State of Rhode Island

County of Washington

In Hopkinton on the seventh day of April 2025 A.D. the said meeting was called to order by Town Council President Michael Geary at 6:30 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI 02833.

PRESENT: Michael Geary, Robert Burns, Sharon Davis, Jasmin Roy, Edwin James; Town Manager Brian Rosso, Town Clerk Marita Murray and Town Solicitor Stephen Sypole.

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR JAMES TO RECESS TO EXECUTIVE SESSION UNDER:

RIGL SEC. 42-46-5(A)(1) – INTERVIEWS: BOARDS & COMMISSIONS: ECONOMIC DEVELOPMENT COMMISSION AND CONSERVATION COMMISSION.

IN FAVOR: Burns, Davis, Roy, James, Geary

OPPOSED: None

SO VOTED

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

IN FAVOR: Burns, Davis, Roy, James, Geary

OPPOSED: None

SO VOTED

Council President Geary reported that no votes were taken in executive session.

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

IN FAVOR: Burns, Davis, Roy, James, Geary

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 Burns, Davis, Roy, James and Geary announced they were present.

PUBLIC COMMENT

Joseph Moreau of Old Depot Road noted that there was a Board of Canvassers meeting that occurred this morning concerning an issue of residency. He wished to thank Mike Geary, Bob Burns and Attorney Stephen Sypole for the great job that they did representing our town. The issue will be decided next Monday by the Board of Canvassers.

Doug York of Wich Way stated that he purchased his property in 1985. He just wished to be left alone to enjoy his land. He stated that for years he has been trying to get the tax maps corrected. In 2003 there was a developer that proposed high density, low-income housing behind his land. They tried to steal seven acres of his land using tax maps. He realizes that the tax maps state on them that they are not for legal purposes but for tax purposes only. After he submitted his survey, the developer tried to steal another section of his land and then they tried to offer him his land back to offset the damage they did to his other parcel by removing 100 trees. The former Tax Assessor, John, told him the next time they prepared new tax maps this would be updated, but that has never happened. Mr. York indicated that he spoke with Councilor Burns who believed that the Building & Zoning Office could help him. He thereafter spoke with Ms. Desjardins who told him he needed to go before the Town Council. He just wished to introduce himself to the Council and stated that some people are relying on the tax maps. The developer of the proposed project is laying a claim on a portion of his property which was only 5/8ths of an acre but they were planning on building three houses on it.

APPROVAL OF AGENDA ORDER

A MOTION WAS MADE BY COUNCILOR JAMES AND SECONDED BY COUNCILOR DAVIS TO SWITCH NOS. 1 AND 2 UNDER NEW BUSINESS.

IN FAVOR: Burns, Davis, Roy, James, Geary

OPPOSED: None

SO VOTED

CONSENT AGENDA

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR JAMES TO APPROVE TOWN COUNCIL MEETING MINUTES OF MARCH 17, 2025; APPROVE TOWN COUNCIL EXECUTIVE SESSION MINUTES OF MARCH 17, 2025; APPROVE REFUND REQUESTED BY TAX COLLECTOR; RATIFICATION OF THE PTE AND CLERICAL UNION CONTRACTS; SET APRIL 21, 2025, AS THE PUBLIC HEARING DATE FOR A SPECIAL EVENT PERMIT FILED BY ASHAWAY SPORTMAN'S CLUB FOR THEIR ANNUAL HUCK FINN DAY.

IN FAVOR: Burns, Davis, Roy, James, Geary

OPPOSED: None

SO VOTED

VACANCIES AND APPOINTMENTS

Planning Board

This matter was scheduled to discuss, consider and possibly vote to accept the resignation of Cecil Wayles from the Planning Board.

Ron Prellwitz, Chair of the Planning Board wished to note that Mr. Wayles had received a job promotion which would not allow him the time needed to remain on the Planning Board. He regrets having to resign.

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR JAMES TO ACCEPT THE RESIGNATION OF CECIL WAYLES FROM THE PLANNING BOARD WITH REGRET.

IN FAVOR: Burns, Davis, Roy, James, Geary

OPPOSED: None

SO VOTED

Economic Development Commission

This matter was scheduled to discuss, consider and possibly vote to appoint a member to the Economic Development Commission.

