

A regular meeting of the Town Council held for the Town of Scituate on Thursday, June 14, 2007 in the Town Council Chambers, 195 Danielson Pike, N. Scituate was called to order at 7:33 PM. Council President Budway presiding.

After pledging allegiance to the flag of our country, Town Clerk Long called the roll. Roll call vote as follows:

Councilman Salisbury --present	Council Vice-President Farrar -- present
Councilman D'Agostino-- present	Councilman Winfield--present
Councilwoman Knowlton -- present	Councilman Collins-present
Council President Budway – present	

The first agenda item is a Police Department promotion and swearing in Francisca Marie Corcoran as a permanent Police Officer. Chief Mack said that Ms. Cochran was appointed on March 13, 2006 and is a graduate of North Providence High School, U.S. Army Military Police Academy, and the RI Municipal Police Academy. He also said that she was honorably discharged from the RI Air National Guard with a rank of an E-4. Patrol Officer Cochran and her daughter Skyla Alexis Cochran reside in Scituate.

Chief Mack asked Officer Brendan Moore to step forward. He said that Mr. Moore was appointed on March 19, 2001 and that he is a graduate of Burrillville High School, RI College, RI Municipal Police Academy, and is a certified teacher. He said the Officer Moore has received numerous departmental awards. He said that he is very pleased to be promoting him to the rank of Sergeant. He asked his wife Joanne to step forward and pin him with his new badge.

Council President Budway wanted to acknowledge some special guests that we have in the audience this evening. Members of Boy Scout Troop 102, that are working on their merit badge for Citizenship I the Community.

The Council adjourned for coffee at 7:40 PM.

Council reconvened after coffee at 7:50 PM.

Motion made by Council Vice-President Farrar, seconded by Councilmen Collins and voted by roll call to open the Public Hearing. Roll call vote as follows:

Councilman Salisbury --aye	Council Vice-President Farrar -- aye
Councilman D'Agostino-- aye	Councilman Winfield--aye
Councilwoman Knowlton -- aye	Councilman Collins--aye
Council President Budway –aye	

Discussion followed about the first reading of the Outdoor Entertainment Ordinance.

Councilman Winfield said that he has concerns over some of the language in this ordinance. He feels that it will put another cost on the small businesses in Town. He asked Town Clerk Long how much will the ads cost.

Town Clerk Long said between \$300-\$500 dollars.

Councilman Winfield said that if a business wants to do face painting or have a contest with background music, they would have to apply for this special license.

Council President Budway said that he understands how Councilman Winfield feels, but he explained that this whole idea of this ordinance comes from the Corner Bistro asking for outdoor seating.

Councilman Winfield asked why should all small businesses in Town be subject to this type of license if the primary reason is because of the businesses that serve alcohol?

Councilman Salisbury suggested a way to decrease the cost of advertising is to do it at the same time that we renew liquor licenses and then we could put both licenses in the same ad.

Motion made by Councilman Collins, seconded by Councilman D'Agostino to table the first reading of said ordinance and ask legal counsel to revise it.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to dispense with the second reading of the Eminent Domain Ordinance and to move passage of said ordinance.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by roll call vote to close the Public Hearing.

Councilman Collins-aye	Councilman Salisbury-aye
Councilman Winfield-aye	Councilman D'Agostino-aye
Councilwoman Knowlton-aye	Council Vice-President Farrar-aye
Council President Budway-aye	

Motion passes.

Motion made by Councilman Salisbury, seconded by Council Vice President Farrar and voted by consent agreement to approve the minutes of the May 10, 2007 Council meeting.

Motion made by Council Vice-President Farrar, seconded by Councilman D'Agostino and voted by consent agreement to approve the minutes of the May 28, 2007 Special Council meeting.

Motion made by Councilman Collins, seconded by Councilman D'Agostino and voted by consent agreement to approve the minutes of the Closed Council Meeting of May 10, 2007.

During departmental reports, Town Clerk Long informed the Council about the changes in the passport regulations. She explained that there is such a backlog of applications that the US Government has said that if you are traveling to Canada, Mexico or the Bahamas, you do not need a passport, you will only need to show proof that you have applied for a passport. This new regulation will remain in effect for the summer.

Councilman Winfield asked Director of Public Works Iverson what all of the markings are on Route 116?

Mr. Iverson said that the State is getting ready to go out to bid for the Historical Lighting Project.

Council Vice-President Farrar asked for an update on the new garage at the Highway department.

