

State of Rhode Island

County of Washington

In Hopkinton on the sixth day of February 2023 A.D. the said meeting was called to order by Town Council President Michael Geary at 7:00 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI 02833.

PRESENT: Michael Geary, Scott Bill Hirst, Sharon Davis, Robert Burns; Town Manager Brian Rosso; Town Solicitor Stephen Sypole and Town Clerk Marita Murray. Stephen Moffitt, Jr. was absent.

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO RECESS TO EXECUTIVE SESSION UNDER: RIGL SEC. 42-46-5(A)(1) - INTERVIEWS: BOARDS & COMMISSIONS: COMMUNICATIONS COMMITTEE.

POLL VOTE:

IN FAVOR: Geary, Hirst, Davis, Burns

OPPOSED: None

SO VOTED

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

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

IN FAVOR: Geary, Hirst, Davis, Burns

OPPOSED: None

SO VOTED

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

IN FAVOR: Geary, Hirst, Davis, Burns

OPPOSED: None

SO VOTED

CALL TO ORDER

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

ROLL CALL

Councilors Davis, Burns, Hirst and Geary announced they were present.

PUBLIC COMMENT

Joseph Moreau of Old Depot Road wished to assure that the Council would do the right thing regarding the once in a lifetime gifts to the town: i.e. the Velma Clinton gift and the ARPA funds. He was glad to see that the Department of Public Works had purchased several new trucks and he hoped that some of the money would be spent on the animal control building. He noted that it was his opinion that the money should be spent on the town hall expansion and consolidation which will impact residents and employees for many years to come. He was concerned that there was very little discussion on the ARPA funding and the town hall consolidation, noting that he had no idea of what was happening with that. He believed the ARPA money, Clinton money and money that was in the CIP for the town hall expansion totaled approximately 3.5 Million Dollars. Attorney Baruti noted at a prior meeting that the Clinton gift to the town totaled \$1,250,871.83 and Velma Clinton's specific instruction was that the town, acting through the Town Council, do with this as the Town Council saw fit. Mr. Moreau wished to receive updates concerning how these monies were being used.

Joseph Capalbo of Woody Hill Road spoke about the Brushy Brook proposed development. He noted that a lot of people were concerned with the impact that this development will have on the town and he wished the Town Council to be aware of this. He expressed his concern of not being able to be heard at the Planning Board meetings, for residents were only allowed to comment on what was on the agenda; developers never discussed taxes, density issues or student population. He was hoping for a forum where everyone could discuss all the issues of this proposal and hoped that the Town Council might put this on an agenda. Mr. Capalbo noted that the developer had indicated that he wanted to build 140 units in a densely packed area to be built in seven phases: 20 houses per phase. This would not match any of the surrounding farmland, Arcadia Preserve or any of the woodland near it. When asked how long a phase was, the developer

indicated that it was yet to be determined. Mr. Capalbo asked the developer what he was paying out in costs for engineering, hydrologists and other professionals and he indicated that they had never sat to figure that out. The community wells were supposed to be placed in the back of the 35-acre parcel pursuant to the plans that had been submitted; however, now it is going to be placed two to three hundred feet off of Dye Hill Road, right behind Mr. Orlandi's house. Mr. Capalbo wished the Council to look into this proposed development, educate themselves about it and then maybe have a meeting with the Planning Board or even among themselves to see if this is really what the town wants. Councilor Hirst asked Solicitor Sypole to what extent the Town Council, as a body, could weigh in on this issue. He believed that all public boards should have a public comment section on their agenda. Solicitor Sypole noted that this was the Planning Board's jurisdiction and there was not much that the Council could do; the Council writes the zoning ordinances and the laws for the town, but once an application is filed then they are locked into the rules that are in place at that time. Individual members of the Town Council, as long as there is compliance with open meetings rules and ethical rules, could attend and speak at a Planning Board public hearing.

Maryanne McNamara of North Road asked if there was any way for the town to put in a bill, noting that she was distraught over the State mandates that were putting burdens on the towns and residents. Councilor Davis advised Ms. McNamara that the Rhode Island League of Cities and Towns was creating a resolution for all towns to sign and would be sending them to the legislature advising them that they are not in favor of the land use mandates that are potentially out there. Ms. McNamara also asked about the Affordable Housing Commission, and it was noted that this Commission was inactive because there were not enough members. Ms. McNamara questioned the Chariho Omnibus meeting and Councilor Davis explained that this had already occurred, noting that there was a Chariho School Committee meeting on the following day. Lastly, Ms. McNamara inquired if the Town Council was notified of bills that were being proposed in the legislature. Mr. Rosso explained that the RI League of Cities and Towns shared proposed bills with the town which he passed on to the Council.

