

State of Rhode Island

County of Washington

In Hopkinton on the twentieth 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

No one made any comments during the first public comment period.

APPROVAL OF AGENDA ORDER

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

CONSENT AGENDA

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO APPROVE THE CONSENT AGENDA AS FOLLOWS: Approve Town Council Meeting Minutes of June 6, 2022; Accept the following monthly financial/activity report: Town Clerk; Set July 5, 2022 as a hearing date for a Multi-Event Permit filed by Little Rhody Lobster.

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

OPPOSED: None

SO VOTED

VACANCIES AND APPOINTMENTS:

RESIGNATION - HOPKINTON LAND TRUST BOARD OF TRUSTEES

Tom Thompson submitted his resignation from the Land Trust Board of Trustees.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO ACCEPT THE RESIGNATION FROM TOM THOMPSON FROM THE LAND TRUST BOARD OF TRUSTEES WITH MANY REGRETS. Discussion:

Councilor Geary advised that he did not know Mr. Thompson personally; however, he did appreciate his time on the Land Trust and wished to thank him for his service. Council President Moffitt also wished to thank Mr. Thompson for his time and commitment to the Land Trust and to the Town of Hopkinton.

Councilor Hirst noted that he has known Mr. Thompson for many years and he has been a mainstay and his resignation is a true loss for the town. Councilor Marvel advised that for the little time that he has been the liaison for the Land Trust; Mr. Thompson has been one of the leaders and will be greatly missed.

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

OPPOSED: None

SO VOTED

POST VACANCY ON WEBSITE RE: LAND TRUST BOARD OF TRUSTEES

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO POST THE LAND TRUST BOARD OF TRUSTEES VACANCY ON THE WEBSITE.

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

OPPOSED: None

SO VOTED

NEW BUSINESS:

BID AWARD – WINTER SAND RFP

This matter had been scheduled to discuss, consider and possibly vote to award the bids for the following RFP: Winter Sand.

Mr. Rosso noted that there was only one bid submitted and he believed the Council should accept the recommendation of Public Works Director, Dave Caswell, to accept the bid of Richmond Sand & Stone, LLC of Wyoming, Rhode Island. Their proposal was for the town to purchase sand at a rate of \$14.64 per ton picked up; \$17.94 per ton delivered; \$20.50 per cubic yard picked up; and,

\$25.15 per cubic yard delivered. Councilor Davis asked what was currently being paid and Mr. Rosso advised that he did not know but would find out.

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR HIRST TO AWARD THE BID FOR WINTER SAND SERVICES TO RICHMOND SAND AND STONE, LLC AT THE RATE OF \$14.64 PRICE PER TON, PICKED UP, \$17.94 PER TON, DELIVERED, \$20.50 PRICE PER CUBIC YARD PICKED UP, AND \$25.15 PER CUBIC YARD, DELIVERED.

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

OPPOSED: None

SO VOTED

FINANCIAL RESOLUTIONS AND TAX RESOLUTION

The routine Financial Resolutions and the Tax Resolution for the fiscal year beginning July 1, 2022 were before the Town Council for consideration.

Council President Moffitt read each resolution.

RESOLUTION NO. 1

RESOLVED: In accordance with R.I.G.L. 44-5-2(c) (4), that the electors of the Town of Hopkinton qualified to vote on any proposal to impose a tax or for the expenditure of money, in a Town Financial Referendum, lawfully assembled on the 14th day of June A.D. 2022 and **approved** the proposed budget for Fiscal Year 2022-2023. The estimated tax rate for Real and Tangible property is \$18.53 no increase from the current rate of \$18.53. The tax rate for Motor Vehicles is \$20.00.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO ADOPT RESOLUTION NO. 1.

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

OPPOSED: None

SO VOTED

RESOLUTION NO. 2

RESOLVED: the voters of the Town of Hopkinton in consideration of the questions on the June 14, 2022 Town Financial Referendum Ballot did approve the following:

Local Question 1 - Resolution restricting the unspent balance remaining in the Legal Fees - Solicitor line item #01-000-5225 and the unspent balance remaining in the Litigation & Collective Bargaining line item #01-000-5226 in the 2021/2022 Fiscal Year General Government Budget to be placed into the Legal Fees Restricted Account.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO ADOPT RESOLUTION NO. 2.

