

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, Tax Assessor Michael Minardi, Police Chief John M. LaCross, Fire Chief Gerald Bessette, Public Works Interim Director Joseph Piccerelli, Building Official Robert B. Speaker, Town Planner Philip Hervey, Library Director Deborah Barchi, Leisure Services Director Michele Geremia, Human Resources Director MariAnn Oliveira, and Town Clerk Meredith J. DeSisto

Council President Speakman called the meeting to order at 7:09 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:

- Economic Development Commission (1 vacancy): Henry "Bud" Violet
- Senior Services Advisory Board (1 reappointment and 1 vacancy): Karen Statser and Dianne Wilkin

ANNOUNCEMENTS (out of order):

- Swearing-in Barrington Firefighters: Michael A. Morgan and Promotion of Nicholas D. Caisse to Fire Lieutenant: Fire Chief Gerald Bessette introduced Fire Fighters Nicholas D. Caisse and proceeded to swear him in as Lieutenant. Chief Bessette introduced Michael A. Morgan and proceeded to swear him in as a fire fighter for the Town of Barrington.
- Swearing-in Police Officer: Ryan Cute: Police Chief John A. LaCross conducted the swearing-in of Police Officer Ryan Cute.

President Speakman requested that the remainder of the announcements will continue after the public hearings.

Motion by Mrs. Weymouth and seconded by Mr. Carroll to move the public hearing of Ordinance #2015-5 to Amend Chapter 161 Solid Waste Article III Reusable Checkout Bag Initiative out of order. **The motion passed unanimously.**

PUBLIC HEARING:

- Discuss and Act on an Ordinance #2015-5 to Amend Chapter 161 Solid Waste Article III Reusable Checkout Bag Initiative (continued from November 12, 2015): Mrs. Speakman asked if anyone from the public would like to speak. Barrington High School Student Sam Wohlever read a statement to the Town Council (the entire statement can be found on Clerkbase: <http://clerkshq.com/default.ashx?clientsite=barrington-ri>) Mr. Wohlever is in favor of the ordinance and has started a "Reusable T-shirt Bag Campaign. He said that he has a goal over the next six (6) months, where community members can bring their old t-shirts and make reusable bags out of them. Mr. Wohlever said that the first workshop will be held at the Barrington Library on February 18, 2016. (Mr. Wohlever distributed recycled T-shirt bags to each Town Council member.) Town Solicitor Michael Ursillo instructed Council to make the following motion: **Motion** by Mrs. Weymouth and seconded by Mr. Carroll to amend Ordinance #2015-5 to Amend Chapter 161 Solid Waste Article III Reusable Checkout Bag Initiative as presented. Geoff Grove, 16 Robbins Drive, said that he applauds the former speaker, Sam Wohlever. Mr. Grove said that Mr. Wohlever has a great idea and his stated intent and the Council's intent to have a clean environment is a good one. However, this proposal is not the way to accomplish it but you should be encouraging recycling. Mr. Grove said that this is onerous and inconvenient; and only serves to take us back 100 years to carry things around in dirty, germey bags. Mr. Grove encourages the Council not to amend and repeal. Alison Townsend, 63 Alfred Drown Road, said that it is outstanding to have this ban in place; and has helped tremendously by preventing plastic bags from floating around the

