

**Minutes of a Town Council meeting held on January 5th, AD 2012 at 6:30 o'clock PM in the Town Council Chambers, Town Hall, 40 Commons, Little Compton, RI. Members present: Charles N. Appleton, Jr., Fred M. Bodington, III; Paul J. Golembeske, Gary Mataronas and Robert L. Mushen. Also in attendance: Richard S. Humphrey, Town Solicitor, George Mason and William Richmond both of the LC Agricultural Conservancy Trust.**

**The Town Council President polled his fellow Councilors as to their wishes to enter into executive session under RIGL Section 42-46-5(a)(2) litigation pending RE: Case Rudick vs. LC Agricultural Conservancy Trust et als CA No. NC 2011-0635. All Councilors voted in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen).**

**The Town Solicitor reviewed the pending case with those in attendance and asked for clarification on who would serve as counsel for the LCACT.**

**AT 6:58 PM the Town Council President polled his fellow Councilors as to their wishes to come out of executive session under RIGL Section 42-46-5(a)(2) litigation pending RE: Case Rudick vs. LC Agricultural Conservancy Trust et als CA No. NC 2011-0635. All Councilors voted in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen).**

**Motion made by Councilor Golembeske, receiving a second from**

**Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To designate Richard S. Humphrey, Town Solicitor as counsel for the LC Agricultural Conservancy Trust regarding CA No. NC 2011-0635 Rudick vs. LC Agricultural Conservancy Trust et als.**

**Being 7:00 PM the meeting was delayed momentarily to allow the cameraman to set up his video equipment.**

**Additional attendees at this time: Fire Chief Richard Petrin, Police Chief Sidney Wordell and Tom Dunn, Business Manager. Richard S. Humphrey, Town Solicitor left the Council Chambers at this time returning at 7:10 PM to the dais.**

**Salute to the Flag.**

**Motion made by Councilor Mataronas, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the December 22, 2011 Town Council meeting minutes.**

**Announcements:**

**1. A work shop has been rescheduled to January 19th beginning at 6 PM for the purpose of reviewing proposed changes on the FEMA Flood Insurance Rate Maps. The Building Official and members of the**

**Planning Board are invited to attend.**

**2. Councilor Mushen noted that he attended the School Building Project meeting earlier this evening and anticipates a need for a special Financial Town Meeting or a special Referendum within the next 60 days. A solution relating to the health and safety issues at the Wilbur-McMahon School has been drafted and approved by the RI Dept. of Education for a total of approximately \$11 million. The public can expect a series of public hearings over this time frame with a potential vote on the subject in March. The intent of this timing is to attempt to begin work in June of 2012. The Council President will give more details to the Town Clerk.**

**3. The Fire Chief has coordinated training of all of his personnel with the use of CAFS at the Fall River, Massachusetts training facility. Due to this training he has now coordinated with RI Dept. of Environmental Management to burn down a building located on the Simmons Mill Pond Management Area with the use of CAFS to serve as a local demonstration of its use by our Fire Department personnel.**

**Motion made by Councilor Mataronas, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Maintenance Department Head Report for December 2011.**

**Richard Humphrey returned to the dais at 7:10 PM.**

**Councilor Mushen has drafted a contract agreement for the Road**

**Superintendent, Jon Ibbotson. The proposed draft includes references to the existing Salary and Benefits rate sheet which is adopted in June of each fiscal year. Certain other specific duties to be assigned have a rate noted, which were open for discussion and consideration at this time.**

**Councilor Mataronas asked if the 150% rate noted for use of the sander owned by Mr. Ibbotson wasn't a little high. He was told that the 150% would be applied against the existing rate of \$335 which would equate to \$502.50. The use of this rate would only be if the Town's sander was incapacitated during a snow event.**

**Councilor Golembeske asked if the use of the word "plans" items g. and h. meant actual engineering plans or a written plan of a proposed work schedule. He suggested that for g. and h. that the wording be changed to insert the word "prioritize" just prior to "maintenance plan" within each item.**

**Councilor Mataronas also noted that he had never been in favor of adding a full benefit employee to the list of Town employees. As we move forward he would only be interested in a part time with no benefits scenario.**

**Motion made by Councilor Golembeske, receiving a second from Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as amended the**

**following Contract Agreement for the Road Superintendent as follows:**

## **CONTRACT AGREEMENT FOR ROAD SUPERINTENDENT**

**Pursuant to the Little Compton Home Rule Charter of 1 January 1995, the following agreement is entered into between the Little Compton Town Council and Jon Ibbotson, for the position of Road Superintendent.**

**1. Effective Date: 8 December 2011**

**2. Duration of Agreement: Through 30 June 2012. This is an “at will” agreement, terminable by either party at any time.**

