

State of Rhode Island

County of Washington

In Hopkinton on the twentieth of November 2017 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, Thomas Buck, Barbara Capalbo, Sylvia Thompson, David Husband; Town Solicitor Kevin McAllister; Town Manager William McGarry; Town Clerk Elizabeth Cook-Martin.

The meeting was called to order with a moment of silent meditation and a salute to the Flag.

## **HEARINGS**

### **LIQUOR LICENSE RENEWALS**

Council President Landolfi read the Liquor License renewal hearing information and then the Town Council voted to sit as a licensing board.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR BUCK TO SIT AS A LICENSING BOARD.

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

OPPOSED: None

SO VOTED

The Council proceeded to open a hearing on renewal of the following Liquor Licenses continued from November 6, 2017:

#### **Class A:**

Hopkinton Liquor Depot, Lynn Marie Finn, President of PLW Hopkinton. Inc. – 229 Main Street, Ashaway, RI 02804. A representative from Hopkinton Liquor Depot was present. Filing fees were paid and notice posted. No one spoke in favor of, or against, renewal.

#### **Class BV:**

Chariho Grill – Daniel Konuch, President, 14 Spring Street, Hope Valley, RI 02832. This matter had been continued from November 6, 2017. Mr. Konuch has

been contacted by mail and by phone. The applicant was not present. No application and no filing fee had been submitted for renewal of the Chariho Grill Class BV Liquor License. No action was taken on this Class BV Liquor License renewal.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO GRANT RENEWAL TO THE HOPKINTON LIQUOR DEPOT CLASS A LIQUOR LICENSE SUBJECT TO ALL STATE AND TOWN REGULATIONS BEING MET AND ALL TOWN TAXES CURRENT PRIOR TO ISSUE.

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

OPPOSED: None

SO VOTED

**VICTUALLING LICENSE RENEWAL**

The Council opened a hearing on renewal of the following Victualling License: Chariho Grill, 14 Spring Street, Hope Valley. No application or filing fee for renewal of the Victualling License had been received. No action was taken on this Victualling License renewal.

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

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

OPPOSED: None

SO VOTED

**2018 RIDEM LARGE RECREATION DEVELOPMENT GRANT**

The Council opened a hearing to entertain public comment, and discuss and consider improvements/modifications to the proposed Langworthy Field Improvement Plan (Phase II). Town Planner James Lamphere and Planner Assistant Sean Henry were present along with CDBG Coordinator Geoffrey Marchant; John Allard from Fuss & O'Neill; Lead Estimator Chris Segar and Shawn Simus, Superintendent of the Project, both from Yardworks.

Mr. Lamphere referred to Phase II plans on site layout plan situated before the Town Council. He reported Phase I was currently under construction and he could entertain questions about that phase a bit later. He explained Phase II encompassed an area from the proposed pavilion up along the Locustville Road, the parking area and the tot lot, planting of flowering trees and an American Elm. The octagon pavilion will be situated on top of a bluestone concrete base with an entrance from the sidewalk. He noted four existing overgrown trees were to be removed as they interfered within the proposed parking area and, to kick them in closer and out of the public right of way, they would be moved and a new sidewalk would be installed. The reason for removing the trees was because they were lifting the existing asphalt sidewalk making it impossible to push a stroller or use a wheelchair on the sidewalk in its present condition. He noted the existing trees would be replaced with many more trees, a new concrete sidewalk with 25 parking spaces planned; parking will be vital as Langworthy Field will attract a lot more people. He noted a major feature of Phase II are the infiltration basins which will serve to correct an existing flooding problem on Locustville Road; presently there are four catch basins on the road and this phase will take the number of catch basins down to three catch basins; one catch basin would be removed. Mr. Lamphere explained these infiltration basins serve as “green infrastructure” and that is one of the points this particular grant is looking for and will score high on that. He stated what it does is it takes all the stormwater coming down, emptying into one catch basin and then into a second catch basin which ultimately flows out to Main Street. It is green because the catch basins infiltrates the water close to the source of where the water comes from and will relieve the burden of the flow, which ultimately goes into the river, but that flows through the post office parking lot now, meaning a larger diameter pipe can be incorporated without tearing up the post office parking lot, so it will contain the stormwater runoff. He stated another point of the grant relates to usage by the elderly so there are benches, a picnic table and walking path around the entire perimeter of the field which includes the sidewalk. There is also universal access with the playground features in both Phase I, and Phase II. There will be a tot lot for children ages 0 to age 4 or 5 with stand-alone features. The stand-alone

