

State of Rhode Island

County of Washington

In Hopkinton on the sixth day of June 2022 A.D. the said meeting was called to order by Town Council President Stephen Moffitt, Jr. at 7:00 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI 02833.

PRESENT: Stephen Moffitt, Jr., Sharon Davis, Robert Marvel, Scott Bill Hirst, Michael Geary; Town Solicitor Stephen Sypole; Town Manager Brian Rosso; Town Clerk Elizabeth Cook-Martin.

CALL TO ORDER AND ROLL CALL

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

ROLL CALL

Councilors Moffitt, Davis, Marvel, Hirst and Geary announced they were present.

PUBLIC COMMENT

Joe Moreau of Old Depot Road stated that he had been elected in November of 2020 as the Director of Public Welfare, thanks to Councilor Hirst getting him started. Mr. Moreau indicated that he has enjoyed helping the residents in their time of need and he wished to thank all of the individuals who have been of assistance to him in this position, noting that he has assisted twenty-seven residents over the course of his tenure. He advised the Council that he will not be running for this position again due to the fact that he cannot sit on any other board or commission if he is an elected official and he wished to do more. Mr. Moreau wished to announce this fact to everyone now so that residents would know that the position will be available, with the declaration period being June 27, 2022 through June 29, 2022, with information on the town's website. He stated that he did not care if someone was Democrat, Republican or Independent; he just wished to see the best, most qualified person elected that will help Hopkinton's residents.

APPROVAL OF AGENDA ORDER

There was no vote taken and no concerns voiced over the agenda order.

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

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

OPPOSED: None

SO VOTED

HEARING - MULTI EVENT PERMIT

The Council opened a hearing on an application for a Multi-Event Permit filed by Jennifer Johnson of Holly Tree Campground to hold three Band and DJ Events for their campers: Saturday, June 18, 2022 with a DJ, July 9, 2022 with a Band and September 3, 2022 with a DJ from 6:30 PM to 11:00 PM. The events will be held in the Camp Pavilion at Holly Tree Campground located at 109 Ashaway Road, Ashaway, RI 02804. These events are not open to the public.

Anthony Patrizzo, Jr. was present. The application was complete; no waivers were requested. There were no comments from supporters or objectors.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO GRANT APPROVAL OF THE MULTI EVENT PERMIT.

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

OPPOSED: None

SO VOTED

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

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

OPPOSED: None

SO VOTED

CONSENT AGENDA

A MOTION WAS MADE BY COUNCILOR GEARY AND SECONDED BY COUNCILOR DAVIS TO APPROVE THE CONSENT AGENDA AS FOLLOWS: Approve Town Council Meeting Minutes of May 16, 2022; Special

Town Council Meeting Minutes and Workshop Minutes of May 9, 2022; Emergency Town Council Meeting Minutes of May 18, 2022; Workshop Minutes of May 23, 2022; Workshop Minutes of May 31, 2022; Approve refunds resulting from escrow company overpayments on the 2021 real property tax roll submitted by the Tax Collector.

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

OPPOSED: None

SO VOTED

NEW BUSINESS:

AWARD BIDS

This matter had been scheduled to discuss, consider and possibly vote to award the bids for the following advertised RFP's: Diesel Fuel, #2 Fuel Oil, Gasoline, Heating & Cooling System Maintenance and Propane Gas Heating Fuel.

Mr. Rosso noted that DPW Director Dave Caswell was on vacation; however, he had recommended Ginger's Service Station for the diesel fuel. They proposed \$0.44 per gallon as their base rate. He explained that the market rate goes on top of their base rate for supply and delivery. Councilor Davis asked why Mr. Caswell had not recommended Dupuis Oil who had quoted \$0.30 per gallon. Mr. Rosso believed that it was because Dupuis did not do servicing; however, he suggested that he would follow-up with Mr. Caswell. For the heating and cooling system maintenance, Mr. Caswell recommended Petro because the bid from Ginger's was only for heating and the town requires both. Mr. Rosso noted that the rates were pretty much awash with Petro having a higher hourly rate of \$135 and Ginger's being \$125; however, the overtime was lower for Petro. Councilor Davis questioned how much overtime normally was needed and Mr. Rosso suggested not a lot. The main reason Mr. Caswell chose Petro was because Ginger's does not do cooling and the town needs both heating and cooling. Mr. Rosso advised that for mid-grade gas, Mr. Caswell had selected Petro who quoted \$0.49 per gallon; and, Quality Propane was selected for propane which was \$0.30 a gallon, \$95.00 per hour Monday through Friday 8:00 a.m. to 4:00 p.m. and \$125.00 per hour Monday through Friday 4:00 p.m. to 8:00 a.m., Saturdays,

