

State of Rhode Island

County of Washington

In Hopkinton on the first day of April 2019 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, Scott Bill Hirst, Barbara Capalbo, Sharon Davis; Town Solicitor Kevin McAllister; Town Manager William McGarry; Town Clerk Elizabeth Cook-Martin.

ABSENT: Sylvia Thompson

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR DAVIS TO CONVENE OPEN SESSION AND ENTER INTO EXECUTIVE SESSION UNDER R.I.G.L. 42-46-5(A) (1) BOARD/COMMISSION INTERVIEWS - TAX BOARD OF REVIEW; RECREATION COMMISSION.

POLL VOTE:

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

Council President Landolfi reported that the persons being discussed have been notified in advance in writing and have been advised that they have the right to have the discussion held in open session.

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

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

Council President Landolfi reported two interviews were conducted in Executive Session and no votes were taken.

At 6:50 PM the Town Council conducted an interview for Board-Commission for Planning Board (alternate) in open session as requested by Steven Wiehl. Mr. Wiehl was present. Councilor Davis asked why he was interested in the Planning Board. Mr. Wiehl indicated he wanted to become more involved in the community; the Planning Board requires a significant amount of thought and he wished to give back to the community. Councilor Davis asked about his employment, which she believed was second shift which would affect his ability to attend the evening meetings of the Planning Board. Mr. Wiehl indicated he has had a change in employment. Councilor Capalbo commented that the Planning Board met once per month but could hold additional meetings; Mr. Wiehl did not have a problem with regard to meeting schedules. Councilor Capalbo made a couple of comments: that economic development is a component of the Comprehensive Plan and also that there is a URI course that he could take that would benefit him that relates to matters before the Planning Board. Mr. Wiehl indicated he did not have a lot of experience with Planning Board matters but in his younger years he had experience with laws, statutes, facts and circumstances and his business background is in management. He stated he felt it would be an interesting position and he would avail himself of any course work available. Councilor Capalbo noted the classes were not just pertaining to decision making but also with regards to asking the right questions. She felt the URI course would serve him well. She asked him about his familiarity with economic development. Mr. Wiehl responded he did not have a great deal of experience with economic development. He has read the Comprehensive Plan and has a basic understanding of the need to generate tax revenue, but hasn't studied the economic development plan in depth. Councilor Capalbo noted the Planning Board determines where economic development can be placed and where to place it in the future. Councilor Hirst indicated he was just getting to know Mr. Wiehl and felt he conducts himself well. Councilor Davis added that anyone with a management background knows how to find out information. Council President Landolfi stated he had also served on the Planning Board and stressed the importance of being independent and having objectivity. He hoped Mr. Wiehl would be able to do that

and stressed the importance of not being pressured to go in one direction if he believed in another. Mr. Wiehl indicated he would be independent. Council President Landolfi noted the Council does not appoint the same evening as the interview.

Councilor Thompson arrived in time for convening the regular session.

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

CONSENT AGENDA

The March 18, 2019 Town Council Meeting Minutes were removed from the Consent Agenda.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO APPROVE THE CONSENT AGENDA AS FOLLOWS: Approve Executive Session Minutes of March 18, 2019; Budget Workshop Notes of March 11, 2019; Budget Workshop Notes of March 13, 2019; Approve abatements resulting from adjustments on tangibles & real property submitted by the Tax Assessor; Approve refund as a result of duplicate real estate payment submitted by the Tax Collector.

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

OPPOSED: None

SO VOTED

Councilor Thompson questioned Solicitor McAllister about his comments in the March 18, 2019 Town Council Minutes, page 2, about half way down, where it read: “Solicitor McAllister indicated it was not in the charter but the voting by alternate members was something that could be handled by the Planning Board; there is some flexibility. If someone is absent, the alternate can sit and participate fully.” She questioned if there were only three Board members and two alternates, would this bring the membership up to five? Solicitor McAllister stated this was just for a particular meeting and had nothing to do with the quorum. The alternates have full power to participate if a regular Board member is absent. It was agreed that the prior sentence should be changed to read:

“Solicitor McAllister indicated the alternate would be a full voting member whenever there was a vacancy at a meeting.” Council President Landolfi pointed out a typo on page 4 in the fifth line of the first “So Voted” paragraph, changing ‘were’ to ‘where’.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO APPROVE the Town Council Meeting Minutes of March 18, 2019 with corrections.

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

OPPOSED: None

SO VOTED

PUBLIC FORUM

No one spoke during the first Public Forum.

COUNCIL PRESIDENT REPORT

Council President Landolfi wished to thank all Councilors for attending a meeting on March 26, 2019 of the Chariho School Committee held in the Chariho High School Library, along with Representative Kennedy and Senator Algieri.

Councilor Hirst commented that if the School Committee wished to meet with the legislators then someone should check on their availability prior to scheduling a meeting.