features include one piece of equipment that spins and a slide and all have universal access with safety mulch on the ground, so universal access is addressed in accordance with the points and requirements of the grant that he will reiterate throughout the grant application which he will embellish further. He stated if the Town is awarded the grant applied for, with the money left over from Phase I, the playground could be complete in its entirety next summer. He noted Phase I was nearly complete and would be done before winter. In the spring, they will come back and do the seeding for the field, striping on the hard court surface and install the playground equipment with rubberized surface. He noted they decided not to do the rubberized surface this winter because it was felt it would be an attractive nuisance; they wanted to minimize the time between installation in order to reduce the exposure of the gravel and want the rubberized surface in place in the event someone gets in and potentially falls.

#### **Town Council Comments, Questions, Discussion**

Councilor Husband asked if the field would be accessible to the Hope Valley Elementary school kids to allow them to play there beyond the school playground and a follow up question as to whether the school's playground equipment was to be removed. Mr. Lamphere responded yes, the school kids would be allowed to play there. He stated the elementary school just had new playground installed and that playground equipment would remain at the school. He explained the school does use the lower portion of the field for their annual Field Day and use it for fire drills and that is why the ADA wheelchair accessible path was installed in Phase I and can access the field. He noted there is a new set of stairs which is in alignment to the school; direct routes in the event of fire. Councilor Husband asked if the elementary school used Langworthy Field on a daily basis. Mr. Lamphere responded they did but Langworthy Field is primarily a community playground and added the elementary school does not have a grassy area for the kids to play on. He stated the Langworthy Field Improvement Project was done in consultation with the school but was not done as a school project. It was being done for the Low-Moderate neighborhood of Hope Valley. Councilor Husband commented that a lot of work had been done on the steep bank in the back and he felt it seemed to present a hazard. He asked if there will be a fence or railing

installed. Mr. Lamphere responded there will be retaining walls installed where they need to be. He noted the original plan was to reuse the old granite stair treads as part of the retaining wall, but the project will need more retaining material than there is available, so more granite is needed to accomplish that. He noted they may have a source for the granite, he has been told by the contractor, a design/build firm, who said that boulders would work and would actually look better. Mr. Lamphere pointed out that his assistant Sean Henry, who is present, and he visits the site on a daily basis and also pointed out that Mr. Marchant, the CDBG Administrator was in attendance as well as John Allard, the prime designer of the project. He noted he was very happy about the contractor, Yardworks and that two individuals were present from their firm; Chris Segar and Shawn Simus. Councilor Husband expressed his concern with the steep grade and the erosion potential. Mr. Lamphere agreed but asked the Council to keep in mind it is a work in progress, under construction but it will change. They were working on setting the grade first and then decide what material to use - boulders and/or granite slab. It was noted the grade was steep before and that it has been used as a sledding hill. Councilor Thompson had a few questions regarding paving and curbing on page one. She asked about purchasing granite stone instead of milling down the existing granite, as she understood there is a price tag to smooth out the existing granite so that purchasing new granite would be cheaper than milling what we have. Mr. Lamphere responded that they had looked at that issue from many standpoints: safety, structural, financial and aesthetic and the proposed design now calls for purchasing brand new 7" thick granite slabs that are meant to be steps; those slabs would be placed on a concrete foundation as originally designed; it would give the long term stability needed and give a safe surface for walking on. An example of the material had been included in the Council's material. Mr. Lamphere stated the contractor is Yardworks and he reported the owner has suggested because there is some cost savings from not moving the backstop; this was something proposed in the initial plan, to move it three or four feet, but they found it was not necessary to move it. He stated the contractor would alter the original design, give brand new granite slabs, installed on the original concrete base as planned with the metal handrails at no extra cost.

