

State of Rhode Island

County of Washington

In Hopkinton on the nineteenth day of July 2021 A.D. the said meeting was called to order by Town Council President Stephen Moffitt, Jr. at 6:45 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI 02833.

PRESENT: Stephen Moffitt, Jr., Sharon Davis, Robert Marvel participated remotely; Scott Bill Hirst, Michael Geary were present in the Meeting Room, Town Solicitor Stephen Sypole; Acting Town Manager Brian Rosso; Town Clerk Elizabeth Cook-Martin participated remotely.

**EXECUTIVE SESSION**

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO CONVENE OPEN SESSION AND RECESS TO EXECUTIVE SESSION UNDER: RIGL SEC. 42-46-5(A)(1) INTERVIEW – RECREATION COMMISSION.

POLL VOTE:

IN FAVOR: Moffitt, Davis, Geary, Hirst, Marvel

OPPOSED: None

SO VOTED

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

IN FAVOR: Moffitt, Davis, Geary, Hirst, Marvel

OPPOSED: None

SO VOTED

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

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

Councilor Hirst indicated that he wished to move up the Public Forum to just after the Consent Agenda. Councilor Marvel asked why he wished this and Councilor

Hirst stated that a lot of residents were concerned about the Harvey Buford situation and action of the Town Council is before the public forum. Councilor Geary noted that he has heard from residents who would like to discuss some of the topics while they are going on and not at the end of the meeting, after the fact. Council President Moffitt noted that this was how their meetings were set up; however, he had no problem moving it. Councilor Hirst felt that they should go back to having two public forums on the agenda, one at the beginning and one at the end. Councilor Davis suggested that moving public forum up would not affect what would happen with the Boards and Commissions portion of the agenda and Council President Moffitt stated that he was not in agreement with moving it, noting that they should be conscious of time and conscious and diligent in their agenda to move through it quickly and effectively.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR GEARY TO MOVE THE PUBLIC FORUM TO BE AFTER THE CONSENT AGENDA APPROVAL.

IN FAVOR: Geary, Hirst

OPPOSED: Moffitt, Davis, Marvel

MOTION FAILED

**CONSENT AGENDA**

Councilor Marvel noted a correction was required on page 3 regarding the spelling of ~~NOAH~~ NOAA. Councilor Hirst noted a correction was required on page 9 regarding the spelling of ~~Maxon~~ Maxson.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO APPROVE CONSENT AGENDA AS FOLLOWS:

Approve Town Council Meeting Minutes of July 6, 2021 as corrected; Accept the following monthly financial/activity report: Town Clerk; Approve abatements to 2021 Sup Tax Roll as a result of motor vehicle corrections and real property duplication error submitted by the Tax Assessor.

IN FAVOR: Moffitt, Davis, Geary, Hirst, Marvel

OPPOSED: None

SO VOTED

**OLD BUSINESS:**

**POTTER HILL DAM- UPDATE FROM POTTER HILL DAM INFORMATION COMMITTEE**

**DISCUSS AND CONSIDER SENDING LETTER TO TOWN OF WESTERLY FOR IN-PERSON MEETING RE: POTTER HILL DAM.**

Committee Chairperson James Duksta and Clifford Heil participated remotely.

Councilor Hirst wished Solicitor Sypole to review the public safety aspect and eminent domain issue being used to address some of the safety concerns in the area of the mill and the dam. He felt there may be a legal basis to make some corrections on that property because it is a public safety issue.

Chairman of the Potter Hill Dam Information Committee, James Duksta, wished to address three parts: what they have determined, their position, and their requests. He noted that the Committee has determined that the dam removal proposal that is in place right now will reduce the river depth 4.5 feet to 6 feet between the Potter Hill Dam and the Route 3 bridge; 3.5 feet to 4 feet from Route 3 to the Polly Coon bridge; and, 1.4 feet to 2.3 feet above the Polly Coon bridge to the Bradford dam. Fifty-two (52) acres of open water will be converted to marshy wetland and 2,001 acres of wetlands will be dewatered; this information was derived from an assessment by Decker in 2015. The forecasted depths in the presentation are only showing averages and they do not take into account drought conditions which could lower the river even more than the numbers illustrated. The proposed water level reduction could have a serious impact on Hopkinton residents who live near the river and have shallow wells. The cost for a driven well could be between \$12,500 to \$20,000 or more. There was a well survey by the Southern RI Conservation District; however, many surveys were addressed to the wrong post office and also excluded many Hopkinton residents near the river. The concerns of this dam removal project are extremely time sensitive as it is stated in the grant proposal that final engineering, permitting and construction will begin in October of this year. Public awareness regarding this project is very limited and many of those who were aware did not understand the full extent of the impact. This committee is still gathering and reviewing information to understand more about this project which has been in progress for over ten years.