Sherri Aharonian of Dye Hill Road noted that she was in support of Joseph Capalbo’s comments that the Brushy Brook project would bring many town-wide issues to the town.

Conrad Cardano of Dye Hill Road wished the Council to be aware of the financial impact the Brushy Brook project will have on the whole town suggesting that there will be more roads to plow, more police presence needed and possibly more classrooms. He felt that this project is going to hurt us all.

CONSENT AGENDA

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR BURNS TO APPROVE TOWN COUNCIL MEETING MINUTES OF JANUARY 17, 2023; APPROVE TOWN COUNCIL MEETING EXECUTIVE SESSION MINUTES OF JANUARY 17, 2023; APPROVE REFUND OF TAX COLLECTOR FOR OVERPAYMENT; APPROVE TOWN MANAGER TO SIGN MUNICIPAL RESILIENCY PROGRAM (MRP) COMMUNITY PARTICIPATION AGREEMENT; APPROVE THE ANNUAL AND MULTI-YEAR GOALS.

IN FAVOR: Geary, Hirst, Davis, Burns

OPPOSED: None

SO VOTED

APPROVAL OF AGENDA ORDER

There were no changes to the agenda order.

TOWN MANAGER REPORT

COVID-19 Response and Vaccine Campaign

Mr. Rosso noted that he had received correspondence from the RI Department of Health who provided a Certificate of Appreciation to the Town of Hopkinton for dedicated service to the people of Rhode Island during the RI Department of Health’s COVID-19 Vaccine Campaign of 2020-2022. Mr. Rosso wished to acknowledge the work of Ronald MacDonald, noting that the Town received this certificate due to his efforts and exhaustive work, along with his counterparts in Richmond and Charlestown. They did an outstanding job and for lack of a plan from EMA this would have been a disaster. Mr. MacDonald explained that as an

EMA Director, his job was to coordinate things and he wished to thank all of the volunteers from residents to town employees who assisted.

Hazard Mitigation Survey

Mr. Rosso explained that the town's hazard mitigation plan will expire in March, so they formed a town committee to update this plan and are working with VHB in that regard. VHB put together a survey which they wish all residents to complete and this can be found on the town's website or hard copies can be picked up at the Town Clerk's office. Town Planner, Talia Jalette, noted that at their last meeting they discussed the purpose of the hazard mitigation plan, the kinds of hazardous events that could impact Hopkinton, the frequency and intensity of those hazardous events, resulting impacts from experiencing a hazardous event and the creation of the hazard mitigation survey. The survey is very brief and is anonymous; the best way for residents to get involved in this process was for them to complete the survey. All of the information obtained from the survey will form the basis for the hazardous mitigation plan. Councilor Davis asked about the deadline for taking the survey and Ms. Jalette noted February 24, 2023. Council President Geary asked how they could inform residents about this survey and Mr. Rosso indicated that they were going to send out a Code Red call, as well as post it on the town's Facebook page.

NEW BUSINESS:

CLINTON ESTATE DONATION

This matter was scheduled to discuss, consider and possibly vote on potential uses of the Clinton estate donation.

Mr. Rosso explained that ultimately how the Clinton donation was spent was up to the Council; however, he wished to present some suggestions. Regarding the town hall expansion, he noted that they have earmarked ARPA funds of \$600,000 and had \$1.7 Million in the CIP, which equates to \$2.3 Million Dollars. The design phase of the town hall addition has been completed and the latest 2022 estimates show a cost of \$2.8 Million Dollars needed to complete this project. If the ARPA funds which were earmarked for the community center were used for the expansion, this would give them the \$2.8 Million Dollars needed to complete