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

OPPOSED: None

SO VOTED

RESOLUTION NO. 3

RESOLVED: That the Town Finance Director be and is hereby authorized and empowered to credit to any appropriations fund any receipts or donations which apply against that fund and all others not so designated to the General Fund.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO ADOPT RESOLUTION NO. 3.

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

OPPOSED: None

SO VOTED

RESOLUTION NO. 4

RESOLVED: That the several appropriations specified be expended under the direction and supervision of the Town Council, except those pertaining to public school, bills payable, and interest which sum shall be disbursed and paid out by the Town Finance Director.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO ADOPT RESOLUTION NO. 4.

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

OPPOSED: None

SO VOTED

RESOLUTION NO. 5

RESOLVED: That the Town Finance Director of the Town of Hopkinton be and is hereby authorized and empowered to borrow upon the credit of the Town as the same may be necessary during the present Fiscal Year such sum or sums as may be required to meet the expenses and obligations of the Town, provided however, that such loans shall not at any time exceed the sum of one million five hundred thousand dollars (\$1,500,000.00).

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO ADOPT RESOLUTION NO. 5.

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

OPPOSED: None

SO VOTED

RESOLUTION NO. 6

RESOLVED: That the over-expenditures in the 2021-2022 Fiscal Year Budget, identified by the Town Finance Director, are hereby approved.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO ADOPT RESOLUTION NO. 6.

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

OPPOSED: None

SO VOTED

TAX RESOLUTION

RESOLVED: That the Town Council of the Town of Hopkinton based on the budget adopted by vote of the Town Council on June 20, 2022 pursuant to section 2370 of the Hopkinton Town Charter following **approval** of the proposed FY 2022/2023 budget by the voters at the Financial Town Referendum on June 14, 2022, hereby impose a tax levy at a Town Council Meeting held this 20th day of June 2022, and order the apportionment and collection of a tax on the ratable real estate and tangible personal property in a sum not less than \$18,918,218 and not more than \$19,918,218. Said tax is for ordinary expenses and charges of the Town, for payment of interest and indebtedness, and for the purposes authorized by Law. The Assessor shall apportion said respective taxes upon the assessed valuations of the ratable property of said Town as determined by the said Assessor of the Town as of the 31st day of December A.D. 2021, at twelve o'clock midnight, according to Law. The said respective Tax Levies shall be applied to the assessment roll as aforesaid and the resulting tax roll certified by the Assessor to the Town Clerk not later than the 15th day of July A.D. 2022. The Town Clerk on receipt of said completed tax roll shall forthwith make a copy of the same and deliver it to the Town Finance Director, who shall forthwith issue and affix to said copy a Warrant under her hand, directed to the Collector of Taxes of said Town, commanding her to proceed and collect said taxes of the persons and estates liable therefore. Said Taxes shall be due and payable on and between the first day of August and the eighth day of September A.D. 2022 next, and/or may be paid in equal quarterly installments, the first installment of twenty-five per centum on or before the eighth day of September A.D. 2022, and the remaining installments as follows:

Twenty-five per centum on the eighth day of December A.D. 2022, twenty-five per centum on the eighth day of March A.D. 2023 and twenty-five per centum on the eighth day of June A.D. 2023. Each installment of taxes, if paid on or before the last day of each installment period, successively and in order shall be free from all charge for interest.

EXCEPTING HOWEVER, that where the combined total of said tax and additional tax levied is an amount not in excess of one hundred dollars (\$100.00) it shall be due and payable in a single installment on and between the first day of August and the eighth day of September A.D. 2022.

If the first installment or any succeeding installment of taxes is not paid by the last date of the respective installment period, or periods, as they occur, then the unpaid quarterly payments shall be due and payable immediately and shall bear interest on any unpaid quarterly payments at the rate of twelve (12) per centum, per annum.