The Potter Hill Dam Information Committee is in full agreement that the Potter Hill dam removal should utilize a design that will not reduce the river level and avoid impact to wells. We recommend that the Potter Hill dam removal follow the same design as the Bradford and Kenyon dam removals which were large dam removals on the Pawcatuck River that did not reduce the water level. They recommended an approach using the design of the Bradford and Kenyon dam removals to eliminate any well impact, improve fish passage, remove the risk of dam failure and have no loss of wildlife habitat. The Committee asks the Town Council to engage, on behalf of the residents of Hopkinton, with the Westerly Town Manager and Project Manager for the removal of the Potter Hill dam and strongly advocate their position of employing an approach using a dam removal design as used for the Bradford and Kenyon dam removals that will have no impact on residents' well water; improve fish passage; remove the risk of dam failure; and, have no loss of wildlife habitat. They would also like to increase public awareness regarding the Potter Hill dam removal project and would like the Council to consider some of the following means to inform and educate Hopkinton residents: a town information webpage that links to the Westerly Potter Hill dam removal project website; direct mailing of an information flyer; social media outreach; a robocall to residents; and, to have a town contact to be able to receive questions and address concerns for residents, by either telephone or email.

Councilor Geary reiterated that Mr. Duksta wished to see the Potter Hill dam removal project modeled after the Bradford dam project. Councilor Hirst asked if they believed there would be a way to remove the Potter Hill dam and not significantly reduce the river depths and Mr. Duksta stated that they are asking for an approach that does not drop the water level such as the Kenyon Mill dam removal and the Bradford dam removal. Council President Moffitt asked Mr. Duksta if based on their request to move forward with more suitable construction which does not lower the water levels, they are assuming that this project will move forward; this is a course of action that is absolutely going to be taken and we are just mitigating at this point. Mr. Duksta stated that the current proposal is a full removal with a six foot river drop. They would like the Town Council to

work with the Town of Westerly project team and advocate for an approach that does not drop the river level. Mr. Duksta felt that if they proceeded with this solution, it achieves what they are trying to accomplish.

Clifford Heil wished to add that the project community is viewing the change in wetlands and water level as a change to habitat, but they are viewing this as an equally good and beneficial habitat. The project committee has indicated that they were not going the same route as the Bradford and Kenyon Mill dams because it costs too much and they have stated that there is still maintenance associated with the Bradford dam in order to keep the fish passage open. Mr. Heil believed that the Potter Hill dam is coming down and the funding that Westerly has received from NOAA was to increase fish passage. The most cost effective way that they have determined this to happen is to remove Potter Hill dam completely. The most serious impact to Hopkinton is the potential loss of well water to some of our residents. The dam is private property which is now in mastership so the Town of Westerly has the authority to conduct activities to protect the town's interest. Mr. Heil believed that the Town of Westerly has not agreed to this project yet and also that they did not have to listen to Hopkinton. He noted that there would be public hearings at the RI DEM level and also at the Army Corp of Engineer level to obtain permits for the construction design and we could request a hearing with them. Councilor Hirst noted that the Pawcatuck River historically is the boundary line between Hopkinton and Westerly, so Westerly or any governmental agency, should recognize the territorial limits of both towns and he wished the solicitor advise the Council of any legal rights that the town might have. Council President Moffitt was in favor of engaging with the Town of Westerly and wished the Potter Hill Dam Information Committee to be in tandem with the Council since they were delegated with obtaining the facts. Council President Moffitt requested that the Potter Hill Dam Information Committee put together some bullet points that he could present to the Town of Westerly as to why they wish to have this meeting and he would like to invite all parties that are involved in this project. Councilor Davis wished to know how many Hopkinton wells could be affected by this project. Mr. Duksta indicated that the Committee had reached out to Gina Fuller of the Southern RI

Conservation District to understand about the surveys and what they determined was that the survey that was sent out failed to include some key areas such as French Village and Narragansett Way. When they asked how they determined the impact areas, Ms. Fuller advised that Fuss and O’Neil provided an engineering map, but she needed permission before she could release that map to us.

