORDINANCE.

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

OPPOSED: None

SO VOTED

Solicitor McAllister acknowledged the final version of the ordinance will reflect 13.8 AC. The final versions of ordinances and the decision will be attached and made part of this record.

CONSENT AGENDA

The Petition of National Grid & Verizon to install a new utility pole and anchor to be attached to Pole #35-S located on Oak Street was removed from the Consent Agenda.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE CONSENT AGENDA AS FOLLOWS: Approve Town Council Meeting Minutes of June 19, 2017; Executive Session Minutes of June 19, 2017; Accept the June 5, 2017 transcript as the record of the hearing re: RI Solar Renewable Energy LLC & Peloquin Builders, Inc. Zoning Ordinance amendment & Future Land Use Map amendment; Set September 5, 2017 as the first meeting in September due to Labor Day Holiday; Accept the following monthly financial/activity report: Town Clerk.

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

OPPOSED: None

SO VOTED

Councilor Buck commented that the Town was losing ground and falling behind

regarding the double pole issue and recommended the Council deny the National Grid & Verizon Petition. Councilor Husband asked if the Town had approved the poles that were being installed on Route 216. Councilor Buck stated no, National Grid had been adding poles and it will happen up Chase Hill Road as well. He did not want it to take years to have the double poles removed by waiting for Verizon and Cox Communications and others to remove their lines. It was noted that audits of double poles in town ranged from 22 to as many as 88 with additional poles to be added on Chase Hill Road. There is no impetus to rein them in and the removal responsibility has now been switched to Verizon. Councilor Buck commented that the Town Manager has been very tough on them with regard to the double pole problem. Mr. McGarry suggested perhaps coming up with a written agreement with Verizon that they are to remove them within 60-90 days. Councilor Buck was under the impression that the utility was to get approval from the Town for a pole that was not there before. Mr. McGarry commented that they did not come to get permission and say it is part of the substation project. Council President Landolfi supported mentioning the double poles at the next meeting with National Grid. Councilor Buck added that the location of the substation had been moved to the current site after a hearing was held here in Town Hall with the Public Utilities Commission when it had first been proposed for River Road. Councilor Capalbo indicated she was not too concerned about the additional poles because the distances between them had been too large and the substation will have heavier cables. Councilor Buck added that there had been a meeting with Mr. Grills earlier about the additional poles planned for Chase Hill Road. He commented that if the power was to feed into the Town of Westerly would they have to look at double poles the entire way. The Petition National Grid & Verizon to install a new utility pole and anchor to be attached to Pole #35-S located on Oak Street was not approved.

PUBLIC FORUM

Scott Bill Hirst, 20 Maple Court commented on a vote by Representative Brian P. Kennedy, House Speaker Pro Tempore, that he had voted on legislation for contract extension. Mr. Hirst felt that legislation would place municipalities and management in a tough spot. He asked the Council to send a letter expressing

their disappointment; that it has placed management at a disadvantage and will impact Towns and School Districts in future years. He reported the annual Ashaway Fire District Meeting is scheduled for 6:30 PM on July 20, 2017 at the Ashaway Fire Station.

COUNCIL PRESIDENT REPORT

Council President Landolfi reported the WWII Polish American Memorial that had been at the site of the former American Legion Post on Thelma Drive, property now owned by Thomas Gilligan had been relocated to Polish Park on Mechanic Street and the memorial looks wonderful. He expressed his thanks to Mr. Gilligan, Mr. Henry and the Department of Public Works.

TOWN MANAGER REPORT

Town Manager William McGarry reported on June 22, 2017, he attended the fifth Hazardous Mitigation Plan meeting held in the HPD conference room. There were ten town officials in attendance. The meeting was chaired by Carissa Lord, P.E., of VHB Engineering, Inc. They reviewed the Town's critical infrastructure and community assets, to include: drainage systems, streets, bridges, utilities, water supply systems, communication towers, dams and emergency response issues. The next and final meeting is scheduled for July 26, 2017 when they plan to prioritize and finalize details of the plan. Once that's completed, they will review the draft plan and present it to the Town Council for public comment. Once approved, they will then submit it to RIEMA and FEMA for final review.