Councilor Thompson noted there were 42 slabs of granite that were original curbing from Route 95. She asked how far away is the concrete walkway from the street, commenting that the street would be sanded and plowed so she suggested using the granite curbing vs. concrete for the sidewalk. Mr. Lamphere indicated that might be a possibility; that it currently calls for a monolithic concrete curb which butts right up to the parking lot. Councilor Thompson also suggested using the existing granite slabs for a stone bench; that any granite left over could be stored at public works to be used at Crandall Field for curbing. She noted that these slabs might be considered as in-kind services match because they have value. Mr. Lamphere noted that if there was any cost savings to be had, there is to be a black vinyl mesh installed around the courts in Phase I. He explained, what was bid out was power washing the metal poles there to get the rust off but they have been talking about spraying the metal poles with rusty metal primer in black because if you are going to use black vinyl, you should also have black poles instead of galvanized poles. They would do the same around the back-stop which will allow for a unified design, so if there is any cost savings, maybe it could be applied here. Mr. Lamphere noted they will reuse all the granite slabs on the site. Councilor Thompson asked for confirmation that the Recreation Department determines the schedule for use of Langworthy Field for organized sports and school use. Mr. Lamphere responded, yes absolutely. Councilor Thompson questioned the proximity of the tot playground, whether there was any concern that people will be hitting baseballs that could enter the tot playground. She referred to the Hope Valley Grange area that was next to a ballfield and playground for youngsters. Councilor Husband asked the distance from the tot lot to the ballfield and was told it was over 200 feet. Councilor Thompson expressed some concern tots will be hit by a ball; but acknowledged parents would be at the playground with the little toddlers. Mr. Lamphere stated there will be a five foot fence around it and it should prevent that from happening; but it would depend who uses it; this ball field is not meant for older players; it is geared as a younger type park. Councilor Capalbo indicated she was glad so much work has been done; that included additions to the plan for elderly and senior activities having age friendly Rhode Island to incorporate all ages in a

universal design; she was happy about the walking path and benches. She agreed with Councilor Thompson about using the historic granite curbs vs. concrete or use for benches. She wondered if you could add checkers table made of cement or granite with a checkerboard pattern and people can bring their own checkers as it is a great way to get the elderly out; no need for chairs as they stand or bring their own. She is happy about the plans to plant an American Elm tree which is classic to Hope Valley. She understood why the older oak trees had to be taken down because they are destroying the sidewalk. She hoped they would be replaced with New England type shade trees. Mr. Lamphere noted the plan shows swamp oak trees at this point. Councilor Capalbo suggested maple trees as oaks take a long time to mature and their leaves are not biodegradable and last forever. She commented the tot lot is to be near the where the gazebo is so if they were hitting balls that distance she felt we would know that by now. Councilor Buck noted his concern is there are no distances on the plans; as an example you want to make sure the trees are planted away from the sidewalk far enough away so the crown/drip edge which indicate how far the roots would grow don't impact the sidewalk as they are now and noted we are building this park for the long term. Councilor Buck asked about the surface of the two courts that were intended for different uses including volleyball; that a concrete surface would not be appropriate surface for that sport. Mr. Lamphere stated it was concrete now but a rubberized coating is to be applied to the surface. Councilor Buck asked or what is the degree of the slope was going to be. Mr. Lamphere responded 5% for the pathway which is ADA accessible. Councilor Buck's question was with the slope of the hill. Mr. Allard noted it was a three on one slope or 33%. Mr. Lamphere indicated he would turn these questions over to Mr. Allard but first pointed out the two proposed trees shown on the plan were placed there as an after-thought. He explained four scrub cherry trees were being removed so it was up to the Town Council if they don't want to put anything there or if they want to specify any other trees they would want and they will be added. Councilor Capalbo and Councilor Thompson both suggested American Elm; which would also serve to protect the tot lot from errant baseballs and enhance the look of a historic park with the large spreading elms with picnic benches underneath. Council President

Landolfi asked where the local appropriation of \$82,000.00 was coming from.