Councilor Davis asked Mr. Duksta if he needed the Town Council to get involved in order to receive that map and Mr. Duksta thought that would be a good idea.

Mr. Duksta also noted that they were made aware of some concerns with the mailings to residents of Bradford that were sent to Westerly’s post office and some residents of Ashaway that were sent to the Hopkinton post office. They are working to correct that but they are asking for more time into August to be able to resolve that issue. Mr. Heil believed they were advised that the number of Hopkinton wells that would be affected by this change was 70. Mr. Duksta noted that the Town Clerk had worked with the team to come up with another draft list and they were at 170 just to start with and Mr. Heil was going to continue to work the GIS mapping to determine what kind of impact lies along the river. They will report more information on that at an upcoming session. Mr. Heil believed it is important to know how many people will be affected by this project. The Committee felt that alerting people within 2,000 feet of the river might be a worthwhile exercise because they wished to assure that if they can convince the project team to address the well concerns then they want to be sure that nobody is left out. The Committee was trying to prevent or mitigate any negative impact to the town. Mr. Duksta noted that time is of the essence in this matter because the project was slated to go for final engineering permitting and construction beginning in October of this year.

Council President Moffitt noted that he was in favor of drafting a letter to discuss with Westerly the concerns of the residents of Hopkinton. This was agreed with by all Councilors. Council President Moffitt noted that he and Town Clerk Cook-Martin would draft that letter.

**DISCUSSION RE: RESUMPTION OF IN-PERSON MEETINGS**

The Council resumed discussion on returning to in-person meetings, continued from July 6, 2021.

Council President Moffitt noted that the Council's next meeting of August 2, 2021 would be held in-person and if anyone wished to wear a mask they could; he wished to ask all unvaccinated people to wear a mask but noted that they could not force them to do so. Councilor Geary advised that there were plexi-glass shields in place. Councilor Davis asked about holding a hybrid method of meeting. Council President Moffitt felt that this would not be an option for the next meeting but noted that the Acting Town Manager and IT Director were working on a plan to be able to do that. Acting Town Manager Rosso explained that he had asked Mr. Frenette, the IT Director, to bring the Council up to speed on how they were proceeding noting that holding hybrid meetings will bring some challenges and they were working with vendors to install a hybrid system but this will take several months. Mr. Frenette noted that sound was the biggest issue and to convert older microphones into digital to project it to the internet under the zoom technology was tough. The new platforms are 100% digital; there would be several cameras, one looking at the audience, one looking at the podium and one looking at the Council but placement of the cameras would be key or they will be looking at the back of someone's head. He believed the sound issues would go away because the new systems have such new technology when it comes to sound. The challenge now is primarily audio. Mr. Rosso added that he had reached out to Charlestown and Richmond to see how they are proceeding. Richmond currently has a hybrid system in place; they noted that they had tried to do what Hopkinton is currently doing but it did not work out. Charlestown is not going to attempt to do a hybrid format, they are just going to go back to in-person meetings. Mr. Rosso asked the Council, when they go back to in-person meetings, if they wished to have small plexi-glass screens set up between members; noting the problem was that it caused a glare in the recording. Councilor Hirst questioned meeting in one of the elementary schools so they could be distanced. Mr. Rosso noted that the Council has to be back in-person as of July 23, 2021. Councilor Davis advised that since they could not force anyone to wear a mask, she would like plexi-glass protection as much as possible. Councilor Marvel asked if they could require everyone to wear a mask at the