Sundays and holidays. Number 2 fuel oil was to be awarded to Ginger's at \$0.10 per gallon. Councilor Davis noted that her only concern was the diesel fuel and Mr. Rosso noted that they always went with the lowest bid unless there was a question about the services that would be provided.

DIESEL FUEL

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR HIRST TO AWARD THE BID FOR DIESEL FUEL SERVICES TO GINGER'S AT THE FIXED RATE OF \$0.44 PER GALLON. GINGER'S CURRENTLY PROVIDES DIESEL FUEL SERVICE FOR TOWN BUILDINGS.

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

OPPOSED: None

SO VOTED

#2 FUEL OIL

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR MARVEL TO AWARD THE BID FOR #2 FUEL SERVICE TO GINGER'S AT THE FIXED RATE OF \$0.10 PER GALLON. GINGER'S CURRENTLY PROVIDES NUMBER 2 FUEL SERVICE FOR TOWN BUILDINGS.

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

OPPOSED: None

SO VOTED

GASOLINE

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR HIRST TO AWARD THE BID FOR MID-GRADE GASOLINE SERVICE TO PETROS AT THE FIXED RATE OF \$0.49 PER GALLON. PETROS CURRENTLY PROVIDES MID-GRADE GASOLINE SERVICE FOR TOWN BUILDINGS.

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

OPPOSED: None

SO VOTED

HEATING & COOLING SYSTEM MAINTENANCE

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR HIRST TO AWARD THE BID FOR HEATING AND COOLING SYSTEM MAINTENANCE SERVICE TO PETRO FOR \$135.00 PER HOUR, MONDAY THROUGH FRIDAY FROM 8:00 A.M. TO 4:00 P.M. AND \$150.00 PER HOUR FROM 4:00 P.M. TO 8:00 A.M., INCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS. PETRO CURRENTLY PROVIDES HEATING AND COOLING SYSTEM MAINTENANCE SERVICE FOR TOWN BUILDINGS.

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

OPPOSED: None

SO VOTED

PROPANE GAS HEATING FUEL

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR HIRST TO AWARD THE BID FOR PROPANE GAS AND SERVICE TO QUALITY PROPANE FOR \$0.30 A GALLON FOR \$95.00 PER HOUR, MONDAY THROUGH FRIDAY FROM 8:00 A.M. TO 4:00 P.M. AND \$125.00 PER HOUR FROM 4:00 P.M. TO 8:00 A.M., INCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS. QUALITY PROPANE CURRENTLY PROVIDES PROPANE GAS AND SERVICE FOR TOWN BUILDINGS.

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

OPPOSED: None

SO VOTED

TOWN COUNCIL CONTINGENCY FUNDS FY 21/22

This matter was scheduled so the Town Council could discuss, consider and possibly vote on how the FY 21/22 Town Council Contingency Funds should be used.

Mr. Rosso suggested using some of the Council Contingency Funds for purchasing a new flag pole and flag for the front of the Town Hall and repainting the Town Hall signs which were looking rundown.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR GEARY TO UTILIZE THE FY 21/22 TOWN COUNCIL CONTINGENCY FUNDS TO COMPLETE THE PROJECTS

RECOMMENDED BY THE TOWN MANAGER. Council discussion:

Council President Moffitt asked if there was an estimate for these projects and Mr. Rosso advised that he had asked Mr. Caswell to obtain estimates. Mr. Caswell obtained two estimates from vendors regarding the flag pole and he had obtained one quote for the painting of the signs; however, he was still soliciting other estimates. Based on those quotes both projects would cost approximately \$2,000. Councilor Davis asked Town Clerk Cook-Martin whether she believed the display case in the front of the Town Hall should be replaced and Mrs. Cook-Martin felt that it should as the current one is warped. Councilor Davis noted that you cannot clearly read the items displayed in the case. Discussion ended.