OLD BUSINESS

REVISED FY 2017 TAX RESOLUTION

This matter had been scheduled to discuss, consider and vote to adopt a revised FY 2017 Tax Resolution which includes Motor Vehicle tax revenue as recommended by the Auditors. Finance Director Brian Rosso was present. He explained that a finding from the FY 2016 Audit brought something to their attention. He explained the Tax Resolution references real estate and tangible personal taxes and our tax revenue is broken down by real property, tangible and motor vehicle; this gave the impression that it was for real property and tangibles; the auditors advised it should include the Town's entire tax roll so the range has

been adjusted to include the motor vehicle revenue as well. Only the values had changed; there is no change to the mill rate as FY 2016 is all said and done.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSAND TO ADOPT THE REVISED FY 2017 TAX RESOLUTION TO INCLUDE MOTOR VEHICLE TAX REVENUE AS RECOMMENDED BY THE AUDITORS

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

OPPOSED: None

SO VOTED

The resolution as revised follows:

TAX RESOLUTION

RESOLVED: That the Town Council of the Town of Hopkinton based on the budget adopted by vote of the Town Council on June 20, 2016 pursuant to section 2370 of the Hopkinton Town Charter following approval of the proposed FY 2016/2017 budget by the voters at the Financial Town Referendum on June 14, 2016, hereby impose a tax levy at a Town Council Meeting held this 20th day of June 2016, and order the apportionment and collection of a tax on the ratable real estate and tangible personal property in a sum not less than \$17,761,897.00 and not more than \$18,161,897.00. Said tax is for ordinary expenses and charges of the Town, for payment of interest and indebtedness, and for the purposes authorized by Law. The Assessor shall apportion said respective taxes upon the assessed valuations of the ratable property of said Town as determined by the said Assessor of the Town as of the 31st day of December A.D. 2015, at twelve o'clock midnight, according to Law. The said respective Tax Levies shall be applied to the assessment roll as aforesaid and the resulting tax roll certified by the Assessor to the Town Clerk not later than the 15th day of July A.D. 2016. The Town Clerk on receipt of said completed tax roll shall forthwith make a copy of the same and deliver it to the Town Finance Director, who shall forthwith issue and affix to said copy a Warrant under her hand, directed to the Collector of Taxes of said Town, commanding her to proceed and collect said taxes of the persons and estates liable therefore. Said Taxes shall be due and payable on and between the first day of August and the eighth day of September A.D. 2016 next, and/or may be paid in equal quarterly installments, the first installment of twenty-five per centum on or before the eighth day of September A.D. 2016, and the remaining installments as follows:

Twenty-five per centum on the eighth day of December A.D. 2016, twenty-five per centum on the eighth day of March A.D. 2017 and twenty-five per centum on the eighth day of June A.D. 2017. Each installment of taxes, if paid on or before the last day of each installment period, successively and in order shall be free from all charge for interest.

EXCEPTING HOWEVER, that where the combined total of said tax and additional tax levied is an amount not in excess of one hundred dollars (\$100.00) it shall be due and payable in a single installment on and between the first day of August and the eighth day of September A.D. 2015.

If the first installment or any succeeding installment of taxes is not paid by the last date of the respective installment period, or periods, as they occur, then the unpaid quarterly payments shall be due and payable immediately and shall bear interest on any unpaid quarterly payments at the rate of twelve (12) per centum, per annum.

RESOLVED: That the Collector of Taxes shall collect and pay unto this Town's Treasury, as the same is collected, the tax this day ORDERED.

RESOLUTION ADOPTED: June 20, 2016

REVISION ADOPTED: July 17, 2017

REVISED RESOLUTION RE: AUTHORIZING THE PURCHASE OF STREET LIGHTS, THE CONVERSION OF FIXTURES TO LIGHT-EMITTING DIODE (LED) TECHNOLOGY, AND THE FINANCING THEREOF THROUGH A LEASE PURCHASING AGREEMENT OR OTHER APPROPRIATION OBLIGATION