meeting. Mr. Rosso felt that this should be answered by Solicitor Sypole and it was decided that he and Solicitor Sypole would discuss this outside of the meeting and formulate an answer. Councilor Marvel also wished to consider the idea of holding their meetings in a different venue such as an elementary school or middle school so people could socially distance themselves. Councilor Geary and Council President Moffitt both agreed. Council President Moffitt asked the Town Clerk if she would have to contact the schools to schedule a meeting and whether there was a cost associated with that. Town Clerk Cook-Martin noted that she would have to reach out to the school district to see which school would be available; Mr. Frenette would have to investigate to see what infrastructure they have; and, she did not know whether there would be a charge, but they may consider it if we were going to be holding all meetings at their schools. She also noted that there is competition with school activities which come first over what the town could want. Clerk Cook-Martin advised that at previous meetings held at the schools, the IT Director had to go there ahead of time to set up all equipment before the meeting and then after the meeting someone would have to take all the equipment down, pack it up and bring it back. It is complicated and a lot of work. Mr. Rosso believed the question really lied with whether or not they wished to have virtual participation. He did not feel there would be a lot of in-person attendance if they allowed people to have virtual participation. Council President Moffitt wished to have these meetings available to the residents virtually and Mr. Rosso suggested that this would be easier if it happened in the Town Council chambers. Council President Moffitt stated that their next meeting would be in-person in the Council chambers; but he still wished to see what their other options would be. Mr. Rosso agreed and indicated that the Town Clerk would reach out to Chariho and ask their IT Director to speak with Mr. Frenette to see what options the town has and he would report back to the Council. Council President Moffitt noted that having plexi-glass shields was fine with him. Councilor Geary asked how notice would be given of a change of meeting venue and Council President Moffitt advised that the meeting location would be noted in the agenda which is posted 48 business hours prior to the meeting. Mr. Rosso also noted that they could put an announcement on Facebook and the town's

website to assure that people are aware. Council President Moffitt felt that they should still encourage mask wearing.

**CONSIDER POLICY RE: OPEN MEETINGS AND CODE OF ETHICS TRAINING**

The Council began discussion about implementing policy for open meetings and code of ethics training for boards and commissions.

Mr. Rosso noted that this was something that he wished placed on the agenda. He felt it would be a good idea for town employees and Boards and Commission members to be very familiar with the Open Meetings Act. He felt this was just another layer of protection for the town knowing that they have given this training and made it available to everyone. Access to this training could be placed on the town's website and the Council could make it mandatory for new employees and members, if they wished. Mr. Rosso just wished to assure individuals had access to this training in order to protect the town.

Councilor Hirst suggested that the Council have two public forums and noted that there were rules in written form regarding the length of time that people can speak in order to safeguard against someone dominating a meeting. Council President Moffitt explained that this was a policy for open meeting laws and code of ethics for the Boards and Commissions. Councilor Hirst noted that he wished someone from the RI Ethics Commission to conduct that training, someone removed from the town. Solicitor Sypole advised that he has been discussing this issue with Mr. Rosso and he believed it would be a good idea to implement some type of minimum required training for current Boards and Commission members and any new Boards and Commission members. If the Attorney General or RI Ethics Commission should ever come to investigate anything we would be able to produce evidence that all Boards and Commissions members have received some type of minimum training on these issues and there are a variety of different steps that can be taken. This would be important not only to the town, but the individual volunteers because individual members can be held accountable and fined for violations. To protect the individuals and the town, Solicitor Sypole, felt it would be important for them to be able to present evidence showing that everyone had participated in some type of training regarding ethics and the open

meetings act. Council President Moffitt agreed that there should be a policy in place, whether it be for new members when they are selected, or if this should be required of everyone but he was unsure how they could keep track of that. He felt that there should be links set up for Boards and Commission members to view these trainings. He asked if Solicitor Sypole and Mr. Rosso could come up with a policy for the Council's review. Solicitor Sypole indicated that he would work with Mr. Rosso to come up with a suggestion but it was a fine line between protecting the town and then imposing a burden on people who were volunteering; he also wished the Council to approve the final policy. Solicitor Sypole noted it may be as simple as everyone receives a copy of the Code of Ethics and Open Meetings Act and they could sign off noting that it was provided to them and they had reviewed it. All Councilors agreed that there should be a policy or some type of training in place.

**NEW BUSINESS:**

**ADJUST OFF 2009 & 2010 UNCOLLECTABLE TAXES**

This matter was before the Town Council to discuss, consider and possibly vote to adjust off uncollectable taxes for tax years from 2009-2010 for the total amount for \$38,217.29 submitted by the Tax Collector. Tax Collector Mary Lynn Caswell participated remotely.

Councilor Geary asked why this was just occurring now and Mr. Rosso responded that this was a state law. Mary Lynn Caswell reiterated that there was a state law indicating that they could not collect anything older than ten years. She noted that every new fiscal year she would write off any uncollected taxes that were ten years old for they could no longer be collected.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO APPROVE THE REQUEST OF THE TAX COLLECTOR TO ADJUST OFF UNCOLLECTABLE TAXES FOR TAX YEARS FROM 2009-2010 FOR THE TOTAL AMOUNT FOR \$38,217.29.