Mr. Lamphere stated our match will come from CDBG and added that they were not worried about the match; there was enough. Mr. Lamphere noted that because there would be cost savings by reusing the granite curbs along the street, they will have to go out and acquire boulders, as that was not factored in. He stated they were learning more as they go through the construction process.

Mr. Lamphere turned it over to Fuss & O'Neill Landscape Architect John Allard who addressed the questions posed. He stated relative to the retaining wall at the top of the hill and whether there had to be any type of fence on top of it, he stated it was a code requirement that anything above 2.5 feet must have either a guard rail and tapering in the back or a retaining wall or terracing, which would alleviate the fall concern. He added that area in the back will not be very accessible.

Councilor Husband asked if there was any concern about erosion in the future with the current slope. Mr. Allard stated the 3 on 1 slope is the maximum you want to go with established lawn without having any additional erosion control material such as matting; anything above that will require additional erosion control measures such as matting; it gives the grass a chance to grow and hold that slope. Councilor Husband expressed concern the slope could not be mowed and the grass would just grow tall. Councilor Buck commented that if it were terraced, it can be mowed, the slope would be less. Mr. Allard added that there was a little distance between the lawn and property line that they may be able to work with. He added letting it grow back to its natural state is an option.

Councilor Husband commented that he agreed with Councilor Capalbo in planting a substantial tree so that 40-50 years in the future, there would be shade for the tot lot area and it would allow people to picnic on a blanket, so that was his preference. Mr. Allard stated as a landscape architect, he loved trees too. He stated they have to replace the old oak trees along Locustville Road or we have no parking area. He stated it would be to code which is 18 feet off the curb of the parking lot itself near the sidewalk but replacing those trees and getting them off the road on the other side of the sidewalk, so they are not constrained within the sidewalk and curb like they are now which is a huge problem, but setting them



15-20 feet off that walk gives them a chance to grow and the root system when it reaches that area will not be significant roots that would push up a sidewalk.

Councilor Capalbo wanted confirmation on the Hope Valley Elementary School side slope; that it would not have terracing, as that is the sledding hill. Mr. Allard confirmed that side would not be touched. Councilor Buck asked about the dimensions of the old stone steps that would be repurposed and was told they were 8' long by 18". Councilor Buck commented that there were granite posts on the neighboring property and at the Town Hall as a hitching post, so one option for their use is to install them as fencing, placing them in strategic areas with black chain between. Mr. Allard reported they had multiple iterations about using the granite steps; using them as steps but that presented a safety issue, using them as benches or terraced bleacher seats within the hillside, a cool idea but maintenance-wise with mowing, that idea fell apart. He stated the suggestion to use the granite curbing as curbing was not considered and they will look into that possibility. He stated to do so, they would have to in-fill with some pieces a bit where there is nosing on the corners; to make sure there is enough material and it would need to be uniform. Councilor Thompson stated the only other question that has come up is the safety of the rubberized material. She asked about its use; is it to prevent leaves and trees from growing through with another layer over the top so it is not seen? Mr. Allard stated it is a cushioned surface meant to protect kids from falls and there is less maintenance. Councilor Thompson asked if there was a layer of other material over the top. Mr. Allard explained it is an all in one poured unit like a rubber pad with a textured surface. Councilor Thompson asked if that is what is walked upon. Mr. Allard responded yes. Councilor Thompson noted there have been issues about rubberized material and is it safe because there was a time that it wasn't, so why is it okay now. Mr. Allard noted more could be read about the material from the manufacturer but he explained what they do is they pour it to a depth, and there is a fall height on playgrounds, taking the measure of the tallest top of a play structure and depending what that figure is, they calculate a thickness of the material to prevent serious injuries. As an example if the tallest structure was 9', they would have 2.5" to 3" of material. He noted this relates to a safety aspect but he was aware that there has been concerns

expressed about the rubberized surface causing cancer or getting into the water and the like. He reported they served as professional consultants on some litigation and the take away was that the crumb rubber you see on sports fields was more of a concern as it can migrate, because it gets into shoes and is tracked everywhere, whereas the rubberized material would be installed in place.

