

State of Rhode Island

County of Washington

In Hopkinton on the fourth day of March 2024 A.D. the 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, Stephen Moffitt, Jr., Sharon Davis, Robert Burns; Town Manager Brian Rosso, Town Clerk Marita Murray, and Solicitor Stephen Sypole.

### **CALL TO ORDER**

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

### **ROLL CALL**

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

### **PUBLIC COMMENT**

There was no public comment.

### **OATH OF OFFICE SWEARING-IN OF CAPTAIN CARRIER AS POLICE CHIEF**

Mr. Rosso introduced Chief Mark Carrier, who started his career with the Westerly Police Department in 1989. In 1994 he was selected as a canine handler; in 2001 he was promoted to detective; and, in 2008 he was promoted to detective sergeant. In 2010 he retired from the Westerly Police Department and joined the Hopkinton Police Department where he was promoted to Captain in 2012. Chief Carrier has a bachelor's degree in science and criminal justice from Roger William University; a master's degree from Roger Williams University for organizational leadership; a master's certificate in criminal justice education from the University of Virginia; and he graduated from the FBI National Academy class in June of 2017. Mr. Rosso believed that the community was in capable hands with Chief Carrier.

Town Clerk Murray swore in Chief Carrier.

Chief Carrier thanked Mr. Rosso, his family and his law enforcement colleagues for their support. He also thanked Chief David Palmer for taking the time to mentor him. He learned from Chief Palmer that a good leader pushes their

subordinates out of their comfort zones to better themselves. The town was very lucky to have the officers that they do for they give 100% every day. He was excited to see what the future has in store for him, and he wished to continue community programs, such as the citizens academy, which has been a big success for the Town and Police Department.

Councilor Geary added that law enforcement was not an easy career and Chief Carrier had the Town Council's support.

**APPROVAL OF AGENDA ORDER**

There were no changes to the agenda order.

**CONSENT AGENDA**

A MOTION WAS MADE BY COUNCILOR MOFFITT AND SECONDED BY COUNCILOR BURNS TO APPROVE TOWN COUNCIL MEETING MINUTES OF FEBRUARY 5, 2024; APPROVE TOWN COUNCIL BUDGET WORKSHOP MINUTES OF FEBRUARY 12, 2024; APPROVE TOWN COUNCIL BUDGET WORKSHOP MINUTES OF FEBRUARY 22, 2024; SET MARCH 18, 2024, AS THE PUBLIC HEARING DATE FOR A SPECIAL EVENT PERMIT FILED BY ASHAWAY SPORTSMAN'S CLUB FOR THEIR ANNUAL HUCK FINN DAY.

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

OPPOSED: None

**SO VOTED**

A MOTION WAS MADE BY COUNCILOR MOFFITT AND SECONDED BY COUNCILOR DAVIS TO APPROVE TOWN COUNCIL MEETING MINUTES OF FEBRUARY 20, 2024; APPROVE TOWN COUNCIL EXECUTIVE SESSION MINUTES OF FEBRUARY 20, 2024; APPROVE TOWN COUNCIL BUDGET WORKSHOP MINUTES OF FEBRUARY 26, 2024.

IN FAVOR: Hirst, Davis, Burns, Geary

OPPOSED: None

ABSTAIN: Moffitt

**SO VOTED**

**PUBLIC HEARING**

**Proposed Amended Ordinance Re: Animals**

This matter was scheduled to open a hearing on an amendment to the Code of Ordinances, Chapter 4 “Animals”, Article I, Sec. 4-5(c) and Section 4-105 to increase amounts of fines.

Mr. Rosso noted that the fine amounts had not been updated in a substantial amount of time. Councilor Burns felt the suggested fine amounts were still low.

Mr. Rosso advised that he had prepared a spreadsheet of all fines in the state and the new fine amounts would bring Hopkinton to the top 3<sup>rd</sup> in the state. Councilor Burns felt the impoundment fee should be no less than \$20.00 per day and this amount was agreed to by the Council.

A MOTION WAS MADE BY COUNCILOR MOFFITT AND SECONDED BY COUNCILOR DAVIS TO CLOSE THE HEARING.

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

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR MOFFITT AND SECONDED BY COUNCILOR BURNS TO APPROVE THE AMENDED ANIMAL CONTROL ORDINANCE WITH CHANGES.

