

Present: June Sager Speakman, Kate G. Weymouth, Ann P. Strong, Michael W. Carroll and Steve Primiano

Also Present: Town Manager Peter A. DeAngelis, Jr., Town Solicitor Michael Ursillo, Finance Director Kathy Raposa, Police Chief John M. LaCross, Fire Chief Gerald Bessette, Public Works Director Alan Corvi, Building Official Robert B. Speaker, Town Planner Philip Hervey, Library Director Deborah Barchi, Recreation and Leisure Services Director Michele Geremia, Human Resources Director MariAnn Oliveira, and Town Clerk Meredith J. DeSisto

Absent: Tax Assessor Michael R. Minardi

Council President Speakman called the meeting to order at 6:35 P.M.

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

INTERVIEWS:

The following applicants were interviewed for vacancies and renewals of appointment on boards and commissions:

- **Board of Assessment Review:** J. Robert Pesce (unable to attend), Peter Shuman (does not have a preference) (unable to attend)
- **Bristol County Water Authority:** Joel Hellmann (requested to not be interviewed at this time and to delay the reappointment)
- **Planning Board:** Timothy M. Lang
- **Senior Services Advisory Board:** Margaret E. Kane (unable to attend), Patricia M. Keefe and Edna Kurtzman

RESIGNATIONS AND DISSOLUTIONS:

- **Motion** by Mrs. Weymouth and seconded by Mrs. Strong to accept with regret the resignation of **E. Jenny Flanagan, Housing Board of Trustees**, resignation effective immediately. **The motion passed unanimously.**
- **Motion** by Mrs. Strong and seconded by Mr. Primiano to accept with regret the resignation of **Kenneth Lass, Sr. Services Advisory Board**, resignation effective immediately. **The motion passed unanimously.**
- **Discuss and Act to Dissolve the Charter Review Commission: Motion** by Mrs. Strong and seconded by Mrs. Weymouth to dissolve the Charter Review Commission. **The motion passed unanimously.**

APPOINTMENTS/REAPPOINTMENTS:

- **Planning Board** : (1 vacancy – full member) **Motion** by Mrs. Weymouth and seconded by Mr. Carroll to appoint **Timothy Lang** to an unexpired term on the **Planning Board**, with a term ending date of May 31, 2017
- **Senior Services Advisory Board:** (3 reappointments) (Margaret Kane, Patricia Keefe and Edna Kurtzman) **Motion** by Mr. Primiano and seconded by Mrs. Strong to reappoint **Margaret Kane, Patricia Keefe and Edna Kurtzman** to the **Senior Services Advisory Board** for terms ending February 28, 2018. **The motion passed unanimously**

ANNOUNCEMENTS:

- **Eco-Depot Hazardous Household Waste Drop-off, Saturday March 14, 2015 at the Barrington High School 220 Lincoln Avenue 9:00 A.M. – 1:00 P.M.:** Town Manager Peter DeAngelis announced this community event.
- **Revaluation Update:** Town Manager Peter DeAngelis stated that Tax Assessor Michael Minardi stated in a memo dated February 10, 2015:
All field work has been completed and the revised data entered into the assessment software. Work continues on arriving at updated values and should be finalized by February 20, 2015. On February 18, 2015 there will be an Ad Hoc Taxation Advisory meeting at noon; February 23, 2015 at 7:00 in Council Chambers there will be a Revaluation Presentation; February 27, 2015 updated valuations will be mailed to all homeowners; March 5, 2015 informal hearings will begin; March 28, 2015 will be the last day for informal hearings and on April 9, 2015 revised values will be mailed to homeowners.

- **Winter Storm(s):** Town Manager Peter DeAngelis thanked the public servants from the Fire and Police Departments and the Department of Public Works for taking time away from their families and serving the community to keep us safe from the extended winter storms. Mr. DeAngelis extended his thanks to the residents of Barrington who “stepped up” by clearing the sidewalks. Mr. DeAngelis stated that the most important objective is to keep our children safe as they arrive to and from school and to keep our drivers and pedestrians free from harm. Mrs. Speakman echoed Mr. DeAngelis’ sentiments.

CORRESPONDENCE:

The following correspondence was received into record and can be viewed on the Town of Barrington’s website under Quick Links – ClerkBase.

- **Proposed Full Channel I – Net Transition to IPTV:** No action is necessary.

RESOLUTIONS:

There were no resolutions.

CONSENT AGENDA (*):

Mr. Carroll asked that the minutes of January 5, 2015 be removed from the consent agenda. Gary Morse of 2 Westwood Lane requested that the Solicitors report be removed from the consent agenda.

Motion by Mrs. Weymouth and seconded by Mr. Primiano to adopt the Consent Agenda items #9, without the January 5, 2015 minutes, through #15, without the Solicitor’s monthly report. **The motion passed unanimously.** Mr. Carroll requested within the January 5, 2015 minutes that the word “and” be struck and replaced with the word “or” within the section titled, “Discuss and Act on 139 George Street” (line 13). **Motion** by Mrs. Weymouth and seconded by Mr. Primiano to amend and adopt the minutes of January 5, 2015. **The motion passed unanimously.** Mr. Morse asked Mr. Ursillo if the decision from the courts regarding the state CDBG grants has been made public. Mr. Ursillo stated that he should have that information at the town council meeting in March. **Motion** by Mrs. Weymouth and seconded by Mr. Carroll to accept the Solicitor’s report. **The motion passed unanimously.**

***MINUTES**

It was unanimously voted to adopt the minutes of the January 5, 2015 Town Council meeting and the sealed Executive Session minutes from December 15, 2014. See Consent Agenda above.

***UTILITY PETITIONS**

- **Bristol County Water Authority:** It was unanimously voted to grant permission to Bristol County Water Authority to open the highways at Evergreen Street, Federal Road at Upland Way, Ledge Road, Broadview Drive, Bullock Avenue and Narragansett Avenue.
- **National Grid:** It was unanimously voted to grant permission to National Grid to open the highways at Alfred Drown Road, Brookfield Avenue, Juniper Street, Short Road, Sunset Drive and Virginia Road
- **Verizon:** It was unanimously voted to grant permission to Verizon New England, Inc. and Narragansett Electric Company to relocate one joint pole (11) on the westerly side of Middle Highway.

***ABATEMENT LIST:**

It was unanimously voted to accept the Abatement List in the amount of \$2,197.42 and as describe therein. See Consent Agenda above. (See Book 23, page 5A.)

***SURPLUS PROPERTY**

There was no surplus.

***MONTHLY DEPARTMENT REPORTS**

It was unanimously voted to adopt the following monthly department Reports: Fire Chief, Police Chief/Animal Control Official, Building Official (no report), Public Works Director, Town Planner, Town Solicitor, Finance Director, Tax Assessor, Senior Services Director, Library Director, Barrington Adult Youth Team Coordinator, Recreation and Leisure Services Director and Town Clerk. See Consent Agenda above.

***ACT ON CLASS F APPLICATION FOR A RETAILER’S LICENSE FROM ST. LUKE’S CHURCH FOR A LENTEN FISH DINNER ON MARCH 13, 2015 FROM 5:00 – 8:00 PM**

It was unanimously voted to grant a Class F Limited Liquor License to St. Luke’s Church for a Lenten fish dinner on March 13, 2015 from 5:00 – 8:00 PM. See Consent Agenda above.

***REQUEST FOR ROAD RACE: NAYATT PTO, NAYATT ELEMENTARY SCHOOL, MARCH 28, 2015 FROM 8:00 AM – NOON:**

It was unanimously voted to grant the request from the Nayatt PTO for a 5K road race to be held on Saturday, March 28, 2015 from 8:00 AM – Noon. See Consent Agenda above.