RESOLVED: That the Collector of Taxes shall collect and pay unto this Town's Treasury, as the same is collected, the tax this day ORDERED.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO ADOPT THE TAX RESOLUTION.

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

OPPOSED: None

SO VOTED

UNFINISHED BUSINESS:

AMERICAN RESCUE PLAN ACT FUNDS (ARPA)

This matter had been scheduled to allow the Council to discuss, consider and possibly vote to approve the American Rescue Plan Act Funds project list for the Town of Hopkinton; with the contribution to emergency services contingent upon the Town of Richmond approving their requested contribution.

Mr. Rosso indicated that he had sent a revised list to the Council which increased the amount of the contribution to emergency services to \$135,926, which is what was requested by Chief Lee; he reduced the consultant services by \$35,926; and he eliminated the financial system upgrade. Councilor Hirst felt satisfied with the list and was grateful for the improvements to be made to the Public Works Department and he asked Mr. Rosso if there was a legitimate concern about reducing the consultant fee. He also noted that he wished to assure that Ashaway Ambulance received some financial advice so their financial problems would not continue. Mr. Rosso advised that the consultant was going to bill the town incrementally and they would know when they were getting close to the cap; however, he believed this amount would be sufficient. Councilor Marvel questioned the \$600,000 earmarked for the town hall expansion and wondered what they would be able to do with that amount. Mr. Rosso indicated that this would bring them to \$2.2 Million Dollars total funding for the expansion project, noting that the previous \$1.6 Million was funded through the CIP. He was unsure if that would be enough to complete the project, noting that he recently met with the engineers who worked on the proposal; however, it was dated and needed to be updated due to inflation and increased costs of construction. If the project list was approved by the Council, Mr. Rosso indicated that he would contact the engineer to obtain updated figures and report back to the Council with a more realistic number and then they could reassess this project. Councilor Marvel asked if this was the case with the activity center or if Mr. Rosso was more sure of what would be accomplished. Mr. Rosso advised that they had an architect look at the Crandall Field activity center; provide them with a breakdown of all the

current issues; and, estimate what the repair cost would be. The update falls around the \$400,000 to \$500,000 range, which would be for a new roof, new windows, structural repairs, etc. For this project there would be a state match and if they are approved for the state match they would have One Million Dollars which would be the cost for new construction. Councilor Hirst asked if Mr. Rosso knew if Richmond was going to be contributing any ARPA funds to emergency services and asked what happens if Richmond does not approve the emergency services request. Mr. Rosso felt that this was at the discretion of the Town Council; however, he felt that they would take that same funding amount that they were planning on splitting amongst the five agencies and instead it would just be allocated to the Hopkinton emergency services. Councilor Davis wished to note that what Chief Lee presented was prepared solely by Chief Lee. Councilor Davis felt it was important to note that Hope Valley Ambulance noted that 40% of their calls were for Hopkinton and 60% of their calls were for Richmond. She did not believe they should be receiving the same amount as Ashaway and also because Hopkinton's budget passed each ambulance association would be receiving \$62,000 and Richmond did not increase their contribution. She believed Hopkinton was already overpaying Hope Valley Ambulance and she did not wish to evenly fund these two associations. Mr. Rosso noted that he had spoken to all five agencies about a 20% split and they were all onboard. Councilor Davis stated that she would agree to this only if Richmond was going to contribute the same amounts.