that the town hall expansion project. Mr. Rosso noted that he, Dave Caswell and Talia Jalette had met with the architects last week to finalize some of the layouts that were previously proposed by the committee. There was another meeting scheduled for next week for Dave Caswell and other Department of Works personnel to meet with the architects and look over the technical MIT, HVAC and all mechanicals of the building to assure that they do not see any issues with what is being proposed. They are waiting for final approval from DEM in order to start this project. In June of 2022, a proposal was submitted to DEM regarding the expansion and there were several concerns. The Civil Engineer is working out those issues and will be finalizing some test pits and resubmitting the proposal. Once we receive DEM approval, the project will be ready to go. They are looking at a time frame of no more than two years to complete the project once they obtain DEM approval. Regarding the Clinton donation, he proposed to use One Million Dollars of that for a community center and they could capitalize on the state's fifty/fifty match. Thereafter, they would have a Two Million Dollar state of the art facility which they can dedicate to Velma Clinton. This community center would have a computer lab, a fitness center and a classroom; the elements needed to obtain a state match are education, health, fitness and job creation. Other issues that have recently come up at the animal control facility concern the mechanical room and space issues. He has met with Dave Caswell and the Building Official, Anthony Santilli, and they are looking to expand that building outward. They will need to get an engineer involved to see what this will entail. Councilor Hirst noted that animals were one of Velma Clinton's biggest interest and he believed it made sense to look particularly at this facility. He was also concerned that the town was going to spend all of this money and there would not be any left for a rainy day. Councilor Davis disagreed. Mr. Rosso also noted that the animal control vehicle is in very bad condition. Lastly, regarding the Stubtown Road landfill, the town is desperately in need of addressing and getting a remedial action work plan (a plan that DEM approves to make the site compliant in order to close out that phase) for phase one; however, at this point there is no funding available. There are also some repairs that need to be done regarding phase two. Once they have the remedial action work plan they can

attempt to obtain grants to complete the work. If there were any remaining funds from the Clinton donation, he proposed that they put some in the engineering account for it seems whenever there is a grant opportunity there is a need to have an engineering report. Councilor Burns felt that nothing seemed to get done in town; there was a lot of talk, but nothing seemed to be completed. Mr. Rosso advised that the ARPA money has all been spent and he was trying to see these projects through; money has always been an issue for the town. Councilor Hirst wished the Council to decide what their priorities were and how much money they wished be spent. He wished for them to rank the projects by their priority and to set the direction of how this money will be allocated. Councilor Davis noted that she has spoken with Mr. Rosso and she agrees with everything that he has proposed. She felt that the town hall expansion should be completed and having a new community center left to the legacy of Velma Clinton was appropriate. Council President Geary agreed that there were things that needed to be done in town and he wished to further discuss this matter when Councilor Moffitt was present to participate. It was decided to continue this discussion to March 6, 2023.

FIFTH AMENDMENT - TOWN OF RICHMOND REGARDING WATERLINE

This matter was scheduled to discuss, consider and possibly vote to approve signing the Fifth Amendment with the Town of Richmond regarding the waterline.

Mr. Rosso explained that this will be the fifth amendment to the Waterline Agreement between Richmond and Hopkinton. He explained that Hopkinton does not have its own water system but is part of the Richmond water system. The water line comes through the Richmond/Hopkinton border and services approximately fifty residents and commercial businesses. The RI Department of Health proposed that Hopkinton put in a chlorination system at the meter pit so that if there was an issue, we could chlorinate it on our end. Richmond is putting in a very expensive chlorination system at the source and if there is an issue with the water, they will be able to treat it. This agreement acknowledges that if Hopkinton has an issue with the water, Richmond agrees to treat the water at the

source, with their system. This will save the town from having to put in their own chlorination system.

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR HIRST TO APPROVE THE SIGNING OF THE FIFTH AMENDMENT WITH THE TOWN OF RICHMOND REGARDING THE WATERLINE.

IN FAVOR: Geary, Hirst, Davis, Burns

OPPOSED: None

SO VOTED

HEAVY DUTY DUMP TRUCK WITH COMBINATION BODY AND SNOW PLOW

This matter was scheduled to discuss, consider and possibly vote to award the bid for the Heavy Duty Dump Truck with Combination Body and Snow Plow to Freightliner of Hartford, CT. (ARPA Project).

DPW Director Dave Caswell was present. He noted that their projection for this truck was close. He also noted that they are trying to combine Public Works with Animal Control regarding the well and generator. He just recently received the water test from a neighboring property, and he hoped that this would provide them with good news in order to move forward with a potential resolution for both of those buildings. Councilor Burns asked what the expected delivery date of the truck was, and Mr. Caswell believed it to be in the fourth quarter if things go as planned.