This matter is scheduled to discuss, consider and vote to adopt a revised Resolution authorizing the purchase of street lights, the conversion of fixtures to light-emitting diode (LED) technology, and the financing thereof through a Lease Purchasing Agreement or other Appropriation Obligation in an amount not to exceed \$290,000.00 and determining other matters in connection within. This resolution revises the Resolution adopted on April 3, 2017. Finance Director Brian Rosso was present. He noted that Bond Counsel Karen Grande had contacted him and recommends a verbiage change to encompass Appropriation Obligations as the Rhode Island Infrastructure Bank has changed the structure of their loans for the Efficient Building Fund; they may no longer consider Lease Agreements so she wants to encompass Appropriation Obligations and Lease Agreements so whatever way the RIIB decides to go the Town is all set. It is strictly a verbiage change. There are no other changes to the Resolution; there is no impact to the Town, it is the same interest and the loan would be the same. If we were ever to default on our loan, they would own the street lights which they don't want back so it was changed to appropriation obligation.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO APPROVE THE REVISED RESOLUTION AUTHORIZING THE PURCHASE OF STREET LIGHTS, THE CONVERSION OF FIXTURES TO LIGHT-EMITTING DIODE (LED) TECHNOLOGY, AND THE FINANCING THEREOF THROUGH A LEASE PURCHASING AGREEMENT OR OTHER APPROPRIATION OBLIGATION.

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

OPPOSED: None

SO VOTED

The resolution follows:

RESOLUTION OF THE TOWN COUNCIL AUTHORIZING THE PURCHASE OF STREET LIGHTS, THE CONVERSION OF FIXTURES TO LIGHT-EMITTING DIODE ("LED") TECHNOLOGY, AND THE FINANCING THEREOF THROUGH A LEASE PURCHASE AGREEMENT OR OTHER APPROPRIATION OBLIGATION AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Town of Hopkinton, Rhode Island (the "Town"), a body politic and corporate duly organized and existing as a political subdivision and municipal corporation of the State of Rhode Island (the "State") is authorized by the laws of the State to purchase, acquire and lease personal property for the benefit of the Town and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, the Town desires to enter into agreements for the purchase of streetlights in the Town and the conversion of the fixtures to LED technology in order to achieve energy savings and cost savings (the "Project"); and

WHEREAS, the Town desires to enter into agreements for the maintenance of the Project; and

WHEREAS, the Project is necessary for the Town to perform essential governmental functions; and

WHEREAS, Town desires to take the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the implementation of the Project.

NOW THEREFORE, BE IT RESOLVED THAT:

SECTION 1. The sum of \$290,000 is appropriated to finance the Project. The Town Council hereby authorizes the Finance Director and the President of the Town Council, acting on behalf of the Town, to finance the Project through a Lease Purchase Agreement or other Appropriation Obligation and related documents, including agreements with third-party maintenance providers (the "Financing Documents"), subject to annual appropriation therefor by the Town.

SECTION 2. The form and other details, terms and conditions of the Financing Documents shall be fixed by the Finance Director and the President of the Town Council. The Finance Director and the President of the Town Council are authorized to enter into financing agreements with the Rhode Island Infrastructure Bank (the "RIIB") in accordance with chapter 46-12.2 of the general laws to evidence loans from the efficient buildings revolving fund administered by the RIIB.

SECTION 3. The Finance Director and the President of the Town Council, each acting singly, is hereby authorized to enter into the Financing Documents and said officers are hereby authorized and instructed to take all actions, and to execute and deliver the Financing Documents and any related agreements, certificates and other documents in such form as they may deem necessary or desirable to implement the Project. To the extent that the Financing Documents contemplate tax-exempt financing, such officers are also authorized to take all action, on behalf of the Town, necessary to insure that the interest component of the lease payments or other appropriation obligation payments will be excludable from gross income for federal income tax purposes and to refrain from all actions which would cause the interest component of the lease payments or other appropriation obligation payments to become subject to federal income taxes.

SECTION 4. Nothing contained in this Resolution, the Financing Documents or any other instrument shall be construed with respect to the Town as incurring a pecuniary liability or charge upon the general credit of the Town or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Financing Documents or any other instrument or document

executed in connection therewith impose any pecuniary liability upon the Town or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Financing Documents are special limited obligations of the Town.

SECTION 5. This Resolution is an affirmative action of the Town Council toward the execution and delivery of the Financing Documents in accordance with the purposes of the laws of the State. This Resolution constitutes the Town's declaration of official intent, pursuant to Treasury Regulation 1.150(2), to reimburse the Town's General Fund for certain capital expenditures paid on or after the date which is sixty (60) days prior to the date of this Resolution, but prior to the execution and delivery of the Financing Documents. Such amounts to be reimbursed shall not exceed \$290,000 and shall be reimbursed not later than eighteen (18) months after (a) the date on which the expenditure is paid or (b) the date the property is placed in service or abandoned, but in no event later than three (3) years after the date the expenditure is paid.