A MOTION WAS MADE BY COUNCILOR GEARY AND SECONDED BY COUNCILOR HIRST TO APPROVE THE USE OF THE AMERICAN RESCUE PLAN ACT FUNDS FOR THE PROJECT LIST RECOMMENDED BY THE TOWN MANAGER AND TO HOLD OFF ON THE LAST ITEM ON THE LIST RELATING TO EMERGENCY SERVICES UNTIL THE TOWN OF RICHMOND MAKES THEIR DECISION. Discussion:

Mr. Rosso also noted that he had received correspondence from the Ashaway Free Library, Langworthy Library and Ocean Community Chamber of Commerce with requests for ARPA funds. Council President Moffitt asked if anyone wished to

discuss the other nonprofit agencies' request for funds. Councilor Marvel commented that the town hall expansion of \$600,000 represented 25% of the whole ARPA funding and he knew this was necessary, but he was torn because that \$600,000 could fund quite a few of the other requests. Council President Moffitt indicated that he felt they were just earmarking these projects and this would be a guide that they could work towards; however, they would not be locked in and they could amend the list if necessary. Councilor Geary asked whether they were going to earmark money for a project that had a year hold on it, otherwise he felt that they should be moving forward. Council President Moffitt noted that all of the items on the list directly affected taxpayers. Councilor Davis indicated that Mr. Rosso did an excellent job in preparing this list and she believed that if the town hall expansion did not happen now it would never happen. Mr. Rosso noted that if he received approval, he would contact the engineer to obtain cost estimates and they could then re-evaluate the project. Councilor Marvel suggested they approve this list as the priority list with the full list being alternate opportunities if they are shifting funds in any way for any reason. Council President Moffitt suggested making a motion to approve to amend the list at any time. Discussion ended. There was no motion to amend.

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

OPPOSED: None

SO VOTED

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES:

TOWN PLANNER/PLANNING BOARD MEMORANDUM RE: GROWTH MANAGEMENT ORDINANCE REVIEW

Council President Moffitt explained that at a prior Planning Board meeting Mr. Capalbo had asked about a growth management ordinance or if there was any type of phasing regarding new construction projects. Thereafter, Mr. Capalbo reached out to Town Clerk Cook-Martin who found this ordinance. Council President Moffitt explained that this ordinance had an expiration date of December 2022 and a deadline for the Planning Board to make a recommendation regarding its continuation to the Town Council. The Planning Board suggested hiring a consultant; however, Council President Moffitt indicated that he would

like to see the Council extend the ordinance. He felt that the town had very limited resources and any type of growth ordinance outside of what they currently had would not serve them well. Solicitor Sypole noted that the growth management ordinance is administered by the Building Department and it limits the number of building permits that can be given out over time. There was a study done in connection with preparing the comprehensive plan and this ordinance was suggested for it works toward the goal of managing the level of school enrollment and also contributes toward the goals of the comprehensive plan in maintaining the rural character of the town. The last time this ordinance was extended, a deadline was put in place for the town to take another look at it; the Planning Board was instructed to make a recommendation by the end of June 2022 and the growth ordinance is set to expire at the end of this year if the Council does not take any action. Solicitor Sypole noted that one option that the Council had was to extend the growth management ordinance as is by a certain amount time in order to provide more time to work on updating this. In order to continue this ordinance they would need to come up with new figures, as this ordinance is driven by a formula with the main input being school enrollment numbers. Council President Moffitt wished to have more time to review this ordinance with the hopes of being able to strengthen the ordinance. Solicitor Sypole believed the goals that were in place when this ordinance was prepared are still in place now and the ordinance may only need to be updated with the up-to-date school enrollment numbers; he did not believe this was something that needed to be started from scratch. He noted that the Planning Board had come back with some questions of the Council and he felt there needed to be some discussion on how to move this forward. Council President Moffitt advised that some departments did not even know that this ordinance existed. The Council needs to know who is monitoring this; are we following this ordinance; and, is there a certain date every year where we need to know the updated school enrollment numbers. Councilor Hirst stated that education costs drive local budgets and it was time that the Rhode Island Association of School Committees, RI League of Cities and Town, teachers union and all of the stakeholders finally tackle the issue of the continued reliance on property taxes to fund education.