TOWN MANAGER REPORT

Town Manager William McGarry reported that during the third week of March his office prepared six (6) RFP’s for Public Works, including: mid-grade gasoline, diesel fuel, No. 2 fuel oil, heating and cooling system maintenance, propane gas and burner services, and winter sand. They were all advertised in the Westerly Sun on March 24, 2019 with a bid opening scheduled for April 16, 2019 and consideration and bid award by the Town Council on May 6, 2019.

NEW BUSINESS

AWARD BID RE: EPOXY FLOOR IN RECREATION DEPARTMENT ACTIVITIES CENTER

This matter had been scheduled to discuss, consider and vote whether to award a bid for the removal of VTC tile and installation of an epoxy floor in the Recreation Department’s Activities Center to New England Epoxy Flooring in the

amount of \$11,900, funded through a grant from the RI Department of Elderly Affairs in the amount of \$6,361 and the Recreation Department's grant account #03-730-5610.

Recreation Director Mary Sawyer was present. Town Manager McGarry reported that on February 3, 2019 an advertisement was placed in the Westerly Sun to solicit bids regarding this matter and the Town only received one bid in the amount of \$14,000. Recreation Director Mary Sawyer contacted the person who submitted the bid and she was able to negotiate a lower price as a result of DPW providing a generator for the work and the Recreation Department providing a dumpster. Mary Sawyer received a grant from the RI Department of Elderly Affairs in the amount of \$6,361 and the remaining balance will be paid from the Recreation's Grant Account which has approximately \$21,000 left in it.

Councilor Capalbo advised that she had received a phone call from RIDOT who advised her that AARP has some immediate grants available for elderly that they need to use and they were sending her the information. She advised that she would forward that information to Recreation Director Mary Sawyer.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO AWARD A BID FOR THE REMOVAL OF VTC TILE AND INSTALLATION OF AN EPOXY FLOOR IN THE RECREATION DEPARTMENT'S ACTIVITIES CENTER TO NEW ENGLAND EPOXY FLOORING IN THE AMOUNT OF \$11,900, FUNDED THROUGH A GRANT FROM THE RI DEPARTMENT OF ELDERLY AFFAIRS IN THE AMOUNT OF \$6,361 AND THE RECREATION DEPARTMENT'S GRANT ACCOUNT #03-730-5610.

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

OPPOSED: None

SO VOTED

DISCUSSION RE: CHARIHO ACT REVISIONS

This matter had been scheduled to discuss and consider possible exploration of potential improvements or revisions to the Chariho Act as suggested by the Chariho member Towns and/or Chariho School District.

Council President Landolfi explained that the Richmond Town Council had sent a letter asking to meet for the purpose of opening up the Chariho Act. He had planned on attending; however, Richmond cancelled the meeting indicating they were not prepared. Councilor Davis advised that she had contacted the other regional schools to find out how they are charging individual towns and they advised that they were charging by school enrollment as well; however, one suggested that we might want to base the fee on property revaluations. Town Manager McGarry did not believe that Charlestown and Richmond were on the same reval cycle as Hopkinton. Councilor Thompson advised Councilor Davis that there was a study performed by MGT approximately ten years ago, funded by the three towns, and if she reviewed that study it would assist her in understanding why we are stuck where we are and it also offered a solution. Hopkinton and Richmond would have accepted their recommendation; however, Charlestown did not. Councilor Capalbo indicated that Superintendent Ricci had suggested possibly taking a rolling average of five years of student changes and she liked that idea. Councilor Hirst believed that Chariho catered to Charlestown because Charlestown has stated that if there ever was an equalized tax rate they would leave. Charlestown's real estate valuations a few years ago were so phenomenal that it was more than Hopkinton and Richmond combined. Council President Landolfi stated that Charlestown's real estate valuations were three times what Hopkinton's was. Councilor Hirst went on to state that he would like to see an agenda with the other towns to include: (1) discussion on promoting the General Assembly to do more to uphold Article 12, Section 1 of the RI State Constitution which directs the RI General Assembly to promote education; and, (2) have the Chariho Act changed to require an outside management study, every ten years or so, or at least to review this issue every few years. Council President Landolfi stated that he was interested in meeting with the other member towns because the funding mechanism that was built into the Chariho Act wasn't