IN FAVOR: Moffitt, Davis, Geary, Hirst, Marvel

OPPOSED: None

SO VOTED

**CONSIDER REPOSITIONING STATUE HONORING POLISH VETERANS AT POLISH PARK**

Councilor Davis requested to hold discussions and consider the repositioning of the Statue honoring Polish Veterans located at Polish Park.

Councilor Davis noted that Kelly Sullivan, representing the families of the men listed on Hopkinton's Polish American World War II Veteran monument had spent the past four years trying to have the monument placed in a position of honor in the town. When the monument was finally placed in Polish Park it was faced inward, into the park, rather than outward facing Mechanic Street.

Councilor Davis advised that when Ms. Sullivan contacted her in 2017 to request that the monument be turned around, she forwarded the request to the town authorities and was met with opposition.

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR HIRST FOR THE DEPARTMENT OF PUBLIC WORKS TO TURN THE MONUMENT AROUND TO FACE MECHANIC STREET.

IN FAVOR: Moffitt, Davis, Geary, Hirst, Marvel

OPPOSED: None

SO VOTED

**BOARDS & COMMISSIONS:**

**CONSERVATION COMMISSION RESIGNATION**

This matter was before the Town Council to discuss, consider and possibly vote to accept the resignation of Harvey Buford from the Conservation Commission.

Councilor Marvel wished to thank Mr. Buford for his many years of service to the town and noted that it was very unfortunate that he had decided to resign. He would have preferred that Mr. Buford remain in his role but he respected his decision and wished him the best in his future endeavors. Councilor Hirst noted that he would be voting against accepting this resignation, noting that it was very hard to get volunteers to sit on these Boards and Commissions. He was concerned that there may be other resignations coming from other Conservation

Commission members. Council President Moffitt wished to echo Councilor Marvel's comments, noting that it was regretful that Mr. Buford had chosen to resign and he would have liked to see him continue. Councilor Davis noted that Mr. Buford has worked very hard for the Town of Hopkinton and she was sorry that he has decided to resign. Councilor Marvel asked if there was a precedent for not accepting a resignation and what happens if a resignation was not accepted. Councilor Hirst noted that when you take an office, you are in that office until another is engaged in your room; he believed that there was no legal obligation for a government body to accept a resignation. The oath of office was clear that you served until the end of your term or you were discharged therefrom.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR GEARY TO DECLINE TO ACCEPT THE RESIGNATION OF HARVEY BUFORD FROM THE CONSERVATION COMMISSION

IN FAVOR: Geary, Hirst

OPPOSED: Moffitt, Davis

ABSTAIN: Marvel

MOTION FAILED

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR MOFFITT TO ACCEPT HARVEY BUFORD'S RESIGNATION FROM THE CONSERVATION COMMISSION. Discussion on the motion:

Councilor Marvel noted that he was really struggling with this because he would prefer that Mr. Buford stay in his role but he was unsure of Mr. Buford's personal feelings on whether he really does not want to stay in this role. He did not want to go against his personal feelings, but he really preferred that Mr. Buford not resign. Councilor Hirst noted that Mr. Buford has had the town's back for decades and he thought it would be a good gesture for the Town Council to have Mr. Buford's back. Solicitor Sypole noted that they could not have him serve on a commission against his will and if he wished to resign you cannot force him to continue in a position that he does not want to be in. Councilor Hirst felt this resignation was not a typical resignation. Councilor Hirst offered a motion to

table this matter for two weeks. Councilor Marvel wished to know if they could request to meet with Mr. Buford in executive session to discuss what his wishes are. Councilor Hirst indicated he would include wording in his motion in that respect. There was no second to the motion. Solicitor Sypole indicated that he did not know if there was anything in the Open Meetings Act that would allow them to have a meeting of that nature in executive session. Councilor Hirst withdrew his motion. Council President Moffitt asked Councilor Hirst if he had information as to whether or not Mr. Buford wished to resign or not; Mr. Buford had written a letter to the Council stating that he wished to resign and noted the reasons why. Councilor Hirst felt that it was in the best interest of the Town of Hopkinton to not accept his resignation. Discussion ended and the Council voted as follows:

IN FAVOR: Moffitt, Davis

OPPOSED: Hirst, Geary

ABSTAIN: Marvel

**MOTION FAILED**

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR GEARY TO REQUEST TO MEET WITH MR. BUFORD AND TABLE CONSIDERATION OF HARVEY BUFORD'S RESIGNATION TO THE FIRST MEETING IN AUGUST.

