

State of Rhode Island

County of Washington

In Hopkinton on the eleventh day of June 2020 A.D. the said remote special 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, Sylvia Thompson; Town Manager William McGarry were present in the Meeting Room; Barbara Capalbo, Sharon Davis; Town Solicitor Kevin McAllister and Town Clerk Elizabeth Cook-Martin attended remotely.

This special meeting was held remotely. Instructions for participating remotely were included on the Town Council Agenda

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

## **OLD BUSINESS**

### **JUNE 9, 2020 CHARIHO BUDGET REFERENDUM**

This matter had been scheduled to discuss and consider implications and possible consequences of the results and outcome of the June 9, 2020 Chariho Budget Referendum for Hopkinton voters; Discuss June 8, 2020 correspondence from Chariho School Committee Chair; consider potential modifications and/or confirmation of plans for the Hopkinton Budget Referendum scheduled for June 23, 2020 and consider and possibly vote on any motions made and seconded to modify, change, cancel or confirm plans for the June 23, 2020 Referendum, and/or the Special Town Council meeting scheduled for June 25, 2020 announced at the June 11, 2020 Town Council meeting to adopt routine financial resolutions for setting the tax levy for FY 2020-2021 Town Budget.

Council President Landolfi wished the Council to prepare a response to the recent activities that had occurred relative to the referendums. He noted that on June 3, 2020, Chairperson Callahan had sent him a letter indicating that they wished to

hold the Chariho referendum on June 30, 2020 which was the last day of the fiscal year. He believed that this was unacceptable for there would not be enough time to prepare the town's tax levy and budgetary issues once the votes finally get certified. He wished to formulate a written response that was agreed to by the entire Council. Chairperson Callahan made reference to the Chariho Act and all three towns having a vote on the same day; however, the Chariho Act has been violated on numerous occasions due to COVID-19. Council President Landolfi felt that they did what they had to do and he wished to put together a fact-based response to all involved.

Councilor Hirst felt that what was missed was the fact that in early April it was decided not to have the Chariho referendum and at that time the Chairman of the School Committee and the School Committee should have stayed on top of it. It is well known that the Chariho School Committee leads off with their referendum and then the towns vote on the town budgets which include Chariho's budget amount. Even though the date had to be changed due to the COVID-19 virus, they dragged their feet and the towns of Richmond and Hopkinton had to step into the void created by the lack of leadership of the Chariho School Committee.

Councilor Hirst noted that he is disappointed because the School Committee should have been pushing to have this vote and they should have not waited until June to schedule something. He felt that if the state could conduct a statewide presidential primary vote, it would seem to him that the three town school committee could have arranged a vote before now. Councilor Hirst also noted that he was disappointed with the Town of Charlestown for they did not even schedule a vote for the Chariho budget and noted that they were awaiting direction from the School Committee. He believed that Hopkinton had made a good faith effort to get the job done when the School Committee failed to do its job.

Councilor Capalbo suggested that the Council decided clearly and concisely, without acrimony, and with the best interest of the citizens in mind. She felt they have kept to the letter and spirit of the Town Charter and the Chariho Act during this very unusual time and agreed with what they have determined to do, which she believed was legal, correct and efficient. She believed that in March, the last

thing the school was thinking about was the vote and they put it on the back burner in order to decide how they were going to teach children and provide them with meals if needed. She felt it was unfortunate that they waited so long to schedule a vote and she believed that the Town Council had made a good decision which they should stick to.

Councilor Davis felt that they waited as long as they could for the Chariho School Committee to schedule a budget referendum and they also owed it to the town voters to schedule the town's budget referendum according to the Town Charter before July 1<sup>st</sup>. She stated that the bottom line was that the June 9<sup>th</sup> budget referendum in Hopkinton approved the Chariho budget and we still intend to vote on the Town's budget on June 23<sup>rd</sup> and have a special meeting on June 25<sup>th</sup> to set the tax levy. She felt they had done the best that they could do under the circumstances and should continue with their plan.