Mr. Iverson said that he feels that they have found an area that will be suitable to all. He said that he will have to have a diesel tank moved but it is a movable tank so it

will not be a problem. He is working with Mr. Provonsil and thinks the plans will be ready by the next meeting to be approved.

Councilwoman Knowlton wanted to tell Mr. Iverson that the Chopmist Hill Fire station parking lot was recently repaved and that it looks great.

Building/Zoning Director Provonsil updated the Council on the status of the problems on Harrington Ave. He said that last month he revoked the building permit and is in the process of getting bids on boarding up that end of the building. He said that he has recently received correspondence to the fact that a neighbor is interested in purchasing the property. He said that he doesn't want to spend anymore of the Town's money if the property is going to be sold. He said that he will make the building weather tight, and hopefully the whole situation will be resolved in the near future.

He also said that he contacted the owners of the Hope Mill to tell them that the gate they put up across the street to keep people from swimming in the trench is not acceptable. He said that they said that they would correct it.

Councilman Collins said that he went by the Mill today, and the gate has not been fixed.

Mr. Provonsil also told the Council that the US Government has updated the Flood Plain maps. He said that the Town of Scituate did not change much on the map.

Chief Mack told the Council that Pat Howarth has prepared a bill for the Town of Foster for their part of the operation of the Animal Shelter. He explained that the amount billed this year is less than last year.

Councilman Winfield asked how the bill was calculated.

Chief Mack said that she took the total number of days and animals that were from Foster and billed them on that percentage of the total operation costs.

Councilman Winfield asked Town Treasurer Przybyla about how the proposed decrease in State Aid to education is going to affect the Town?

Town Treasurer Przybyla said that he feels that we will still be in good shape.

Mr. Richard Tucker, Director of Emergency Services, said that the Health Department has recently mandated that rescues that administer certain cardiac drugs by IV push, now must be administered via an infusion pump. He said that each pump costs about \$2,500-\$3,000 that the fire Companies did not budget for. He feels that this is a very unfair mandate, and that some of the larger communities are refusing to buy the pumps and just getting rid of those drugs. He said that these communities are only a few minutes from a hospital so they can do that, but we are at least 20 minutes away.

Councilwoman Knowlton wanted to thank Director of Public Welfare, Brenda Frederickson, for purchasing a sump pump for an elderly woman whom had no other way to purchase it. Councilwoman Knowlton said that the Chopmist Hill Fire Company installed it for this woman.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to place and file all departmental reports.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to accept with regret the resignation of Ruth Trainor from the Juvenile Hearing Board.

Motion made by Councilman Collins, seconded by Councilman D'Agostino and voted by consent agreement to accept with regret the resignation of Robert Budway from the Traffic Safety Committee.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to re-appoint Patt Russo, Tax Collector for a term expiring June 2008.

Motion made by Councilman Winfield, seconded by Councilman Salisbury and voted by consent agreement to re-appointment Arthur Langlais to the Pawtuxet River Authority for a term expiring June 2010.

Motion made by Council Vice President Farrar, seconded by Councilman Collins and voted by consent agreement to re-appoint Diana Hopkins and Valerie Mooney to the Hope Village Overlay District Review Committee for a term expiring June 2009.

Motion made by Councilman Collins, seconded by Council Vice-President Farrar and voted by consent agreement to re-appoint James Seidel to the Hope Village Review Committee, Alternate Member for a term expiring June 2008.

Motion made by Council Vice President Farrar, seconded by Councilman Collins and voted by consent agreement to appoint Councilwoman Knowlton, Chair, and Don Campbell to the Recycling Initiatives Committee for a term expiring June 2008.

Council President Budway instructed Town Clerk Long to post additional vacancies for this Committee.

Motion made by Councilman Salisbury, seconded by Council Vice-President Farrar and voted by consent agreement to approve the Private Investigators License for Timothy C. Homerston, 535 Central Pike for a term expiring December 2007.

Motion made by Councilman Salisbury, seconded by Councilman D'Agostino and voted by consent agreement to award the bid for the Solid Waste Contract to Rambone Disposal for a bid price of \$1,118,700.00 for the three year contract with Mr. Iverson's recommendation.

Mr. Iverson said that this price is only about a 3% increase from the last contract. He said that it is for three years with the provision in the contract to be able to renew for an additional 3 years. Mr. Iverson said that we are very fortunate that the bid price came in at such a reasonable price because Rambone does such an out standing job. He also explained that this price is lower because we bid it along with the Town of Foster.

Next on the agenda is the discussion of the use of the Lawton farm fields for the Pop Warner Football league.

Councilman Salisbury said that he spoke with the league and that they will need to clear approximately 2 <sup>3</sup>/<sub>4</sub> acres for the practice fields. He said that he has had the land researched and 15 acres is specifically deeded to the Town and has not been deeded to the Land Trust. He explained that when the Town Council had a Special Financial Town Meeting for the purchase of the Lawton Farm, it was specifically stated that 15 acres could be used for active recreation. He also said that the Town's Solicitor, at the time

Mr. John Gorham, assured him that this was done and that he worked very hard to make sure of it.

Councilman Salisbury is suggesting that the land be cut out of the entire piece under the direction of Messrs. Iverson and Provonsil and that the Town asks for the recommendation from the Land Trust as to which area would be the least disruptive to the entire parcel.

Council President Budway asked if that was for just fields or would that include parking also?

Councilman Salisbury said that would be for fields, and that there is already a parking area there.

Council Vice-President Farrar said that he received a message on his cell phone from Thomas Angell, Chairman of the Conservation Commission and member of the Land Trust, stating that he has two pieces of property that might be available to convert into a practice field so that Lawton Farm will not have to be disturbed.

Councilman Salisbury said that one of the pieces of land is owned by Ted Hopkins and that it will need a lot of work. He said that the other piece of property is also on Chopmist Hill Road but there is no parking connected with it. He also said that time is of the essence and we need those fields ready ASAP. He said that even at this time it might be too late to effectively cut the fields.

Councilman Winfield asked what the cost of preparing the fields will be.

Councilman Salisbury said that volunteers will do most of the work from the Pop Warner Football league, so therefore it will cost the Town very little.

Denise Saran, 26 Davis Road, asked if the Town will have to pay for the maintenance and insurance on the land.

Councilman Salisbury said that they will do most of the maintenance, and it will not cost use anymore there then at the Chopmist Hill Center.

Paul Dolan, Nipmuc Road, Chairman of the Land Trust, said that he and his Committee are not in favor of this plan. He said that the Land Trust and Conservation Commission has worked very hard to keep this piece of land in its rural and agricultural state, and this will totally disturb the whole eco system. He said that they have received moneys from the Federal Government in the way of grants for the preservation of this property, and now they will have to pay it back. He said that he feels that this decision is very short sighted and that we will be ruining land for only a few years of use by the football league.

Councilman Winfield asked how much money will have to be paid back to the Federal Government?

Mr. Dolan said about \$1,000.00.

Councilman Collins asked how many years will these fields be used for?

Councilman Salisbury said that there are always new programs that needs fields ever once the Pop Warner football league can move back to the Chopmist Hill Center.

Councilwoman Knowlton said that sports are growing in such demand in the Town that the fields will always have a use; if not football, lacrosse or soccer.

Councilman Winfield asked why is Scituate always the one donating the fields etc, even though there are other Town's involved?

Councilwoman Knowlton said that out of the 278 children enrolled, 200 are from Scituate, and the rest from the Foster/Glocester area. She said that the Foster/Glocester School system has allowed the league to use their fields for the home games, so that is their contribution. She also said that the program is growing so quickly that probably in 5 years it will be a totally Scituate league.

Councilman Collins asked about all of the other land that the Town owns, such as Brightman Farm and Knight's Farm. Why couldn't we use those fields?

Councilman Salisbury said that the Town only purchased the development rights for those pieces of land.

Councilman Winfield said that we should look for another piece of land.

Both Councilman Salisbury and Councilwoman Knowlton said that other land can't be found at this time.

Councilman D'Agostino asked if it is feasible to fix the land, after what the Land Trust told us at the last meeting?

Motion made by Councilman Salisbury, seconded by Council Vice-President Farrar to approve the use of the Lawton Farm under the direction of Mr. Iverson and Mr. Provonsil and that the Conservation Commission and the Land Trust should be consulted.

Councilman D'Agostino-aye

Councilman Collins-aye

Councilman Salisbury-aye

Councilwoman Knowlton-aye

Council Vice-President Budway-aye Councilman Winfield-nay

Motion carries with 5 affirmative notes and one negative vote.

Councilman Collins wanted to add that he understands how the Land Trust feels, but that we have to support our kids.

Councilman Winfield said that he could not vote for it because of the enormous amount of time that our board members put into their jobs and to go against their recommendation is just not right.

Council Vice-President Farrar said that the land was purchased with the idea that 15 acres would be used for active recreation, and now we are putting it to that use.

Motion made by Council Vice-President Farrar, seconded by Councilman D'Agostino and voted by consent agreement to approve the Building Officials contract for the next three years.

Next under discussion and /or approval is the elimination of the hard wire fire alarm systems. Richard Tucker, Director of Emergency Services, explained the reason for this agenda item. He said that there are two types a fire alarm systems; one being radio controlled, and the other being hard-wired. He said that the hard-wired systems are located in the North end of Town and that Hope already has the radio system. He feels that once the frequency problems are worked out, this is a better system. He said that it is not fail-safe, but much better than the hard-wired. He said that one problem with the hard wired is that it can get struck by lightning and not be functioning, but you will not know it. He wants the hard-wired systems to be abolished in the town and the radio

boxes be phased in slowly, as to not put a big burden on the businesses in Town that are required to be linked to the town system.

Richard Iverson suggested that the Town proceed very slowly until the frequency problems are worked out, but he feels that it is important to let the businesses that will be affected by this change know so they can plan ahead.

Councilman Winfield asked how the businesses feel about this?

Richard Tucker said that the churches are in the process of looking into it, but that most small businesses are not required to be connected to the Town system.

Councilman Collins asked if there are any dead spots with the radio boxes?

Richard Tucker said that there are, but he feels that if we extend our antennas higher, this might make the difference.

Councilman Winfield said that he would like to see an analysis of the program.

Council President Budway said that the current system is unreliable and that it gives us a false sense of security. He feels that the Town should go on record as saying that we will get rid of the hard-wired systems in the future, when the bugs are worked out of the radio controlled system.

Motion made by Councilman Salisbury, seconded by Councilman D'Agostino and voted by consent agreement to eliminate the hard-wired alarm boxes in the future.

Council President Budway explained to the Council that the Department of Education has new regulations concerning applying for reimbursement for Schools. He said that if a Town is planning on building or renovating a school, a building committee must be appointed that has certain categories of people sitting on it. It must have least 8 members and be from various backgrounds. Council President Budway has given each Council member a list that encompasses all of the categories needed.

Motion made by Councilman Winfield, seconded by Councilman Collins and voted by consent agreement to appoint Larry Filippilli, Ernest Marcure, June Guglielmi, David Light, Wendy Knowlton, Dwight Farrar, Paul Lescault, Steve Gormley, Jean Angell, Ted Przybyla, George Kuzmowycz, Jack McGee and Wayne Salisbury, Chairman to the Middle/High School Building Committee for a term expiring June 2008.

Karen Beattie, Tax Assessor, and Patt Russo, Tax Collector, explained to the Council about the new option that is available to tax payers to pay their taxes with a card. They explained that this can be done at no cost to the Town and that the convenience fee is charged to the taxpayer. They explained that they had a meeting with their current software company and they explained the whole procedure to them. They said at this time, they will only be able to offer this service to people paying their motor vehicle taxes because the tax bills for real estate have already gone out.

Patt Russo said that this system is very user friendly.

Councilman Salisbury stated that he applauds their efforts and feels that it is a great idea.

Councilman Winfield asked what will the management fees be?

Patt Russo said that this is at no cost to the Town because the fees are built into the convenience fee charged by the management company.

Motion made by Council Vice-President Farrar, seconded by Councilman Salisbury and voted by consent agreement to approve the payment of motor vehicle taxes by credit card once legal counsel has reviewed the contract.

Motion made by Councilman Winfield, seconded by Councilman Collins and voted by consent agreement to pay early expenses of \$128,868.58, regular Council expenses of \$77,228.25 and supplemental Council expenses of \$30,691.92 for a total of \$236,788.75.

During Council remarks, Council President Budway explained about Green Space Project, which is a collaborative effort with various communities and the PWSB. He feels that this is a very good project and feels that we should approach other Towns to also look into the suggestion made by this Committee.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement at 9:15PM to adjourn to closed session pursuant to RIGL 42-46-5(A) 2-Litigation-Update on PWSB Mediation, and to allow Ken Borden, Ted Richard, Ted Przybyla, Karen Beattie, Town Clerk Long and Town Solicitor D'Agostino to attend.

Reconvened at 9:51 PM.

Motion made by Councilman Salisbury, seconded by Councilman Collins and voted by consent agreement to adjourn at 9:52 PM and to keep the minutes of the meeting previously closed to the public; closed pursuant to RIGL 42-46-4 and 42-46-5 and allow the Town Clerk 14 days to prepare the minutes of the meeting.

Attest:

Margaret M. Long, Town Clerk