

HOPKINTON TOWN COUNCIL MEETING – September 7, 2021  
BUSINESS AGENDA  
Town Hall, 1 Town House Road, Hopkinton, RI 02833

**NOTICE  
MEETING BEING HELD IN-PERSON  
ALSO AVAILABLE TO STREAM ON YOUTUBE**

As of July 23, 2021, all public bodies in Rhode Island are required to return to in-person meetings in accordance with the Open Meetings Act, but live-streaming of meetings in addition to in-person meetings is still permitted.

Understanding the people have a vested interest in the operation of their government and may not be able or willing to attend in-person, the Hopkinton Town Council will be broadcasting this meeting on the Town of Hopkinton, Rhode Island's YouTube Channel.

Residents that cannot attend in-person are urged to join by computer to see and hear the meeting in real time. Please note that this is a live-stream of the meeting and virtual participation is not available.

To view this meeting, please connect in by 7:00 PM. **Note:** Participants will not be able to connect before the host begins the broadcast, and anyone trying to connect who are unable to do so should try again after 7:00 PM.

The meeting being broadcasted will be shown as "Live" and can be selected and made full screen for easier viewing.

**To view the meeting by computer:**

<https://www.youtube.com/hopkintonri/videos>

Please note: Because of ever-changing regulations due to the COVID-19 virus, and the close proximity of participants, the Town is requesting that in-person attendees wear a face mask if not vaccinated. Please check the Town of Hopkinton website [www.hopkintonri.org](http://www.hopkintonri.org) for updates on these meetings and other important Town or COVID-19 information.

Elizabeth J. Cook-Martin  
Council Clerk/Town Clerk

**6:30 P.M.** Convene Open Session and Recess to Executive Session under:

1. RIGL sec. 42-46-5(a)(1) Town Manager position.

Reconvene in Open Session.

Statement by the Council President that no votes were taken in Executive Session.

Consider and vote on Motion to Seal the minutes of the Executive Session.

**7:00 P.M.** Call to Order – Moment of silent meditation and a salute to the Flag.

**HEARING – proposed ordinance amendment to Chapter 20 Traffic and Motor Vehicles.**

1. Open a hearing on a proposed ordinance amendment to Chapter 20 Traffic and Motor Vehicles to add Article IV relating to the use of recreational vehicles, introduced and sponsored by Councilor Marvel. The proposed amendment would add the following article: **ARTICLE IV. RECREATIONAL VEHICLES** and includes Sections for *Purpose* which defines recreational motor vehicles; *Riding on Private Property*; *Violations and Penalties*; *Eluding a Police Officer or Town Official*; *Severability and Exceptions*. The purpose of the amendment is to restrict the use of ATV type vehicles on personal property when the operator does not have the landowner's permission; on all conservation land managed by the Land Trust and others, to prevent damage to trails, fields, parks, etc. as well as protecting hikers and other users from potentially hazardous encounters. See attached.

Sponsor present.

Notice posted in the Westerly Sun and proposed ordinance posted on the Town Website.

Council discussion.

Public comment.

Consider motion to continue or resume public hearing at a later date, place and time or, set a date for a decision.

**HEARING continued from June 21, 2021. The following matter is to be continued:**

**PROPOSED ZONING DISTRICT USE TABLE AMENDMENT TO ALLOW ELECTRIC CHARGING STATIONS IN COMMERCIAL, MANUFACTURING & NEIGHBORHOOD BUSINESS ZONES**

2. Discuss and consider a date to continue the hearing on proposed text amendments to the Town's Zoning Ordinance District Use Table. The intent of the proposed amendments is to allow electric charging stations in commercial, manufacturing and neighborhood business zones, including the two current gas stations. This proposed amendment had been introduced and sponsored by former Councilor Sylvia Thompson, scheduled on the November 2, 2020 Town Council Agenda where the hearing date was set for February 16, 2021. On February 16, 2021 the hearing was continued to March 15, 2021. On March 15, 2021 the hearing was held and was continued to June 7, 2021 whereupon the hearing date was closed with a decision date set for June 21, 2021. On June 21, 2021 the proposed amendments were divided out and the hearing date for the proposed amendment to allow electric charging stations in commercial, manufacturing and neighborhood business zones, including the two current gas stations, was continued to September 7, 2021.

Council discussion.

Consider motion to continue the public hearing to a later date and time.