PUBLIC COMMENT:

There was no public comment.

DISCUSS AND ACT ON HOLIDAY LICENSE FOR:

- **Anytime Fitness – owner, James Dumont, Jr.:** **Motion** by Mr. Carroll and seconded by Mrs. Strong to grant, but not issue a Holiday License to Anytime Fitness, owner, James Dumont, Jr. contingent upon compliance with all state and municipal statues and regulations. **The motion passed unanimously.**
- **Flowers and Beyond – owner, Andreina Trujillo:** **Motion** by Mr. Carroll and seconded by Mr. Primiano to grant, but not issue a Holiday License to Flowers and Beyond, owner, Andreina Trujillo contingent upon compliance with all state and municipal statues and regulations. **The motion passed unanimously.**

BRISTOL COUNTY WATER AUTHORITY:

- **Monthly Report:** Director Joel Hellmann was present to answer questions. There were no questions regarding the monthly report.
- **Correspondence: Fire on Foote Street – Hydrant out of Service:** The following correspondence was received into record and can be viewed on the Town of Barrington's website under Quick Links – ClerkBase. Executive Director of BCWA Pam Marchand explained that during construction on Foote Street, the hydrant was turned off and never turned back on. Mrs. Marchand stated that a new procedure has been implemented; after construction is completed all hydrants will be tested.
- **Presentation on Phase I Pawtucket Pipeline:** BCWA Director Pam Marchand updated the Town Council on Phase I of the Pawtucket Pipeline. She informed them of the various funding options for the emergency interconnection of water supply and the participation of Warren and East Providence.

DISCUSS AND ACT ON PROPOSAL TO REPLENISH THE SPENCER TRUST FUND:

Discussion ensued regarding repayment to the Spencer Fund and to include fees for legal costs, loss of income and interest through the 2015-16 budgets. **Motion** by Mrs. Speakman and seconded by Mr. Primiano to instruct the Town Manager and Finance Director to conduct an analysis and determine an amount identifying funds within the 2015-16 budgets for the reimbursement to the Amey Tucker Spencer Fund by providing a proposal at the March 2, 2015 Town Council meeting. **The motion passed unanimously.** Mr. DeAngelis stated that he will develop a proposal for the Council to vote on but ultimately this must go through the budget process; approval from the Committee on Appropriations and approval at the Financial Town Meeting.

DISCUSS AND ACT ON RECOMMENDATIONS FOR 139 GEORGE STREET (continued from January 5, 2015) (including 135 George Street):

Jason Lawrence, 153 George Street, stated that he supports maintaining single-family housing at 139 George Street but is concerned that making the house an "affordable" unit could suggest the area is suitable for affordable housing. Mr. Carroll stated we are all agreement that we are trying to protect the character of the neighborhood and should put in place "bulletproof" protections against allowing any high density building -- either affordable or market-rate housing if a third party purchases the property. Mr. Primiano suggested placing deed restrictions on the property for protection from further development.

Friends of Nockum Hill member Bonnie Warren stated she is not one for demolishing properties with any historic value or future life. She requests that the Town conduct a structure and conditions inspection on both homes. Mrs. Warren is concerned with the 87-foot-wide strip of land between the two house lots that would provide access to the larger cemetery parcel to the west, as shown on the conceptual subdivision plan. She suggested that the Town consult with a landscape design professional about designing the roadway/driveway that would provide access to the cemetery.

Discussion ensued regarding zoned open space passive land and if sold, would the town need approval at the FTM. Mrs. Strong asked for clarification on the ownership of the cemeteries. Mr. Ursillo read from the Town Charter 16-1-1, "The Commissioners shall also have charge of all lands within the Town of Barrington which shall be conveyed to the Town in trust for burial purposes,..." Discussion ensued regarding protecting the property with deed restrictions. Mr. Carroll suggested the

one sure way to protect the property from being developed with multi units is that we should restrict the sale by making it "affordable". By making it "affordable" no developer could qualify to buy the land and then subdivide. The Town also could place a deed restriction, possibly 99 years, on the property.

Discussion continued on the conditions of the two (2) existing homes located on George Street. Mr. Carroll agreed with Mrs. Warren to conduct a home inspection. Cemetery Commission member Sally Small stated that the Cemetery Commission is willing to work with the Town regarding the property on George Street. Mrs. Small said she would like to keep open the option of maintaining a building on Cemetery Commission property that would house the superintendent, a building for equipment, and a building to be used for a gathering place during funerals. Martha Brooks, 138 George Street, informed the Town Council of the conditions of the homes. Mrs. Strong suggested that the Building Official inspect the two (2) homes.

Discussion ensued with the Town Planner Phil Hervey regarding his memo dated January 28, 2015. Mr. Ursillo offered to draft a memo to include a proposal outlining potential options to protect the Town owned land on George Street, to include legally binding language prohibiting any future change in density from the current single-family use. Mrs. Warren requested that design covenants be included within Mr. Ursillo's memo. Mrs. Speakman asked Mr. Ursillo to add design covenants within his memo and present the memo at the next Town Council Meeting on March 2, 2015. Mr. Carroll suggested postponing any decisions until we have information from the inspections of the two (2) homes. **Motion** by Mrs. Speakman and seconded by Mrs. Weymouth to endorse the concept – outlining the Town Planner's memo and map (dated: January 28, 2015) and propose to the Cemetery Commission a land swap to produce two (2) house lots, each approximately one acre in size, and to instruct the Town Manager, with the assistance of Mr. Primiano (Liaison of the Cemetery Commission), to hold a discussion with the Cemetery Commission and to report at the Town Council meeting on March 2, 2015. Richard Brooks, 138 George Street, asked the Town Council if the Cemetery Commission intends to build a crematorium. Mrs. Speakman stated there are no plans for a crematorium; it is a columbarium that will be built on the cemetery grounds.

The motion passed four in favor, Mrs. Speakman, Mrs. Weymouth, Mr. Carroll and Mr. Primiano and one opposed, Mrs. Strong.

DISCUSS AND ACT ON HOUSING BOARD OF TRUSTEES PROPOSAL FOR FUNDING TO CAPTURE EXISTING AFFORDABLE HOUSING UNITS:

Mrs. Speakman stated that she is in full support of this proposal. Discussion ensued regarding local control, housing discrimination laws and marketing the properties. **Motion** by Mrs. Weymouth and seconded by Mrs. Speakman to endorse the Housing Board of Trustees request to establish a housing trust fund for \$750,000.00 to fund their ability to capture existing affordable housing units and to be placed within the 2015-16 budgets. Mr. Primiano stated that one of his concerns is marketing the property to local residents; would we be in violation with regard to the housing discrimination laws. Mr. Carroll stated that he believes that the town is permitted to restrict the sale to local residents for a period of time. Mr. Ursillo stated that at one time he represented another town, and it was permitted to first offer housing to local residents for a period of time (30/60 days); but that it was offered to specific groups such as, police officers, teachers, etc. Mr. Primiano stated that for us to build 3 houses a year against a need of 450 plus houses ~~a year~~ in total, in order to reach the 10% goal, by voting to endorse this request, would not necessarily place us in favor with the State Housing Board of Appeals (SHAB). Mrs. Strong stated her concern is that we are placing another burden on the residents to take on \$750,000.00 a year and we must maintain the annual replenishment of this fund when the tax payers are already suffering under the burden of additional property taxes because of the rental subsidy. Mr. Primiano stated that he is opposed to endorsing the proposal for funding because he primarily objects to one tax payer subsidizing another. **The motion passed in favor, Mrs. Speakman, Mrs. Weymouth and Mr. Carroll and two opposed, Mrs. Strong and Mr. Primiano.**

DISCUSS AND ACT ON PARK AND RECREATION COMMITTEE'S RECOMMENDATIONS:

- **Beach Vendors:** Park and Recreation Commission member Steven DeLuca presented a request for proposal, which was voted unanimously by the Park and Recreation Commission, for a seasonal vendor, preferably a local merchant. Mark Etheridge, 23 Shore Drive, spoke in favor of this proposal. Mrs. Speakman suggested placing set hours within the RFP. **Motion** by Mr. Primiano and seconded by Mrs. Strong for the Town Council to endorse the concept of the Park and Recreation Commission's recommendation plan to solicit a proposal for food services at the Barrington Beach. **The motion passed unanimously.**

DISCUSS AND ACT ON SCHEDULING AN AMEY TUCKER SPENCER FUND MEETING: A meeting has been scheduled on Wednesday, March 25, 2015 at 6:00 P.M. The motion passed unanimously.

DISCUSS AND ACT ON SETTING A DATE FOR COMPREHENSIVE PLAN ADOPTION PUBLIC HEARING: A public hearing has been scheduled for Wednesday, March 25, 2015 at 7:30 P.M. The motion passed unanimously.

DISCUSS AND ACT ON BIDS:

- **Rescue Vehicle: Motion** by Mrs. Weymouth and seconded by Mr. Carroll to award the bid to provide a new Emergency Medical Vehicle to Greenwood Emergency Vehicle, Inc. of North Attleboro, MA at a cost of \$257,406, as described in a memorandum from Chief Bessette dated February 3, 2015.

DISCUSS AND ACT ON CREATING A "COUNCILORS' MONTHLY AGENDA" (continued from December 15, 2014): Mrs. Strong suggested to members of the Council to create a calendar for council members when they attend various meetings that pertain to town business. **No action was taken.**

SET AGENDA FOR MONDAY, MARCH 2, 2015:

The Town Council set the agenda for the Monday, March 2, 2015 Town Council meeting. Discussion ensued and the following subjects will be included:

- BCWA – Discuss and Act on Phase I Pawtucket Pipeline
- 139 George Street (continued)

EXECUTIVE SESSION IN ACCORDANCE WITH RIGL TO DISCUSS AND APPROVE SEALED MINUTES OF EXECUTIVE SESSION ON JANUARY 5, 2015 AND IN ACCORDANCE WITH RIGL 42-46-5 (a) (2) LITIGATION RE. PENSION AND NORTH END HOLDINGS COMPANY, LLC AND RIGL 42-46-5- (a) (2) COLLECTIVE BARGAINING AND RIGL 42-46-5-(a) (5) ACQUISITION OF PROPERTY AND RIGL 42-46-5 (a) (1) PERSONNEL – SOLICITOR SELECTION PROCESS

Motion by Mr. Carroll and seconded by Mrs. Weymouth to move into executive session at 9:20 P.M. to Discuss and Approve sealed minutes of Executive Session on January 5, 2015; and to discuss in accordance with RIGL 42-46-5 (a) (2) Litigation re. Pension and North End Holdings, LLC and RIGL 42-26-5 (a) (2) Collective Bargaining and RIGL 42-46-5 (a) (5) Acquisition of Property and 42-46-5 (a) (1) Personnel – Solicitor Selection Process. **The motion passed unanimously.**

Motion by Mrs. Weymouth and seconded by Mr. Carroll to move out of executive session at 10:35 P.M and seal the minutes except for the **Motion** by Mrs. Strong and seconded by Mr. Primiano to retain Attorney Marc DeSisto and Gerald Petros at \$11.29/hour to represent the Town of Barrington with the pension litigation. **The motion passed unanimously.**

ADJOURN:

Motion by Mrs. Weymouth to adjourn the meeting at 10:35P.M.

Meredith J. DeSisto, Town Clerk