

State of Rhode Island

County of Washington

In Hopkinton on the thirteenth day of May 2020 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, Scott Bill Hirst, Sylvia Thompson, Town Manager William McGarry and Finance Director Brian Rosso were present in the Meeting Room; Barbara Capalbo, Sharon Davis and Town Clerk Elizabeth Cook-Martin attended remotely.

The Meeting was held remotely due to the Covid-19 pandemic. The agenda included instructions for participating in the meeting.

The Meeting was called to Order with a moment of silent meditation and a salute to the Flag.

DISCUSS/REVISE PROPOSED FY 2020/2021 BUDGET, INCLUDING EXPENSE, REVENUE AND CAPITAL IMPROVEMENT PLAN.

Councilor Thompson felt under the current situation that there should be an addition to the agenda.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HIRST TO ADD TO THE AGENDA TO DISCUSS AND CONSIDER WHETHER THE CHARIHO BUDGET SHOULD BE SCHEDULED AND VOTED UPON.

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

OPPOSED: None

SO VOTED

Finance Director Rosso spoke about the current fiscal year and noted that the town was fortunate in that the tax billing was earlier than other cities and towns and we received our third quarter payments before the shutdown occurred due to the Corona Virus. He noted that at this point the town was in good shape

regarding tax collections and departmental revenues are pretty much met. He suggested that expenses were higher than budgeted due to the rejection of last year's budget, but there were some excess in revenues to help with that. Mr. Rosso felt the town was in good shape for the current fiscal year. He noted that a few weeks ago he had sent an email to department heads asking them to freeze all non-essential spending due to some shortfalls, with recreation being the biggest. Going forward with next year, he noted it was a very tricky situation of where we are going to be over the next fourteen months. He hoped to receive some assistance on the state level with stimulus money and that the town will not be too negatively affected. Council President Landolfi noted that he and Mr. Rosso had spoken about fiscal 2021 and that there may be some revenue shortfalls and he asked Mr. Rosso to expound on that. Mr. Rosso analyzed the revenue items to try to come up with some numbers. Regarding the phase out plan for the motor vehicle excise tax reimbursement which started three years ago, there is a lot of discussions within the cities and towns that this will be level funded which would mean about a \$130,000 loss to our town; we will probably not receive approximately \$73,000 for the beverage and meal tax that comes from the state; Recreation Department's revenue of \$131,000 will be substantially decreased if there are no summer programs; and, he assumed that we may lose 50% of police details. He suggested that the town may possibly receive some stimulus money to offset that amount. The other huge factor will be the collection rate and we have no idea what that will bring. Mr. Rosso felt the shortfall will be anywhere between \$260,000 to \$430,000. It was noted that going into fiscal year 2020 there was a fund balance of \$4.9 Million and the Council has earmarked \$500,000 in the current proposed budget to be used from the fund balance. That will bring the fund balance down to \$4.5 Million which is about \$61,000 above the required minimum balance. Mr. Rosso noted that the tax assessor has updated the numbers regarding motor vehicles and there is an increase in the tax levy which equated to one cent on the mill rate and insurance rates also came in. With these adjustments they will be able to decrease the tax levy from \$18.29 to \$18.28. It was noted that a decrease of \$10,000 brings the mill rate down one cent. Councilor Thompson suggested that if the Recreation Department did not have the revenue it also

would not have the expenses and Mr. Rosso noted that in that department the revenue outweighed the expenses. Councilor Thompson acknowledged this was true, but you include the entire Recreation budget; the revenue does not meet or exceed the expenses of the total department.

DISCUSSION REGARDING RESTRICTED ACCOUNTS; REQUESTED BY COUNCILOR DAVIS.

Council President Landolfi noted that Councilor Davis had asked about the restricted account for tree removal and DPW Director Tim Tefft had prepared a memo dated May 11, 2020 wherein he noted that National Grid had taken down some trees and had hired several companies to cut down trees and they had removed approximately 255 trees and Public Works had removed about 128 trees, for a total of approximately 383 trees removed. Mr. Tefft believed there was still another 95 trees that needed to be taken down and they would need to hire a company to remove them. It was noted that there was \$72,000 in a restricted account for the removal of these trees. Council President Landolfi believed they had enough money in the restricted account to complete the removal of those trees considered an emergency.