A MOTION WAS MADE BY COUNCILOR BURNS AND SECONDED BY COUNCILOR DAVIS TO APPOINTMENT MARY TURCO TO THE ECONOMIC DEVELOPMENT COMMISSION.

IN FAVOR: Burns, Davis, Roy, James, Geary

OPPOSED: None

SO VOTED

Conservation Commission

This matter was scheduled to discuss, consider and possibly vote to appoint a member to the Conservation Commission.

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR BURNS TO APPOINTMENT LINDA DIORIO TO THE CONSERVATION COMMISSION.

IN FAVOR: Burns, Davis, Roy, James, Geary

OPPOSED: None

SO VOTED

NEW BUSINESS

RI 2025 Gun Control Legislation

This matter was scheduled to discuss, consider and possibly vote to adopt a Resolution in Opposition to Rhode Island 2025 Gun Control Legislation.

Councilor Burns stated that this was a tough bill coming from the State House which mandates a lot of things for a lot of people. The Town of Hopkinton was recognized to be a 2A sanctuary town several years ago and though a portion of this bill relates to a ban on assault weapons, there are other portions in this bill that would punish law abiding citizens from having semi-automatic weapons. This bill is sweepingly broad and would affect anyone who hunts, has a concealed carry permit or does competitions. Councilor Burns read a portion of the following Resolution:

TOWN OF HOPKINTON
Opposition to Rhode Island 2025 Gun Control Legislation

WHEREAS, the Town Council of the Town of Hopkinton pursuant to Rhode Island statute and the Town of Hopkinton Charter, is vested with the authority of administering the affairs of the Town of Hopkinton, Rhode Island; and

WHEREAS, the Second Amendment to the United States Constitution, ratified on December 15, 1791 as part of the Bill of Rights, protects the individual right of the people to keep and bear arms; and

WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 554 U.S. 570 (2008), affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms", as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment and is applicable to the states; and

WHEREAS, the United States Supreme Court in United States v. Miller, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment; and

WHEREAS, Article I, Section 22 of the Rhode Island Constitution adopted in 1842, provides that "The right of the people to keep and bear arms shall not be infringed"; and

WHEREAS, Article I, Section 6 of the Rhode Island Constitution provides that "The right of the people to be secure in their persons, papers and possessions, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue, but on complaint in writing, upon probable cause, supported by oath or affirmation and describing as nearly as many as may be, the place to be searched and the person or things to be seized"; and

WHEREAS, as a matter of general principle, and in recognition of over 230 years of lawmaking under the guidance of the Constitution for the United States of America having properly established numerous laws regarding criminal use of firearms that are wholly adequate when judiciously enforced such that additional laws are unneeded, any law which upon passage renders a life-long law-abiding citizen a felon through no action of their own, is an unjustified law and should be unconstitutional under multiple amendments in the Bill of Rights; and

WHEREAS, it is the desire of the Hopkinton Town Council to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Rhode Island Constitution which protect the citizens of the State of Rhode Island's individual right to keep and bear arms; and

WHEREAS, the Hopkinton Town Council members each took an oath to support and defend the United States Constitution, the Rhode Island Constitution, and the laws of the State of Rhode Island which are not deemed unconstitutional by a court of competent jurisdiction, and the Charter of the Town of Hopkinton; and

WHEREAS, the Hopkinton Town Council members give great weight to and adhere to the belief of James Madison, Jr., the fourth President of these great United States that: "Oppressors can tyrannize only when they achieve a standing army, an enslaved press, and a disarmed populace"; and

WHEREAS, the Hopkinton Town Council desires to protect the rights of law abiding citizens, and that individuals who have committed crimes with firearms should be fully prosecuted with existing laws on the books; and

WHEREAS, bills that have been passed and are being considered by the General Assembly would require the confiscation and storage of otherwise lawfully owned firearms, and make the Towns and Cities of Rhode Island responsible for these costs; and

WHEREAS, R.I. Gen. Laws § 11-47-41, Government firearm registration prohibited specifically says, "No government agency of this state or its political subdivisions shall keep or cause to be kept any list or register of privately owned firearms or any list or register of the owners of those firearms; provided, that the provisions of this section shall not apply to firearms which have been used in committing any crime of violence, nor to any person who has been convicted of a crime of violence"; and