IN FAVOR: Geary, Hirst

OPPOSED: Moffitt, Davis, Marvel

**MOTION FAILED**

A MOTION WAS MADE BY COUNCILOR MARVEL AND SECONDED BY COUNCILOR DAVIS TO ACCEPT HARVEY BUFORD'S RESIGNATION FROM THE CONSERVATION COMMISSION WITH REGRET.

IN FAVOR: Moffitt, Davis, Marvel

OPPOSED: Hirst, Geary

**MOTION CARRIED**

**POSTING OF CONSERVATION COMMISSION VACANCY**

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR MARVEL TO POST THE CONSERVATION COMMISSION VACANCY.

IN FAVOR: Moffitt, Davis, Marvel, Geary

OPPOSED: Hirst

MOTION CARRIED

**PUBLIC FORUM**

Joe Moreau of Old Depot Road indicated that he had read Mr. Buford's letter of resignation and he had not realized how much time Mr. Buford had devoted to the Conservation Commission and the Land Trust. He also was amazed at how much money the town received through grants that Mr. Buford and others worked on and he certainly appreciated that. In his opinion he believed some people were digging for information to use against Mr. Buford for some time now and Mr. Moreau was disappointed that the public could not comment prior to the Council discussion. Regarding the new PSES ordinance, he had thought a work schedule would be included in that ordinance but it was not. He noted that even Attorney Hogan had mentioned a work schedule at a recent Zoning Board appeal. At one of the last workshops he had asked if someone was keeping a list of all of the recommended changes because he had not seen anything written about the work schedule in the proposed PSES and he believed it was Councilor Marvel who indicated that he was keeping that list. Mr. Moreau asked if there was a defined work schedule on the adopted PSES ordinance dated April 19, 2021. Council President Moffitt indicated that to his knowledge it was not added as a consensus of the Council. Mr. Moreau asked if it was too late to add this to the ordinance. Council President Moffitt indicated that they would have to have a discussion with the Solicitor to see what the process would be to bring this before the Council again. Solicitor Sypole indicated that he had followed up with Attorney Skwirz to check on the issue of the work hours and he did not believe that this was included in the final version that was enacted and that would require an amendment at this point. Mr. Moreau hoped that the Council would consider amending the ordinance to include that. Lastly, Mr. Moreau advised that there were 24 flags on telephone poles in Hope Valley between Spring Street and the

town line. These flags were purchased in 2017 and paid for by former Town Councilor David Husband at the cost of just over \$1,300. The current flags were in really bad shape, faded and torn and in his opinion it was disrespectful to display flags in that condition. These flags are put up just before Memorial Day and taken down after Labor Day each year. He advised that this September would be 20 years since the tragic events of 9/11/2001. Mr. Moreau indicated that he and Jason Tefft had a conversation about the flags and the next day, Jason and his wife, Meg, agreed to purchase new flags on one condition; that the new flags have to be displayed as soon as possible, prior to 9/11 and be removed after Columbus Day. Mr. Moreau stated that this is not the first time that Jason and Meg Tefft have stepped up for the town. Several years ago a tree fell on a resident's home and then Councilor Thompson contacted Mr. Tefft who went right over and removed the tree and did not charge the resident. Jason Tefft has also offered to pay up to \$1,000 towards an employee appreciation day. Mr. Moreau wished to publicly thank Mr. and Mrs. Tefft for their generosity in helping others in their time of need. He wished something be added to the next agenda to acknowledge their kind donation. Mr. Moreau wished to have some direction on how to proceed concerning the purchase of the flags, noting that he had spoken with Fire Chief Justin Lee of the Hope Valley/Wyoming Fire Station about this being the 20<sup>th</sup> anniversary of 9/11. Chief Lee indicated that they would be having a parade since the Memorial Day parade was cancelled; there would also be a thirty second fire alarm at 8:46 a.m. and at 9:03 a.m. which was the times when both of the towers were struck. Mr. Moreau wished to know if someone from the town would be responsible to lower the flags because 9/11 falls on a Saturday this year. He also wished information be placed on the town's website about the parade and wondered if the town would do something to honor those people lost. He noted that he would be willing to assist in any way to make sure that the town does something for this tragic occasion. Jason Tefft is ready to order the flags and Director Caswell advised that if this was approved by the Town Council or the Town Manager, Public Works would work to install those flags. He wished to move quickly in this regard as he assumed there will be a delay in obtaining flags due to this being the twenty year anniversary of 9/11. Council President Moffitt

asked Mr. Rosso how to handle this matter. Mr. Rosso did not believe this required a vote and felt they could just authorize the funding and purchase the flags and either have Mr. Tefft reimburse the town or he could buy the flags outright. Once received, they would have Public Works put those flags up. Mr. Rosso felt this could be handled internally. Council President Moffitt noted that there were 24 flags and asked if that meant there were 24 flag poles. Mr. Moreau noted that Public Works had taken down the 24 flags and flag poles; there was still a majority of those flag poles though there may be some that are damaged. Mr. Moreau advised that Mr. and Mrs. Tefft had stated that they would purchase these flags as soon as tomorrow. Council President Moffitt noted that he had no problem with any resident who is willing to do this for the town. He felt it was a good idea and he asked Mr. Rosso to facilitate that.

Frank Landolfi of 3 Elizabeth Court wished to also note that Jason Tefft had contributed \$1,000 to the Affordable Housing Partnership during a budget session a year or two ago. Mr. Landolfi also believed that the public forum should be moved to the top of the agenda where the substantive items are that people wish to weigh in on prior to them being decided; having it at the end does no service to the residents. Regarding the resignation of Mr. Buford (a copy of his letter Mr. Landolfi had read), he noted that it was clear to him from the onset when the new Council took over and when Councilor Hirst was replaced on the Land Trust and Conservation Commission as liaison, that Mr. Buford was being forced out. Lastly, he commented on the Polish Monument vote stating that Councilor Davis left out a lot of important details. He noted that he was personally involved in the relocation of that monument at the Polish Park when Mr. Gilligan sold his house near the Locustville Pond and wanted the monument moved. The monument was moved back to Polish Park where it actually originated from and placed so that the monument faced the park. Therefore, if you go to visit the park you can actually read the names on the monument while in the park. If you turn the monument towards the road you will not be able to read it from inside the park; this may potentially be dangerous due to stopping on Mechanic Street to read it. Lastly, the monument is not owned by the town, it is owned by the Gordon Greene Post. In the past he had referred Councilor Davis' and Kelly Sullivan's

concerns about repositioning that monument to the owner of the monument. If the town is going to reposition that monument they should check with the owner, not Kelly Sullivan.

Councilor Marvel wished to make a statement before there was any more public comment concerning Mr. Buford being forced out, that he wished to make it clear that this was completely untrue. Mr. Buford was not forced out; he resigned on his own accord.

Deborah O'Leary of 44 Pleasant View Drive advised that she was the secretary of the Conservation Commission and has been on the commission for almost ten years. She commented on Mr. Buford's resignation, noting that he is a man of high integrity who cares deeply about the town and the environment in which we all live. She felt that he has been sold short and some of the things that have happened recently where the Conservation Commission has been a target of some legal wrangling, has really dampened his desire to serve. How can they expect someone to continue to serve when they are constantly being made to feel uncomfortable. She suggested in the future, if they are going to propose new members to the Conservation Commission that they should speak with the other members of the Commission before appointing them because they need people who are going to show up. They have a new member who has only been to a couple of meetings due to the zoom format of recent meetings. Lastly, Ms. O'Leary suggested Councilor Marvel ask for a reassignment as liaison.

Lydia Lanphear of 111 Fenner Hill Road noted that she has been a member of the Conservation Commission for the past six years and she will also be resigning due to the treatment of Mr. Buford and the inability of the Conservation Commission to function properly without his guidance and knowledge which he has gained over the last thirty years. She also agreed that Councilor Marvel should probably be reassigned.

Council President Moffitt wished to add that there was so much mis-information and assumption and both he and Councilor Marvel regretted Mr. Buford's decision to resign. He noted that this was why people do not want to volunteer for boards and committees; if you are not in with all of these people it turns into a mess and people just want to point fingers. Mr. Buford did not need to resign, he

chose to. They offered for him to sit down and speak with them but he chose not to. Ms. O’Leary and Ms. Lanphear both replied that he did so because he did not trust them anymore. Ms. Lanphear noted that they volunteer out of a love for where they live and a love for the town and they would like to be represented equally. They would like to have had the legal representation that Mr. Buford had requested so they could better understand what Councilor Marvel had stated they were doing incorrectly, but they never got that.

**ADJOURNMENT**

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

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Murray

Deputy Town Clerk