**3. Terms of Agreement:**

**a. The Road Superintendent (RS) reports to, and receives direction from, the Director of Public Works (DPW).**

**b. Duties of the RS shall be as set forth below and shall include other duties that may be related and assigned by the Town Council through the DPW.**

**c. Compensation for services rendered shall be as specified herein, or in annual rate sheets approved by the Town Council.**

**d. This position carries no salary or benefits. However, both parties agree to work together to develop a position for consideration for fiscal year 2013, which begins 1 July 2012.**

**4. Duties:**

- a. Manning and maintaining the Town Sander on the Town Truck. Compensation will be on a “per event” basis and at the rate specified in the most recent rate sheet.**
- b. Recommending to the DPW the need for maintenance and repair to the Town Sander and Truck, and conducting or overseeing such work, as appropriate. When his personal labor is required, the RS will document and be compensated for such labor at the rates specified in the most recent rate sheet.**
- c. Providing a backup sander. In the event of failure of the Town Sander/Truck, the RS will provide a backup capable of performing the sanding function. It is understood that such a situation may entail a delay of service, in that the backup sander may have been previously committed to other work. Compensation will be at 150% of the rate specified in the most recent rate sheet.**
- d. Providing a backhoe for loading and working the sand/salt pile at the Transfer Station through the winter season. Compensation will be at or below prevailing rental rates for similar equipment and operator.**
- e. Coordination of the plowing of snow from town roads. Whenever any sander or plow is deployed on behalf of the Town, the RS will be responsible for overseeing its operation. The RS will document and be compensated for such labor at the rates specified in the most recent rate sheet.**
- f. Investigate and correct problems with town roads at the direction of the DPW. Compensation will depend upon the type of equipment and operators required, and will be at the rates specified in the most**

recent rate sheet.

g. Preparing a prioritized maintenance plan for long-term care of roadside swales on Town roads. Compensation will be \$500.

h. Preparing a prioritized maintenance plan for replacing drainage pipes alongside and across Town roads. Compensation will be \$500.

In witness whereof the Town Council and Jon Ibbotson have caused this agreement to be executed. The Town Council President is duly authorized by the Town Council to sign on behalf of the Town Council.

Jon Ibbotson      Robert L. Mushen

Road Superintendent      Town Council President

Motion made by Councilor Golembeske, receiving a second from Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To schedule the Annual Financial Town Meeting for May 22, 2012 convening at 7 PM to be held at the Wilbur-McMahon School Auditorium/Gymnasium.

The following item on the agenda reflects the number of letters of interest received for various board and commission vacancies. Where there were the exact numbers of letters of interest received from the incumbents the Town Council re-appointed the incumbent.

(1) LC Housing Trust – unexpired term to January 24, 2015    None received, to remain posted

**(1) Tree Warden – Annual appointment Incumbent – George E. Goulart, Jr.**

**Motion made by Councilor Mataronas, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To re-appoint George E. Goulart, Jr. as the Town's Tree Warden for the ensuing year.**

**(2) Harbor Commission Members – Three year terms Incumbents – Robert D. Cavanagh Jr.**

**And Gregg Mataronas**

**Motion made by Councilor Mataronas, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To re-appoint both Robert D. Cavanagh, Jr. as a Commercial Trip Fisherman representative and Gregg Mataronas as a Commercial Day Fisherman representative to the Harbor Commission for terms which will expire February 1, 2015.**

**(1) Recreation Conservation and Open Space Committee Incumbent – Patrick McHugh**

**Three year term**

**Motion made by Councilor Mataronas, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To re-appoint Patrick McHugh to**

**the Recreation, Conservation and Open Space Committee for a three year term which will expire February 1, 2015.**

**(2) Planning Board Members – Four year terms Incumbents – David DeSouza**

**And A. Michael Steers**

**And “on file” letters from previous postings – Richard Ross, Frank Hopton, Jon Ibbotson and Malcolm McGeoch**

**Councilor Mushen noted that past practice has been to re-appoint the incumbents should they wish to remain on the board. Since he was aware of a few boards that could use interested parties to serve and thought the Council should discuss with the parties who have letters of interest “on file” to determine if they would be interested in one of the other boards. He also noted that, in his opinion, Mr. Ibbotson’s letter of interest may potentially have a conflict as he is now serving as the Town’s Road Superintendent. Councilor Mushen volunteered to contact the individuals to determine their interest.**

**Motion made by Councilor Mataronas, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To re-appoint David DeSouza and A. Michael Steers to the Planning Board for four year terms which will expire February 1, 2016.**

**(2) Conservation Commission – Three year term None received, to**

remain posted

**A single proposal has been received for the Request for Proposals to conduct the 2012 Revaluation Services for the Town of Little Compton from Vision Government Solutions, 44 Bearfoot Rd, Northboro, MA 01532 in the amount of \$61,500.**

**Motion made by Councilor Golembeske, receiving a second from Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Town Council President and Board of Tax Assessors to review the single bid proposal received for the 2012 Revaluation Services for the Town of Little Compton and upon a successful review the Town Council President is authorized to award the bid to Vision Government Solutions, 44 Bearfoot Rd, Northboro, MA 01532 for the amount of \$61,500.**

**Motion made by Councilor Mataronas, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place in the Budget File Folder for the FY2013 budget a request from the Prevention Coalition for \$1,200 to assist the coalition in the upcoming fiscal year. The Town Council is very supportive of this program for our area youth.**

**Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington,**

**Golembeske, Mataronas, Mushen): To place on file an invitation received from the Filipino-American Association of Newport County, Inc. to attend the ceremonial induction of Fil-Am Newport's 2012 set of officers.**

**Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a resolution adopted by the Charlestown Town Council supporting legislative amendments to the RI low and Moderate Income Housing Act.**

**Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a letter received from the Acting Auditor General granting an extension to January 31, 2012 for submission of the Town of Little Compton audited financial report and management letter, for fiscal year ending June 30, 2011.**

**Motion made by Councilor Mataronas, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To remove consent #3 for discussion and place the remaining items on the consent calendar on file as follows:**

- 1. Copy of a resolution adopted by the Middletown Town Council opposing increasing the Tolls for the Newport Pell Bridge**

**2. Copy of a Notice of proposed changes to the Rules and Regulations of the Coastal Resources Management Council for hearing February 14, 2011**

**3. Letter of gratitude sent from Tiverton Fire Chief Robert Lloyd to LC Fire Chief Richard Petrin thanking him and the Town for assisting them with the use of one of our reserve rescue vehicles recently. REMOVED FOR DISCUSSION.**

**Motion made by Councilor Mataronas, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To commend Fire Chief Petrin for his part in achieving a good relationship and work ethics with the Tiverton's Fire Chief and his department.**

**Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$28,358.21**

**Home Depot - Maintenance - Town Hall \$61.95**

**Dave Venancio - Inspector \$900.00**

**Allied Court Reporters - Zoning Board \$300.00**

**KTR Maintenance - Public Safety Complex \$1,080.00**

**WB Mason - Assessors, maint., Clerk, Town Hall \$138.59**

**Petro - 32 Commons \$376.82**

**Petro - Public Safety Complex \$1,148.66**

**United Site Services - Transfer Station \$115.00**

**Petro - Diesel \$893.68**

**Nationalgrid - Transfer Station \$94.75**

**Nationalgrid - Public Safety Complex \$1,495.43**

**Lefkowitz, Garfinkel, Champi & DeRienzo PC - auditors \$1,230.00**

**Everlasting Designs - Public Safety Complex \$255.00**

**Madden Electric Co Inc. - Town Dock \$204.95**

**Madden Electric Co Inc. - Public Safety Complex \$1,685.26**

**John J McNamee CPA - Audit \$1,435.00**

**Kevin's Auto Parts Inc. - Maintenance \$19.28**

**Everlasting Designs - Computer \$1,400.00**

**Everlasting Designs - Computer \$50.00**

**Nationalgrid - lights at Town Dock \$54.09**

**Nationalgrid - street lights \$28.24**

**Humphreys Building Supply - Maintenance \$12.50**

**Seekonk Supply Inc. - Highway \$715.57**

**Petro - Gasoline \$3,235.54**

**Petro - Town Hall \$1,399.69**

**Cox Communication - computer \$252.00**

**Cox Communication - Town Hall misc. depts. \$256.90**

**Russell L Sisson & Sons - Town Hall \$3,000.00**

**EastBay Newspapers - Assessors reval. \$108.90**

**EastBay Newspapers - Transfer Station \$60.50**

**EastBay Newspapers - Zoning Board \$60.50**

**Wilbur's General Store - Maintenance \$33.03**

**Wilbur's General Store - Town Hall \$14.86**

**Mello's Diesel Serv. Inc. - Highway \$241.99**  
**Petro - 30 Commons Maintenance \$530.59**  
**Messenger Security System - Town Hall \$249.00**  
**Everlasting Designs - January computer \$1,600.00**  
**KP Manning Auto Parts - Maintenance \$101.37**  
**Effluent Technologies - Wastewater Treatment Facility \$487.50**  
**EastBay Community Action Program - Student Asst. \$3,031.07**

**A member of the audience asked if the Council President could speak a meeting with the Governor held today regarding Pension reform. Councilor Mushen noted that there were three topics discussed, Pensions at the municipal level, unfunded mandates and the school funding formula. The Governor said he wants to address some of these issues through State Legislation. He noted that in his opinion it was a good meeting.**

**Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 7:40 PM.**

**Carol A Wordell**

**Town Clerk**