WHEREAS, Rhode Island firearm purchase requirements already include a background check, a seven day waiting period, and a "Blue Card" for the purchase of handguns; and additionally, a lengthy process for obtaining a concealed carry permit – all evidence of some of the most restrictive gun purchase/ownership laws in the country; and

WHEREAS, John Hopkins Bloomberg School of Public Health Center for Gun Violence Solutions report that "Rhode Island had the lowest overall gun death rate and gun suicide rate in the country in 2022." – is further evidence of the effectiveness of laws already in existence in Rhode Island; and

WHEREAS, the limited gun violence that does exist is not from law abiding citizens who own firearms, but from criminals who pay no attention to any existing or proposed laws, so it naturally follows that any bills restricting the rights of firearm owners will have NO impact on the criminal element responsible for gun violence; and

WHEREAS, the so-called "assault weapons" targeted in proposed legislation is sweepingly broad and includes many semi-automatic rifles, shotguns, and handguns in common competition and hunting usage – none of which have been part of the so-called "gun problem"; and

WHEREAS, these bills not only penalize the law abiding citizens from exercising their Constitutional right for owning a firearm, but they also damage federally licensed firearms dealers, who are Rhode Island business owners. They would most certainly restrict their sales and livelihood; and

WHEREAS, the Rhode Island General Assembly, in its 2025 legislative session has pending before it bills regulating and restricting the rights afforded the citizens of the State of Rhode Island through the Second Amendment to the United States' Constitution and the Constitution of the State of Rhode Island, most notably including, but not limited to: House Bill 5436 and Senate Bill 359, the Rhode Island Assault Weapons Ban Act of 2025, would prohibit the possession of "assault weapons," defined very broadly to include a wide range of semi-automatic firearms making these bills more accurately the Rhode Island Semi-Automatic Firearms Ban of 2025. In order to be exempt, the weapon must, within twelve (12) months of the bill's passage, be registered seemingly in violation of R.I. Gen. Laws § 11-47-41, be rendered inoperable, be surrendered to a registered firearm dealer or police department or be transferred to a person in another jurisdiction where such firearms are allowed. It would also require any heirs of a decedent to surrender or transfer the firearm. If registered, the lawful owner would be required to submit fingerprints and pay a fee for registering the firearm.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Hopkinton takes the following position on state legislation that potentially abridges our Second Amendment rights. We find and declare that these gun restriction bills, if enacted by the Rhode Island General Assembly, infringe upon the rights of the People of the Town of Hopkinton and the People of the State of Rhode Island to keep and bear arms. We are collectively opposed to the infringement of these rights established by our Founding Fathers.

BE IT FURTHER RESOLVED that these bills impose unfunded mandates upon local governments; and the Town Council of the Town of Hopkinton will not appropriate funds for capital construction of building space and/or the purchase of storage systems to store weapons seized, pursuant to any requirements set forth in the legislation if enacted by the General Assembly for the purpose of enforcing any law, that unconstitutionally infringes upon the rights of the People of the Town of Hopkinton to keep and bear arms.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to every Rhode Island Municipality, State Senators, State Representatives, the Governor and the Lt. Governor respectfully requesting their support.

Councilor Burns added that this bill includes many semi-automatic rifles, shotguns, handguns, in common competition and hunting uses, none of which have been part of the so-called gun problem. This bill not only penalizes the law-abiding citizens from exercising their constitutional right to own a firearm, but it will also damage federally licensed firearm dealers who are Rhode Island business owners. This would most certainly restrict their sales and their livelihood. Councilor Roy appreciated Councilor Burns sponsoring this Resolution. She noted that if this bill passed it would require the confiscation and storage of firearms, which should not be the responsibility of the taxpayers. The limited gun violation is from criminals

who do not pay any attention to existing or proposed laws. She felt that any bill restricting the rights of firearm owners would not have any impact on the criminal element responsible for gun violence. She felt that if they lose their gun rights, they will have no way to protect themselves from people who wish to do them harm.

A MOTION WAS MADE BY COUNCILOR BURNS AND SECONDED BY COUNCILOR JAMES TO ADOPT THE RESOLUTION IN OPPOSITION TO RHODE ISLAND 2025 GUN CONTROL LEGISLATION.

IN FAVOR: Burns, Roy, James, Geary

OPPOSED: Davis

MOTION PASSES

Proposed Land Use Legislation Bills

Interim Planner Ashley Sweet presented a Power Point presentation on the Low-and-Moderate Income Housing Act and 2025 Housing Legislation.

Ms. Sweet provided an overview of the current low-to-moderate income housing act and comprehensive permit requirements and a review of current land use bills of interest and concern. A bill which passed last year concerning the low-and-moderate incoming housing significantly increased developer's incentives to build affordable housing. It also mandates density bonuses based on the percentage of LMI provided and access to public sewer/water. There are now limited/restricted municipal grounds for appeal and appeals would go directly to Superior Court. The comprehensive permit is the tool used under the low-and-moderate income housing act which can propose a residential development in any zoning district including commercial and industrial. It has the ability to override local zoning requirements and can propose single family or multi-family and multi-family can be a duplex, triplex or larger structures. This provides a market rate density bonus which are those units that sell at the market rate as opposed to the affordable units which are restricted in their sales or rental price in order to qualify as affordable units. The further restrictions that were made are in considering these applications you cannot restrict these units to less than three bedrooms and you cannot require them to have more than one parking space per two-bedroom unit. The reasons for denial were

limited in the 2023 legislation and towns are at a disadvantage if they are at less than ten percent LMI. Their ability to respond to these types of applications are further restricted when you do not meet the 10% already. Impacts to police, fire districts, schools or property taxes are not reasons for denial that can be considered. Therefore, the towns will have lost their ability to have discretionary review over land development applications that are applied for as comprehensive permits. An example of how this will affect us would be using a 40-acre parcel in an R80 zone with no wetlands and no other constraints to development, under current zoning this would yield 21 conventional lots with 21 units. A project with 25% affordable housing (with or without public water) would allow a density bonus of 120 units for a total of 141 units. If there is public water and the project would provide 50% affordable, they would be allowed 221 units and if they provided 100% affordable, they would be allowed 341 units. The state's target of affordable housing per cities and towns is 10%, which is calculated once per year. Units in the pipeline, before the Planning Board or approved but not built do not count, only the units that have received a certificate of occupancy count. Ms. Sweet explained that the denominator is always changing as well. The 10% is based on the number of year-round housing units, so every time you build a house, your denominator is moving. Every time you give a density bonus your denominator goes up. She noted that getting to the 10% is very difficult under the current laws. We cannot make a developer build more than 25% affordable. The density bonuses in the law are not associated with anything on the ground; they have nothing to do with our underlying zoning. The 2025 proposed legislation for land use includes several bills of interest, such as for electronic permitting; there is also a requirement that mandates residential uses other than single family within the urban services boundary; one that mandates residential development in some or all areas of commercial zoning; one that defines co-living and requires that it be permitted in areas serviced by transit and other services; one that mandates that a zoning ordinance allow for "attached single-family" dwellings; one that requires municipal reporting to the RI Department of Housing of single-family LMI housing available to rent or own; and, one that restricts the use of a fee-in-lieu for inclusionary units to only be permissible for fractions of unit payments. She next went over bills of

concern, noting that H 5794 Sub A, is a bill that was going to fix some of the previous legislative amendments. It does do some of those things; however, there are some sections of the bill that will change the definition of a minor subdivision to any number of lots that does not require relief or the creation of a street. The reason this is significant is because minor subdivisions that do not create a street or need any zoning relief are decided on administratively and not by the planning board. There would be no public meeting and no notification to abutters. This bill also makes pre-application meetings optional and restricts the municipality's ability to certify applications incomplete, which is done if a checklist item is incomplete or wrong. Councilor Davis asked Ms. Sweet if she felt the Council should write letters of concern regarding these bills and Ms. Sweet noted that she felt that the bills that she was discussing were problematic enough to cause a local impact to the municipality and their ability to make decisions on land use. Ms. Sweet showed a slide with the urban services boundary which is within Hopkinton. The bill indicates that anything included inside of the urban services boundary would need to allow for multi-family housing. Her main concern with this bill is that the urban services boundary is not mapped on a sight specific level and you will have no way of knowing exactly what is inside and what is outside based on the current GIS layer that represents the urban services boundary. She next spoke about H 5799 Sub A which has already had a hearing. She expected this to get voted out of committee and sent to the House floor; she has never seen these bills move so fast. There will need to be a senate version in order for the bill to move forward. This is a provision that says that you can subdivide what they are calling oversized lots. This essentially says that is someone owns a lot in the center of what is a relatively small lot area that has zoning over it that would not let them continue to create lots at that size, this would give them the ability, if they can achieve this, to say that within 200 feet of their lot 50% of the lots are the same size or greater than what would happen if I subdivided. So now a lot that is larger in one of these small lot districts that could never subdivide today, will now get to subdivide and they will get to do that based on confirmation from an engineer, surveyor or planner that the GIS records show that within 200 feet 50% of the lots are equal to or greater than. She felt there were a lot of problems with this, one being that GIS information is

not accurate enough for them to make these decisions. Ms. Sweet touched on bill H 5958 which would essentially require that mixed use would be allowed in all or most of the commercial zoning districts and states that you cannot restrict those buildings to anything less than three-stories, 40 feet tall, a floor area ratio of no les than one; residential density of no less than one dwelling unit per 1,200 square feet of lot area; dwelling units of any size; and, no more than one off-street parking space per unit is required. H 5963 conflicts with H 5799A. This says that the ability to subdivide can be determined by GIS data. H 5801 is a further amendment to the low-to-moderate income housing act. This is done in two pieces, the first would take effect upon passage and essentially takes out the municipality's ability to find consistency with the comprehensive plan for comprehensive permits and says that you only have to find consistency with the housing chapter of your comprehensive plan. Ms. Sweet felt that this was the equivalent of taking a chapter out of a book and then telling somebody to write a book report on the whole book. This makes no sense; the housing chapter is a piece of a full comprehensive plan and all of the chapters rely on each other and they can never function in isolation on their own. This also combined the findings of approval and denial and essentially struck the entire section on the findings of a denial reducing the municipality's ability to deny an application. The second part of the bill would take effect in January of 2026. This changes the definition of meeting local needs and takes away some of the municipality's ability to claim that they are meeting local needs. Most concerning is the 10% goal post will now be gone and even if you are at the 10% affordable, you will still be subject to comprehensive permits. H 5802 Sub A is about state-owned land that is vacant, abandoned or underutilized, they can develop it for housing and do not need to be consistent with the town's comprehensive plan. They will not need to ask the town, they will just have a hearing of the state planning council. Lastly, is S 715/H 5964 which she believes is a prelude to statewide zoning. For Hopkinton, this would essentially regulate all zoning to one acre lots. Solicitor Sypole added that in addition to those bills there was a short-term rental bill which would leave the town with no ability to restrict air bnb's or the like. Council President Geary thanked Ms. Sweet for her presentation and Ron Prellwitz, Chair of the Planning Board thanked Ms. Sweet and noted that she knows her stuff.

He noted that these bills were short-sighted and the town needed to let the House and Senate know that we do not agree with this. Jonathan Ure, Chair of the Zoning Board and member for twenty years, acknowledged that he had written a letter and sent it out to our Senator and State Representatives, as well as other State Representatives to see if they were interested in what was going on. He believed the State was under a very zealous approach to take the autonomy away from our communities. Why do we have a Planning Board, Zoning Board and Building and Zoning Departments if the state is now going to be the authority? He felt the State of Rhode Island has not done much for any of us. There would be no rights left in the community once they take away our neighborhoods and our housing. Who will protect our property values, which are the biggest investments we have made. It was determined that the Town Manager and Interim Planner would prepare a Resolution in opposition to these bills to be presented at the next Council meeting of April 21, 2025.

Resolution to Restore General Revenue Sharing

This matter was scheduled to discuss, consider and possibly vote to adopt a Resolution requesting the Rhode Island Governor and General Assembly to Restore General Revenue Sharing to Rhode Island Cities and Towns.

Councilor Roy felt it was very important to reinstate the law that returns a percentage of the sales tax spent in Hopkinton back to the municipality as revenue to lower the tax burden on taxpayers. She read a portion of the Resolution:

Resolution Requesting the Rhode Island Governor and
General Assembly to Restore General Revenue Sharing
to Rhode Island Cities and Towns

WHEREAS, all thirty-nine (39) Cities and Towns across Rhode Island have been struggling with the recent inflationary environment; and

WHEREAS, in the FY2010 budget, the Rhode Island Governor and General Assembly eliminated General Revenue Sharing due to declining state revenues from the collapsing state and national economy; and

WHEREAS, the removal of the General Revenue Sharing forced many Cities and Towns to increase property taxes to make up for this loss in revenue; and

WHEREAS, property taxes currently represent approximately two-thirds (2/3) of revenue for municipal budgets statewide, and Rhode Island has the eighth highest property tax burden in the nation; and

WHEREAS, the State of Rhode Island has seen a very good rebound from the economic crisis brought on by the COVID-19 Pandemic; and

WHEREAS, in the past three (3) years the State of Rhode Island has benefitted from an economic rebound and finished their fiscal year budgets with significant surpluses; and

WHEREAS, Rhode Island's municipalities are an important piece of Rhode Island's economic success and need additional revenue from the State of Rhode Island in order to alleviate the property tax burden on its residents.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HOPKINTON AS FOLLOWS:

Section 1. The Hopkinton Town Council and the Town Manager respectfully requests the Rhode Island General Assembly and the Governor to reinstate General Revenue Sharing for all thirty-nine (39) Cities and Towns to help reduce the impact of inflation and help minimize the property tax burden on its residents.

Section 2. That the Town Clerk is hereby directed to forward an electronic copy of this Resolution to all Representatives and Senators representing the Town of Hopkinton, the Honorable Speaker of the Rhode Island House of Representatives, the Honorable President of the Rhode Island Senate, and the Honorable Governor of the State of Rhode Island.

Section 3. This Resolution shall take effect immediately upon its passage by the Town Council.

A MOTION WAS MADE BY COUNCILOR ROY AND SECONDED BY COUNCILOR DAVIS TO ADOPT THE RESOLUTION TO RESTORE GENERAL REVENUE SHARING TO RHODE ISLAND CITIES AND TOWNS.

IN FAVOR: Burns, Davis, Roy, James, Geary

OPPOSED: None

SO VOTED

Amendment to Code of Ordinances, Chapter 10, Article III – Noise

This matter was scheduled to discuss, consider and possibly vote to set a date for a public hearing for a proposed amendment to the Code of Ordinances, Chapter 10, Article III – Noise, Sec. 10-53. – Prohibited Noises enumerated.

A MOTION WAS MADE BY COUNCILOR ROY AND SECONDED BY COUNCILOR DAVIS TO SET APRIL 21, 2025, AS THE DATE FOR A PUBLIC HEARING REGARDING AN AMENDMENT TO THE CODE OF ORDINANCES, CHAPTER 10, ARTICLE III – NOISE, SEC. 10-53. – PROHIBITED NOISES ENUMERATED.

IN FAVOR: Burns, Davis, Roy, James, Geary

OPPOSED: None

SO VOTED

UNFINISHED BUSINESS

Resolution Regarding Private School Transportation

This matter was scheduled to discuss, consider and possibly vote to adopt a Resolution regarding private school transportation.

Council President Geary noted that they had discussed this resolution several times in the past. Councilor Davis noted that there was a House bill 5204 which would expand the flexibility and choices of school districts in selecting transportation providers for regional transportation. At the moment Chariho must use the state transportation service for the busing of our children. If this bill passes than we can choose a cheaper source. H 5201 is to have the state reimburse the regional schools for their transportation costs. She did not wish to proceed with the proposed Resolution. Councilor Davis requested a Resolution in Support of H 5204 be prepared for the next Council meeting.

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR JAMES TO PREPARE A RESOLUTION IN SUPPORT OF H 5204 AND H 5201 TO BE HEARD ON THE APRIL 21, 2025.

IN FAVOR: Burns, Davis, Roy, James, Geary

OPPOSED: None

SO VOTED

There was no vote taken regarding the Private School Transportation Resolution.

Water System Management RFP

This matter was scheduled to discuss, consider and possibly vote to award the bid for the Hopkinton Water System Management RFP to Northeast Water Solutions, Inc.

Mr. Rosso noted that this matter was continued from the last meeting so that he could answer questions. Northeast Water Solutions, Inc. was the sole bidder and we have worked with them in the past. Richmond also uses this company and only has good things to say about them. Councilor Burns thanked Mr. Rosso for answering his questions and providing him with documentation.

A MOTION WAS MADE BY COUNCILOR BURNS AND SECONDED BY COUNCILOR DAVIS TO AWARD THE BID FOR THE HOPKINTON WATER SYSTEM MANAGEMENT RFP TO NORTHEAST WATER SOLUTIONS, INC.

IN FAVOR: Burns, Davis, Roy, James, Geary

OPPOSED: None

SO VOTED

MANAGER'S REPORT

Community Center outreach

Mr. Rosso advised that a town-wide mailer would be sent out to solicit input on the community center. They are looking for feedback from the residents on the programming or actual facility.

PUBLIC COMMENT

Etta Zasloff of Karen Drive wished to commend the layout of the agenda. The transparency is what she has been fighting for and was very happy to see the proposed Resolutions and noise ordinance amendment included.

Rick Devine of Westerly, former resident of North Road, advised the Council that they were blessed with having Ms. Sweet as their Town Planner, for she clearly advocated for the town as opposed to just picked up whatever the state says and going with it. Regarding a lot of the housing bills that we are starting to see, there are several communities in Rhode Island that for one reason or another are pushing back on items that just do not fit, and he encouraged the Council to do that. He also noted that this was a very well-run meeting.

Jean Arthur of Arcadia Road commended the Council on everything that was spoken about tonight, noting that it was very interesting, and a lot was discussed that she did not know about. She thanked the Council for all of their hard work. She wished to discuss an issue that was very important to her which concerned the Town Council's resolution not to ban assault weapons. She believed that no one was going to take away their rifle or gun, not in the United States of America. The only countries where gun ownership is not allowed are in dictatorships. As a woman, a mother and a wife who has a home with her husband, she understood the need for a gun. She went on to state that in the 1990s she was a high school teacher when the Columbine School shooting occurred. Her principal at the time was a retired superintendent and said that something like that shooting would never happen again in a school setting and he refused to let the teachers talk about this tragedy with their students. He thought he could just wish it away. Later when her daughter entered high school, her number one fear was not drugs, teenage

pregnancy or failing grades, but the real possibility of an angry, mentally unstable young man entering her school, waiting outside near her bus or waiting near a playground where she and her friends would go to talk, and gunning down her and her friends. This has been happening a lot since the 1990s. Killing so many with just one press of the finger. In five seconds, a highway, classroom, sidewalk or playground of beautiful young lives dead with one press of a finger. She asked the Council if they really wanted this and for future conversations, they should consider their grandchildren, nieces, nephews, daughters and sons. By opposing this assault weapons ban their choice, vote and actions will be responsible if a horrific tragedy like this were to occur at or near the Chariho School district. She asked the Council to consider their stance on assault weapons. Councilor Burns asked Ms. Arthur if she had read the legislation on the assault weapons ban as to what is actually being banned. Ms. Arthur stated she had not. Councilor Burns stated that they were proposing to ban semi-automatic weapons which were not assault weapons. Assault weapons and magazines were previously banned. Now they were trying to ban the rest of the guns and the only people who were doing anything illegal were the criminals. Ms. Arthur believed that semi-automatic was not thought of when the framers of the Constitution were making provisions for protection of self and property. It was a rifle and a gun. Councilor Burns noted that the legislation included semi-automatic rifle and semi-automatic pistols. Ms. Arthur asked Councilor Burns if he really needed a semi-automatic anything and he asked her if she knew what semi-automatic meant. She believed it to mean a gun that fires pretty quickly a lot of bullets. Councilor Burns explained that this was an automatic weapon and a semi-automatic weapon fired one bullet at a time, one squeeze, one bullet. Councilor Davis indicated that the reason she did not vote for this Resolution was because if you look at H 5436, part of it defines that a semi-automatic pistol has a fixed magazine capacity exceeding ten rounds. Councilors Geary and Burns noted that they have already banned that. Councilor Geary advised that they had passed a law two years ago that says you cannot have anything more than ten rounds. Councilor Roy felt that no matter if these were banned, criminals would still find guns. Councilor Davis believed you still have to do

something, and she agreed with Ms. Arthur. Councilor Geary thanked Ms. Arthur for coming up and sharing her opinion.

Ron Prellwitz of Main Street noting that it was unfair for someone to argue about something that she has never read, and she does not know what is actually included in the bill. He felt this was wrong and if you wanted to argue about something, know what you are arguing about.

Gary Williams of Wich Way wished to thank Councilor Davis for voting against this Resolution. Part of the Resolution states:

WHEREAS, as a matter of general principle, and in recognition of over 230 years of lawmaking under the guidance of the Constitution for the United States of America having properly established numerous laws regarding criminal use of firearms that are wholly adequate when judiciously enforced such that additional laws are unneeded…

He asked the Council to consider that all of the land use bills that Ms. Sweet told us about, needed to be reviewed; however, that clause in the Gun Resolution stated that they had enough laws and we do not have to add any more laws and we do not have to review it because we have 230 years' worth. We do have to review and update these laws as they go along because with 3D printing weapons are changing all of the time. Secondly:

WHEREAS, the Hopkinton Town Council members give great weight to and adhere to the belief of James Madison, Jr., the fourth President of these great United States that: "Oppressors can tyrannize only when they achieve a standing army, an enslaved press, and a disarmed populace"…

We have never had a disarmed populace in this country, and we never will. This does not seem to make sense. The only thing that seems to make sense in this particular quote is an enslaved press and under the current administration there is a threat to our press. Mr. Williams went on to state that as a school teacher, they talked about James Madison and they lauded him as many professors do as the father our constitution. He also told his students about the fact that even though James Madison was against African slavery he had 100 slaves.

WHEREAS, John Hopkins Bloomberg School of Public Health Center for Gun Violence Solutions report that "Rhode Island had the lowest overall gun death rate and gun suicide rate in the country in 2022."

Mr. Williams showed a graph that showed gun deaths in the United States, and they were talking about children ages 1 through 19. The largest one was Mississippi and the least one on the graph was Massachusetts. There was an asterisk on that paper

that states that there are some states, including Rhode Island, that have less than nine child deaths. He felt that if there was only one child death in Rhode Island, that was one death too many. This study said firearms were the leading cause of death for children ages 1 through 17. That was more than car crashes, cancer, poisoning, suffocation and those dangerous books that are found in our library. He believed a template of this resolution was received in Hopkinton, it was meant to oppose Senate Bill 359 and House Bill 5436, neither of those bills say we are coming for your guns. Both of those Bills define what an assault weapon is. This resolution does not, it merely states that the two bills are sweepingly broad. He asked the Council if the drafter of the resolution was against shotguns with revolving cylinders, rifles with a bayonet mount, threaded barrels so that you can attach a flash suppressor, a silencer, a grenade launcher, because that is what is in these bills. He suggested that rather than challenge these two bills with this resolution, why not have a counter proposal and try to work out a compromise instead of introducing a misleading and flawed resolution.

Rick Devine of Westerly noted that he was an adjunct faculty member at Keene State College and also a guest lecturer at Roger Williams. With regards to technologies, this was addressed by Justice Antonin Scalia when he wrote the Heller decision, stated that the constitution and its provisions were written at a time when no one could foresee such technologies as far as advanced weapons, when we put down our glasses from the 1793 period shortly after the revolution that we had just fought because of an oppressive government, a tyrant with an army. His comparison was that no one at that point in time could foresee telephone, telegraph, television, radio, the internet and all other forms of communication in its advanced state now that are in fact under the protection of the opices of the first amendment of the constitution, regardless of the passage of time and the advancements in technology. It was his belief that the Council did in fact make the right decision for the citizens of the Town of Hopkinton.

ADJOURNMENT

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

SO VOTED

Marita D. Murray
Town Clerk

A full audio and video transcript of this meeting can be found at:
https://www.youtube.com/@HopkintonRI/streams