SECTION 6. This Resolution shall take effect upon its passage.

NEW BUSINESS

KENYON EARTH REMOVAL REGISTRATION RENEWAL

This matter had been scheduled to review and approve the Kenyon Earth Removal Registration Renewal Application. Councilor Buck commented about other applicants. So far, there have been a total of two gravel bank owners who had registered their gravel banks and there were two incomplete registrations.

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

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

OPPOSED: None

SO VOTED

TOMAQUAG INDIAN MUSEUM

This matter had been scheduled to discuss and consider support to the cultural and historical mission of the Tomaquag Indian Museum, requested by Councilor Capalbo. Loren Spears was present. Councilor Capalbo commented on the importance of the cultural, educational and historic aspect also an important part of our tourism. The work done by the museum has received awards and grants. Ms. Spears had written a Socio and Economic grant to benefit the Indigenous Empowerment Network and is looking for the Town's support. Ms. Spears indicated they will continue to grow with the focus being the Native Act, which was passed in 2016 and is about creating indigenous cultural tourism nationwide,

intersecting that with municipalities throughout the State and Region. She was sure there were States that have already been involved in this, but in the Northeast Corridor that doesn't seem to be so. In speaking with her friends and relatives in different tribes in different communities, most of the tribes don't know about it and the municipalities do not either. She noted one grant has already been submitted and what Tomaquag is trying to do with the second one includes an opportunity for apprentices and interns to learn how to represent the native community with digital, audio and visual productions in order to get out to places like the Town Hall and to conduct a presentation about the full depth of what the Native Act is. The museum intends to go around to all 39 Rhode Island Cities & Towns and engage people on how it can benefit the Town and work with Tomaquag Museum or the Tribe depending on the circumstances. Tomaquag Museum is a tourism arm of the State and they are independent of the Tribe. They are 59 years old this year and had their start in Hopkinton in Tomaquag Valley which is how they got their name. She noted they are looking for support as they move forward and apply for grants. Their goal as a museum is to educate people on native history, culture, art and the environment and to advocate for the native community which is still the most impoverished community in the State of Rhode Island and nationally, are three times below the national average in poverty levels. There is a small window of opportunity. They let the school go and began looking at long term sustainability including housing and master plan development. She provided a handout with information to be distributed to the Council. The Council thanked Ms. Spears for her presentation and indicated they may consider a resolution of support on a future Town Council Agenda.

**SCHEDULE WORKSHOP RE: FARM VIABILITY ORDINANCE AMENDMENTS
PROPOSED BY THE CONSERVATION COMMISSION**

This matter had been scheduled to discuss and consider scheduling a workshop re: proposed Farm Viability Ordinance amendments by the Hopkinton Conservation Commission. The Council set Monday, July 31, 2017 as the date for the workshop beginning at 6:30 PM.

PUBLIC FORUM

Conservation Commission Member John Pennypacker, Lawton Foster Road N. commented that there were many merits to solar and solar projects but is

concerned; it can provide revenue to local businesses but the bulk of the revenue goes to firms not based in Hopkinton or even the State, there is little commerce or jobs from solar; it creates blight areas, animals cannot graze, the property cannot be farmed, the fencing creates impassable areas for wildlife affecting cottontail rabbits, birds, turtles and bobcat; that it is possible they will just replace the solar panels instead of decommissioning them. He noted some prefer solar over a housing development but a windmill takes up only 200 square feet of ground area. The grid can only accept a certain amount of energy.

Conservation Commission Member Gary Marsh, Kenyon Lane noted he was the owner of Elmrock Farm which was established in 1880 and spanned six generations. Elmrock is the last dairy farm in Town and there were only eight left in the State. He stated a new barn was planned; must compete against “factory farms” and one of the ways is grow their own hay which requires many acres of tillable land for the herd requiring acquisition of property, clear cutting of property or finding land to rent for this purpose. He noted he was offered large scale solar but did not find it would benefit the farm so he intends to buy back as much land as he can and then keep it and farm it. He noted previous generations didn’t think they would continue on but they were.

ADJOURNMENT

The Council would adjourn in memory of Kasmira Koromi who passed away at the age of 102, and Richard Comolli, former Westerly Town Council President and owner of Comolli Granite who had provided stone monuments for the Town at either no cost or reduced cost.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBANDTO ADJOURN IN MEMORY OF KASMIRA KOROMI AND RICHARD COMOLLI.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk