

Annual Financial Town Meeting
May 22, 2013 @ 7:00 P.M.
Barrington High School Auditorium

Total Eligible: 13,872
Attendance: 207 @ 7:07 P.M.
270 @ 7:16 P.M.
315 @ 7:37 P.M.

Present:

- **Town Moderator:** Julia P. Califano
- **Town Clerk:** Linda H. James
- **Town Council:** June Sager Speakman, Kate G. Weymouth, Cynthia Armour Coyne, William C. DeWitt and Ann P. Strong
- **Town Manager:** Peter A. DeAngelis, Jr.
- **Appropriations Committee:** Kathryn D. Cadigan, Timothy R. Sweetser, Geoffrey E. Grove, Rosetta Narvaez and Joel Hellmann
- **School Committee:** Robert E. Shea, Jr., Kate D. Brody, Patrick A. Guida, Scott W. Fuller and Paula S. Dominguez
- **School Superintendent:** Michael B. Messori, III
- **School Director of Administration and Finance:** Ronald D. Tarro
- **Finance Director:** Dean M. Huff, Jr.
- **Town Solicitor:** Michael Ursillo

Moderator Julia P. Califano declared a quorum present and called the meeting to order.

Mrs. Califano asked everyone to stand and join in the Pledge of Allegiance to the Flag.

Mrs. Califano explained that the Moderator has the sole authority to manage and mediate the meeting. She said there is a paper ballot process should it be needed. Mrs. Califano thanked Mike Davis for providing the live feed for the Full Channel broadcast and Nahum Mitnik for providing the sound system for the meeting.

Mrs. Califano introduced Council President June Speakman who introduced the members of the Town Council, the Town Manager, the Town Clerk (this is her last meeting because she is retiring) and her staff and the Finance Director. School Committee Chairman Robert Shea introduced the members of the School Committee, the School Superintendent and the School Director of Administration and Finance. Mrs. Califano said everyone is allowed three minutes to speak and motions are to be addressed to the Moderator. Mrs. Califano introduced Mary Alyce Gasbarro and Stephen B. Primiano, representing the Barrington Democratic and Republican parties respectively and who will be serving as timers.

Motion by Mr. Sweetser and seconded by Mr. Hellmann to dispense with the reading of the Call, but it is part of the record as it appears on page 2.

Motion **passed** (voice vote).

Appropriations Committee Chairwoman Kathryn Cadigan introduced the Appropriations Committee members and read her message located in the Committee's Report.

Motion by Mr. Shea and seconded by Mr. Guida to adopt the following resolution:

**RESOLUTION TO DISSOLVE THE CAPITAL RESERVE ACCOUNT KNOWN AS
RHODE ISLAND FIRE SAFETY CODE UPGRADES**

RESOLVED: That the account known as "Rhode Island Fire Safety Code Upgrades" is hereby dissolved and all unused funds be transferred to the 'School Improvements' capital improvement fund.

Motion **passed** (voice vote).

Motion by Mrs. Speakman and seconded to adopt the following resolution:

**RESOLUTION OF THE FINANCIAL TOWN MEETING TO RESERVE
\$400,000 OF THE TOWN'S SURPLUS FUNDS FOR TAX ABATEMENTS**

RESOLVED: An amount not to exceed four hundred thousand dollars (\$400,000) of the General Fund balance, shall be reserved for potential tax appeal costs and abatements.

Motion **failed** (standing vote).

Motion by Mrs. Speakman and seconded to adopt the following resolution:

**RESOLUTION OF THE FINANCIAL TOWN MEETING
APPROPRIATING AN AMOUNT NOT TO EXCEED \$4,000,000 TO FINANCE THE
CONSTRUCTION, RENOVATION, REHABILITATION, REPAIR, IMPROVEMENT AND
LANDSCAPING OF TOWN ROADS, SIDEWALKS AND DRAINAGE FACILITIES WITHIN**

**THE TOWN AND ALL OTHER COSTS INCIDENTAL OR RELATED THERETO THROUGH
THE ISSUANCE OF BONDS AND/OR NOTES**

RESOLVED:

Section 1. The sum of \$4,000,000 be appropriated to finance the construction, renovation, rehabilitation, repair, improvement and landscaping of Town roads, sidewalks and drainage facilities within the Town and all other costs incidental or related thereto (the "Project") and to raise said appropriation, the Finance Director, with the approval of the Town Council, is authorized under Section 45-12-2 of the General Laws Rhode Island and Section 7-1-1 of the Home Rule Charter of the Town, as amended, to issue bonds therefor, to issue temporary notes in anticipation of the issuance of bonds, and to issue refunding bonds pursuant to Section 45-12-5.2.

Section 2. The manner of sale, denominations, maturities, principal amounts, interest rates, and other terms, conditions and details of any bonds or notes issued pursuant to this authority may be fixed by proceedings of the Town Council authorizing the issue or by separate resolution of the Town Council or, to the extent provisions for these matters are not so made, they may be fixed by the officers authorized to sign the bonds or notes. The bonds or notes shall be signed by the Finance Director and by the President of the Town Council.

Section 3. This Resolution is an affirmative action of the Town of Barrington toward the issuance of bonds or notes in accordance with the purposes of the laws of the State. This Resolution constitutes the Town's declaration of official intent pursuant to the Treasury Regulations Section 1.150(2) to reimburse the Town for certain capital expenditures for the Project paid on or after the date which is sixty (60) days prior to the date of this Resolution, but prior to the issuance of the bonds or notes. Amounts to be reimbursed shall not exceed \$4,000,000 and shall be reimbursed not later than eighteen (18) months after (a) the date on which the expenditure is paid, or (b) the date the Project is placed in service or abandoned, but in no event later than three (3) years after the date the expenditure is paid.

Section 4. The Finance Director and the President of the Town Council are hereby authorized to take all lawful action necessary or desirable under the Internal Revenue Code of 1986, as amended (the "Code"), to insure that the interest on the bonds and notes will remain exempt from federal income taxation to the extent provided in Section 103 of the Code, and to refrain from taking any action which will cause interest on such bonds and notes to lose the benefit of exclusion from gross income provided by Section 103(a) of the Code. The Finance Director and the President of the Town Council are further authorized to take all lawful action necessary or desirable to designate the bonds and notes as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

Section 5. This Resolution shall take effect upon passage.

Motion **passed** (voice vote).

Motion by Mrs. Speakman and seconded by Mrs. Weymouth to adopt the following resolution:

**RESOLUTION OF THE FINANCIAL TOWN MEETING
AUTHORIZING THE ISSUANCE OF EMERGENCY NOTES
TO FUND EMERGENCY APPROPRIATIONS NOT TO EXCEED \$5,000,000**

RESOLVED:

Section 1. In the event of an emergency threatening the public safety, health or welfare and requiring the immediate expenditure of money by the town, the town council, on the written recommendation of the town manager, by resolution, may appropriate funds in an amount not to exceed \$5,000,000 and for purposes in addition to those contained in the operating budget or in the capital budget. Such a resolution shall include a brief statement of the facts that show the existence of such emergency.

Section 2. To fund said appropriation, the Finance Director, with the approval of the Town Council, is authorized under Section 45-12-2 of the General Laws Rhode Island to issue emergency notes.

Section 3. The manner of sale, denominations, maturities, principal amounts, interest rates, and other terms, conditions and details of any emergency notes issued pursuant to this authority may be fixed by proceedings of the Town Council authorizing the issue or by separate resolution of the Town Council or, to the extent provisions for these matters are not so made, they may be fixed by the officers authorized to sign the emergency notes. The notes shall be signed by the Finance Director and by the President of the Town Council.

Section 4. The Finance Director and the President of the Town Council are hereby authorized to take all lawful action necessary or desirable under the Internal Revenue Code of 1986, as amended (the "Code"), to insure that the interest on the emergency notes will remain exempt from federal income taxation to the extent provided in Section 103 of the Code, and to refrain from taking any action which will cause interest on the emergency notes to lose the benefit of

exclusion from gross income provided by Section 103(a) of the Code. The Treasurer and the President of the Town Council are further authorized to take all lawful action necessary or desirable to designate the emergency notes as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

Motion **passed** (voice vote).

Motion by Mrs. Speakman and seconded by Mrs. Strong to adopt the following resolution:

**RESOLUTION OF THE FINANCIAL TOWN MEETING AUTHORIZING
THE ISSUANCE OF TAX ANTICIPATION NOTES
IN AN AMOUNT NOT TO EXCEED \$5,000,000**

RESOLVED:

Section 1. Pursuant to Rhode Island General Laws Section 45-12-4 and Section 6-5-2 of the Town of Barrington Home Rule Charter the Finance Director and the President of the Town Council acting on behalf of the Town, are authorized to issue and refund, from time to time, not to exceed \$5,000,000 interest bearing notes issued in anticipation of the receipt of the proceeds of the annual tax assessed or to be assessed upon the taxable property within the said Town as of December 31, 2012 for the financial year July 1, 2013 to June 30, 2014 for the purpose of providing funds for the payment of the current liabilities and expenses of said Town.

Section 2. The manner of sale, amount, denominations, maturities conversion or registration privileges, dated dates, due dates, interest rates, medium of payment, and other terms, conditions and details of the Notes authorized hereunder may be fixed by proceedings of the Town Council authorizing the issue or by separate resolution of the Town Council or, to the extent provisions for these matters are not so made, they may be fixed by the officers authorized to sign the Notes.

Section 3. The Director of Finance/Treasurer and the President of the Town Council are authorized to take all actions necessary to comply with federal securities laws including Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") and to execute and deliver if required in connection with the Notes a Continuing Disclosure Agreement or a Material Events Disclosure Agreement in the form as shall be deemed advisable by the Director of Finance and the President of the Town Council in order to comply with the Rule. The Town hereby covenants and agrees that it will comply with and carry out all provisions of any such Continuing Disclosure Agreement or Material Events Disclosure Agreement, as either of them may be amended from time to time. Notwithstanding any other provision of this Resolution or the Notes, failure of the Town to comply with any such Continuing Disclosure Agreement or Material Events Disclosure Agreement shall not be considered an event of default; however, any noteholder may take such actions as may be necessary and appropriate, including seeking a mandate or specific performance by court order, to cause the Town to comply with its obligations under this Section and under any such agreement.

Motion **passed** (voice vote).

Report of the Appropriations Committee follows:

<u>Account Number</u>	<u>Account</u>	<u>FY Ending June 30, 2014</u>
0300	Public Schools	\$45,612,464

Mrs. Califano stated that the school budget is by state law a bottom line budget. Motion by Amy Morton, 289 Waseca Avenue, to add \$633, 000 to the school department budget. Ms. Morton filed the motion with the Town Clerk on May 14 as required by charter. She would like the money to be used to fund all day kindergarten. Discussion followed. Those speaking to the motion in addition to Ms. Morton were Mark Allard, 43 Sowams Road; Elizabeth Stoner, 16 Cold Spring Road; Jeff Senich, 1 Dana Road; Brady Case, 67 Bay Road; Peter Williams, 97 Martin Avenue; Stephen Palmer, 2 Pierce Court; Tad Segal, 185 New Meadow Road; Chad Mollica, 4 River Oak Road; John Cregan, 35 North Lake Drive, Sharon Hillmann, 13 Richmond Avenue; Jordan Verner Crist, 7 Magnolia Lane; Allan Klepper, 3 Henry Drive, Thomas Rimoshytus, 1 Howard Street; Thomas Crain, 11 Briarfield Road; April Tibbetts, 88 Martin Avenue; Emily Katz, 38 Third Street; Patricia Adams, 17 Wildflower Road; Ann Adler, 14 Laurel Lane; Anastasios Barakos, 5 Northwest Passage; Jacqueline Burns, 3 Fairway Drive; Stewart Walker, 64 Mason Road; Per Vaage, 5 New Hampshire Avenue and Maureen Kelsey, 5 Middle Street. **Motion** by Ann Callan, 42 Charles Street and seconded by Joel Hellmann to vote on the motion by paper ballot. Motion **passed** (standing vote). Ms. Morton's motion to add \$633,000 to the school department budget **failed** by a vote of 185 not in favor and 148 in favor.

Mrs. Califano stated if there are no further questions or comments, you have **adopted** a school budget as recommended.

Municipal Budget

0010	Town Council		21,046
0020	Town Manager		207,950
0030	Town Clerk		228,502
0035	Judge of Probate		6,128
0038	Board Of Canvassers		17,240
0040	Finance Department		362,503
0045	Computer Operations		120,837
0050	Tax Assessor		135,906
0060	Inspections		99,990
0065	Sealer of Weights & Measures		1,328
0080	Planning Board		107,232
0090	Zoning Board		8,638
0095	Human Resources		31,950
0100	Recreation Board		108,043
0110	Library		1,225,661
0120	Senior Services		116,851
0150	Fire Department		1,829,148
0155	Hydrant Rental		140,000
0180	Police Department		2,448,834
0190	Animal Control		15,000
0200	Harbor Control		38,517
0210	Civil Defense		3,750
0260	Public Works		2,213,519
0265	Refuse Collection Contract (new)		897,049
0270	Benefits		3,597,667
	Social Security	600,456	
	Medical Coverage	1,932,852	
	Pensions	1,021,859	
	Compensated Absences	35,000	
	Unemployment Insurance	7,500	
0310	Town Solicitor		150,000
0320	Insurance		296,258
0330	Agency Support		36,400
	Barr.'s Share East Bay Center	35,000	
	URI Cooperative	900	
	East Bay Community Action	0	
	The Samaritans	500	
0340	Principal on Bonded Debt		1,594,940
0350	Interest on Debt		544,331
0360	Capital Items:		
	Police Department		75,000
	Fire Department		150,000
	Public Works		370,000
	Other		331,000
0365	Government Center Utilities		69,700
0366	Peck Center Utilities		112,750
0367	Public Safety Complex Utilities		180,000
0370	Miscellaneous		64,400
Total Gross Expenditures			\$59,363,416

Mrs. Califano asked if there were any comments or questions; there were not. Mrs. Califano stated, you have **approved** the municipal budget.

850SE Sewer Utility 3,205,710

Mrs. Califano asked if there were any questions on the Sewer Utility; there were not.

Revenues

Mrs. Califano stated that revenues are established outside the authority of the Town Meeting but if there are any questions about revenues, to please ask. There were no questions.

Motion by Mrs. Cadigan and seconded by Mr. Hellmann to adopt the following resolution:

**RESOLUTION ADOPTING THE REPORT OF THE
COMMITTEE-ON-APPROPRIATIONS**

RESOLVED: that the report of the Committee-on-Appropriations, appointed to prepare a budget, be adopted, as amended, and in accordance therewith, the sum of \$59,363,416 be and the same hereby is appropriated to be expended during the fiscal year ending June 30, 2014, and the Finance Director is hereby authorized and directed to pay out of the several appropriations mentioned, said sums within the amounts appropriated, as may be required upon receipt by him of proper vouchers approved by the Town Manager, or otherwise as provided by law.

BE IT FURTHER RESOLVED: that the report of the Committee-on-Appropriations with regard to the Sewer Enterprise Fund be adopted and in accordance therewith the sum of \$3,205,710 be and the same hereby is appropriated to be expended during the fiscal year ending June 30, 2014, and the Finance Director is hereby authorized and directed to pay out of the Sewer Enterprise Fund said sums within the amount appropriated as may be required upon receipt by him of proper vouchers approved by the Town Manager or otherwise as provided by law. The expenditure shall be supported by revenue generated by said fund.

Motion **passed** (voice vote).

Motion by Mr. Sweetser and seconded by Ms. Narvaez to adopt the following resolution:

**RESOLUTION ORDERING THE LEVY AND COLLECTION OF A TAX AND
DEALING WITH KINDRED MATTERS**

RESOLVED: that the electors of the Town of Barrington, qualified to vote on any proposition to impose a tax, in Town Meeting assembled, on this 22nd day of May, A.D. 2013 hereby order the levy and collection of a tax on the ratable real estate, the ratable tangible personal property, ratable tangible personal property of manufacturer's machinery and equipment (the rate of said ratable tangible personal property of manufacturer's consisting of manufacturer's machinery and equipment to be in accordance with limitations and provisions of statutory law of the State of Rhode Island) and motor vehicle excise tax in the sum not less than \$56,050,071 nor more than \$57,988,059 said tax to be for ordinary expenses and charges, for the payment of interest and indebtedness in full or in part of said Town and for other purposes authorized by law.

The Tax Assessor shall apportion said tax on the inhabitants and taxable property of said Town according to law, and shall, upon completion of said resulting tax roll, date, certify and sign the same and deliver to and deposit the same in the Office of the Town Clerk. The Town Clerk, upon receipt of said assessments, shall forthwith make a copy of same and deliver it to the Finance Director with a warrant under her hand directed to the Collector of Taxes of said Town commanding him to proceed to collect said tax on the person and estates liable therefor. Said tax shall be due and payable on the 1st day of September, A.D. 2013, and all taxes remaining unpaid after September 30, 2013, shall carry until collected, a penalty at the rate of 18 per cent per annum from the due date of any quarterly installment, PROVIDED, HOWEVER, that the persons assessed to pay their taxes shall have an option to pay the same in equal quarterly installments; the first installment of twenty-five per centum on or before the 30th day of September 2013, and the remaining installments as follows: twenty-five per centum on or before the 30th day of December 2013, twenty-five per centum on or before the 31st day of March 2014, and twenty-five per centum on or before the 30th day of June 2014.

If the first installment or any succeeding installments of taxes is not paid by the last date of the respective installment period or periods as they occur then the whole tax or remaining unpaid balance of the tax as the case may be shall immediately become due and payable and shall carry until collected a penalty at the rate of 18 per cent per annum.

As of the 31st day of December 2013, at twelve o'clock midnight, the Assessor of Taxes shall determine the assessed valuation of ratable property in the Town for tax purposes and against such assessed valuations so determined shall apportion the tax levy to be made by the electors in Financial Town Meeting on May 21, 2014 on the inhabitants of the Town and ratable property therein to meet appropriations.

RESOLVED: that the Collector of Taxes is hereby directed to attend any meeting of the Town Council held on its regular meeting date on or before May 2014 prepared to certify to the Council the names of all persons whose taxes have remained unpaid or have been paid under protest as of that date, together with all amounts due from each, and also all the information in his possession connected with each case. The Tax Collector shall also prepare and certify to

the Town Council the names of all persons to whom he recommends there shall be granted tax abatements on tangible personal property because they have deceased leaving no assets, have moved out of State leaving no assets or whose tax has been ruled uncollectible by court, as provided in the General Laws of Rhode Island, 1956, as amended, Title 44, Chapter 7, Section 14, as amended to date, together with the reason for the abatement and the amount.

RESOLVED: that the Assessor of Taxes is directed to attend any meeting of the Town Council held on its regular meeting date on or before May 2014 prepared to certify to the Council the names of all persons recommended to be granted tax abatements because of mistakes in the assessment as provided in the General Laws of 1956, Title 44, Chapter 7, Section 14, as amended to date, together with the nature of the mistake, the valuation and the amount of tax recommended for abatement.

RESOLVED: that the Town Council is hereby authorized, empowered and directed to investigate each case so brought before them, and whenever in their judgment, the tax has been illegally or wrongfully assessed or the tax on any tangible personal property is uncollectible because the owner has deceased leaving no assets, has moved out of State leaving no assets or whose tax has been ruled uncollectible by the court, they are hereby authorized and empowered to remit such tax. In all cases, the Collector of Taxes is hereby directed to collect by process of law, all taxes due and unpaid on August 1, 2013. The Collector of Taxes is further directed to collect by process of law all tangible personal property taxes levied in 2013, which remain unpaid on September 30, 2013 unless being paid quarterly.

RESOLVED: that the Finance Director is hereby authorized to hire such sum or sums of money as may be necessary for the operation of the Town Government, and

RESOLVED: that the Finance Director and Collector of Taxes and such other Town Officers as the Town Council may designate shall secure their bonds from some good surety company and the Town assume the expenses.

Motion **passed** (voice vote).

Motion by Ms. Narvaez and seconded by Mr. Sweetser to adopt the following resolution:

RESOLUTION TO ESTABLISH TAX RATES

RESOLVED: that the real estate and personal property tax rate be set at not greater than \$18.20 per \$1,000 valuation and the motor vehicle tax rate be set at \$42.00 per \$1,000 valuation.

Motion **passed** (voice vote).

Motion by Mary Alyce Gasbarro, Chairwoman of the Democrat Town Committee, and seconded by Stephen B. Primiano, Chairman of the Republican Town Committee, to adopt the following resolution:

**RESOLUTION
APPOINTING A COMMITTEE TO PREPARE
A BUDGET AND SUBMIT A REPORT**

RESOLVED: that a committee of five (5) consisting of Kathryn D. Cadigan, 88 Rumstick Road; Geoffrey E. Grove, 16 Robbins Drive; Timothy R. Sweetser, 12 Roberta Drive; Rosetta Narvaez, 14 Valentine Circle and Joel Hellmann, 13 Richmond Avenue is hereby appointed to hold a public meeting on the second Wednesday in May 2014 at 7:00 o'clock P.M. for the purpose of hearing all persons interested in preparing a budget to be presented to the Financial Town Meeting and to submit a printed report of their recommendations for expenditures to the Financial Town Meeting, and the amount of tax which will be necessary to levy to pay such expenses, and

RESOLVED: that in case of a vacancy in the committee after the appointment of its members, such vacancy shall be filled immediately by the Town Council, and

RESOLVED: further that the Town Clerk with the said Committee-on-Appropriations shall prepare and have printed an order of business for each Financial Town Meeting.

Motion **passed** (voice vote).

Motion by Mr. Sweetser and seconded by Mr. Hellmann to dissolve the Financial Town Meeting at 10:12 P.M. Motion **passed** (voice vote).

Linda H. James, Town Clerk