DISCUSS/REVISE PROPOSED WARRANT ITEM:

1. To restrict the unspent balance of the Salt & Sand Budget Line Item #5350-6000 and Overtime Pay Budget Line Item #4060-6000 in the 2019/2020 Fiscal Year Public Works Department Budget to be placed into the Legal Fees Restricted Account.

Mr. Rosso advised that as of today there remains \$21,600 in the overtime account and \$26,000 in the sand and salt account, so that would be a transfer of just under \$48,000. DPW may still incur some overtime but he doesn't expect it would be substantial.

Councilor Thompson wished to increase the Town Clerk's revenue by \$5,000 and decrease the Land Trust's grant to \$10,000. She noted that she was very disappointed that they did not offer that themselves given that they are receiving so much revenue from the solar projects for the next thirty years. Councilor Capalbo noted that she disagrees with Councilor Thompson's suggestion and noted that the Land Trust's Two Million Dollar bond was voted on in 2007 to

buy, preserve and use forested and farm lands for public use and enjoyment. It did not include monies for upgrade, cleaning, trails, bridges, wildlife preservation, parking lots, maintenance, design, seating, kiosks, fishing docks, trail maps, GIS records and administration, native artifacts, special needs, elderly and children areas and educational spaces. The solar monies are the first substantial gift for these activities from any outside source. She went on to state that over the last five years the total that the Town has given the Land Trust for these projects was \$60,000. She believed it was crucial that these lands are opened safely to the public for the public deserves the use of these properties. Council President Landolfi supported Councilor Thompson especially due to the amount of money that the Land Trust is to receive from the solar projects. Councilor Hirst asked Mr. Rosso whether debt service was a cost to the town which essentially benefited the Land Trust and if they were still receiving a significant amount of money even though it might go to debt service. Mr. Rosso explained that the way the bond is structured they can only use the bond money for land purchases. There was a vote in approximately 2013 or 2014 wherein the voters approved a \$2 Million Dollar bond to purchase open space and it was structured and specific that this money had to be spent on the purchase of land. Once that bond was spent, it went into the town budget under debt services and the taxpayers end up paying for the principal and interest on that bond. Councilor Capalbo noted that this benefits the public and town and not the Land Trust. Councilor Thompson added that the Land Trust does a great job, but her issue is that they are receiving \$20,000 every year for the next thirty years from one solar project for their operating costs and she just wished to reduce the amount of their grant from \$15,000 down to \$10,000.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HIRST TO REMOVE \$5,000 FROM THE LAND TRUST AND RETURN IT TO THE TOWN CLERK'S BUDGET AS A REVENUE ITEM AND THAT THE LAND TRUST NOW RECEIVE \$10,000 INSTEAD OF \$15,000.

IN FAVOR: Landolfi, Hirst, Thompson, Davis

OPPOSED: Capalbo

SO VOTED

Marilyn Grant of the Land Trust participated remotely and noted that this would be a 14% decrease in their budget and the \$5,000 represented .02% of the town's budget. She noted this would equate to one half of a penny decrease on the mill rate. She noted that the \$20,000 that they will receive from the solar project is for 25 years and it involved some negotiations that they undertook because they owned a right of way on the property and this allowed the solar people to further develop the property. She noted that there is a lot of work that needs to be done on various trails and any grant they receive will be used wisely. Council President Landolfi noted that the Land Trust's portion of the debt service was approximately 19 cents of the mill rate.

Councilor Davis wished to discuss awarding future town councilors an increase in their stipend for there had not been an increase in over fifteen years. She felt that the Council was handling a lot more work than it had in the past. Council President Landolfi noted that this increase would not be for the current Council but it would be for any future Councils.

A MOTION WAS MADE BY COUNCILOR DAVIS AND FOR PURPOSE OF DISCUSSION, SECONDED BY COUNCILOR HIRST TO INCREASE THE TOWN COUNCIL BUDGET FOR STIPENDS BY \$5,000. Discussion followed: Councilor Thompson noted that there was a time when they did not have a Planning Board nor a Town Manager and the Town Council ran the town. They were the auditor, the Planning Board and the Town Manager and they did it all. She disagreed that they were overworked. She felt the amount of money they received was similar to what surrounding cities and towns receive. Councilor Capalbo agreed with Councilor Thompson in that their stipends were commensurate with other rural towns of similar size and an increase was unnecessary. Councilor Hirst did feel that the Council deserved a raise; however, he would be voting against this motion, noting that the issue is that some people can afford to serve and other people take time out from their pursuits to serve. He

indicated that it was hard to recruit people for office and he commended Councilor Davis for taking a stand on a losing battle. Council President Landolfi felt that the Council should receive a little more money; however, he did not want to increase the tax rate to give the Council a raise. Councilor Davis felt that the \$5,000 they were not giving to the Land Trust could be used towards the stipend rather than putting it into the General Fund. She also noted that Charlestown Town Councilors were receiving \$18,000 a year and also in 2012 they were making \$12,175 which is what Hopkinton is making now; however, in 2005 they were receiving \$12,275. Councilor Thompson clarified that this was the total amount for the five councilors and not the amount each councilor received. Councilor Thompson noted that Charlestown was receiving \$13,000 in fiscal years 2013, 2014 and 2015. In fiscal year 2019 they increased it to \$15,500 and then in fiscal year 2020 it was increased to \$18,000 and over in Richmond the Council was only receiving \$6,500. Vote on the motion:

IN FAVOR: Landolfi, Davis

OPPOSED: Hirst, Capalbo, Thompson

MOTION FAILED

Cynthia Johnson wished to thank Councilors Thompson and Capalbo for their thoughtful comments and consideration regarding the Land Trust and for not being in favor of a raise. She was not in favor of the Town Council receiving a raise and felt that public service was public service. In this time of COVID-19 she felt it was unconscionable to even ask for that much money.

Councilor Hirst wished to add a small stipend for the Public Welfare Director noting it is an elected town office and he hoped to have someone apply.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HIRST TO ADD \$50 TO THE PUBLIC WELFARE DIRECTOR ACCOUNT. Discussion on the motion:

Councilor Capalbo felt that was foolish for there was no need for that position. She noted that through the CDBG, they take care of the Jonny Cake Center and Wood River Health Services and people need to be handled with privacy. She

believed this position was no longer a value to the town and felt this has been a non-used position for over a decade. Councilor Davis agreed with Councilor Capalbo and felt this position should be eliminated. Councilor Hirst argued that this position was in the Town Charter and was an elected position and should be recognized as such. Councilor Capalbo also noted that if they put a person in that position that was paid, the town was also covering their insurance, so if they did anything wrong or had a problem while they were acting in that position the town was still liable for them. This position dealt with children, fostering and all kinds of mental health issues and she believed it should be removed from the Charter as it was a risk to the town. Council President Landolfi felt the Public Welfare Director was just an advocate for the public to try to help people. Councilor Hirst felt that a lot of what Councilor Capalbo was saying was absurd. Council President Landolfi noted that if Councilor Capalbo felt so strongly about this issue then she should work on getting it removed from the Charter. Councilor Davis noted that there was a Charter Commission but they cannot get enough people to sit on that Commission. Vote on the motion:

IN FAVOR: Landolfi, Hirst, Thompson

OPPOSED: Capalbo, Davis

SO VOTED

Council President Landolfi advised that they had discussed possibly using \$58,000 to \$61,000 in fund balance to pay down the mill rate. As it stood now the mill rate would be \$18.28. They could further reduce the mill rate by six cents or leave it alone as a cushion in hope that the revenue is not as low as they have predicted. Councilor Thompson felt that since the revenue will be down, it would be safer just to leave it alone. Councilor Capalbo agreed noting that they do not know what the transportation and housing aid will be from the state or if they will be taking that away from the school budget side. Councilor Davis also agreed with Councilors Thompson and Capalbo. Council President Landolfi agreed to leave that money in the fund balance.

BUDGET AND WARRANT ITEM FOR THE JUNE 9, 2020 BUDGET REFERENDUM BALLOT.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HIRST TO ADOPT THE FISCAL YEAR 2020/2021 BUDGET AS PRESENTED.

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

OPPOSED: None

SO VOTED

Mr. Rosso noted the motor vehicle tax changes were not incorporated in the budget that the Council was reviewing and he wished to have approval to make those changes, which was agreed by all.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HIRST TO ADOPT THE WARRANT ITEM.