environment. Mrs. Strong asks Mrs. Townsend if she has any anecdotal observations to share. Mrs. Townsend said that she picks up several pieces of trash such as cans, plastic bottles, papers and Dunkin Donut containers. Cyndee Fuller, 43 Townsend Street, said that she supports the ordinance and hopes that the Council will approve the passage. Diane Barese, 43 Houghton Street, said that she feels that the plastic bag industry has "hood-winked" us and is angry. Mrs. Barese said that she is in support of the amendment. Sidney Monstream-Quas, 45 Annawamscutt Road, said that she is in agreement with Mrs. Barese and would like the Council to pass the ordinance. Joseph Roberts, 13 Vialls Avenue, said that he pushed the Conservation Committee for this ordinance. Mr. Roberts said that Barrington will take a leadership role, not just locally or regionally, but nationally regarding the issue of the "mil" (which defines the thickness of a reusable plastic bag) within the proposed ordinance. Mr. Roberts states because of this ordinance, the Town of Barrington will serve as a model around the country. Mrs. Speakman stated that the amendment seeks to amend a loophole within the initial ordinance that pertains to the thickness of reusable bags. Representative of Clean Ocean Access (COA) David McLaughlin, 3 House Lane, Newport RI read a prepared statement to the Town Council (the entire statement can be found on Clerkbase at <http://clerkshq.com/default.ashx?clientsite=barrington-ri>). Mr. McLaughlin expressed support for the initiative that the Town of Barrington has taken with the initial passage of the ordinance. Mr. McLaughlin stated that with the prohibition of smoking at beaches there has been a decline in cigarette filters on the shorelines and hopes for the same for plastic bags with the passage of this amendment. Mr. McLaughlin is optimistic that the environmental stewardship demonstrated by the Town of Barrington can lead the rest of the communities of Rhode Island to eliminate single-use plastic bags. Sally Carpenter, 12 Half Mile Road, said that Newton, MA has a complete ban and is initiating a ban on Styrofoam. Northeast Manager of Surfrider Melissa Gates, read a prepared statement to the Town Council (the entire statement can be found on Clerkbase at <http://clerkshq.com/default.ashx?clientsite=barrington-ri>). Ms. Gates stated that Surfrider is an environmental nonprofit organization that is dedicated to the protection and enjoyment of the world's oceans, waves and beaches. Ms. Gates said that Surfrider volunteers engage in many campaigns and programs, including our Rise Above Plastics Program, which aims to keep plastic pollution out of the ocean. Ms. Gates said that she is present this evening to support the proposed amendments to Barrington's plastic bag ban ordinance. Ms. Gates stated that further amendments calling for fees to be assessed—both for a mandatory, minimum fee for all reusable bags to help preclude their employ as single-use bags, a problem that is being seen in other communities; and a mandatory, uniform fee on all single-use paper bags to incentivize the use of reusable bags—would strengthen even more but would prolong the current and pervasive threat posed to Barrington's environment by single-use plastic bags in distribution, the Surfrider Foundation therefore urges the Council to pass the amendments, as proposed.

Mrs. Weymouth read a prepared statement into the record:

The Chinese have a saying, "the longest journey begins with the first step"

Three years ago, Barrington took the first step in RI to reduce plastic waste by passing the Reusable Checkout Bag Initiative which banned the ubiquitous single use (or occasional double use, rarely triple use) plastic bag at checkout. The ordinance was passed, implemented and exercised without incident for 3 years until last summer when Shaw's and CVS began providing thick plastic bags stamped with the word 'reusable', Shaw's charging a .10 fee, CVS handing out 2 different sizes for free.

The ordinance as written bans plastic bags less than 2.25 mil thick. These so called Eco-loop bags are 2.25 mil thick and therefore meet the minimum standard as outlined in our ordinance, so yes they are "permissible" as the Eco-loop representative assured us at our November meeting and as such comply with the letter of the law, but clearly defy the law's intent.

These thicker plastic bags are not unique to Barrington.

This is happening all over the world as the plastic industry has found the way to circumvent the original bag ban boiler plate language, written back when the thickest single use plastic bags were 2 mil thick, so specifying a 2.25 mil thick minimum was assumed to be out of reach. The German company that manufactures Eco-loop bags (talk about a carbon footprint) knows how difficult it is to pass legislation in the first place, and is banking, quite literally, on the time and effort it will take for municipalities, states, and countries to drag through the process to amend that legislation. There are now 19 municipalities in Mass., with 3 pending, who have passed bag bans since Barrington took the initiative, and all the most recent have redefined reusable bags to close the Eco-loop loophole. So to take the next step in the long journey to reduce plastic waste, I make the motion to adopt Ordinance 2015-5 to amend Chapter 161 Solid Waste Article III Reusable Checkout Bag Initiative.

Motion by Mrs. Strong (humbly) proposes to amend this motion to add Ziploc bags, and at our schools, paper bags and Styrofoam. Mrs. Speakman asked for a second to the motion by Mrs. Strong. **There was no second**; therefore, the amendment is not added to the proposal. **The motion passes 3-2; three (3) in favor Mrs. Speakman, Mrs. Weymouth and Mr. Carroll; and two (2) opposed, Mrs. Strong and Mr. Primiano.**

- #2016-1 An Ordinance to Amend Chapter 185 Zoning Article II Definitions and Add New Article XXXI Senior Residential Village District with Zoning Map Change to Assessors Plat 14, Lots 2, 4, 13 and 341-343: **Motion** by Mr. Carroll and seconded by Mrs. Weymouth to enact #2016-1 An Ordinance to Amend Chapter 185 Zoning Article II Definitions and Add New Article XXXI Senior residential Village District with Zoning Map Change to Assessors Plat 14, Lots 2, 4, 13 and 341-343. Mrs. Speakman opened the public hearing and said that this ordinance will allow the zone change in order to build a new Continuing Care Retirement Community Center (CCRC). Steven Corville, 30 Middle Highway, asked the Town Council for more information regarding this proposed development. Mr. Corville stated that he had heard about this proposed development approximately two (2) years ago but only recently received a letter regarding this meeting. Mr. Corville said that he is concerned with noise and light pollution; water run-off and the impact to our fire and police departments. Mr. Corville humbly requested that the Town Council hold off on a decision until additional information is provided. Mrs. Speakman asked the Assistant Town Solicitor Andy Teitz to provide a brief history with this project. Mr. Teitz reviewed the processes in which the Town/Town Council (TC) has initiated (TC reached agreement with the Developer by way of a Memorandum of Understanding (MOU) and Tax Stabilization Agreement (TSA); and previously, the Planning Board received an application and has been meeting for many months with notices sent to abutters. The Planning Board voted to approve the Master Plan with conditions of the adoption of these ordinances. Once these ordinances are adopted it goes back to the Planning Board and then another public hearing, advertisement and notices will be sent to abutters within 200 feet. Mr. Teitz said parallel to these meetings are those of the Zoning Rewrite meetings in which the public has been invited. Mr. Corville said that he is a direct abutter; within 50 feet and was not invited. Mrs. Speakman stated that we will look into this matter. Mrs. Speakman suggested that Mr. Corville contact Town Planner Phil Hervey for additional information. Eulalia Soares, 77 Beverly Road, East Providence, RI, stated that two weeks ago was the first time she received a notice regarding the proposed development. Ms. Soares said that she is very concerned with water run-off and drainage once construction is initiated because of past construction (distributed photos) within the Lionshead development. Discussion ensued regarding notices to abutters. William Candon, 73 Beverly Road, East Providence, RI, said that he is concerned with drainage (submitted documents) because of the construction issues with the development of Lionshead. Mr. Candon said that this was his first notice and that it was not certified. Mr. Corville requests and he would appreciate it, if a member of the Town would reach out to him and update him on this project. Jason Harris, 6 Clover Road, said that he is roughly 85 feet from the proposed project and said that he is concerned with the impact of traffic, lights, fire and police, and water drainage. Mr. Harris stated that this was the only letter that he has received concerning this project. Frank Crawford, 39 Middle Highway, said that he shares all of the same concerns of his neighbors. Mr. Crawford stated that he only received a letter, not certified, for this meeting. Mr. Primiano proposed a change to Ordinance #2016-1 (and Ordinance #2016-2):

Page 4: 185-225:

For all proposed development within the Senior Residential Village District, at least 25 percent of all resale units, and 10 percent of rental units must qualify as affordable housing, as defined by RI Gen. Laws 45-53-3 (9). Affordable units shall also comply with 185-194 of this Ordinance.

This would only take effect upon execution of a signed agreement with the developer amending the previously agreed upon TSA to include a payment as property tax of \$67,000 per unit on 15% of the rental units in the District. Payments would be made in the same amounts and schedule as the previously agreed upon fee in lieu payment schedule, or by dividing the total into annual equal payments over the life of the TSA.

Discussion ensued regarding resale units vs. rental units; state law regarding zoning; state mandates vs local/town mandates and how the change must apply to all. Mr. Teitz suggested to continue the public hearing on the zoning ordinances and to resend the letters to the abutters via certified mail. Discussion ensued regarding state law and/or local law on certified mail. **Motion** by Mrs. Strong and seconded by Mr. Carroll to table Ordinance #2016-1 and Ordinance #2016-2 until the next Town Council meeting on March 7, 2016. **The motion passed unanimously.** Discussion ensued regarding additional meetings to abutters. Sam

Bradner, Peregrine Group said that he would be happy to schedule additional presentations of the proposed development. Mrs. Speakman stated if anyone has additional questions to contact the Town Clerk and she will forward to the Solicitors. Maria Bruce, 8 Circle Drive, stated that a small number of people were present at the Planning Board meetings and the Town owes an obligation to the people to inform them of this development because of the scope of the project. Mr. Ursillo stated that for those who live outside the abutter's radius of 200 feet this public hearing was advertised in the Barrington Times.

- #2016-2 An Ordinance to Amend Chapter 185 Zoning Article XXVII Low and Moderate Income Housing: Mandatory Inclusionary Zoning Requirements (Fees in Lieu): Please see above.