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

OPPOSED: None

SO VOTED

ZONING CERTIFICATE FEE INCREASE

This matter was scheduled to discuss, consider and possibly vote to increase the zoning certificate fee issued by the Building & Zoning Department from \$5.00 to \$25.00 for a residential zoning certificate and \$50.00 for a commercial zoning certificate.

Councilor Hirst asked how these new fees compared with other towns. Councilor Geary noted that Hopkinton was still using the \$5.00 fee that was established in 1994 where most other towns were charging \$25.00 for residential and \$50.00 for commercial, with some towns as high as \$100.00. He believed this was long overdue.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO APPROVE THE INCREASE THE ZONING CERTIFICATE FEE ISSUED BY THE BUILDING & ZONING

DEPARTMENT FROM \$5.00 TO \$25.00 FOR A RESIDENTIAL ZONING CERTIFICATE AND \$50.00 FOR A COMMERCIAL ZONING CERTIFICATE.

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

OPPOSED: None

SO VOTED

DONATION FOR THE PURCHASE OF TREES FOR CRANDALL FIELD

This matter was scheduled to discuss, consider and possibly vote to accept Sylvia Thompson’s donation for the purchase of a red maple tree and a Japanese maple tree for Crandall Field. The red maple tree is in memory of Jane Ferraro Myers and all foster parents.

Council President Moffitt asked if they knew where these trees were going to be planted and Mr. Rosso advised that Mrs. Thompson had recommended these trees be planted in Crandall Field. He felt that the Council and the Recreation Commission should decide where they will be located. Councilor Geary wished to thank Mrs. Thompson for her excellent idea, noting that she was one of the town’s daughters, having grown up here, and has given so much back to the town.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO ACCEPT SYLVIA THOMPSON’S DONATION WITH APPRECIATION.

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

OPPOSED: None

SO VOTED

PROPOSED ZONING ORDINANCE DISTRICT USE TABLE AMENDMENT RE: MARIJUANA USES – HEARING DATE

The Town Council discussed and considered setting a hearing date for a proposed amendment to the Zoning Ordinance District Use Table to include Subcategory 9 “Medical and Recreational Marijuana (Cannabis) and Related Uses”, introduced and sponsored by Councilor Moffitt.

Council President Moffitt noted that they were supposed to have received a recommendation from the Planning Board within forty-five days; however, as of

this date they had not. Councilor Davis thought that the Planning Board did not know what they were supposed to comment on. Town Clerk Cook-Martin advised the Council that usually when she sends a memo to the Planning Board asking for an advisory opinion she will give them a date certain; however, she was unable to do that on this matter. Town Planner Jalette had indicated to her that she was going to place this matter on the Planning Board agenda for July 6, 2022 and Ms. Cook-Martin recommended that the Council set a date of July 18, 2022 for a hearing which would give her time to advertise this three times. She also noted that she will need to contact Deputy Zoning Officer Sherri Desjardins and ask her to revise the proposed category increase because the aquifer protection categories were left off of the definitions. Solicitor Sypole noted that the statute that controls amending the ordinances, Section 45-24-51, suggests that the Planning Board should provide an opinion within forty-five days with the Council voting within sixty-five days of the ordinance being introduced. He suggested that those days can be extended if the applicant agrees; however, in this case there was no applicant. Mr. Sypole noted that the charge to the Planning Board is to provide a recommendation of whether the ordinance that is proposed is consistent with the comprehensive plan or not. He felt that this area is so heavily regulated by the state that he was unsure what the town should put in its zoning ordinance except to designate the zones where things are and are not allowed. He went on to state that in House Bill 7593 there is a section called local control which states what the towns can do things such as adopting ordinances and bylaws that impose reasonable safeguards on the operation of cannabis establishments provided they are not unreasonable and impractical and not in conflict with this chapter or regulations made pursuant to his chapter. The town cannot put requirements on businesses over and above what the state is going to be regulating. The legislation includes a component that would allow a town to place the matter on the November ballot and provided the wording of the question. The Town Clerk noted the deadline for the Board of Canvassers to certify a question for the ballot would be August 10, 2022. Town Clerk Cook-Martin was going to follow-up with a memo to the Planning Board giving them a

clearer charge and requesting their opinion on whether this is consistent with the comprehensive plan.