**CONSENT AGENDA**

Approve Town Council Meeting Minutes of August 16, 2021; Approve abatements resulting from adjustments to real property, tangible property, motor vehicle on 2021 tax roll submitted by the Tax Assessor; Approve refunds resulting from an overpayment of a 2020 MV tax submitted by the Tax Collector.

**MOTION TO APPROVE CONSENT AGENDA**

**TOWN MANAGER REPORT**

- RIDOT Proposed Improvements to Route 3/Main Street and Chase Hill Road Intersection

**OLD BUSINESS**

1. Discuss, consider and possibly vote to approve the hiring of the Town Manager.

**NEW BUSINESS**

1. Discuss and consider draft Open Meetings & Ethics Training Policy.
2. Discuss and consider whether to develop a town-wide policy for boards and commission re: in-person/streaming/remote/hybrid meetings.
3. Discuss and consider whether to hold a workshop or, to schedule for an agenda, the situation with ambulance services and the future of ambulance services in Town with interested parties requested by Councilor Hirst.

**PUBLIC FORUM – To participate you must be present in the Meeting Room**

**ADJOURN**

If communication assistance (readers/interpreters/captions) is needed or any other accommodation to ensure equal participation by any person, please contact the Town Clerk's Office at 377-7777 (V) or 377-7773 (TDD) at least two (2) business days prior to the meeting.

Posting Details: Town Hall, Police Station, Hopkinton Website, Secretary of State Website. Posting date: September 2, 2021

## PROPOSED ORDINANCE AMENDMENT

Introduced and sponsored by Councilor Marvel.

Chapter 20 Traffic and Motor Vehicles, Article IV.

### ARTICLE IV. – RECREATIONAL VEHICLES

#### **Section 20-66. Purpose**

Any recreational motor vehicle, including all three-wheeled (3-wheel) and four-wheeled (4-wheel) vehicles, or any design or class of all-terrain vehicles (ATV), or motorbike, mini-bike, go-cart, motorized scooter or motorcycle, which has been determined by the Division of Motor Vehicles as unsuitable for operation on the public way and is not eligible for registration for that use is strictly prohibited from public streets, public parks, or any walkway, trail, grassy area, field, forest, or in any area within the Town where motor vehicles are not allowed, and shall not be operated, driven, caused to be driven, walked, or parked on public streets, public parks, or any walkway, trail, grassy area, field, forest, or in any area within the Town where motor vehicles are not allowed, or within the boundaries of any public park, or within the boundaries of any property of the Hopkinton Land Trust (HLT).

#### **Section 20-67. Riding on Private Property**

No person shall ride, drive, or otherwise use any recreational vehicle described above on private property, whether posted or not, without the owner's permission.

#### **Section 20-68. Violations and Penalties**

Any violator of Section 20-66 or 20-67 shall be subject to a fine of \$100 for a first offense, \$200 for a second offense, and \$300 for each offense thereafter. Any vehicle used in violation of this ordinance shall be impounded at the owner's expense and shall not be released until all fees have been paid and/or court action has been completed. Violators will be responsible for the cost of all necessary environmental remediation. The Municipal Court has jurisdiction over violation of this section.

#### **Section 20-69. Eluding a Police Officer or Town Official**

No person illegally operating any recreational vehicle described in this Ordinance shall elude any police officer or Town official upon being signaled to stop or upon being told to stop. This section shall apply upon the occurrence of any lawful act by a police officer or town official in telling or signaling any vehicle operator to stop by any oral statement, siren, flashing lights, hand signal or other signal. This shall apply whether the police officer or Town official ordering or signaling the stop is in a vehicle or on foot. This section is intended to prohibit acts to elude a police officer or Town official, including acts consisting of increasing speed, changing directions, turning lights off or taking similar steps to avoid or escape apprehension. Any person apprehended in violation of this section shall be subject to an additional penalty of \$200.

#### **Section 20-70. Severability**

This ordinance shall become effective upon the date of its passage and all ordinances, or provisions therein, inconsistent with the same are hereby repealed. If any provision of this ordinance is held invalid by a court of competent jurisdiction, the remaining provisions shall not be affected thereby. The invalidity of any section of this ordinance shall not affect the validity of the remains of the ordinance.

#### **Section 20-71. Exceptions**

This ordinance shall not apply to any employee or agent of the Town or HLT while engaged in the actual performance of his or her duties, nor to any Town or HLT vehicles and equipment used by vendors who are under contract with the Town or HLT to provide goods or services.

This amendment would take effect upon passage. All other sections of Chapter 20 to remain in full force and effect.