

State of Rhode Island

County of Washington

In Hopkinton on the twenty first day of January 2020 A.D. the said meeting was called to order by Town Council President Frank Landolfi at 6:50 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI 02833.

PRESENT: Frank Landolfi, Scott Bill Hirst, Barbara Capalbo; Town Solicitor Kevin McAllister; Town Manager William McGarry; Town Clerk Elizabeth Cook-Martin. Absent: Sylvia Thompson, Sharon Davis.

The meeting had originally been scheduled to convene at 6:15 PM but was delayed until there was a quorum of council members present.

#### **EXECUTIVE SESSION**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HIRST TO CONVENE OPEN SESSION AND ENTER INTO EXECUTIVE SESSION UNDER R.I.G.L. 42-46-5(A)(2) PERTAINING TO PENDING LITIGATION AND UNDER R.I.G.L. 42-46-5(A)(5) PERTAINING TO DISCUSSIONS AND/OR CONSIDERATIONS RELATED TO THE DISPOSITION OF PUBLICLY HELD PROPERTY WHERE ADVANCED PUBLIC INFORMATION WOULD BE DETRIMENTAL TO THE INTEREST OF THE PUBLIC.

#### **POLL VOTE:**

IN FAVOR: Landolfi, Hirst, Capalbo

OPPOSED: None

#### **SO VOTED**

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

IN FAVOR: Landolfi, Hirst, Capalbo

OPPOSED: None

#### **SO VOTED**

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

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

IN FAVOR: Landolfi, Hirst, Capalbo

OPPOSED: None

SO VOTED

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

Town Manager William McGarry introduced new Clerk Lois Buck in the Town Clerk's Office and new Senior Clerk Talia Jalette in the Planning Department.

### **HEARINGS**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HIRST TO SIT AS A LICENSING BOARD.

IN FAVOR: Landolfi, Hirst, Capalbo

OPPOSED: None

SO VOTED

### **COMMERCIAL HAULERS LICENSE RENEWALS**

The Council opened a hearing on the renewal of the following commercial haulers licenses: CWPM, LLC, 25 Norton Place, Plainville, CT; EZ Waste Systems, Inc., 67 Ledward Ave., Westerly, RI; MTG Disposal, LLC, 19 Industrial Way, Seekonk, MA ;On-Time Disposal, 203 Ashaway Rd, Bradford, RI; Patriot Disposal, Joseph Vinagro, 2208 Plainfield Pike, Johnston, RI; RPKK, Inc., 9 New King's Factory Rd., Wood River Jct., RI; Republic Services, Inc. 1080 Airport Rd., Fall River, MA; Sanitation by Quint Perry, 7 Sweet Corn Ln., Westerly, RI; Steven Piccolo Jr. & Sons, Inc., 7 Boombridge Rd., Westerly, RI; Waste Management, 1610 Pontiac Ave., Cranston, RI.

The applications and filing fees for all but two commercial haulers had been received and notice had been posted in the newspaper. There were no objectors present. The Town Clerk advised that she was still waiting for the applications of Patriot Disposal and Steve Piccolo, Jr. & Sons Rubbish Removal, Inc. and

requested that all licenses be approved subject to receipt of all required information. Councilor Capalbo also advised that On-Time Disposal had some information missing from their application.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HIRST TO GRANT RENEWAL TO ALL LISTED LICENSES SUBJECT TO RECEIPT OF COMPLETED APPLICATIONS AND SUBMITTAL OF FILING FEES.

IN FAVOR: Landolfi, Hirst, Capalbo

OPPOSED: None

SO VOTED

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

IN FAVOR: Landolfi, Hirst, Capalbo

OPPOSED: None

SO VOTED

**CONSENT AGENDA**

The Town Council Meeting Minutes of January 6, 2020 and the December 9, 2019 transcript as the record of the hearing re: Centrica Business Systems/James & Karen Cherenzia Comprehensive Plan Amendment/Zoning Ordinance Amendment were removed from the Consent Agenda.

Councilor Hirst wished the January 6, 2020 minutes to make mention of his comments concerning Barry Ricci as did Councilor Capalbo; and, regarding the December 9, 2019 transcript, Councilor Hirst noted that Petrosky was spelled incorrectly throughout the transcript. Solicitor McAllister suggested there be a motion or that a reference would be in order that the record needs to be reconciled due to the two different spellings of that name and they can approve the transcript subject to that change for this had no legal significance. Councilor Capalbo noted that on page 72, line 3 it stated that she made a motion and she wished the words “to adjourn” be added in.

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

FOLLOWS: Approve amended Town Council Meeting Minutes of January 6, 2020; Accept the following monthly financial/activity report: Town Clerk; Approve refund resulting from overpayment of 2019 MV taxes submitted by the Tax Collector.

IN FAVOR: Landolfi, Hirst, Capalbo

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR CAPALBO TO Accept the December 9, 2019 transcript as the record of the hearing re: Centrica Business Systems/James & Karen Cherenzia Comprehensive Plan Amendment/Zoning Ordinance Amendment with changes as noted.

IN FAVOR: Landolfi, Hirst, Capalbo

OPPOSED: None

SO VOTED

#### **PUBLIC FORUM**

No one spoke during the first public forum.

#### **OLD BUSINESS**

#### **CENTRICA BUSINESS SOLUTIONS RE: KAREN & JAMES CHERENZIA, 201 CHASE HILL ROAD**

The Town Council discussed and considered scheduling resumption/continuation of the hearing on a request for an amendment to the Hopkinton Comprehensive Plan Future Land Use Map and an amendment to the Hopkinton Zoning Ordinance filed by Centrica Business Solutions, 1484 Candlewood Road – Suite T-W, Hanover, MD 21076 and Karen M. & James W. Cherenzia, Jr., 201 Chase Hill Road, Ashaway, RI 02804 for property located at Chase Hill Road as Plat 2, Lot 32, an RFR-80 Zone heard on November 25, 2019, continued to December 9, 2019, continued to January 13, 2020. The January 13, 2020 Meeting was cancelled upon receipt of a request for a continuance from the applicant's attorney. The Council set Tuesday, February 18, 2020 as the date for the continued hearing at the Hopkinton Town Hall at 7:00 PM.

Council President Landolfi asked Attorney Surdut if he had emailed any of the abutters the information they had requested and Attorney Surdut stated that he had emailed three people who had provided him with their email addresses and noted that if there was any new information provided to the Council it would also be emailed to those abutters whose email addresses he had.

**NEW BUSINESS**

**S.M. TROMBINO RE: 0.15 ACRE PARCEL LOCATED ON ALTON BRADFORD RD.**

This matter was before the Town Council to consider a motion and possibly vote on whether to accept an offer from S.M Trombino Properties, LLC, purchase the Town's interest, if any, in a 0.15 acre parcel of land, (approximately twenty-six feet wide by two hundred sixty feet long) located on the southeasterly side of Alton Bradford Road (Route 91) in the Town of Hopkinton adjacent to Route 91 and certain land owned by S.M. Trombino Properties, LLC.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR CAPALBO TO ACCEPT THE OFFER BY S.M. TROMBINO PROPERTIES, LLC TO PURCHASE THE TOWN'S INTEREST IN A 0.15 ACRE PARCEL OF LAND LOCATED ON ROUTE 91 FOR THE AMOUNT OF FIVE HUNDRED (\$500) DOLLARS AND THAT THIS PROPERTY BE COMBINED WITH ABUTTING PROPERTY OWNED BY S.M. TROMBINO PROPERTIES, LLC.

IN FAVOR: Landolfi, Hirst, Capalbo

OPPOSED: None

SO VOTED

**TOWN-WIDE FY 2020-21 ANNUAL GOALS & FY'S 2022-24 MULTI-YEAR GOALS**

Town Manager William McGarry reported on January 3, 2020 the Town's department heads met, discussed and selected their proposed FY 2020-21 Town-wide Annual Goals and FY's 2022-24 Town-wide Multi-year Goals. These proposed goals reflected in the two memoranda provide Town Council members with input to assist them in the budgetary process and the future direction of Town initiatives.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HIRST TO ADOPT THESE PROPOSED TOWN-WIDE FY 2020-21 ANNUAL GOALS AND FY'S 2022-24 MULTI-YEAR GOALS.

Discussion on the motion: Councilor Hirst noted that due to the Chariho School District budget and possible increase in taxes, a lot of the department goals may be hampered. Councilor Capalbo also wished to thank them for proposing to chip seal Kuehn Road. Vote on the motion:

IN FAVOR: Landolfi, Hirst, Capalbo

OPPOSED: None

SO VOTED

### **CONSIDER BUDGET TIMETABLE - SCHEDULE BUDGET WORKSHOPS**

In consideration of the budget timetable, the Town Council set the following dates for budget workshops to be held at the Town Hall: February 6, 2020, February 13, 2020, February 24, 2020, March 5, 2020 and March 9, 2020.

### **CHARIHO REGIONAL SCHOOL DISTRICT MATTERS**

The agenda included the following Chariho Regional School District matters:

- a. Discuss, consider and possibly vote to send a letter to the Chariho School Committee re: (any and all aspects of) the proposed 2021 Chariho Budget.
- b. Discuss, consider and possibly vote to send a letter to the Town of Charlestown and Richmond as well as the Chariho School Committee re: a request for an independent financial audit and an independent management study.

Council President Landolfi indicated that he has attended a few of the Chariho School budget meetings, as has Councilor Capalbo and several residents and it is not a good situation. The budget started at \$2.7 Million Dollars higher than last year; and, there was only an increase of two students district wide yet they had added six staff members. They have currently reduced the budget by \$463,000, but this is still an increase of \$2.2 Million Dollars from last year. He was suggesting they reduce the fund balance from 3% to 2% which would reduce the budget by another \$560,000 overall. He went on to state that he believes there are School Committee members who do not understand the implications to taxpayers. Council President Landolfi had suggested to the School Committee that if the

budget did not get reduced further, we would be going to court. He thanked Ron Bryant who he indicated was very helpful with a lot of suggested cuts. His calculations from the Finance Director indicate that they need to lower this budget by \$1.3 Million Dollars to get the budget to a 4% town increase which will result in not having to petition the State Auditor General for an increase above 4%; and, this does not include any of the town's budget. Last year, the town's budget was rejected and they had to go to a supplemental budget, so there are two years' of increases for the professional technical union that have to be considered. Council President Landolfi stated that he will continue to fight to lower the Chariho budget and hopes that when it is time to vote, it is turned down overwhelmingly. Councilor Capalbo believed they had to cut another Million Dollars from the Chariho budget and stated that she had suggested areas that could be cut. She also acknowledged that Mr. Bryant had some wonderful ideas. She stated that she had received a letter from Catherine Giusti in which she had asked Superintendent Daly and Sue Rogers to make recommendations to cut another Million Dollars from the budget on top of what has already been cut. William McGarry stated that after budget workshops for the Chariho School budget, the increase for the Town of Hopkinton, as it stood right now, was approximately One Million Dollars. As a municipality the town went up 24 kids; Richmond went down 5; and, Charlestown went down 27.

Joe Moreau indicated that when he reviewed the Chariho budget last year he noted that a majority of the classes were undersized compared to the maximum number of students that the class could hold. Councilor Capalbo explained that when there are AP (advanced placement) classes there may be less children in those classes.

Dorothy Gardiner felt that it was difficult for her to understand some of the choices the school makes, such as why are they teaching Mandarin Chinese when a lot of our children cannot even read cursive writing. Councilor Hirst felt the Chariho School District's fund balance should be lowered. He commented on how the development of the Chariho budget differed from that of a single school district such as in Westerly. Council President Landolfi advised the audience that Superintendent Barry Ricci had recently passed away and the school's finance

director was going to be retiring in March. He believed that Councilor Hirst's request to have an outside management study and audit performed was very important when a change of leadership occurs and the Council would be sending a letter requesting the same. Council President Landolfi stated that the one question that was never answered last year was regarding the proposed increase, what portion was contractual versus non-contractual. He would like to know what they would be able to cut and what they were not able to cut. Councilor Capalbo believed that this was answered in one of their very first meetings for the current budget and the contractual amount was approximately \$1.2 Million and the other portion were additions to the budget. She believed this budget could still be cut, possibly between health care and the fund balance. She advised the audience that any emails sent to the school committee might be helpful. Councilor Hirst asked how much money Chariho received every month from the three towns to run the school and Council President Landolfi believed it to be approximately \$1,500,000.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR CAPALBO, FOR DISCUSSION, TO DIRECT THE TOWN COUNCIL PRESIDENT TO SEND A LETTER ASKING FOR AN INDEPENDENT FINANCIAL AUDIT; AN INDEPENDENT MANAGEMENT STUDY; AND, ADVISE WHAT THE CONTRACTUAL MANDATED EXPENSES OF THE PROPOSED 2020/2021 CHARIHO SCHOOL BUDGET ARE, TO BE SENT TO THE CHARIHO SCHOOL COMMITTEE AND ACTING ADMINISTRATION. Discussion on the motion:

Councilor Capalbo did not agree with a forensic audit because that would indicate that they were looking for a problem; however, she did agree with asking for a management study. She withdrew her second on Councilor Hirst's motion and Councilor Hirst withdrew his motion.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR CAPALBO TO HAVE THE TOWN COUNCIL WRITE A LETTER TO THE CHARIHO SCHOOL COMMITTEE AND ACTING

ADMINISTRATION TO ASK THEM TO EXPLAIN WHAT THE CONTRACTUAL MANDATED EXPENDITURES OF THE PROPOSED 2020/2021 CHARIHO SCHOOL BUDGET ARE AND TO URGE THEM TO CONDUCT AN INDEPENDENT MANAGEMENT STUDY FOR EFFICIENCY.

IN FAVOR: Landolfi, Hirst, Capalbo

OPPOSED: None

SO VOTED

Mr. Bryant asked if there was any mechanism available for any of the three towns to look at other expenses, such as the capital account. He noted that it was indicated in the meeting that it cost over \$750,000 to fix the roof of Richmond Elementary School and he believed it was \$300,000 or \$400,000 over budget. He asked if the town could have its Building Department look into this. Council President Landolfi advised that the Chariho School District had their own engineers, just like Hopkinton does, and their decisions are at the School Committee level. The town has no control over this. Mr. Bryant thought that the items that have been reduced are just nickel and dime items. Council President Landolfi believed that reducing the fund balance from three percent to two percent would be warranted. Councilor Capalbo felt they could reduce health care from 8% to 6% or even 5% and they should look at the capital expense again. She notes that one problem is that they have to go by RIDE rules and they have to go by their particular union payment schedule.

Michael Geary asked if the Council was just going to be sending a letter asking the School Committee to look at their management or were they going to be asking for a financial audit/money audit. He asked if the town could have an independent audit done of the school. It was stated that no, they could not do an audit of the school, it was under the purview of the school committee and the administration. Mr. Geary asked about the six new hires and what positions they held. Council President Landolfi believed they were support staff and other various positions.

Eric Bibler asked what the purpose of the audit was and Town Manager McGarry indicated that asking for the audit had been removed from the motion. Council

President Landolfi stated that they were asking for a management study which would speak to efficiencies. Mr. Bibler agreed that this was an opportune time to ask for this because of the transition.

Dorothy Gardiner indicated that a management study does not need to be negative and would bring in someone to look at how things are done and give a different perspective to making it better. She also noted that the Audit Subcommittee unanimously voted, including the auditor, to have a safety audit performed but they did not want any part of that.

Dora Vasquez Hellner of Hillside Avenue thanked the Council for responding so promptly to her email voicing her concerns with the ongoing budget for Chariho. She agreed with the efficiency investigation/ report/ survey to be done on Chariho that will hopefully address some of their concerns regarding the increase in the budget and she agreed with Councilor Hirst's comment regarding the power that the Westerly Town Council has over the school budget versus what we have here. She informed the Council that she is a Westerly teacher and knows that the Westerly School Committee and administration do not look forward to those yearly events with the Town Council. With regards to Chariho, she believes there are two different mechanisms taking place simultaneously with the increase in the school budget. Chariho was one of three career and tech schools in the state and when they were first brought on board the state had agreed that they were only going to have those three career and tech schools; however, when additional school commissioners came into play, they reneged on that and eventually Chariho filed a lawsuit against the state for all the pseudo career and tech schools throughout the state. Now there is an ideal career and tech school that is looking to be the model for the rest of the state in hopes of attracting new students, thus increasing the population and also increasing the money that is coming in from out of district schools. In order to have this budget rejected, they need to get the word out to the residents and explain how this budget is affecting our municipality. She also believed they should look at the Chariho Act, which dictates how each town is going to contribute to the school budget, for the way that it is working now is not sustainable. Council President Landolfi indicated that the Chariho Act is a legislative document. Councilor Capalbo felt that when

you look at the entire school department, there are 3,313 kids which is about 13% of our entire populace. This means that 25% to 30% of what is left of our budget takes care of 87% of our citizens. She noted that the children are important, but they are taking up three-quarters of the budget and are only 13% of the citizens. Mr. Bibler believed that analogy to be inappropriate and stated that the largest item in any municipal budget was schooling and that was what property taxes pay for. He noted that Charlestown and Newport have ocean front property which helps to keep their mill rate low.

Carolyn Light stated that Council President Landolfi had made a comment at one of the school committee meetings the prior year which was, “we should raise the rent”. She questioned what the relationship was between Chariho and the town and what Hopkinton’s responsibility was as to the buildings; did the town get reimbursed anything. Councilor Capalbo indicated no, but they take care of all of the running of the school. Councilor Hirst indicated that the school rents the buildings from the towns for \$1.00 and they maintain all of the facilities.

Councilor Capalbo also noted that everyone needs to vote on the budget and the Town Council needs everyone to help bring people to the polls.

Thomas Buck stated that the school usually attempts to buy top of the line equipment when they could be saving money and buying a brand less expensive. A management study may help but it may only show where the money is going and not exactly what they are buying with it. The Town Clerk noted that if the school budget is rejected on April 14<sup>th</sup>, the School Committee has to address it again and they have two more opportunities to make changes to the budget. This had occurred one other time. Should it be rejected after the third vote then it would revert back to what is required under state law.

Dorothy Gardiner commented that she believed everyone understood that the greater portion of their taxes went towards supporting schools; however, we should expect schools to maintain a close eye on the finances in their budget and to keep it at a reasonable level so the children who graduate will be able to live independently in the community. Councilor Capalbo advised that they are not anti-education but felt the budget could be a little tighter. Mr. Bryant indicated that his neighbors had commented to him that they were not anti-education, but

were anti-waste and spending \$6,000 for six walkie-talkies is incredibly stupid. By going through the budget line by line they were able to get that reduced to \$250.00 per walkie-talkie rather than \$1,000 each. He noted that he had spoken with Sue Rogers and discussed with her the possible opportunity to utilize a state program that is used for manufacturers called “Lean Operations and Efficiencies” and this could be a fresh set of eyes to look at processes and find ways to make things more efficient. He reported he was told flat out that they are not interested, they have done this already internally and they know how to do it better than anybody else. The state is not interested because this program is only for manufacturing. Councilor Hirst thanked Mr. Bryant for his input.

## **BOARDS & COMMISSIONS**

### **Zoning Board of Review Alternate**

Mr. Baruti had expressed his interest in writing to be considered for reappointment as Alternate member of the Zoning Board of Review.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HIRST TO REAPPOINT DANIEL BARUTI AS ALTERNATE TO THE ZONING BOARD OF REVIEW.

IN FAVOR: Landolfi, Hirst, Capalbo

OPPOSED: None

SO VOTED

## **PUBLIC FORUM**

Eric Bibler believed that the town was required to review the Town Charter no less than every five years and he believed it has been longer than that since it was last reviewed. He believed a Charter Commission would need to be appointed. Town Clerk Cook-Martin noted that they had made various attempts to obtain volunteers. She believed there were three people presently on the Commission but there was a minimum of five and a maximum of nine people needed. Mr. Bibler felt that the town’s website should list the members of all the Boards and Commissions. The Town Clerk noted that this was in the works and they have been working on updating all Boards and Commissions minutes and agendas and assuring that the town calendar is current. Mr. Bibler also noted that the

ordinances on the website were from 2007 and should be updated as there have been some pretty substantial changes. He felt that the ordinances on the website should be taken down immediately for they are misleading anyone who is researching them.

Ron Bryant of Frances Barber Drive stated that while looking at the town's proposed budget for the up-coming year he did not see where the income was for the solar projects. Council President Landolfi stated that the Council had not started their budgetary process yet and noted that Mr. Bryant was looking at last year's proposed budget. He advised Mr. Bryant that the town has received a lot of permitting fees which were a one-time payment; however, regarding the revenue, a lot of the projects have not come on line yet. Mr. Bryant asked how that would be listed on the budget and Councilor Capalbo advised that it would be under revenue.

Clifford Heil of Chase Hill Road stated that he had applied to be on the Economic Development Commission and they are in need of several more members in order to become active. He felt that the residents needed to step up and participate in some of these commissions.

Mr. Bibler questioned what the complaint procedure was concerning the solar installations. He indicated that he had been told that the developers of the Main Street project were crushing rocks by slamming boulders into the bedrock. A neighbor had complained to him about having a cracked pool and another about flooding. Council President Landolfi stated that those people should contact the Town Manager who may then direct them to the Deputy Zoning Official, Planner Jim Lamphere or the Police Department. Mr. Bibler also stated that people were complaining that their wells were being fouled, items were being knocked off of shelves and that the developer had stripped and removed a lot of the colonial stone walls and sold the stone. Councilor Capalbo noted that the developer is currently building the swales. Mr. Bibler stated that their agreement stated that they were to make some temporary swales before they removed the stumps, but they did not do this.

Ronald Prellwitz disagreed with Mr. Bibler's statement about slamming rocks into the ground and stated that they were using a hydraulic rock splitter which is a

low impact splitter and they are doing this less than 100 feet from his bedroom window. Mr. Prellwitz stated that there was nothing falling off of shelves in his home and he felt no vibrations whatsoever, though you can hear the machine.

**ADJOURNMENT**

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR CAPALBO TO ADJOURN IN MEMORY OF LILLIAN POSTON.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Murray

Deputy Town Clerk