The Council set July 18, 2022 as the hearing date.

UNFINISHED BUSINESS

This matter had been scheduled to discuss, consider and possibly vote to revise the Communications Committee charge to extend their term to December 5, 2022 – requested by Councilor Marvel.

Councilor Marvel indicated that they did have a committee of three and they have decided to meet twice a month. The current charge states that their final report was due tonight, so this revision will allow them six months to get some things done.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO REVISE THE COMMUNICATIONS COMMITTEE CHARGE TO EXTEND THEIR TERM TO DECEMBER 5, 2022.

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

OPPOSED: None

SO VOTED

PUBLIC COMMENT

Joseph Moreau of Old Depot Road wished to thank Mr. Rosso and the Council regarding their decision to purchase a new flag pole and flag. He also stated that he did not know that Hopkinton had its own flag and he wished this to be flown along with the American flag. Mr. Moreau advised that he had lived in Coventry for over 42 years and at that time Coventry was having the same growing pains as Hopkinton currently is having. The issue was no money for them to update their facilities. Mr. Moreau advised that he moved to Hopkinton in 2000 and became involved with the town in 2018 due to the solar explosion. He noted that he has attended most of the budget workshop meetings since then and when hearing the proposals it reminded him of what Coventry went through. The Town offices are very spread out, with the newest building being the police station which was

dedicated in 2003. Someone in a wheelchair cannot get into that building because there is no push button to open the door; the tax collector partitions were put up in 2009 as a temporary fixture; and, his walk-in closet at home was bigger than the IT office. Also, the ramp in front of the building was installed in 2008 and was supposed to be temporary and there is not an access button for a wheelchair bound person. All of the other town buildings also have accessibility issues. Mr. Moreau commented on the workshop meeting with the nonprofit agencies which occurred on May 31, 2022. At that meeting one of the individuals from the ambulance association noted that \$15,000 was nothing; however, Mr. Moreau suggested that \$15,000 was 75% of the cost of the power lift they were looking to put in their ambulance. He stated that Mr. Rosso had offered to use his expertise as a financial analyst and also offered the services of a CPA to help review their operations to see what could be improved but he did not know the outcome of that. In closing he stated that the residents and employees expect our elected officials to do what is best for the entire town. Mr. Moreau believed the money should be spent now, for costs are rising. He wondered if it might be feasible to look at another building due to the age of the current town hall. Mr. Moreau mentioned the B2B building on Palmer Circle which was built five or six years ago and was currently vacant. He felt this was a really nice building with three stories; was well designed; had elevators; and, was handicapped accessible. There is also a cafeteria and gymnasium; and there could be carports for the police department. There would be a cost factor, but when you weigh the supply issues happening now and do all of the other work involved, it may in the long run, be cheaper to consolidate and have everyone together.

Maryanne McNamara of North Road asked where the money was coming from for a new town hall. Council President Moffitt indicated that there was a town hall fund which has been in effect for over ten years. Mr. Rosso advised that there was approximately \$1.7 Million Dollars set aside for this project. Ms. McNamara advised that she has been speaking with DEM regarding the solar arrays and there seemed to be no one responsible for following up and monitoring these solar farms and DEM indicated that they have no regulations in place concerning these matters. She asked who would be responsible in our town to

make regulations and keep an eye on these projects. Council President Moffitt explained that every year in April Mr. Santilli, the Building Official inspects these sites. Ms. McNamara asked how they can approach any damage to the environment and water with the state if there were no regulations; noting that she had a letter from Mr. Kennedy which provided her with contact names of people at DEM. She contacted them and they told her that it was really not up to them. She believed there needed to be a study of whether there was any environmental damage due to these solar arrays.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO ADJOURN IN MEMORY OF ROBERT AND RUBY KREYSSIG.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Murray

Deputy Town Clerk