Councilor Thompson noted that the Chariho budget was approved as submitted by the Chariho School Committee. She wished to note that if you asked anybody, they would say that the most important issue is our children, our school, our teachers: having a good education for our kids. They were able to provide our kids with a good education and lunches if needed during this virus pandemic; schooling done by video and had held a graduation; however, the most crucial part that allows all of that to happen is the adoption of their budget. The truth of the matter is that the attorney for the Chariho School Committee went through the back door and tried to get the Governor by executive order to allow the School Committee to adopt its budget without a vote. The towns were not included in that effort as far as she knew, and then when that didn't work he submitted draft legislation that would allow regional school districts to do the same. When the Council heard about this, they discussed it and responded to Chariho, advising them what Richmond was doing, what Charlestown was doing and what Hopkinton was doing to try to get the budget passed and it wasn't until after that letter was received that they reacted. They reacted after all of the other back-door efforts did not work. It should be a collaborative effort of the three towns and the School Committee; however, the School Committee, according to the Chariho Act, just sets a date. It is up to the towns to figure out how to hold their elections.

Charlestown voted by mail ballot; Richmond handled it at their town financial meeting; and, Hopkinton had a vote. She felt that the letter that they were to write should note what occurred in the 1990's which was a very similar issue. There was no tax rate, the tax levy and all of the things that need to be done before July 1<sup>st</sup> were unable to be done and it shut the town down. They need to know that we will not turn our town upside down for mistakes made and a lack of leadership that the Chariho School Board showed. They should have had an emergency meeting and they should not wait until June 16<sup>th</sup> because that is too late.

Councilor Hirst noted that he was on the Town Council in the early 1990's when the shutdown occurred. He also wished to thank Councilor Thompson for mentioning all these letters and noted that the Chariho School Committee was to blame for their inattention to this matter.

Council President Landolfi noted that Councilor Thompson had discussed a lot of what he would have brought up and he was hoping that these issues will get put in the letter to the School Committee. He noted that there were times when he was nervous about whether the town could plan its own referendum on its own municipal budget, not hearing from Chariho. He indicated that he had reached out to Chairman Callahan on a couple of occasions, as well as to Assistant Superintendent Jane Daly, but did not get a response, prior to receiving the letter about having a referendum vote on the 30<sup>th</sup> of June. He felt this was a shame because the whole budgetary process started out rough and then came around and everything worked out great. He noted that he is very grateful that they reduced a lot of expenses and assisted Hopkinton in being under the 4% cap, but in the couple of months from the time that they postponed their referendum to when they announced a new date, a lot of the good that had happened during that budgetary process was ruined for him. He was very disheartened when he heard that they were crafting legislation so they could vote on their own budget. They should have been open about all of that and not tried to hide it. The bottom line is that we will keep the town budget referendum scheduled for June 23, 2020 and set the tax levy on June 25, 2020 and we will not have another vote regarding the Chariho budget on June 30<sup>th</sup> as Chairman Callahan wanted.

Solicitor McAllister added that the Council was very concerned back in May about the possibility of Hopkinton's voters getting disenfranchised in terms of their right to vote on the Chariho budget, which is a requirement in the Chariho Act. Because elections take some time to arrange, it resulted in the letter of May 28<sup>th</sup> being sent where the town notified its partners in the Chariho School District and Chariho, as well as other elected officials and state officials, what the plan was to make sure that Hopkinton's voters didn't get disenfranchised in this budgetary process. The Chariho budget passed on June 9<sup>th</sup> and it was indicated that it would become part of the Hopkinton town budget to be voted on June 23<sup>rd</sup>. He saw no reason to depart from the plan because the budget has to be in place before June 30<sup>th</sup>, ready to go so the town can continue without a pause on July 1<sup>st</sup>. The COVID-19 situation required some creativity and planning on the fly by everyone and he felt that everyone has done their best to deal with that.

Councilor Thompson added that in one of the letters they had received the Chairman expressed that he did not understand what Hopkinton's issue was, noting that the town should be okay because it had Five Million Dollars in the bank or set aside or something to that effect. Councilor Thompson noted that the money that is set aside, referred to as the fund balance, is to pay bills that the town receives starting in July. That money covers the town for a few months until they start receiving the September tax payments.

Councilor Capalbo noted that each month we owe the School Department over One Million Dollars, so Three Million Dollars of that money will be paid to Chariho before our tax payments start coming in.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY THOMPSON THAT THE COUNCIL PRESIDENT BE EMPOWERED TO SEND A LETTER TO THE CHAIRMAN OF THE SCHOOL COMMITTEE AND ALL OF THOSE PEOPLE HE DEEMS NECESSARY ABOUT THE SENTIMENT OF THE TOWN COUNCIL IN REGARD TO RECENT EVENTS DEALING WITH THE CHARIHO SCHOOL BUDGET.

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

OPPOSED: None

SO VOTED

**ADJOURNMENT**

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

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Murray

Deputy Town Clerk