DISCUSS AND ACT ON SCHOOL DEPARTMENT'S REQUEST FOR RHODE ISLAND DEPARTMENT OF EDUCATION (RIDE) ENDORSING TWO (2) OPTIONS FOR STAGE II CONSTRUCTION APPLICATION DUE ON MARCH 15, 2016 FOR THE BARRINGTON MIDDLE SCHOOL PROJECT:

School Superintendent Michael Messore, School Finance Director Ron Tarro, School Committee Chair Kate Brody and School Committee member Patrick "Buzz" Guida were present. Discussion ensued regarding correspondence dated January 28, 2016 from Superintendent Michael Messore and School Committee Chair Kate Brody. Discussion ensued regarding timeframes, costs, and finances. Mrs. Brody stated, at this time, that this is a conceptual plan with no financial obligations. Mr. Guida described the procedures for approval (submission to RIDE, Board of Education and then to the General Assembly for approval) and explained that there is a finite amount of funds. Mr. Guida said that there is a tight timeline in order for this process to reach the November ballot for the voters. Mr. Carroll said that these are necessary steps to receive the funds and then to reach the voters. Geoff Grove, 16 Robbins Drive, stated that approving this request would essentially endorse the expenses of this project. Mr. Grove said this is the time to push back. Joel Hellmann, 13 Richmond Avenue, stated that he projected the cost of this project at approximately \$3.5 million dollars for the next 20 years – the average increase to the tax payer is approximately \$600 a year. **Motion** by Mr. Carroll and seconded by Mrs. Weymouth to endorse the School Committee's/Department's request for Rhode Island Department of Education (RIDE) Endorsing Two (2) Options for Stage II Construction Application for the Barrington Middle School project. Mrs. Strong said that, in all good conscious, she cannot vote for an \$80 million school. Mrs. Strong said that she cannot extend this burden to the taxpayer. **The motion passed 4-1, Mrs. Speakman, Mrs. Weymouth, Mr. Carroll and Mr. Primiano; Mrs. Strong opposed.**

RESIGNATIONS:

- Philip Anderson, Sr. Services Advisory Board: **Motion** by Mrs. Weymouth and seconded by Mr. Primiano to accept, with regret the resignation of **Philip Anderson** from the Senior Services Advisory Board, effective immediately. **The motion passed unanimously.**
- Brad Louison, Bristol County Water Authority (BCWA): **Motion** by Mr. Primiano and seconded by Mrs. Strong to accept, with regret the resignation of Brad Louison from the Bristol County Water Authority. Mr. Primiano thanks Mr. Louison for his service. **The motion passed unanimously.**

ANNOUNCEMENTS (out of order):

- Solarize Barrington: The deadline to apply is February 15, 2016 – www.solarizeri.com/Barrington: Mrs. Speakman reiterated the deadline to apply for the program.
- Solar Action Workshop: Wednesday, February 3, 2016 7:00-8:30 pm at the Barrington Congregational Church: Mrs. Speakman encouraged all to attend.
- Informational Forum: Open Meetings, Parliamentary Procedures and Ethics for Boards and Commissions: Wednesday, February 24, 2016 at 7:00pm at the Barrington High School Cafeteria: Mrs. Speakman announced the upcoming forum.

CORRESPONDENCE:

There was no correspondence

CONSENT AGENDA (*)

Mr. Primiano requested that the application for the Road Race of the Nayatt 5K be removed from the consent agenda. **Motion** by Mrs. Weymouth and seconded by Mr. Primiano to adopt the Consent Agenda of items #8-#12 without #13 Nayatt 5K Road Race as presented. **The motion passed unanimously.** Mr. Primiano questioned the required paperwork to hold the Nayatt 5K road race and absence of the certificate of liability insurance form. **Motion** by Mr. Primiano and seconded by Mr.

Carroll that the Nayatt 5K Road Race is approved subject to all required paperwork is submitted. **The motion passed unanimously.**

***MINUTES:**

It was unanimously voted to adopt the minutes of the January 4, 2016 and the Joint Meeting with Planning Board on November 30, 2015 and sealed Executive Minutes of December 7, 2015. See Consent Agenda above.

***MONTHLY DEPARTMENT REPORTS:**

It was unanimously voted to adopt the following monthly department Reports: Fire Chief, Police Chief/Animal Control Official, Building Official, 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.

***UTILITY PETITIONS:**

- National Grid: It was unanimously voted to grant permission to National Grid to open the highways at West Street.

***ABATEMENT LIST:**

It was unanimously voted to accept the Abatement List in the amount of \$3,019.57 and as described therein. See page 131A.

***SURPLUS PROPERTY:**

It was unanimously voted to declare the following items as surplus property and authorize the Town Manager at his discretion to dispose of this property in accordance with Chapter 49 of the Town Ordinances: Sewer Department: 1999 Freightliner Van Asset #T66861 VIN #4UZA4FFD2XCA84450

***REQUEST FOR ROAD RACE: NAYATT 5K ROAD RACE FOR SATURDAY, APRIL 2, 2016**

8:00 am – Noon: Motion by Mr. Primiano and seconded by Mr. Carroll that the Nayatt 5K Road Race is approved subject to all required paperwork is submitted. **The motion passed unanimously.** See Consent Agenda above.

PUBLIC COMMENT:

There was no public comment.

BRISTOL COUNTY WATER AUTHORITY:

Monthly Report: December:

Correspondence: Pam Marchand's Letter to Governor Raimondo and Bristol County Legislators and Letter to Editor:

Director Joel Hellmann was present for discussion. Discussion ensued regarding requests for reimbursements for expenses to the State of Rhode Island. Mr. Hellman stated that Ms. Marchand has spoken with legislators and details will follow. Mr. Hellmann said that he understands that many members from the public may have concerns with the safety of the water supply (Flint, MI) but he wanted to reassure the public that the water is fine.

APPOINTMENT/REAPPOINTMENTS:

- Economic Development Commission: **Motion** by Mr. Primiano and seconded by Mr. Carroll to appoint Henry "Bud" Violet to the Economic Development Commission. **The motion passed unanimously.**
- Senior Services Advisory Board: **Motion** by Mrs. Weymouth and seconded by Mr. Primiano to appoint Karen Statser as a fuller member to the Senior Services Advisory Board for a term ending of February 28, 2019. **The motion passed unanimously.** **Motion** by Mrs. Weymouth and seconded by Mr. Primiano to reappoint Dianne Wilkin to the Senior Services Advisory Board for a term ending of February 28, 2019. **The motion passed unanimously**

DISCUSS AND ACT ON BIDS:

- Award Bid for Police Department: Equipment for 2 Police Cruisers: **Motion** by Mrs. Weymouth and seconded by Mrs. Strong to award the bid to provide the purchase and installation of equipment for two (2) SUV Utility vehicles to MHQ, 401 Elm Street, Marlborough, MA at a cost not to exceed \$14,710, as described in a memorandum dated January 28, 2016 from Chief LaCross. **The motion passed unanimously.**

- Award Bid for Fire Department: Station Uniforms: **Motion** by Mrs. Weymouth and seconded by Mr. Primiano to award the bid to provide firefighter station uniforms to Mike & Wayne's Inc., 163 Huttleston Avenue, Fairhaven, MA at a cost not to exceed \$19, 502, as described in a memorandum dated January 22, 2016 from Chief Bessette. **The motion passed unanimously**
- Award Bid for Department of Public Works: Stump Cutter: **Motion** by Mrs. Weymouth and seconded by Mr. Carroll to award the bid to purchase a stump cutter to Vermeer Northeast, 224 South Street, Hopkinton, MA at a cost not to exceed \$55,975 (after trade-in) as described in a memorandum dated January 22, 2016 from Joseph Piccerelli. **The motion passed unanimously**

DISCUSS AND ACT ON RESOLUTIONS:

- A Resolution Approving an Actuarial Study to be Performed by the Municipal Employees Retirement System to Determine the Costs of Merging the Closed Fire 20 Year Plan and the Current Fire 25 Year Plan: **Motion** by Mrs. Weymouth and seconded by Mr. Carroll to adopt the resolution relating to the 20 and 25 Year Fire Pension Plan study. **The motion passed unanimously.**
- A Resolution Regarding Governor Raimondo's Proposed Truck Toll Gantries to be Placed Throughout the State of Rhode Island: Discussion ensued. **No action was taken.**

SET AGENDA FOR MONDAY, MARCH 7, 2016 TOWN COUNCIL MEETING

- Continue the Public Hearing on Ordinance #2016-1 and Ordinance #2016-2.
- Procedural Suggestions for the Town Council
- Presentation from ShineHarmony

ADJOURN:

Motion by Mr. Primiano to adjourn the meeting at 9:32 P.M.

Meredith J. DeSisto, Town Clerk