Councilor Davis questioned if this ordinance could be extended without updating the data. Council President Moffitt believed that the town would be easily impacted by any type of increase in enrollment to Chariho. He suggested that any type of growth management ordinance would be good business in Hopkinton and he did not need an expert to tell him that. He wished to extend this ordinance and also to review it for possible changes. Solicitor Sypole suggested that the Council put this on an upcoming agenda to have a vote on whether to extend the current ordinance and then at that meeting ask the town officials and employees who are responsible for this to be present and advise what the next step is to move forward, whether it be hiring a consultant or assigning someone already on the town staff to work on this by either updating the current formula or revisiting the whole ordinance. He felt the Planning Department and Building Official should be involved in these decisions. Mr. Rosso asked if the ordinance was set to expire at the end of June and Council President Moffitt advised that the ordinance indicated that they needed a recommendation by the Planning Board before June 30th but the ordinance would not expire until the end of December. Council President Moffitt noted that they received the Planning Board's recommendation which suggests that a consultant be hired; however, he did not believe they needed to hire a consultant, he believed they should just put new numbers in the ordinance. Solicitor Sypole explained that growth management does not only concern school enrollment but also managing the town's resources such as Public Works and the administrative capability of Planning and Zoning to process applications. Council President Moffitt advised that he would like to put this on a future agenda to vote to extend this, with an invitation to the departments that are responsible to monitor this.

The Town Council set July 18, 2022 as a hearing date to consider extending the Growth Management Ordinance.

PUBLIC COMMENT

Joseph Capalbo of 45 Woody Hill Road explained that the growth management ordinance was of particular concern to him. He believed this ordinance could be revised so as not to hurt the Town of Hopkinton, but help. His interest on this

ordinance began when he attended a Planning Board meeting concerning the Brushy Brook proposal of building 140 houses off of Dye Hill Road. In the plan the developer prepared, it noted that they were going to phase in twenty houses over seven phases. Mr. Capalbo asked the developer how long a phase would be and the developer was very evasive. When asked what the total cost of this proposal was, the developer indicated that he did not know. Mr. Capalbo was concerned that if the developer decided to sell lots to other developers they could have a lot of houses put up very quickly. He believed this ordinance needs some revision and asked the Council if they would accept any suggestions or recommendations from the public. Council President Moffitt indicated that they would; Solicitor Sypole added that there is a public hearing for any ordinance amendments being proposed. Mr. Capalbo also agreed that there did not need to be a consultant for this ordinance was fairly straightforward. He felt that this was a very important ordinance which will set the tone for the town.

Joseph Moreau of Old Depot Road wished to thank everyone for their work on proposing the distribution of the ARPA funds; noting that he disagreed with Councilor Marvel's comment about the town hall expansion. He advised that handicapped and elderly residents could not get upstairs to the Finance Department or Planning Department and they could not get into the Town Hall if they are in a wheelchair without assistance from employees. Other organizations who have requested funds can do fundraising. There are a lot of water issues at the town hall location and inflation is at 8.2% and he wondered if in the end, there may be a better option. He believed that if they did not do the town hall expansion now it would not get done and this was a golden opportunity to help out the entire town.

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO RECESS TO EXECUTIVE SESSION UNDER: RIGL SEC. 42-46-5(A)(2) SESSIONS PERTAINING TO COLLECTIVE BARGAINING OR LITIGATION, OR WORK SESSIONS PERTAINING TO COLLECTIVE BARGAINING OR LITIGATION - THE DISCUSSION WILL BE ABOUT CONTRACT(S) FOR SOLID WASTE

DISPOSAL; RIGL 42-46-5(A)(7) A MATTER RELATED TO THE QUESTION OF THE INVESTMENT OF PUBLIC FUNDS WHERE THE PREMATURE DISCLOSURE WOULD ADVERSELY AFFECT THE PUBLIC INTEREST AND RIGL SEC. 42-46-5(A)(5) POTENTIAL PROPERTY ACQUISITION.

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

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO RECONVENE IN OPEN SESSION.

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

OPPOSED: None

SO VOTED

Council President reported no votes were taken during the Executive Session.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO SEAL THE MINUTES OF THE EXECUTIVE SESSION.

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

OPPOSED: None

SO VOTED

ADJOURNMENT

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

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Murray

Deputy Town Clerk