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

OPPOSED: None

SO VOTED

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

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

OPPOSED: None

SO VOTED

**MULTI-EVENT PERMIT – ASHAWAY PINES RV RESORT, LLC**

This matter was scheduled to open a hearing on an application for a Multi-Event Permit filed by Deborah Covey, Manager of Ashaway Pines RV Resort for property located at 235 Ashaway Road, Bradford, RI and owned by Ashaway

Pines RV Resort, LLC, in order to hold various events on Saturdays, including DJ music and karaoke to end by 9:00 p.m.

John Covey, Assistant Manager of Ashaway Pines RV Resort was present. Councilor Moffitt asked how the prior year’s events went and if there were any issues. Mr. Covey believed that they went very well with no issues and just to ensure that there were no issues, they decided to end their events at 9:00 p.m. rather than 10:00 p.m.

Andrea Panciera, an abutting property owner to Ashaway Pines RV Resort, was present via zoom. She and her family did not have any problems with sound from the campground last summer and appreciated the ending time being moved up by an hour. They did not have any objections to this application; however, she did wish to follow-up with the Council about revisiting the town’s noise ordinance to determine whether they could set a decibel level to be applied as a town-wide standard.

A MOTION WAS MADE BY COUNCILOR MOFFITT AND SECONDED BY COUNCILOR HIRST TO APPROVE A MULTI-EVENT PERMIT FOR ASHAWAY PINES RV RESORT, LLC.

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

OPPOSED: None

SO VOTED

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

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

OPPOSED: None

SO VOTED

**NEW BUSINESS**

**Resolution Re: Increase of Fines- Animal Control Ordinance**

This matter was scheduled to discuss, consider and possibly vote to adopt a Resolution regarding the increase of the fines in the Animal Control Ordinance.

A MOTION WAS MADE BY COUNCILOR MOFFITT AND SECONDED BY COUNCILOR BURNS TO ADOPT A RESOLUTION REGARDING THE INCREASE OF FINES IN THE ANIMAL CONTROL ORDINANCE.

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

OPPOSED: None

SO VOTED

**Discussion with Representative Kennedy to Sponsor increase in Animal Control Fines**

This matter was scheduled to discuss, consider and possibly vote to ask Representative Brian Patrick Kennedy to sponsor a Bill regarding Hopkinton's increase of the fines in the Animal Control Ordinance.

Representative Brian Kennedy was present and noted that he had already drafted the bill and was just waiting for the town's Resolution. He will have that introduced and hoped to have a hearing on that before the end of the month.

**UNFINISHED BUSINESS**

This matter was scheduled to have a discussion with Representatives Kennedy and Cotter and Senator Morgan regarding new proposed legislation for accessory dwelling units, H7062.

Representative Cotter had been present via zoom; however, had been disconnected. Representative Kennedy noted that this bill had already passed the House on February 14, 2024 with a vote of 55 to 9. He was not in the chamber at the time of the vote; therefore, he did not vote on this legislation. This bill was now in the Senate and he was unsure whether the Senate had a similar bill to it. This week the Speaker announced that he would be holding a press conference on Thursday, to introduce another set of housing bills. Representative Kennedy did not know who the sponsors were but indicated that these bills were being put in by notice because it was after the deadline. The other housing bills introduced probably would not have a major effect on Hopkinton. Councilor Hirst asked whether members could object to the introduction of a bill and Representative Kennedy explained that they can object but only after the deadline. Prior to the

deadline an individual in the House can introduce a bill, but after the deadline you have to give notice that you are going to be submitting a piece of legislation. At that time, or during the actual submitting of the bill, a member can object; however, there is still a way that the bill could still be introduced by parliamentary procedure. Councilor Davis noted that in general when they objected in advance of the session, they were told to wait, which resulted in their being too late with their Resolution. Due to there being so many bills introduced, the Council was relying on the town's representatives to help them gain a better understanding of them. Representative Kennedy noted that there were changes to their website which now allows anyone to track legislation with an email notification anytime there was movement on certain legislation. Councilor Davis noted that she was in favor of House Bill 5940 which allowed municipalities without public transportation extending to urban service boundaries to reduce the low- or moderate-income housing requirements from 10% to 6%; and, House Bill 5941 which provided another method for municipalities to identify and calculate private residences as low- and moderate-income housing. Mr. Chippendale had stated that this session had an additional rule applied which limited the number of bills each representative could submit and because of this he was forced to take a more measured approach on which bills he introduced. He did not want to introduce H5940 as it had been made clear by the actions of the House leadership that they were only allowing the housing bills that they had written to be voted on. Representative Kennedy noted that Mr. Chippendale was the sponsor for those bills and he would be responsible for reintroducing them. Every member was told not to submit more than fifteen bills, but this did not include Resolutions, local municipal bills, or department legislation. Councilor Davis liked those bills and felt that if he had more help from other representatives, it could have helped move these bills along. Representative Kennedy noted that there had to be some sort of subsidy attached to it in order for it to count as low- and moderate-income housing. Councilor Hirst stated that Hopkinton did not have the infrastructure to support low- and moderate-income housing and there is not public transportation in town. Councilor Davis expected Representative Kennedy to be sending the Council a newsletter or weekly emails advising them of any bills that have been