working and is not sustainable. Town Manager McGarry advised that Finance Director Brian Rosso had met with the Finance Directors from Richmond and Charlestown to discuss different funding mechanisms and to determine a better way to calculate the expenses for Chariho. He indicated that an employee from Charlestown was supposed to do some research in this regard, however left for another job and moved out of state. Councilor Thompson felt that the Finance Director should look at this issue before scheduling a meeting and hopefully at that meeting they can present a solution. Councilor Capalbo agreed and stated even if it was Hopkinton and Richmond's Finance Directors meeting to come up with something to help balance the problem and then they could address it with Charlestown. Councilor Thompson stated that two other issues had to do with Section 13 of the Chariho Act, at the bottom, No. 1, it states if student enters an elementary school in Kindergarten, they will be assured matriculation in that school; and also, when one of our elementary school's enrollment was up we used a portable classroom and when it was no longer needed, it was taken away. If Richmond is having overcrowding issues then they should be using portable classrooms; she noted overall, Chariho's total enrollment is decreasing. Councilor Capalbo felt Hopkinton and Richmond's elementary schools were under student capacity. Councilor Davis had asked Susan Rogers if there was a way to have a certain part of the budget entitled "fixed costs" where they could divide that part by three and then have the student enrollment numbers on top of that. Councilor Capalbo indicated that this had been looked at and addressed in the past and they would have to open the Chariho Act in order to make that happen. Council President Landolfi stated that this was his main thrust for wanting to open the Chariho Act. Councilor Hirst stated that every town has veto power. In order to pass any changes to the Chariho Act all three towns have to agree. The only exception to that rule was when they went to the legislature to change the date of the annual meeting and when voting for the budget, which is majority vote. Council President Landolfi stated that they would put something together and then have Town Clerk Cook-Martin reach out to Richmond and Charlestown to schedule another meeting.

Dorothy Gardiner of Canonchet Driftway did not believe that all of the other regional schools in the State of Rhode Island taxed on student population.

Councilor Davis responded that she had called the schools and they all indicated that they did. Ms. Gardiner also questioned the centers of learning in the elementary schools and was unsure whether they were legal because the Chariho Act states that the children in a town go to the elementary school in that town. It shouldn't be legal to send a Richmond student to a Hopkinton School. She felt that any change in the Chariho Act or any change on how the schools are run should be voted on by the residents and not just the School Committee or the Superintendent.

BOARDS & COMMISSIONS

Planning Board Alternate

This matter had been scheduled to discuss, consider and possibly vote on appointing a Planning Board Alternate member.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR THOMPSON TO APPOINT CAROLYN LIGHT AS PLANNING BOARD ALTERNATE: Discussion on the motion:

Council President Landolfi wished to assure that Ms. Light was going to be objective to any topic that came before the Board and to not just go along to get along. Council President Landolfi stated that he was on the Planning Board and it was easy to go along with the crowd, but he asked that she be her own person.

Ms. Light advised that this was one of her best qualities.

Joe Moreau of Old Depot Road stated that he was acquainted with Mr. and Mrs. Light and though they differ in opinions on several matters he felt that they were both good candidates because of their commitment to the Town. Councilor Capalbo indicated that she respected Ms. Light and felt she was a strong woman with strong opinions; however, she was concerned that Ms. Light may have to recuse herself from many of the issues that come before the Planning Board.

Councilor Thompson believed that having an opinion about something should not require someone to recuse herself. Council President Landolfi indicated that his line of questioning during the interview was centered on Ms. Light's contribution

to a fund for anti-solar activities. He believed she would have to seek an opinion from the Ethics Commission if a solar project came before the Board. Ms. Light indicated that she believed she had the best interest of the town in mind and could be objective. She felt that if she needed to seek the advice of the Ethics Commission she would do so. Councilor Hirst felt the bottom line was that appointments were political in nature. Council President Landolfi disagreed and Councilor Capalbo stated that her concerns were for the widows, fixed income elderly, the poor, people who cannot come out at night and the people on the street who are in tears when they speak to her – a whole different issue than politics. Ms. Light stated that no one was untouched by people in poverty; she advocates for people who should have more than they do; and, she advised people who have something to say to attend meetings. She indicated that she grew up around political people and has a lot of respect for the Town Council. Council President Landolfi indicated that early on their relationship was a little more contentious but it has eased over time and they can have different opinions but as long as they can be substantiated that was all that mattered. Discussion ended and the Council proceeded to vote.

IN FAVOR: Landolfi, Hirst, Thompson, Davis

OPPOSED: Capalbo

SO VOTED

PUBLIC FORUM

Joe Moreau of Old Depot Road stated that the Light family has a strong commitment to the town and they donated money because of their strong commitment. He didn't believe Carolyn Light should have to recuse herself for her strong commitment. He felt that different individuals on the Town Council had strong opinions and they were allowed to vote so why would it be different with Ms. Light and the Planning Board. Council President Landolfi felt she had to seek an Ethics opinion to see if she had to recuse herself because she did donate money against a certain industry. Solicitor McAllister indicated that the Ethics Commission will give an advisory opinion ahead of time as a preventative measure and it would be in everybody's best interest for her to do this.

Mr. Light of Forest Glen Drive indicated that he and his wife were not against solar; they contributed money to the Go Fund Me page to support researching proper rezoning which had nothing to do with solar. It was about keeping the town with the RFR80 designation as much as possible.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR DAVIS TO ADJOURN IN MEMORY OF FRED STANLEY, HOPE VALLEY FIRE CHIEF FOR THE LAST 51 YEARS.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Breault

Deputy Town Clerk