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

OPPOSED: None

SO VOTED

Councilor Thompson asked the Clerk whether there were any resolutions that needed to be adopted. Clerk Cook-Martin advised no and noted that any resolutions, once the budget was adopted, would go on the Town Council agenda for June 15, 2020. Councilor Davis asked how the June 9th budget referendum would occur. Clerk Cook-Martin indicated that they have to try to move forward with what we know now; we know that we have a Charter that requires us to have a budget referendum and that is how we have to plan on going forward. This is proposed to be scheduled at the Town Hall from 7:00 a.m. to 9:00 p.m. Council President Landolfi noted that the matter of the referendums will be on the agenda for the next meeting so there can be more detailed discussion.

Joe Moreau of Old Depot Road commented about the Public Welfare Director position which has been dormant in the past. He believed this possibly could be someone who is a qualified social worker and is qualified to help people. He indicated that he knew of several people who were struggling right now and he has been trying to assist them. People need direction of where to get help, especially now with COVID-19. Councilor Hirst noted that historically the

Director of Public Welfare is not a professional position; they basically are a resource person. They direct people to avenues where they can find assistance.

Councilor Thompson wished to have a consensus as to whether or not any information had gone to the Governor regarding asking her to circumvent the Chariho School budget vote and to just allow the budget to exist with no vote. She wished to get a consensus that they agree that it is a fundamental right to vote, it is in the Constitution, and they cannot just decide that there will not be a referendum on the Chariho budget. Within 30 days after the School Committee adopts its final proposed budget for the ensuing year, a budget approval referendum must be held in the member towns; which has not happened. It also states if a budget is not adopted by the regional school committee and approved by the voters before July 1st of each year, then the school committee shall operate the regional school district in accordance with the provisions of R.I.G.L. 16-2-23 and the member towns must make payments to the school district based upon the amounts appropriated for support of the schools by the member towns in the preceding year. If they do not allow the voters to vote on this budget and if the voters and the school committee don't agree to adopt a budget by July 1st, they will be required to use their previous year's budget. If there was a consensus, she would ask Council President Landolfi to get in touch with the Governor's office to make sure they are aware that on Monday night the Council will be discussing this item and so far we are not in favor of taking away voters' rights. Councilor Capalbo indicated that she had listened to the School Board meeting held yesterday and there was a discussion about an executive order, but no vote. The School Board did not approve anything like that, that we would not have a budget referendum. The only resolution passed was the urging of continued appropriation of state and local revenues to support public education which is basically making sure that the transportation aid and housing aid doesn't go away. Councilor Davis asked how we could vote on our own budget if we did not know what Chariho's budget was going to be. These issues would be discussed in further detail at the next meeting. Councilors Davis and Capalbo agreed with Councilor Thompson's suggestion. Councilor Hirst noted that he had called the

Governor's office and spoken with someone who gave him a voice mail and he left a message and was waiting for the Governor's office to call him back. He asked for the Chariho budget to be a standing matter on the agenda and he asked for a letter to be written to the Governor regarding these legal issues. Councilor Thompson wished Council President Landolfi to communicate with the Governor's office and the Chariho School Committee and let them know that this is a town problem and there needs to be a referendum unless they wish to use last year's budget. Councilor Hirst suggested putting Chariho's proposed education amount in the town budget just to have a number in there, should we need to vote on the town budget before the Chariho referendum is held. Councilor Capalbo noted in the alternative we could put in our budget Chariho's last year's budget or the budget that would be maintenance of effort. Mr. Rosso noted that if they were to level fund what was in last year's budget, the problem would be that we had an increase in enrollment. So even if they level funded their budget from last year, we would still see an increase of \$388,000 just on the enrollment shift. Councilor Capalbo advised that they have given those numbers last night, using last year's budget and with the enrollment shift, Hopkinton would go up 1.92% if level funded with the students as of October 1, 2019. Council President Landolfi noted that this was less than the 3.69% that they are at now, so he felt there would be a benefit for using last year's budget. Mr. McGarry noted that June 9th was the town's scheduled budget referendum and Councilor Davis questioned whether the town would have its vote on June 9th if Chariho hadn't held their referendum. Councilor Davis asked if it was possible to move the town's referendum to the third week in June in hopes that the Chariho budget would be scheduled prior. It was noted that this discussion would continue on Monday night.

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