brought forth that may affect the town. Representative Kennedy felt Councilor Davis was asking for the impossible, since the calendar is created two days before the hearing. He recommended the Council go to the General Assembly website, each day to see what was going on. Mr. Rosso stated that he receives an email from the RI League of Cities and Towns which provides a summary of all the bills, some of which they categorize as high priority bills. He is sharing these emails with the Council and asking department heads to review the bills that will affect their respective department and provide their opinion of the impact this will have. Representative Kennedy noted that he only looks at bills that come into the three specific committees that he sits on in the House.

Representative Kennedy wished the Council to know that the big projects being worked on in Hopkinton this year will be to Route 216 and the High Street bridge and the entire length of Laurel Street to Potter Hill, including reworking the bridge next to the Line and Twine offices and several culverts.

It was noted that if the Council had a question on a senate bill they should contact their Senator and if there was a question on a house bill they should contact their representatives. The deadline to introduce a bill is typically the Tuesday after February school vacation week. Councilor Davis asked when bills could start being introduced and Representative Kennedy noted that it was the very first day of the session. This did not apply to local legislation which did not have a deadline.

Lastly, Representative Kennedy wished to thank the Council for their approval of the 250<sup>th</sup> anniversary celebration for the United States of America. He was the sponsor of the bill that created that which gave the Secretary of State's Office the ability to move forward with their planning.

## **TOWN MANAGER'S REPORT**

### **Update on Animal Control facility**

Mr. Rosso explained that the addition/renovation of the Animal Control facility was moving along nicely. Ed Wojcik, the architect, was done with the schematic designs and almost done with deconstruction and bid documents. They will be going before the Zoning Board on March 21, 2024, to assure the application is complete and then again on April 18, 2024 for project review. From there, they

will go out to bid. Mr. Rosso felt going out to bid before receiving Zoning Board approval was risky so they will wait until after the April 18<sup>th</sup> meeting. Councilor Geary asked what the issue was regarding the setbacks and Mr. Rosso explained that they need to obtain a variance due to the addition being on the boundary line. There is already an easement for either the well or the septic on the neighboring property so he did not believe this would be an issue.

**PUBLIC COMMENT**

Maryanne McNamara of North Road felt the legislation process was difficult to understand. She felt the state was putting mandates on small towns and there was nothing that they could do about it. She wanted an update regarding the growth management ordinance, and asked who was keeping track of the total number of houses being built. Councilor Davis suggested that the Planning Board or the Building & Zoning Office may have that number. Councilor Davis noted that the growth ordinance for Hopkinton allowed forty-four houses to be built per year, but if a project had affordable housing, it was exempt from that ordinance. Councilor Moffitt advised that if there is a comprehensive plan which includes affordable housing, they are exempt from the growth ordinance. Solicitor Sypole noted that the Council could not address specific projects, property or people who were not noticed and are not on the agenda. Councilor Hirst asked Solicitor Sypole to explain to the Council what is allowed at public comment. Solicitor Sypole noted that the Council could receive information that member of the public wish to share with them; in limited circumstances they could act on something if it was an emergency; or they could agree to put something on a later agenda to discuss. Councilor Hirst asked for something in writing from the Solicitor as to what their limits are regarding public comment.

**ADJOURNMENT**

A MOTION WAS MADE BY COUNCILOR MOFFITT AND SECONDED BY COUNCILOR BURNS TO ADJOURN.

SO VOTED

Marita D. Murray  
Town Clerk

Sydney Fernandes  
Deputy Town Clerk