Councilor Buck asked about the life expectancy. Mr. Allard responded the range was between 15-20 years depending upon the weather and sun exposure and then you may begin to see cracks so the company can come in to address it but eventually it will have to be replaced. The cost to replace would be similar to the cost of rubberized mulch, the latter of which needs replacing every 2-3 years and also gets everywhere. Councilor Thompson asked what it was made of; was it made from tires. Mr. Allard responded some are, some aren't; he noted the material used for sports fields is; but a lot of it is virgin material. Councilor Thompson asked what ours would be made of. Mr. Allard responded whatever manufacturer we decide to go with; that he has specifications on what type of material to use but he could not recall what that was. Councilor Buck asked if that was an impervious surface. Mr. Allard stated it was partially impervious; they would have underdrains underneath the playground so most of the water will sheet flow off; they have it pitched 2% towards the field area and would infiltrate into the grass. Councilor Thompson asked why people had sued. Mr. Allard explained it was because there was a sports field right next to a wetland and they thought the rubber pellets would end up in the wetland. What happened in the end was that there was no direct link to cancer and there has been no proven direct link, just concerns. Councilor Thompson asked if it was fair to say that most of the problems have been with the other crumb material. Mr. Allard, responded yes, absolutely. Councilor Capalbo asked if there were plans to clean up the area around the memorial stone. Mr. Lamphere responded yes, the proposal is to move and reset it as part of Phase I to a more prominent area. Councilor Thompson asked about how many feet the concrete was to the edge of the road as she was concerned about salt incursion. Mr. Allard responded the parking depth is about 18' away from the edge of the road and with the parking there it would be difficult to get salt on there.

**Public Comment, Questions, Discussion**

Michael Geary, 229 Ashaway Road, felt the Planner and his crew for doing a good job. He asked about the parking and the condition of the street as it stood now on the backside of the post office. Mr. Lamphere explained there were no marked parking spaces now so you cannot see where the parking ends and the street begins. The plan will correct the problem as there are 25 parking spaces planned. Mr. Geary asked about the road condition. Mr. Lamphere stated the nice thing about putting the infiltration basins in here is it will correct the flooding problem and when doing a little bit of road construction anyway it makes sense to install them. He stated this can be done if we get the grant; we won't be able to afford that if we do not receive the grant. Mr. Lamphere pointed out on the plan what could be done if we don't get the grant, perhaps the Town could replace the pipe that goes from one catch basin and into a second catch basin and to rebuild the catch basin because there is no sump and that is why it is flooding. Mr. Geary felt that if such efforts were being made to make the park nice, the entry area to the park should be nice too. There were no other questions or comments.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR BUCK TO AUTHORIZE TOWN PLANNER JAMES M. LAMPHERE TO SIGN AND SUBMIT AN APPLICATION FOR A 2018 RIDEM LARGE RECREATIONAL GRANT IN THE AMOUNT OF \$300,000 TO ASSIST IN THE FUNDING OF THE LANGWORTHY FIELD IMPROVEMENT PLAN (PHASE II), TO INCLUDE THE SUGGESTIONS AND INPUT FROM THE TOWN COUNCIL.

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

OPPOSED: None

SO VOTED

**CONSENT AGENDA**

Town Clerk Elizabeth Cook-Martin reported the minutes listed in the Consent Agenda had been misidentified as October 16, 2017 and should have been listed as November 6, 2017 as the latter set of minutes had already been approved. She

requested that the Council not address them and she will list them correctly on the December 4, 2017 Agenda.