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR BURNS TO AWARD THE BID FOR A HEAVY DUTY DUMP TRUCK WITH COMBINATION BODY AND VIKING SNOW PLOW IN THE AMOUNT OF \$206,782 TO FREIGHTLINER OF HARTFORD, CT.

IN FAVOR: Geary, Hirst, Davis, Burns

OPPOSED: None

SO VOTED

CONTROLLED ENVIRONMENTAL AGRICULTURE (CEA)

This matter was scheduled to discuss, consider and possibly refer the issue of controlled environmental agriculture (CEA) to the building department, planning department, and/or planning board for study and recommendations.

Solicitor Sypole noted that one of these facilities has been proposed in Exeter and the permitting of this has been difficult. It is basically a gigantic greenhouse where produce is grown indoors all year round and he expected this to become more prevalent. He believed that the town should start looking into this so that it is prepared if and when a project of this nature comes to Hopkinton. Mr. Sypole believed this would become more and more common in New England and suggested that this would be the time to get the regulations prepared. He has spoken with the Planner and the Building Department and hopes that they could prepare an initial report to the Council of suggestions or recommendations for an ordinance. Council Davis asked Mr. Sypole if he could provide a copy of what Exeter was proposing and he noted that they did not have anything prepared yet. It was decided that this matter would be placed on the April 17, 2023, agenda for further discussion.

CONSERVATION COMMISSION

Councilor Hirst noted that the Conservation Commission was having problems getting a quorum so they have not met in some time. He asked Gary Marsh to attend tonight's meeting; however, he had a prior commitment. Councilor Hirst requested that this discussion be continued to the next meeting of February 21, 2023, in the hopes that Mr. Marsh would be able to attend that meeting and noted that he was attempting to recruit new members.

UNFINISHED BUSINESS

Veteran's Services Agent

This matter was scheduled to discuss and consider setting a hearing date for a proposed ordinance to allow for a Veteran's Services Agent. This proposed ordinance is being introduced and sponsored by Councilors Geary and Hirst.

Council President Geary noted that Solicitor Sypole had prepared a draft ordinance which he felt was very well written. He noted that this would be on a trial basis to see if there was any involvement by the community. He noted that

the amount of paperwork needed for the VA was mind-boggling. Councilor Hirst stated that his desire was for this to be a committee; however, he understood that it was hard to get volunteers. He did support this ordinance and felt that it was important to have a point person.

A hearing date was scheduled for March 6, 2023.

PUBLIC COMMENT

Maryanne McNamara of North Road questioned a community center and wondered who would be running that program; Mr. Rosso advised this would be the Recreation Department. Ms. McNamara felt that this would be an added cost to taxpayers and unnecessary since there was a YMCA in Westerly ten minutes away. She believed a community center was a waste and every time she saw one it is empty. She wished the Council to address the proposed land uses that were coming up because it would require more cutting of trees and stated Hopkinton is losing its land and we are ruining the water supply.

Joseph Moreau of Old Depot Road advised that he had worked with Jim Lamphere, the prior Town Planner, and Talia regarding a potential solar array at the Stubtown Road dump site. He also noted that Attorney Baruti had mentioned a vehicle that Velma Clinton had gifted the town and he wondered if that could be used by the Animal Control Officer which might free up some of the other money which could be used to improve the conditions of the Animal Control Building. He stated that he was concerned about having a community center dedicated to Velma Clinton for she was more concerned about the animals. He also was concerned that if the town proceeded with building a community center and then started working on the town hall expansion, there may not be enough money to complete the project if there was an unforeseen cost. Mr. Rosso noted that there were contingency funds built into the projected cost of the town hall expansion and there already were discussions about how they were going to be using the Subaru.

Dawn Spears stated that having a community center sounded like a good idea to her, noting that school programs cost a lot of money. She felt if there were things occurring in town that would bring the community together, this was good. It was

noted that there was a survey on the town's website regarding a community center.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR BURNS TO ADJOURN IN MEMORY OF THE LATE GOVERNOR LINCOLN C. ALMOND, ROBERT T. GARDNER, JR., ALTON B. GRAY, JR. AND ANDREW SERRA.

SO VOTED

Marita D. Murray, CMC

Town Clerk