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

FOLLOWS: Accept the following monthly financial/activity report: Town Clerk; Approve abatements due to motor vehicle adjustments and a real property adjustment submitted by the Tax Assessor; Approve refunds resulting from the Motor Vehicle Phase-Out Program submitted by the Tax Collector.

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

OPPOSED: None

SO VOTED

#### **PUBLIC FORUM**

Councilor Thompson noted that there was a meeting scheduled at the Chariho Middle School on Tuesday, November 21, 2017 at 6:00 PM to discuss the proposed tolling in the area to be installed on Route 95.

Scott Bill Hirst of 20 Maple Court wished all a Happy Thanksgiving. He commented on the meeting tomorrow night relative to the environmental impact of the construction of the toll system. He is concerned with how it all went down and stated Representative Brian Kennedy had voted in favor of the tolls. He felt it all should have been done differently and noted there will be added traffic on Route 3 from the trucks trying to avoid the tolls. He felt it was similar to the income tax scenario; that the legislation would be changed to include all vehicles if the State doesn't generate enough revenue.

#### **COUNCIL PRESIDENT REPORT**

Council President Landolfi reported he had received a letter from Burrillville Council President Pacheco looking for a statement from him for an upcoming news conference as it pertains to the proposed power plant in Burrillville and would put something together supporting the Town of Burrillville. He noted the 33 Resolutions adopted by various RI Cities and Towns were not being considered by the Siting Board and that there would be a hearing at the

Charlestown Elementary School on December 5, 2017 from 6:00 PM to 10:00 PM relative to the proposed water supply. He reported Superintendent Barry Ricci had his annual open forum on November 9, 2017 that he and his fellow Councilor's Thompson, Husband and Capalbo had attended and asked some difficult questions.

## **NEW BUSINESS**

### **ASHAWAY FREE LIBRARY FUNDRAISING CAMPAIGN – COMMUNITY ROOM**

Library Board of Trustees President Fran Cohen was present to announce the Ashaway Free Library Community Room Fundraising Campaign. Ms. Cohen noted the library was started in 1871 by a collector of books and the collection became so large that in 1907 an old school house was purchased on Church Street and moved to its current location at the corner of High Street and Knight Street, land donated by the Ashaway Woolen Company. In the 1960's, a children's room was added. Renovations have been done inside and landscaping done outside. She stated they were currently raising funds for a 30 foot by 40 foot community room to add an additional 700 square feet to the library. The firm Azzinaro and Larsen Architects have designed the addition for the site with an accessible entrance that will give additional space for various community groups. She noted libraries are about collections but they were also about community. The goal is to raise \$250,000.00 for the project. She noted the library has served the community for generations and they have applied for funding from nine foundations and organizations. She reported they have received word that they will be the recipient of \$200,000.00 from the Champlin Foundation and in January there will be another funding opportunity that they intend to seek out. They hope to break ground in the spring of 2018. Councilor Buck commented that he resided on the property the schoolhouse had been moved from. Council President Landolfi asked about different levels of giving. Ms. Cohen responded they would accept any contribution amount. Councilor Husband commented on their building and the addition to the west, suggesting the addition of a window to break up the blank space. Ms. Cohen noted they had done some planting in that area and once the plantings mature, it will fill in more. A stuartia tree had been planted there. She added that they use the blank space for a wreath during the holidays and will

erect a swag sign there in the spring. Councilor Capalbo asked about the progress on their septic. Ms. Cohen responded the soil test would be performed next week. The cost of the septic system upgrade is factored into the budget and the RIDEM had approved the design. Councilor Thompson asked about donations; whether a donor could make a donation over the course of four years. Ms. Cohen confirmed there was a three year pledge option.

**PUBLIC FORUM**

No one spoke during the second public forum.

**ADJOURNMENT**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO ADJOURN.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk